

A Regular Meeting of the Town Board, Town of Babylon, was held at the Town House, 200 East Sunrise Highway, Lindenhurst, NY on Wednesday, the 7th day of August, 2019 at 10:00 a.m. prevailing time.

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

*Supervisor Schaffer: Please remain standing for a moment of silence and I 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 recovering from the aftermath of super storm Sandy.*

*Thank you, please be seated.*

**The Town Clerk called the roll:**

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

1. **A PUBLIC HEARING IN REFERENCE TO AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR KEITH & PATRICIA HASDAY OUTER BEACH APPLICATION NO. 129022. SCTM #0100-243-1-66**
2. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

**Pamela Aurelien, Esq.**

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Representative for property located at 70 Peary Street, West Babylon - tabled resolution #477

**AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT 70 PEARY STREET, WEST BABYLON, NY 11704 SCTM No. 0100-077.00-01.00-041.000**

This resolution was tabled again to September 4, 2019 at 3:30 pm.

**RESOLUTION NO. 446 AUGUST 7, 2019**

**TOWN BOARD ENVIRONMENTAL DETERMINATION ON THE PLANNING BOARD JOB #17-04E OF GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC PREMISES AT SCTM NOS.: 0100-13-02-39.20 TO 39.49 AND PART OF 0100-13-02-51 AND 0100-13-02-39.1 TO 39.19, 0100-11-01-6.1 TO 6.7 (REMAINDER OF EXISTING SUBDIVISION) AND ADOPTION OF ENVIRONMENTAL FINDINGS**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman Manetta

WHEREAS, Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. (the "Petitioner") has heretofore petitioned the Town Board of the Town of Babylon for a change of zone of certain property which is located on the n/e/c/o Colonial Springs Rd. & N. 28<sup>th</sup> St., Wheatley Heights; and

WHEREAS, the proposal involves a change of zone from A Residence District to Multiple Residence District (MR) and construction of 264 multiple residence rental units and a 6,475 square foot community building upon a 16.09-acre portion of the site. In addition, relief of certain covenants and restrictions imposed on the subject site proposed for development will be necessary. The northerly portion of the premises (i.e. the remaining 15.87 acres) may be developed with single family homes pursuant to a previously approved and filed subdivision map known as Willoughby Commons. A connection to the Wyandanch Sewer Infrastructure utilizing a pump station and force main is proposed for wastewater disposal. The proposal may also include a future subdivision or road abandonment; and

WHEREAS, the Town Board of the Town of Babylon has classified the proposal as a Type I Action and a full coordinated review was conducted that included all Involved Agencies, Interested Agencies and Interested Organizations in accordance with Section 114-6B.2(a) and (3) the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Town Board of the Town of Babylon declared itself Lead Agency for the proposal by Petitioners in accordance with the TOBEQRA 114-6B.2(a) and (3); and adopted a Positive Declaration to require a Draft Supplemental Environmental Impact Statement (DSEIS) on April 26, 2017; and

WHEREAS, the Town Board of the Town of Babylon accepted the DSEIS on May 17, 2017 by Town Board Resolution No. 411 and conducted a SEQRA Public Hearing on the subject application on June 14, 2017 at 6:00 PM at the Babylon Town Hall Board Room, 200 E. Sunrise Highway, Lindenhurst, NY; and

WHEREAS, the Town Board of the Town of Babylon accepted verbal and written comments at the June 14, 2017 SEQRA Public Hearing and written comments were accepted by the Lead Agency until June 26, 2017; and

WHEREAS, the Town Board of the Town of Babylon accepted the Final Supplemental Environmental Impact Statement (FSEIS) for public review on November 14, 2018 and circulated the FSEIS to all Involved and Interested Agencies and Interested Organizations to consider the document; and

WHEREAS, the proposed action was the subject of a comprehensive, exhaustive SEQRA review; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency for the proposal, has adequately addressed and considered all of the relevant public and agency comments raised on the DSEIS and FSEIS in accordance with SEQRA; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency, has determined that the environmental analysis prepared through the DSEIS and FSEIS will provide sufficient information to make a reasoned decision on the project that is consistent with the requirements of Section 617.11 State Environmental Quality Review (SEQR); and

WHEREAS, potential adverse environmental impacts are minimized or avoided by the proposed Action to the greatest extent practicable as determined by the Lead Agency, the Town Board of the Town of Babylon; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency, has carefully considered the proposed action analyzed in the relevant DSEIS and FSEIS review in accordance with the requirements of SEQRA and TOBEQRA and determined the following: See Findings Exhibit "A", Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. Environmental Findings; and

WHEREAS, the Town Board of the Town of Babylon has considered the relevant environmental impacts, facts and conclusions disclosed in the DSEIS, FSEIS for the proposal; and

WHEREAS, the Town Board of the Town of Babylon has weighed and balanced relevant environmental impacts with social, economic and other considerations; and

WHEREAS, Exhibit A has further identified the rationale for the Town Board of the Town of Babylon's decision; and

WHEREAS, the Town Board of the Town of Babylon hereby certifies that the requirements of Chapter 114 of the Code of the Town of Babylon have been met;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon hereby certifies that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action by Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable as required by the SEQRA AND TOBEQRA.

The resolution was thereupon declared duly **TABLED** to September 25, 2019 Meeting.

**RESOLUTION NO. 447 AUGUST 7, 2019**

**GRANTING THE REZONING APPLICATION OF GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC FOR THE PREMISES LOCATED AT SCTM NOS. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, PLANNING BOARD JOB #17-04ADE;**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman Martinez

WHEREAS, GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC, (collectively the "Petitioner") has heretofore petitioned this Board for a change of zone of the properties identified by SCTM Nos. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, further described on Schedule A attached hereto, located in the SC016 School District, from A Residence District to MR Multiple Residence District, in order to construct 264 rental units of which 228 will contain one (1) bedroom and 36 will contain two (2) bedrooms, a 6,475 sq. ft. community building, a 228 sq. ft. pump station, two 750 sq. ft. entrance booths and an outdoor recreation area with a 25 x 45 pool along with associated site improvements; and

WHEREAS, a public hearing was held on said petition on June 14th, 2017; and

WHEREAS, the Town Board of the Town of Babylon has classified the proposal as a Type I Action and a full coordinated review was conducted that included all Involved Agencies, Interested Agencies and Interested Organizations in accordance with Section 114-6B.2(a) and (3) the Town of Babylon Environmental Quality Review Act (TOBEQRA), a full environmental impact statement review was conducted pursuant to SEQRA and in accordance with that review the Town Board of the Town of Babylon has made a determination that the requirements of Chapter 114 of the Code of the Town of Babylon Town of Babylon Environmental Quality Review Act have been met and that the proposed project is consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effects disclosed in the relevant environmental impact statement. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable pursuant to the adopted Environmental Findings in Resolution No. 446 of June 15, 2019; 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 the "Petitioner" for a change of zone of a certain property which is located at SCTM No. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, further described on Schedule A attached hereto, located in the SC016 School District, from A Residence District to MR Multiple Residence District 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:

1. Subject to final site plan approval from the Planning Board.
2. Subject to Zoning Board of Appeals approval for associated variances.
3. Subject to providing a plan for the sewer connection to the Wyandanch Sewer infrastructure. Provide the following details:
  - a. Description of type of system including location of pump station, force main diameter and design flow.
  - b. Service area, i.e. any other developments to be connected.
  - c. Route of system and proposed connection point at Wyandanch Sewer infrastructure.
4. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
5. Mitigation measures required in connection with the site development are as follows:
  - a. Fugitive dust generation shall be controlled by appropriate means such as watering.
  - b. Erosion control shall be utilized during construction.
  - c. 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.
  - d. 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 9am and 4pm. Construction activities on the site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
  - e. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
6. Applicant/owner must obtain Energy Star Certification for each unit, as per Town Code Chapter 89, Article VI, §89-79.
7. Sewer district and water-saving plumbing fixtures must be utilized.
8. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
9. Audio/visual notifications for all alarms to be installed in all units.
10. Address number, building number or approved building identification to be placed in a position visible from the street.
11. Subject to Highway and Engineering requirements.
12. 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.
13. All on site signage shall conform to the Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD) specifications for both highway and on-site traffic controls and must conform to the federal MUTCD and the NYS Supplement to the manual of Uniform Traffic Control Devices. All signs must be fabricated using high-intensity retro-reflective sheeting.
14. The applicant shall be required to pay a fee of \$2,245.00 for the ordinance, fabrication and installation of three (3) stop signs, two (2) "One Way, Do Not Enter" signs assemblies and four (4) "No Left Turn" symbol signs.
15. The location of all HVAC, air handlers' transformers and RPZ shall be approved by the Town of Babylon Planning Department prior to installation.
16. Subject to the proposed development connecting to the Southwest Sewer District.
17. Subject to SWPPP approval.
18. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all air-conditioning units, chillers, refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
19. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
20. 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.
21. Subject to the requirements of Highway, Engineering, and the Fire Marshall.
22. Subject to the applicant providing funding in the amount of \$20,000 for local community benefits/improvements to be disbursed as follows: \$5,000 to the Wyandanch Fire Department; \$5,000 to the Wheatley Heights Ambulance Corps; \$5,000 to the Wheatley Heights Taxpayers Civic Association (to provide \$1,000 scholarships to 5 individuals); and \$5,000 to the Wheatley Heights Football League "The Chiefs." In the event any one or more of the groups described above no longer exist, that share of the funding amount shall be distributed evenly among the remaining groups.
23. Subject to the applicant installing lighting on the south side of Colonial Springs Road from Conklin Street to North 27<sup>th</sup> Street.
24. Subject to the applicant installing sidewalk on the south side of Colonial Springs Road from Conklin Street to North 27<sup>th</sup> Street.
25. Subject to the dedication of 10 feet of land along the east side of 28<sup>th</sup> Street and the north side of Colonial Spring Road for a distance of 40 feet in the northerly and easterly direction from the corner of North 28<sup>th</sup> Street and Colonial Springs Road.
26. Subject to the applicant, installing two Radar Driver Feedback signs and any associated thermal striping along Colonial Springs Road at locations to be determined by the Town of Babylon Planning Department, subject to approval of the Town of Babylon Division of Traffic Safety.
27. Subject to the applicant constructing a bypass lane on the project site at the southwest guard booth.
28. Subject to the applicant installing four inverted "U" bicycle racks on the project site at locations to be determined by the Town of Babylon Planning Department.
29. Subject to the applicant's submittal of and the Suffolk County Department of Health Services acceptance of a Soil Management Plan (SMP).
30. Subject to any New York State Department of Environmental Conservation permits as may be required.
31. Subject to Suffolk County Department of Health Services requirements (including those applicable for deep recharge zones) for any regulated materials storage.

