

A Regular Meeting of the Town Board, Town of Babylon, was held at the Town Hall, 200 East Sunrise Highway, Lindenhurst, NY, and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 28th day of January, 2025 at 3:00 p.m. prevailing time.

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

*Supervisor Schaffer: Please remain standing for a moment of silence and I'd ask you keeping your thoughts and prayers the brave servicemen and women serving our country both here and abroad.*

*Thank you, please be seated.*

**The Town Clerk called the roll:**

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

**1. PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

**RESOLUTION NO. 92 JANUARY 28, 2026  
ACCEPTING TOWN BOARD MINUTES**

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

January 14, 2026

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 93 JANUARY 28, 2026**

**AUTHORIZING A CONTRACT WITH BRIGHTLY SOFTWARE, INC.**

WHEREAS, a proposal for Asset Essential Enterprises Software to was solicited from Brightly Software, Inc.; and  
WHEREAS, the Professional Consultant Evaluation Committee convened on January 14, 2026 with the Deputy Supervisor, Chief of Staff, Comptroller, Town Attorney, Commissioner of Department of Public Works, Commissioner of Planning & Development and Commissioner of General Services and Commissioner of Planning & Development in attendance to review the proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a one (1) year contract to Brightly Software, Inc. for a contract amount not to exceed THIRTY-NINE THOUSAND, NINE HUNDRED SEVENTEEN DOLLARS AND 47/100 (\$39,917.47) for the period of February 1, 2026 through January 31, 2027.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee, the Supervisor be and he is hereby authorized to execute a one (1) year contract with Brightly Software, Inc. for a total contract amount not to exceed THIRTY-NINE THOUSAND, NINE HUNDRED SEVENTEEN DOLLARS AND 47/100 (\$39,917.47) for the period of February 1, 2026 through January 31, 2027, and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 94 JANUARY 28, 2026**

**AUTHORIZING 2025 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2025 Budget Modification is hereby authorized:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
<b>Personnel</b>			
Administrative			
A.1430-13		\$ 33,394	
Professional and Technical Services			
A.1430-44		\$ 1,018	
Part Time Clerical			
A.1430-16			\$ 22,430
Program Operations			
A.1430-47			\$ 9,610
Overtime			
A.1430-19			\$ 247
Furniture and Fixtures			
A.1430-21			\$ 460
Office Supplies			
A.1430-41			\$ 1,665
<b>Parks and Recreation Admin</b>			
Overtime			
A.7020-19		\$ 3,000	