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 further development of the site without Planning Board approval.
2. The development shall comply with all federal, state and local fair housing and ADA requirements.
3. Twenty percent (53) units shall be designated as work force/affordable housing. Units to be scattered equally throughout the site. Affordable/workforce units shall be equally distributed throughout the site. Affordable/workforce units shall be targeted to qualified households making 80% or less than the Suffolk County HUD income limits, which are updated annually. A recognized affordable housing provider shall be engaged by the owner/applicant to oversee the affordable component. Proof of such engagement shall be provided to the Planning Department.

4. The applicant/owner shall maintain the Town of Babylon recharge basin as per the approved site plan.
5. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including but not limited to handicapped ramps and handicapped parking spaces.
6. The buildings shall 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.
7. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
8. 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, etc.
9. 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.
10. All units to have central air conditioning or through the wall air-conditioning units, no window units to be permitted.
11. The use of inorganic fertilizers, pesticides and herbicides shall be minimized as standard operating procedure for the landscape maintenance of the site.
12. SWPPP maintenance access 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.
13. SWPPP maintenance after construction 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.
14. 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
15. The proposed project would include 54 affordable units, or 20.5 percent of the total 264 units. In addition, the proposed project would set aside 10 of the 54 affordable units for post 9-11 combat veterans, subject to compliance with applicable fair housing regulations and specific program terms. The selection criteria for the 10 veterans' units shall be determined by a Town of Babylon-designated agency or individual.

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 MR Multiple Residence District to A Residence District, 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 resolution was thereupon declared duly **TABLED** to September 25, 2019 Meeting.

#### SCHEDULE A

All that certain, piece or parcel of land situate, lying, and being at Wheatley Heights, in the Town of Babylon, County of Suffolk, and State of New York, being more particularly bound and described as follows:

BEGINNING at the corner formed by the intersection of the northerly side of Colonial Springs Rd and the easterly side of North 28th Street, and from said point or place of Beginning;

Running thence northerly along the easterly side of North 28<sup>th</sup> Street North 7° 58' 00" West 279.08 feet to the land now or formerly of the Federation of Jewish Philanthropies,

Running thence northeasterly, along said Federation of Jewish Philanthropies land North 34° 25' 37" East 538.19 feet to the land now or formerly of the Town of Babylon,

Running thence along land now or formerly of the Town of Babylon, northeasterly, easterly, northerly and easterly the following four courses and distances,

1. North 48° 59' 37" East 264.64 feet to a point,
2. North 82° 02' 00" East 385.23 feet to a point,
3. North 7° 58' 00" West 40.00 feet to a point,
4. North 82° 02' 00" East 71.48 feet to point,

Running thence southerly South 7° 58' 00" East 13.05 feet to a point,

Running thence easterly the following four courses and distances,

1. North 82° 02' 00" East 127.14 feet to a point,
2. Along the arc of a curve, bearing to the left, having a radius of 38.00 feet, a distance of 24.92 feet
3. Along the arc of a curve, bearing to the right, having a radius of 42.00 feet, a distance of 8.12 feet
4. North 82° 02' 00" East 21.39 feet to the westerly side of North 23rd Street Running thence southerly along the westerly side of North 23rd Street, South 07° 58' 00" East 549.28 feet to a point,

Running thence westerly South 82° 02' 00" West 450.00 feet to a point,

Running thence southerly South 7° 58' 00" East 226.78 feet to a point

Running thence westerly, South 82° 02' 00" West 520.00 feet to the point,

Running thence southerly South 7° 58' 00" East 208.47 feet to the northerly side of Colonial Springs Road,

Running thence westerly along the northerly side of Colonial Springs Road North 71 ° 30' 48" West 279.24 feet to the easterly side of North 28th Street, to the point or place of BEGINNING.

Containing therein 700,969.35 Sq. Ft or 16.092 Acres

**RESOLUTION NO. 477 AUGUST 7, 2019  
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT  
70 PEARY STREET, WEST BABYLON, NY 11704 SCTM No. 0100-077.00-01.00-041.000**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman McSweeney

WHEREAS, a certain structure, located at **70 Peary Street, West Babylon, NY**, bearing Suffolk County Tax Map No. **0100-077.00-01.00-041.000** is wide open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer's report dated **June 7, 2019**, indicates the detached garage has become dangerous, unsafe and unreasonable to repair therefore the demolition of the detached garage including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the detached garage including removal of the foundation, located at **70 Peary Street, West Babylon, NY**, A/K/A SCTM No. **0100-077.00-01.00-041.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report attached hereto, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises **70 Peary Street, West Babylon, NY**, A/K/A SCTM No. **0100-077.00-01.00-041.000**, in accordance with the Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of One Hundred and Fifty Dollars (\$150.00) for said premises from the appropriate fund, and be it further

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

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

The resolution was thereupon declared duly **TABLED** to September 4, 2019 Meeting.

**RESOLUTION NO. 494 AUGUST 7, 2019  
ACCEPTING TOWN BOARD MINUTES**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

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

July 10, 2019

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 495 AUGUST 7, 2019  
AMENDING RESOLUTION NO. 490 OF JUNE 22, 2016, AWARDING BID NO. 16G46 LICENSE TO BUILD-OUT AND  
OPERATE A FIXED-FOOD STAND CONCESSION AT GEIGER LAKE PARK**

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

WHEREAS, Bid No. 16G46 License to build-out and operate a fixed-food stand concession at Geiger Lake Park was awarded to Dimitri Miliopulos, and

WHEREAS, the Commissioner of General Services and the Commissioner of Parks, Recreation & Cultural Affairs recommend reducing the annual refuse fee to FIVE HUNDRED (\$500.00) DOLLARS, retroactive to 2016,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of Parks, Recreation & Cultural Affairs, the annual refuse payable to the Town of Babylon be and is hereby reduced to FIVE HUNDRED (\$500.00) DOLLARS per year, retroactive to 2016.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 496 AUGUST 7, 2019  
AUTHORIZING CHANGE ORDER NO. 3 IN THE CONTRACT WITH  
G & M EARTH MOVING, INC. FOR BID NO. 18G62, CARHILL & STORMWATER RECHARGE BASIN RECONSTRUCTION**

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

WHEREAS, Bid No. 18G62, Carhill & Stormwater Recharge Basin Reconstruction was awarded to G & M Earth Moving, Inc. pursuant to Resolution No.714 of September 26, 2018 TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS and,

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 295 of April 10, 2019 which resulted in no change to the contract amount of TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 396 of June 12, 2019, which resulted in change to the contract amount

WHEREAS, the Change Order Committee convened on August 1, 2019, with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 3 and

WHEREAS, the Change Order Review Committee and Kosuri Engineering & Consulting, P.C. recommend the approval of Change Order No. 3 as follows:

Change Order No. 3 Furnish & Install labor, equipment & material to install guiderail using steel beam mounting in lieu of direct to steel sheeting	\$38,461.50
Credit for deletion of mounting guide rail on direct to steel sheeting	(\$11,100.00)
Credit to Contingency	(\$27,361.050)
<b>TOTAL CHANGE ORDER NOS. 3</b>	<b>0</b>

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 3 in the contract with G & M Earth Moving, Inc. which has resulted in no change to the contract amount TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 497 AUGUST 7, 2019  
AUTHORIZING CHANGE ORDER NOS. 4 & 5 IN THE CONTRACT WITH  
G & M EARTH MOVING, INC. FOR BID NO. 18G62, CARHILL & STORMWATER RECHARGE BASIN RECONSTRUCTION**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, Bid No. 18G62, Carhill & Stormwater Recharge Basin Reconstruction was awarded to G & M Earth Moving, Inc. pursuant to Resolution No.714 of September 26, 2018 TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS and,

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 295 of April 10, 2019 which resulted in no change to the contract amount of TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 396 of June 12, 2019, which resulted in change to the contract amount

WHEREAS, the Change Order Committee convened on August 1, 2019, with the Chief of Staff, Town Attorney, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order Nos. 4 & 5, and

WHEREAS, the Change Order Review Committee and Kosuri Engineering & Consulting, P.C. recommend the approval of Change Order Nos. 4 & 5 as follows:

Change Order 4– Furnish & install labor, equipment 7 materials to install oversized recycled concrete aggregate along north slope of retaining wall in Area #2	\$15,410.01
Credit for deletion of Hydroseed	(\$2,572.67)
Change Order No. 5 Furnish & install labor, equipment & materials to install 36 additional linear feet of block wall due to elevation issues modified onsite	\$6,548.85
Credit to Contingency	(\$19,386.19)
<b>TOTAL CHANGE ORDER NOS. 4 &amp; 5</b>	<b>0</b>

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order Nos. 4 & 5 in the contract with G & M Earth Moving, Inc. which has resulted in no change to the contract amount TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 498 AUGUST 7, 2019  
AUTHORIZING A CONTRACT WITH COBERT BANKING COURIER**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, a proposal for courier services for the Town Attorney's office was solicited from Cobert Banking Courier, and WHEREAS, the Professional Consultant Evaluation Committee convened on August 1, 2019 with the Deputy Supervisor, Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, Commissioner of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Cobert Banking Courier at a rate of TWENTY-TWO (\$22.00) DOLLARS PER DAY

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Cobert Banking Courier at a rate of TWENTY-TWO (\$22.00) DOLLARS PER DAY and that said contract shall be subject to the approval of the Town Attorney as to form and content, and be it further

RESOLVED, that said contract shall be for a period of five (5) years.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 499 AUGUST 7, 2019  
AUTHORIZING A CONTRACT WITH HEARTLAND**

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

WHEREAS, a proposal for Credit Card Services for Unattended or Pay Station Parking Meters was solicited from Heartland, and WHEREAS, the Professional Consultant Evaluation Committee convened on August 1, 2019 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, Commissioner of Planning & Development, and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

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

Visa/MC/Disc/Amex	\$0.15 per Transaction
Service Reg & Mandate Fee	\$33.50 per Month/Per MID
Statement Reporting Fee	\$0
Chargeback Fee	\$25 per Occurrence (1 <sup>st</sup> 3 are free)
Voice Authorization	\$0.65 per Occurrence
PCI Non-Compliance Fee	\$125.00 per Month (only if non-compliant)

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Heartland at the following fees:

Visa/MC/Disc/Amex	\$0.15 per Transaction
Service Reg & Mandate Fee	\$33.50 per Month/Per MID
Statement Reporting Fee	\$0
Chargeback Fee	\$25 per Occurrence (1 <sup>st</sup> 3 are free)
Voice Authorization	\$0.65 per Occurrence
PCI Non-Compliance Fee	\$125.00 per Month (only if non-compliant)

and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 500 AUGUST 7, 2019  
AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH NELSON & POPE ENGINEERS**

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

WHEREAS, a contract for engineering, design, preparation of bid specifications, construction administration and inspection services for new lighting at the Multi-Purpose and Softball Fields at Venetian Shores Park, was awarded to Nelson & Pope Engineering pursuant to Resolution No. 207 of March 13, 2019 in the amount of FIFTY-FOUR THOUSAND (\$54,000.00), and

WHEREAS, the Change Order Committee convened on June 28, 2019, with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 1, and

WHEREAS, the Change Order Review Committee recommend the approval of Change Order No. 1 for additional Engineering, Bid Preparation, and Construction Services for the Baseball Field at Venetian Shores Park, for a total amount of TEN THOUSAND (\$10,000.00) DOLLARS

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 1 in the amount of TEN THOUSAND, (\$10,000.00) DOLLARS in the contract with Nelson & Pope Engineers, increasing the total contract amount to SIXTY-FOUR THOUSAND, (\$64,000.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 501 AUGUST 7, 2019**  
**AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH H & L CONTRACTING, LLC FOR BID NO. 17G30,**  
**REPLACEMENT OF THE AMERICAN VENICE BRIDGES AT EAST & WEST RIVIERA DRIVE**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, Bid No. 17G30, Replacement of the American Venice Bridges at East & West Riviera Drive was awarded to H & L Contracting, LLC for a total contract amount of SEVEN MILLION, TWO HUNDRED THIRTY-ONE THOUSAND, FOUR HUNDRED AND FIFTY-SIX (\$7,231,456.00) DOLLARS pursuant to Resolution No. 598 of July 31, 2017 and

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

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 727 of September 26, 2018, which resulted in no change to the contract amount, and

WHEREAS, the Change Order Committee ("Committee") convened on June 28, 2019 with the Chief of Staff, Comptroller, Commissioner of General Services Designee, Commissioner of Department of Public Works and the Commissioner of Planning & Development to review Change Order No. 2 as follows:

Removal additional 16 cubic yards of substructures	\$15,360
Additional 56 cubic yard Structure Excavation	\$1,288.00
Additional 216 square feet of temporary steel sheeting	\$1,075.00
Additional 10,000 lbs. epoxy coated steel reinforcement	\$30,000.00
Furnish and plant additional 39 coniferous trees	\$8,970.00
Credit for 16 grouted ties backs	(\$62,400.00)
Credit for Pre-drilling 450 lf. tie backs for piles	(\$90,000.00)
<b>TOTAL CHANGE ORDER NO. 2 – CREDIT</b>	<b>(\$95,707.00)</b>

WHEREAS, Change Order No. 2 has been approved by the Committee, Lockwood, Kessler & Bartlett, Inc., the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, Lockwood, Kessler & Bartlett, Inc. and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 2, for a total credit amount of NINETY-FIVE THOUSAND, SEVEN HUNDRED SEVEN (-\$95,707.00) DOLLARS decreasing the contract amount to SEVEN MILLION ONE HUNDRED THIRTY-FIVE THOUSAND, SEVEN HUNDRED FORTY-NINE (\$7,135,749.00) DOLLARS

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 502 AUGUST 7, 2019**  
**AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH COMMANDER ELECTRIC, INC. FOR BID NO. 17G31,**  
**INSTALLATION OF GENERATORS FOR THE VILLAGE OF BABYLON & CEDAR BEACH MARINA**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, Bid No. 17G31, Installation of Generators for the Village of Babylon & Cedar Beach Marina was awarded to Commander Electric Inc. for a total contract amount of ONE MILLION, EIGHT THOUSAND, TWO HUNDRED FIFTY (\$1,008,250.00) DOLLARS pursuant to Resolution No. 769 of September 27, 2017 and

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

WHEREAS, the Change Order Committee ("Committee") convened on June 28, 2019 with the Chief of Staff, Comptroller, Commissioner of General Services Designee, Commissioner of Department of Public Works and the Commissioner of Planning & Development to review Change Order No. 1 as follows:

<b>Cedar Beach Marina</b> –Furnish & Install Additional 80LF Sheet Piling,	\$73,055.00
Credit for deletion of dewatering, backfill	(\$69,950.00)
<b>Babylon Village DPW</b> –Relocation of Generators	\$104,809.97
Fee for National Grid for relocation of gas line	\$2,954.93
Credit for deletion of structural steel, fuel tanks and appurtenances, and blast wall	(\$117,576.00)
<b>TOTAL CHANGE ORDER NO. 1 – CREDIT</b>	<b>(\$6,706.10)</b>

WHEREAS, Change Order No. 1 has been approved by the Committee, Lizardos Engineering Associates, P.C., the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, Lizardos Engineering Associates, P.C. and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 1, for a total credit amount of SIX THOUSAND, SEVEN HUNDRED SIX DOLLARS AND 10/100 (\$6,706.10) decreasing the contract amount to ONE MILLION, ONE THOUSAND, FIVE HUNDRED FORTY-THREE DOLLARS AND 90.100 (1,001,543.90).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 503 AUGUST 7, 2019**  
**RESCINDING AWARD OF BID NO. 19G51-CONTROLLED DEMOLITION WITH ASBESTOS IN PLACE AT**  
**51 JEAN DRIVE, NORTH BABYLON**

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

WHEREAS, Bid No. 19G51-Controlled Demolition with Asbestos in Place at 51 Jean Drive, North Babylon was awarded to Watral Brothers, Inc. pursuant to Resolution No. 452 of June 25, 2019, and

WHEREAS, the Commissioner of General Services recommends that the award of Bid No. 19G51 be rescinded in its entirety without penalty from Watral Brothers Inc., as the work is being done by the homeowner

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, the award of Bid No. 19G51 be and is hereby rescinded in its entirety, without penalty, from Watral Brothers Inc.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 504 AUGUST 07, 2019**  
**AWARDING BID NO. 19G52 STAKES WEDGES & LATH**

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

WHEREAS, the following bids for Bid No. 19G52, Stakes, Wedges & Lath were received, opened and publicly read:

<b>BIDDER</b>	<b>BID PRICE</b>
1. Stakes	
<b>East Islip Lumber</b>	<b>\$78.00</b>
2. Wedges	
<b>East Islip Lumber</b>	<b>\$58.00</b>
3. Lath	
<b>East Islip Lumber</b>	<b>\$138.00</b>

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of the D.P.W and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G52 be and is hereby awarded to the sole bidder, East Islip Lumber; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with East Islip Lumber and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 505 AUGUST 07, 2019**

**AWARDING BID NO. 19G53 DRY CHLORINATOR BRIQUETTES, PULSAR PLUS OR EQUAL**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, the following bids for Bid No. 19G53, Dry Chlorinator Briquettes, Pulsar Plus or Equal was received, opened and publicly read:

	<b>Commercial Clearwater</b>
Item 1. price per 50 lb. container	<b>\$124.25</b>
Item 2. price per 100 lb. container	<b>\$231.72</b>
Item 3. price per full skid	<b>\$3,707.52</b>

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and Commissioner of the Department of Public Work and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G53 be and is hereby awarded to the sole bidder Commercial Clearwater Company, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contracts with Commercial Clearwater Company, Inc., and that the form and content of said contracts shall be subject to the approval of the Town Attorney; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 506 AUGUST 07, 2019**

**AWARDING BID NO. 19G54 SHADE SYSTEMS INC. CATALOG OR EQUAL**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, the following bids for Bid No. 19G54; Shade Systems Inc. Catalog or Equal was received, opened and publicly read:

Item: Discount off Catalog Price

<u>Vendor</u>	<u>Catalog Bid</u>		<u>Percentage +/-</u>	
<b>Ry-lecia d/b/a</b>	Shade Systems Catalog	+ 35%		<b>American</b>

**Recreational Products, Inc.**

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of Parks & Recreation and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G54 be and is hereby awarded to the sole bidder, Ry-Lecia Corp. d/b/a American Recreational Products, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Ry-Lecia Corp. d/b/a American Recreational Products, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) year periods.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 507 AUGUST 7, 2019**

**AWARDING BID NO. 19G57 "U" CHANNEL SIGN POSTS**

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

WHEREAS, the following bids for Bid No. 19G57, "U" Channel Sign Posts were received, opened and publicly read:

<u>Item</u>	<u>Vendor</u>	<u>Pricing</u>
1. 12' "U" Channel Posts – two lbs. - per linear foot	Garden State Hwy Products, Inc.	\$2.06 lf
	Eberl Iron Works	\$2.17 lf
	<b>Chemung Supply Corp.</b>	<b>\$1.99 lf</b>
2. 12' "U" Channel Posts – two and a half pounds - per linear foot	Garden State Hwy Products, Inc.	\$2.51 lf
	Eberl Iron Works	\$2.69 lf
	<b>Chemung Supply Corp.</b>	<b>\$2.49 lf</b>
3. 12" "U" Channel Posts- three pounds per foot	<b>Garden State Hwy Products, Inc.</b>	<b>\$2.91 lf</b>
	Eberl Iron Works	\$3.18 lf
	Chemung Supply Corp.	\$2.94 lf
4. Steel sign Supports - 1¼ X 1¼	Garden State Hwy Products, Inc.	no bid
	<b>Eberl Iron Works</b>	<b>\$2.54 lf</b>
	Chemung Supply Corp.	no bid
5. Steel sign Supports - 1½ X 1½	Garden State Hwy Products, Inc.	\$2.59 lf
	Eberl Iron Works	\$2.47 lf
	<b>Chemung Supply Corp.</b>	<b>\$2.25 lf</b>
6. Steel sign Supports - 1¼ X 1¼	Garden State Hwy Products, Inc.	\$2.91 lf
	Eberl Iron Works	\$2.78 lf
	<b>Chemung Supply Corp.</b>	<b>\$2.40 lf</b>
7. Steel sign Supports – 2 X 2	Garden State Hwy Products, Inc.	\$3.91 lf
	Eberl Iron Works	\$3.12 lf
	<b>Chemung Supply Corp.</b>	<b>\$2.60 lf</b>

NOW, therefore, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 19G57 be and is hereby awarded to the low bidders per item, Chemung Supply Corp. for Item Nos. 1, 2, 5, 6 and 7, Garden State Highway Products, Inc. for item No. 3 and Eberl Iron Works, Inc. for item No. 4; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with Chemung Supply Corp., Garden State Highway Products, Inc. and Eberl Iron Works, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney, and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.



**RESOLUTION NO. 508 AUGUST 7, 2019  
AWARDING BID NO. 19G60 20 GALLON RECYCLING CONTAINERS**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta WHEREAS, the following bids for Bid No.19G60, 20 Gallon Recycling Containers were received, opened and publicly read:

T.M. Fitzgerald

Item 1. 500 Containers with Lid	\$ 12.95
Item 2. 500 Containers	\$ 10.55
Item 3. 500 Lids	\$ 3.40

NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Deputy Commissioner of Environmental Control and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 19G60 be and is hereby awarded to the sole bidder, T.M. Fitzgerald & Associates; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with T.M. Fitzgerald & Associates and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 509 AUGUST 07, 2019  
AWARDING BID NO. 19G61 RADIATOR REPAIRS**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon WHEREAS, the following bids for Bid No. 19G61 Radiator Repairs was received, opened and publicly read:

Item	Acme Radiator
1. Main Radiator or Equal Price List	
1a. NEW RADIATOR CORES	- 25% discount
2. NEW RADIATOR	25% Over Cost
3. PARTS (OEM or Equal)	25% Over Cost
4. Boil out & Repair Radiator Core (cars & light trucks)	\$80.00 flat rate
5. Boil out & Repair Radiator Core (heavy trucks, equip)	\$100.00 flat rate
6. Boil out & Repair External Oil Cooler (heavy equip)	\$100.00 flat rate
7. Labor rate on installations (per hour)	
Cars	\$80.00
Trucks	\$100.00
Industrial Equipment	\$100.00

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Deputy Commissioner of D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G61 be and is hereby awarded to the sole bidder Acme Auto Radiator & Glassworks, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Acme Auto Radiator & Glassworks, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

The resolution was thereupon declared duly adopted.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 510 AUGUST 7, 2019  
AUTHORIZING A REDUCTION IN THE AMOUNT OF CONTINGENCY IN THE CONTRACT WITH RELLE ELECTRIC CORP.  
FOR BID NO. 18G8E, CONSTRUCTION OF A NEW HISTORIC RESTORATION OF OAK BEACH COMMUNITY CENTER,  
ELECTRIC CONSTRUCTION**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, Bid No. 18G8E, Construction of a new Historic Restoration of Oak Beach Community Center, Electric Construction was awarded to Relle Electrical Corp. for a total contract amount of ONE HUNDRED THREE THOUSAND, EIGHT HUNDRED FORTY-THREE (\$103,843.00) DOLLARS pursuant to Resolution No. 410 of May 16, 2018, and

WHEREAS, the total contract amount included a contingency amount of SEVEN THOUSAND, FIVE HUNDRED (\$7,500.00) DOLLARS for unforeseen conditions, and

WHEREAS, Commissioner of General Services, the Deputy Commissioner of Buildings & Grounds and Steward Preservation Services, LLC recommend crediting the contingency amount of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS as it will not be used, thereby decreasing the contract with Relle Electric Corp. contract to NINETY-SIX THOUSAND, THREE HUNDRED FORTY-THREE (\$96,343.00) DOLLARS.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Deputy Commissioner of Buildings & Grounds and Steward Preservation Services, LLC, the contingency amount in Bid No. 18G8E be and is hereby reduced by SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS as it will not be used, thereby decreasing the contract with Relle Electric Corp. contract to NINETY SIX THOUSAND, THREE HUNDRED FORTY THREE (\$96,343.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 511 AUGUST 7, 2019  
AUTHORIZING CHANGE ORDER NOS 1 & 2 IN THE CONTRACT WITH POLARIS ELECTRICAL CONSTRUCTION CORP. FOR BID  
NO. 19G4E, RENOVATIONS TO TOWN HALL ANNEX, PHASE D & E, ELECTRIC CONSTRUCTION**

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

WHEREAS, Bid No. 19G4E, Renovations to Town Hall Annex, Phase D & E, Electrical Construction, was awarded to Polaris Electrical Construction Corp. pursuant to Resolution No.211 of March 13, 2019, for a total contract amount of THREE HUNDRED TWENTY-ONE THOUSAND, NINE HUNDRED NINETY-NINE (\$321,999.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on June 28, 2019, with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order Nos. 1 & 2, and

WHEREAS, the Change Order Review Committee and BBS Architects recommend the approval of Change Order Nos. 1 & 2 as follows:

Change Order No.1 Furnish & install 3 interiors for back boxes	\$6,102.13
Change Order No. 2 Furnish & Install new lighting & power for Corridor F	\$18,843.03
Credit to Contingency	(\$24,945.16)
<b>TOTAL CHANGE ORDER NOS 1 &amp; 2</b>	<b>\$0</b>

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order Nos.1 & 2 in the contract with Polaris Electrical Construction Corp. which has resulted in no change to the contract amount THREE HUNDRED TWENTY-ONE THOUSAND, NINE HUNDRED NINETY-NINE (\$321,999.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 512 AUGUST 7, 2019**  
**AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH FJC PLUMBING & HEATING, INC. FOR BID NO. 19G4P,**  
**RENOVATIONS TO TOWN HALL ANNEX, PHASE D & E, PLUMBING CONSTRUCTION**

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

WHEREAS, Bid No. 19G4P, Renovations to Town Hall Annex, Phase D & E, Plumbing Construction, was awarded to FJC Plumbing & Heating, Inc. pursuant to Resolution No.213 of March 13, 2019, for a total contract amount of TWO HUNDRED FOUR THOUSAND (\$204,000.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on June 28, 2019, with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 1, and

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

Change Order No. 1 – Furnish & Install approx. 300 ft of 1” copper feed and return hot water piping of craws space for Area E, including supports and insulation	\$9,315.00
Credit to Contingency	(\$9,315.00)
<b>TOTAL CHANGE ORDER NO. 1</b>	<b>\$0</b>

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No.1 in the contract with FJC Plumbing & Heating, Inc. which has resulted in no change to the contract amount of TWO HUNDRED FOUR THOUSAND (\$204,000.00) DOLLARS.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilwoman Gordon	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 513 AUGUST 7, 2019**  
**AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR KEITH & PATRICIA HASDAY OUTER BEACH APPLICATION NO.**  
**129022 SCTM #0100-243-1-66**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 129022 of Keith & Patricia Hasday, for the premises located at 30 Fire Road, Oak Beach, NY, SCTM #0100-243-1-66, to construct grade deck addition; and

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

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that upon the recommendation of the Commissioner of Planning and Development, Outer Beach Application No. 129022 of Keith & Patricia Hasday, for the premises located at 30 Fire Road, Oak Beach, NY, SCTM #0100-243-1-66, to construct grade deck addition; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 514 AUGUST 7, 2019**  
**ADOPTING AMENDMENT TO CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON**  
**UNIFORM CODE OF TRAFFIC ORDINANCES**

The following resolution was offered by Councilwoman Gordon 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 7th day of August, 2019 at 10:00 a.m. prevailing time, upon the question amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT “A”**

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

**ADD to Schedule K:**

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Hickory Street/South side From a point 95 feet +/- West of Tiber Avenue /Skidmore Road west to Fillmore Avenue	DP	No Parking	8:00 a.m.to 6:00 p.m. Monday to Friday
Hickory Street/North side From Tiber Avenue / Skidmore Road west to Fillmore Avenue	DP	No Parking	8:00 a.m.to 6:00 p.m. Monday to Friday

**RESOLUTION NO. 515 AUGUST 7, 2019**  
**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 Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of September, 2019 at 3:30 p.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: 5 YEAS: 5 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:**

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Cedar Street/West side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday
Cedar Street/East side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday

Elm Street/West side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday
Elm Street/East side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday
Marconi Boulevard/North side From a point 30 feet +/- east of Columbo Avenue to a point 30 feet +/- west of Vespucci Avenue	CO	Permit Required	6:00 a.m. to 5:00 p.m./ Monday to Friday
Marconi Boulevard/North side From a point 30 feet +/- east of Vespucci Avenue to a point 30 feet +/- west of Verrazano Avenue	CO	Permit Required	6:00 a.m. to 5:00 p.m./ Monday to Friday
Marconi Boulevard/North side From a point 30 feet +/- east of Verrazano Avenue to a point 30 feet +/- West of Caboto Avenue	CO	Permit Required	6:00 a.m. to 5:00 p.m./ Monday to Friday
Pine Street/West side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday
Pine Street/East side From a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue	CO	2 Hour Limit	9:00 a.m. to 5:00 p.m./ Monday to Friday
Railroad Avenue/South side From a point 30 feet +/- east of Elm Street to a point 30 feet +/- west of Cedar Street	CO	5 Hour Limit	ALL
Railroad Avenue/South side From a point 30 feet +/- east of Cedar Street to a point 30 feet +/- west of Pine Street	CO	5 Hour Limit	ALL
Railroad Avenue/South side From a point 30 feet +/- east of Pine Street to a point 30 feet +/- west of Copiague Commons Driveway	CO	5 Hour Limit	ALL

**RESOLUTION NO. 516 AUGUST 7, 2019**

**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of September, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 2, Article IV, Section 2-8 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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"**

Chapter 2, Article IV, Section 2-8

[Traffic Regulations; Stop and Yield Intersection Designated]

**ADD to Schedule H:**

Location	Hamlet	Sign	Controlling Traffic
Frank Street at North Erie Avenue	NL	Stop	East/West on Frank Street
North Erie Avenue at Frank Street	NL	Stop	North on North Erie Avenue

**RESOLUTION NO. 517 AUGUST 7, 2019**

**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 170, ARTICLE IV OF THE BABYLON TOWN CODE (PLUMBERS)**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of September, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 170, Article IV of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilwoman Gordon	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"**

**Chapter 170, Article IV (Plumbers)**

**AMEND:**

§ 170-55 Applicability of licensing provisions to partnerships or corporations.

A partnership or corporation may establish, engage in or carry on the business of plumbing under a master plumber's license or restricted plumber's license granted in accordance with the provisions of this Article to a plumber who is a significant stockholder in such business, holds an office in that business and is in financial control and responsible for the carrying on of such business in accordance with the provisions of the laws, ordinances and regulations of the state, county and Town applicable to said business.

**RESOLUTION NO. 518 AUGUST 7, 2019**

**AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN WEST BABYLON UFSD AND THE TOWN OF BABYLON**

The following resolution was offered by Councilwoman Gordon 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 execute an agreement on behalf of the Town of Babylon with West Babylon UFSD to remove and replace all of the sidewalk on 12th Avenue, from Herzel Boulevard to 11th Street, and on Herzel Boulevard, from 11th Avenue to 12th Avenue.

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 519 AUGUST 7, 2019**

**AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN TOWN OF BABYLON LIFEGUARD ASSOCIATION AND THE TOWN OF BABYLON**

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 Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with Town of Babylon Lifeguard Association. The agreement is effective as of May 1 2019.

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 520 AUGUST 7, 2019**

8/7/2019 Minutes

**APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES**

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

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>
Donna Somma	Diversity Officer	4,500
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Dawn Carberry	Subregistrar	2,500
Corinne DiSomma	Tax Warrant Coordinator	10,000
Delores Bocklett	Drug & Alcohol Coordinator	3,500
Denise Graziano	p/t Clerk	25,500
Gilbert Hanse	Emergency Preparedness Coordinator	10,000
Jen Taus	Secretary to Town Board	3,500
Joan Ball	Assessor	12,000
Joseph Wilson	Sanitation Commission Chairman	2,000
Katherine Lynch	p/t Purchasing Technician	25,500
Lori Lynn Hansen	Deputy Registrar	3,150
Madeline Quintyne-McCommey	Special Events Coordinator	5,000
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Peter Russo	Plumbing Regulation Liaison to NYS	4,500
Rachel Scelfo	Workforce Housing Coordinator	8,500
Ronald Kluesener	Solid Waste Administrator	8,500
Stephen Greenwald	Traffic Safety Coordinator/Secretary	5,200
Thomas Stay	Drainage Coordinator	2,000
Tom Smith	Deputy Historian	3,500
Victoria Marotta	Director of Community Development	4,000
Victoria Russell	Assistant Solid Waste Coordinator	2,000
Stephen Greenwald	Grant Writer	5,000
Patrick Farrell	Task Force Director	5,000
Susanne Boltz	HUD Coordinator	5,000

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 521 AUGUST 7, 2019  
AMENDING THE ADMINISTRATIVE SALARY PLAN**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

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 this amendment to the Salary Plan shall be effective this date unless indicated otherwise.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**“SCHEDULE A” 2019 ADMINISTRATIVE SALARY PLAN**

<u>TITLE</u>	<u>LEVEL</u>	<u>STEP</u>
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	15
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	G	14a
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	H	6a
Assistant Town Attorney III	G	12
Assistant Town Attorney	G	6a
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Commissioner of DPW	J	16
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15
Commissioner of Human Services	J	15
Commissioner of Planning	J	15
Commissioner of Recreation	J	15
Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	B	17a
Confidential Community Service Aide/Supervisor	F	10
Confidential Community Service Aide/Supervisor	E	4a
Confidential Community Service Aide/Supervisor	F	3
Confidential Community Service Aide/Supervisor	F	14
Confidential Community Service Aide/Supervisor	E	14a
Confidential Community Service Aide/Supervisor	F	2a
Confidential Community Service Aide/Supervisor	D	10a
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/Environmental Control	E	3
Confidential Secretary to Town Council	D	10a
Deputy Commissioner Environmental Control/Landfill	I	16a
Deputy Commissioner General Services	J	13
Deputy Commissioner Human Services	J	3
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	9a
Deputy Commissioner of DPW	G	17a
Deputy Commissioner of Environmental	H	14a
Deputy Commissioner of Planning	I	12
Deputy Commissioner of Planning and Development	J	9
Deputy Commissioner Parks and Recreation	J	6a
Second Deputy Commissioner of Parks and Recreation	H	16a
Deputy Comptroller	J	15a
Deputy Director of Finance	I	10
Deputy Receiver of Taxes	E	14a

Deputy Town Attorney	I	17a
Deputy Town Clerk	E	14a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	I	11
Director of Handicapped Services	F	11
Director of Information Technology	J	16a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	I	14
Executive Assistant to Human Services	H	9a
Executive Assistant to Parks and Recreation	D	17
Executive Assistant to Commissioner of General Services	J	13a
Executive Assistant to Comptroller (effective March 4, 2019)	H	7a
Executive Assistant to Deputy Supervisor	G	4a
(Second) Executive Assistant to Deputy Supervisor	B	12a
Executive Assistant to DPW	I	7
Executive Assistant to Environmental Control	G	16
Executive Assistant to Planning	J	9
Executive Assistant to Supervisor	J	17
Executive Assistant to Town Attorney	B	12a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	10a
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	13a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	J	15
Legislative Aide to Supervisor	J	10a
Nutrition Center Supervisor	F	12
Principal Accountant	I	13
Public Information Officer/Supervisor	J	9
Secretary to Assessor	G	14a
Secretary to Commissioner of DPW	F	15
Secretary to Commissioner of Environmental Control	F	8
Secretary to Commissioner of General Services	E	10a
Secretary to Commissioner of Planning & Development	G	10a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	J	12a
Secretary to Deputy Supervisor	E	5
Secretary to Human Services	G	11a
Secretary to Supervisor	J	12a
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	F	2a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	9
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	D	9
Special Assistant to Supervisor	I	10
Town Attorney	J	17
Town Comptroller	J	17
Town Engineer	H	15
Town Historian	G	9a
Women's Resources Advisor I	G	11a

**2019 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	110,524	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	147,900
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	149,324

**RESOLUTION NO. 522 AUGUST 7, 2019  
AUTHORIZING 2019 BUDGET MODIFICATION**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney  
BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2019 Budget Modification is hereby authorized:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
<b>Parks and recreation admin</b>			
Equipment			
A.7020.20		\$26,000	
Repairs and maintenance			
A.7020.46			\$26,000
<b>Adult recreation</b>			
Full time labor			
A.7620.15		\$47,390	
Miscellaneous			
A.7620.49		\$ 300	
Program Operations			
A.7620.47			\$ 300
<b>Control of Animals</b>			
Full time labor			
A.3510.15			\$ 47,390
<b>Part Town Fund</b>			
<b>Planning</b>			
Overtime			
B.8020.19		\$ 5,000	
Professional and Technical Services			
B.8020.44			\$ 5,000
Miscellaneous			
B.8020.49			\$ 100
<b>Engineer</b>			
Miscellaneous			
B.1440.49		\$ 100	

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 523 AUGUST 7, 2019  
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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

EMPLOYEE	AMOUNT
Patricia Burton	\$35.70 hardware supplies

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 524 AUGUST 7, 2019  
AUTHORIZING RELEASE OF BOND**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta  
BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk that the following BOND for street excavation be released:

PERMIT	DATE	NAME & ADDRESS	TYPE	AMOUNT
10034	12/3/2014	Kilkenny Construction Co. Inc. 11 Bahama Street, Lindenhurst, NY 11757	Bond	\$5000.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 525 AUGUST 7, 2019  
AUTHORIZING REFUND OF PAYMENT**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon  
BE IT RESOLVED, by the Town Board of the Town of Babylon that the following payments be refunded as an overpayment:

Customer name and Address	Payee	Account Number/Type	Refund Amount	Recommended By
Bigname Commerce 5300 New Horizons Blvd. Amityville, NY 11701	Bigname Commerce 105 Maxess Road Melville, NY 11747	10401	\$757.09	Commissioner of Environmental Control
27 Collision 835 Sunrise Highway West Babylon, NY 11704	27 Collision 835 Sunrise Highway West Babylon, NY 11704 Attn: Patty	9302	\$1,966.60	Commissioner of Environmental Control
Sims Steel Corp 70 Lambert Street Copiague, NY 11726	Pile King Inc 777 Chettic Avenue Copiague, NY 11726	2817	\$74.09	Commissioner of Environmental Control

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 526 AUGUST 7, 2019  
AUTHORIZING REFUND OF FEES**

The following resolution was offered by Councilwoman Gordon 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
Thomas J. Kalish 9 Nostrand Avenue, Farmingdale, New York 11735	Accurate Assessment Refund 0100-69-2-18	\$50.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 527 AUGUST 7, 2019  
AUTHORIZING PETTY CASH FUND FOR THE TOWN ATTORNEY'S OFFICE**

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez  
BE IT RESOLVED, that the Town Board of the Town of Babylon hereby authorizes a Petty Cash Fund for the Office of the Town Attorney for \$500.00.  
VOTES: 5 YEAS: 5 NAYS: 0  
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 528 AUGUST 7, 2019  
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta  
WHEREAS, the Town Board has awarded certain contracts for various projects throughout the Town of Babylon, and  
WHEREAS, said work and/or services were never performed or services have been completed and the funding for said projects remains encumbered, and  
WHEREAS, the Commissioner of General Services and the Comptroller recommend that certain contracts be deemed null and void and/or complete and any remaining funding be unencumbered  
NOW, THEREFORE, be it  
RESOLVED, that the contracts listed below be deemed as null and void and/or complete and all funding be released and reallocated:

<u>CONTRACTOR NAME</u>	<u>RESOLUTION NO.</u>	<u>AMOUNT</u>
Liro Engineers, Inc.	254 of 3/26/14	\$2,954.00

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

**RESOLUTION NO. 529 AUGUST 7, 2019  
AUTHORIZING ACCEPTANCE OF PAYMENT IN LIEU OF PERFORMANCE BOND FOR LAND CLEARING**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon  
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 payment be accepted in lieu of a performance bond and deposited into the Town Trust for Land Clearing:

<u>Payee</u>	<u>Property Location</u>	<u>Application/Permit No.</u>	<u>Bond Amount</u>
Waldemar Wesolowski 255 S. 14 <sup>th</sup> Street Lindenhurst, New York 11757	15 & 25 5 <sup>th</sup> Street and S. Railroad Ave. Lindenhurst 0100-129-4-4, 5 & 6	Application No.: 131935 Applicant: Waldemar Wesolowski	\$2,500.00

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

**RESOLUTION NO. 530 AUGUST 7, 2019  
ADOPTING THE TOWN OF BABYLON LENGTH OF SERVICE AWARD PROGRAM INVESTMENT POLICY STATEMENT**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney  
BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the Town of Babylon Length of Service Award Program Investment Policy Statement, available for review at the Office of the Town Clerk as Schedule "A", is hereby adopted

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

**RESOLUTION NO. 531 AUGUST 7, 2019  
PROCLAIMING TUESDAY, AUGUST 13, 2019 AS EAGLE SCOUT CONNOR MASTRANDREA 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, Connor Mastrandrea 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 Connor Mastrandrea its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Tuesday, August 13, 2019 as Eagle Scout Connor Mastrandrea Day.

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

**RESOLUTION NO. 532 AUGUST 7, 2019  
PROCLAIMING MONDAY, AUGUST 12, 2019 AS EAGLE SCOUT LOGAN MASTRANDREA DAY**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta  
WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and  
WHEREAS, the rank of Eagle Scout is a rarity in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and  
WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and  
WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and  
WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Logan Mastrandrea 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 Logan Mastrandrea its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, August 12, 2019 as Eagle Scout Logan Mastrandrea Day.

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

**RESOLUTION NO. 533 AUGUST 7, 2019  
CONFIRMING MEMBERSHIP TO THE NORTH BABYLON VOLUNTEER FIRE COMPANY, INC.**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon  
BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Babylon Volunteer Fire Company, Inc., 20 Hale Road, North Babylon, New York:

Ellen Alers	481 French Avenue North Babylon, NY 11703
Raffaella Farella	33 Hale Road, North Babylon, NY 11703

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

**RESOLUTION NO. 534 AUGUST 7, 2019  
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT  
FROM OCTOBER 19, 2019 THROUGH AND INCLUDING OCTOBER 20, 2019  
IN THE TOWN OF BABYLON FOR THE U.S. ACADEMY OF SOCCER**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, the U.S. Academy of Soccer has requested permission to hold an outdoor public assembly for the purpose of having a beer tasting festival from Saturday, October 19, 2019 through and including Sunday, October 20, 2019 between the hours of 12:00 p.m. and 6:00 p.m., within the Town of Babylon at the parking lot of 875 Conklin Street, Farmingdale, N.Y. with the use of sound equipment and tents; and

<b>INDIVIDUAL:</b> Michael Marra 18 Pineridge Street, Farmingdale, NY 11735 (516) 779-4461	<b>ORGANIZATION:</b> U.S. Academy of Soccer 875 Conklin Street, Farmingdale, NY 11735 (516) 779-4461
<b>DATES &amp; TIMES:</b> Date(s): 10/19/2019 to: 10/20/2019 Event Time: 12:00 p.m. to 6:00 p.m. Set-Up: 10:00 a.m. to 12:00 p.m. Clean-Up: 6:00 p.m. to 8:00 p.m. Rain Date(s): 10/26/2019 to: 10/27/2019	<b>LOCATION:</b> U.S. Academy of Soccer 875 Conklin Street Farmingdale, NY 11735
<b>SPECIAL REQUIREMENTS:</b> Event Details: Beer Tasting Festival with Live Music promoting Long Island Craft Brewers Tents: Yes; (12-15) 10x10 Amusement Rides: No Sound Equipment: Yes; Live Band and Speakers Toilet/Water Facilities: (16) Porta Potties with Sanitizer and Water Stations Approximate # of Participants: 500-800 expected throughout the event	

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 535 AUGUST 7, 2019  
AUTHORIZING SS CYRIL & METHODIUS R.C. CHURCH TO HOLD A CARNIVAL, USE SOUND EQUIPMENT AND ERECT  
TENTS FROM AUGUST 15, 2019 THROUGH AND INCLUDING AUGUST 19, 2019**

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

WHEREAS, SS Cyril & Methodius R.C. Church has applied for permission to hold a carnival with sound equipment and tents from August 15, 2019 through and including August 19, 2019 at SS Cyril & Methodius R.C. Church, 125 Half Hollow Road, Deer Park, New York, subject to Schedule "A" attached hereto; and

WHEREAS, SS Cyril & Methodius R.C. Church has obtained sufficient insurance to protect the interests of the Town of Babylon; and

<b>INDIVIDUAL:</b> Deacon Phil A. Mills Jr. 116 Phyllis Drive Lindenhurst, NY 11757 (631) 252-0488	<b>ORGANIZATION:</b> SS Cyril & Methodius R.C. Church 125 Half Hollow Road Deer Park, NY 11729 (631) 667-4044 x-110
<b>DATES &amp; TIMES:</b> Wednesday, 8/15/2019 6:00 p.m. to 10:00 p.m. Thursday, 8/16/2019 6:00 p.m. to 10:00 p.m. Friday, 8/17/2019 6:00 p.m. to 10:00 p.m. Saturday, 8/18/2019 3:00 p.m. to 10:00 p.m. Sunday, 8/19/2019 2:00 p.m. to 8:00 p.m.	<b>LOCATION:</b> SS Cyril & Methodius R.C. Church 125 Half Hollow Road Deer Park, NY 11729
<b>SPECIAL REQUIREMENTS:</b> Tent(s): Yes; (1) 30x75; Sound Equipment: Yes; Type: Live band and speakers Amusement Rides and/or Bouncy Rides: Yes; Quantity: 12-16 Toilet & Water Facilities: Bathroom facilities available inside church and porta potties	

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 536 AUGUST 7, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON OCTOBER 19, 2019  
IN THE TOWN OF BABYLON FOR COPIAGUE HIGH SCHOOL**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman Martinez

WHEREAS, Copiague High School has requested permission to hold a parade on Saturday, October 19, 2019 within the Town of Babylon;

<b>INDIVIDUAL:</b> Michelle Angel 1100 Dixon Avenue, Copiague, NY 11726 (631) 431-1060	<b>ORGANIZATION:</b> Copiague High School Homecoming 1100 Dixon Avenue, Copiague, NY 11726 (631) 842-8969
<b>DATES &amp; TIMES:</b> Date(s): 10/19/2019 to: Time: 11:30 a.m. to 1:00 p.m. Rain Date: n/a	<b>STARTING:</b> Great Neck Road Elementary School, 1400 Great Neck Road, Copiague <b>ENDING:</b> Walter G. O'Connell High School, 1100 Dixon Avenue, Copiague

**ROUTE:**  
Proceeding north on Great Neck Road to Dixon Avenue, proceeding east on Dixon Avenue to the Copiague High School.

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

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

VOTES: 5 YEAS: 5 NAYS: 0



The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 537 AUGUST 7, 2019  
AUTHORIZING PERMISSION FOR A BIKE-A-THON ON SEPTEMBER 14, 2019  
IN THE TOWN OF BABYLON FOR HOLY TRINITY BAPTIST CHURCH**

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

WHEREAS, the Holy Trinity Baptist Church has requested permission to hold a Bike-a-Thon on Saturday, September 14, 2019, from 9:00 a.m. to 12:00 p.m. with a rain date of September 21, 2019 within the Town of Babylon,

<b>INDIVIDUAL:</b> Deborah Carson 189 Steele Pl., Amityville, NY 11701 (631) 835-0163	<b>ORGANIZATION:</b> Holy Trinity Baptist Church 300 Albany Ave., Amityville, NY 11701 (631) 842-6770
<b>DATES &amp; TIMES:</b> Date(s): 9/14/2019 to: Time: 9:00 a.m. to 12:00 p.m. Rain Date: 9/21/2019	<b>STARTING:</b> Town of Babylon - Town Hall, 200 E. Sunrise Hwy., Lindenhurst <b>ENDING:</b> Holy Trinity Baptist Church, 300 Albany Ave., Amityville
<b>ROUTE:</b> Exiting Town Hall northwest parking lot, turn right (north) onto N. Indiana Ave. Turn left (west) onto Spiegelhagen St. (8 blocks). Turn right (north) onto Wellwood Ave. (1 block). Cross Wellwood Ave. (1 block). Turn left (south) onto Buffalo Ave. (5 blocks). Turn right (west) onto 45 <sup>th</sup> St. (3 blocks) to Straight Path. Cross Straight Path, turn left (south) on Straight Path (4 blocks). Turn right (west) onto Ralph Ave. (3 blocks). Turn right (north) onto New Hwy., cross at 45 <sup>th</sup> St. Continue (west) on 45 <sup>th</sup> St. to Albany Ave. Turn right (north) onto Albany Ave., cross Albany Ave. to Benjoe Dr. Continue to Great Neck Rd., cross to Carrol St. Continue (south) to Jefferson Ave. Turn left (east) and continue to Albany Ave. Turn right (south) and continue to Steele Pl. Turn left (west) and enter parking lot of Holy Trinity Baptist Church on the left side.	

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 538 AUGUST 7, 2019  
AUTHORIZING THE NORTH BABYLON CHAMBER OF COMMERCE  
TO HOLD A COMMUNITY FALL FESTIVAL, USE SOUND EQUIPMENT AND ERECT TENTS ON OCTOBER 13, 2019**

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

WHEREAS, the North Babylon Chamber of Commerce has applied for permission to hold a community fall festival on October 13, 2019, at Old Deer Park Avenue between Stone Avenue to Veronica Lane in North Babylon, New York, subject to Schedule "A" attached hereto; and

WHEREAS, the North Babylon Chamber of Commerce has obtained sufficient insurance to protect the interests of the Town of Babylon; and

<b>INDIVIDUAL:</b> Garrett Simulcik 17 Mulholland Drive, North Babylon, NY 11703 (631) 235-9461	<b>ORGANIZATION:</b> North Babylon Chamber of Commerce P.O. Box 6416, North Babylon, NY 11703 (631) 274-5490
<b>DATES &amp; TIMES:</b> Sunday, October 13, 2019      8:00 a.m. to 6:00 p.m.	<b>LOCATION:</b> Old Deer Park Avenue, North Babylon from Stone Avenue to Veronica Lane

<b>SPECIAL REQUIREMENTS:</b> Event Details: Fall Festival to promote local businesses & commerce in North Babylon Tent(s): Yes; (50) 10x10 Sound Equipment: Yes; Type: DJ, Band, PA System Amusement Rides and/or Bouncy Rides: Yes; Quantity: 4 Toilet & Water Facilities: Porta Potties
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NOW, THEREFORE, be it  
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

F A I R S - SCHEDULE "A"

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

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

All requirements hereunder must be met prior to the opening of any event required to be licensed pursuant to this article.

**RESOLUTION NO. 539 AUGUST 7, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 106 ARNOLD AVENUE, WEST BABYLON, NY 11704 SCTM NO. 0100-216.00-04.00-003.000**

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

WHEREAS, a certain structure(s) located at 106 Arnold Avenue, West Babylon, New York, bearing SCTM# 0100-216.00-04.00-003.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 106 Arnold Avenue, West Babylon, New York, bearing SCTM# 0100-216.00-04.00-003.000 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 30, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 540 AUGUST 7, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 190 CHESTNUT PLACE, COPIAGUE, NY 11726 SCTM NO. 0100-195.00-03.00-053.000**

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

WHEREAS, a certain structure(s) located at 190 Chestnut Place, Copiague, New York, bearing SCTM# 0100-195.00-03.00-053.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 190 Chestnut Place, Copiague, New York, bearing SCTM# 0100-199.00-03.00-053.000 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 23, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 541 AUGUST 7, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 375 EAST DRIVE, COPIAGUE, NY 11726 SCTM NO. 0100-184.00-02.00-045.000**

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

WHEREAS, a certain structure(s) located at 375 East Drive, Copiague, New York, bearing SCTM# 0100-184.00-02.00-045.000 dwelling was condemned by the inspector for unsanitary conditions, 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 securing and board up of the premises located at 375 East Drive, Copiague, New York, bearing SCTM# 0100-184.00-02.00-045.000 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 26, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 542 AUGUST 7, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 45 KENYON AVE., WEST BABYLON, NY 11704 SCTM NO. 0100-210.00-02.00-018.000**

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

WHEREAS, a certain structure(s) located at 45 Kenyon Ave., West Babylon, New York, bearing SCTM# 0100-210.00-02.00-018.000 has no running water as per a communication with the Suffolk County Water Authority, the doors and windows are open and accessible and there is no electricity, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 45 Kenyon Ave., West Babylon, New York, bearing SCTM# 0100-210.00-02.00-018.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated July 12, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 543 AUGUST 7, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT**  
**59 COMMACK ROAD, N. BABYLON, NY SCTM NO. 0100-117.00-02.00-047.000**

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

WHEREAS, a certain structure(s) located at 59 Commack Road., N. Babylon, New York, bearing SCTM# 0100-117.00-02.00-047.000 has no running water as per a communication with the Suffolk County Water Authority, the doors and windows are wide 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 securing and board up of the premises located at 59 Commack Road, N. Babylon, New York, bearing SCTM# 0100-117.00-02.00-047.000 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 16, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 544 AUGUST 7, 2019**

**AUTHORIZING THE CEREMONIOUS RENAMING OF WYANDANCH PARK "SERGEANT ROBERT 'BOBBY' BROOKS PARK"**

The following resolution was offered by Councilman Martinez and seconded by Councilwoman Gordon

WHEREAS, Robert James Brooks was born on June 21, 1947. Bobby worked with his parents, eight sisters and brothers on several farms on Long Island. In 1957 the family bought their first home in North Babylon; and

WHEREAS, Bobby graduated from North Babylon Senior High School in 1965. He then enlisted in the Army after 1967 where he served in Vietnam. After returning home he worked in Jamaica Army Armory. From there he was transferred to Bayshore Armory where he retired in 2004. Bobby married Theresa Anzelone in 1981. He was the first Afro-American 1st Assistant Chief of the Wyandanch Volunteer Fire Department, and worked with other organizations such as Wheatley Heights Ambulance Corp and the Bay Constable; and

WHEREAS, each morning, Sergeant Brooks would maintain the beauty of Wyandanch park by picking up litter/debris left behind from the night before.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremoniously renaming of Wyandanch Park as "Sergeant Robert 'Bobby' Brooks Park" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs stating "Sergeant Robert 'Bobby' Brooks Park".

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 545 AUGUST 7, 2019**

**AUTHORIZING THE CEREMONIOUS NAMING OF PARK LOCATED AT THE SOUTHWEST CORNER OF THE GREAT NECK RD. AND DIXON AVE. INTERSECTION AS "GATEWAY PARK"**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, the Town of Babylon would like name the park located at the southwest corner of the Great Neck Road and Dixon Avenue intersection as "Gateway Park"

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremoniously naming of the park located at the southwest corner of the Great Neck Road and Dixon Avenue intersection as "Gateway Park" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs stating "Gateway Park".

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 546 AUGUST 7, 2019**

**AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman Martinez

WHEREAS, Salvatore Joseph Armato was a Vietnam Army Veteran, a lifelong resident of West Babylon, and graduated from West Babylon High School in 1969; and

WHEREAS, on November 13, 1970, at 20 years of age, Private First-Class Salvatore Joseph Armato sacrificed his life during a battle in Quand Ngal Province in Vietnam; and

WHEREAS, the Office of Assemblyman Mike LiPetri and the West Babylon Lions Club made the request of naming Manhattan Avenue, between Little East Neck Road and Hampton Road in West Babylon as "PFC Salvatore Joseph Armato Avenue"; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of Manhattan Avenue, between Little East Neck Road and Hampton Road in West Babylon as "PFC Salvatore Joseph Armato Avenue"

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "PFC Salvatore Joseph Armato Avenue".

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 547 AUGUST 7, 2019**

**ACCEPTANCE OF DEED OF STREET DEDICATION FOR PORTION OF FREEDOM STREET, NORTH BABYLON, ADJACENT TO SCTM NO. 0100-161.00-02.00-017.000 RUSH DEVELOPMENT LLC. TO TOWN OF BABYLON**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Department of Public Works, Division of Highway Engineering, that the deeds of dedication for the street dedications set forth on the attached Schedule "A", be and is hereby accepted,

AND BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute any documents necessary to effectuate the dedication subject to the approval of the Town Attorney as to form.

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**SCHEDULE "A"**

Metes & Bounds Description

732 Freedom Street, North Babylon - 0100-161.00-02.00-017.000

Street Dedication

All that certain plot, piece or parcel of land situate, lying and being in North Babylon, in the Town of Babylon, County of Suffolk and State of New York, being known and designated as part of Lots 21 and 23, both inclusive, in Block A, on a certain map entitled "Babylon-Deer Park Avenue-Development of the Long Island Seashore Company, Owners and Developers, 29 Broadway, New York City, Surveyed by Robert J. Bartley, Jr., Bay Shore, N.Y.", and filed in the office of the Clerk of the County of Suffolk on April 21, 1924 as Map No. 195 and being more particularly bounded and described as follows:

BEGINNING at a point on the southerly side of Freedom Street, Distant 400 feet Westerly from the corner formed by the intersection of the Southerly side of Freedom Street with the Westerly side of Deer Park Avenue;

8/7/2019 Minutes

RUNNING THENCE south 03 degrees 49 minutes 00 seconds East, 5.00 feet;  
THENCE south 84 degrees 29 minutes 30 seconds West, 60.00 feet;  
THENCE North 03 degrees 48 minutes 57 seconds West, 5.00 feet to the Southerly side of Freedom Street;  
THENCE North 84 degrees 29 minutes 30 seconds East, along the Southerly side of Freedom Street 60.00 feet, to the point or place of BEGINNING.

**RESOLUTION NO. 548 AUGUST 7, 2019  
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 141, ICE CREAM VENDING**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4<sup>th</sup> day of September, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 141 of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"  
Chapter 141, Ice Cream Vending**

**AMEND:**

§ 141-4 Vending regulations

- A. A person shall not vend on streets where the speed limit exceeds 30 miles per hour.
- B. The driver of an ice cream truck shall not drive in reverse in order to make or attempt a sale.
- C. It shall be unlawful to vend between the hours of 10:00 p.m. and 11:00 a.m.
- D. It shall be unlawful to vend in an A, B, C or D Residential Zone after 9:00 p.m. or after sunset, whichever is earlier.
- E. Every vehicle which stops on the roadways or the shoulders of the roadways for the purpose of selling food items such as ice cream to the public within the Town of Babylon shall disclose to the consumer the item price of each food item, whether solid, liquid or mixed, such as ice cream, offered for sale. The item prices must be posted in a manner and location so the price of food items is readily observable by patrons.

**RESOLUTION NO. 549 AUGUST 7, 2019  
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT  
9 HAAB AVE., WEST BABYLON, NEW YORK 11704 SCTM NO. 0100-212.00-03.00-033.000**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, a certain structure(s) located at 9 Haab Avenue, West Babylon, New York bearing SCTM# 0100-212.00-03.00-033.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 9 Haab Avenue, West Babylon, New York, bearing SCTM# 0100-212.00-03.00-033.000 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 August 2, 2019 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 550 AUGUST 7, 2019  
AUTHORIZING PAYMENT TO ROBINSON & MULLER ENGINEERS**

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, based upon the recommendation of the Town Attorney, that the Comptroller is hereby authorized to issue payment to Bond, Robinson & Muller Engineers for professional services at a fee to be determined by the Town Attorney.

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

Open portion:

*The following speakers are opposed to the loosening of fowl laws in Babylon.*

**John DiLeonardo – LION/PETA**  
97 Lexington Avenue  
Malverne, NY 11565  
516-592-3722  
[john@humanelongisland.org](mailto:john@humanelongisland.org)

97 Lexington Avenue  
Malverne, NY 11565  
631-275-4602  
[juliana@humanelongisland.org](mailto:juliana@humanelongisland.org)

17 Cook Street, Apt. 1  
Kings Park, NY 11754  
631-707-6384  
[patricia@humanelongisland.org](mailto:patricia@humanelongisland.org)

**Juliana DiLeonardo – LION**

**Patricia Amendolia**  
*Long Island Orchestrating for Nature*

After the close of the meeting, additional petitions were submitted to the board in regards to changing the Town of Babylon town code for the raising of backyard chickens. These have been filed in the Town Clerk's vault as a permanent file for the August 7, 2019 town board meeting.

Being no further business before the Board, the meeting adjourned at 10:31 am on the motion of Councilwoman Gordon, seconded by Councilman McSweeney.

\_\_\_\_\_  
Geraldine Compitello, Town Clerk

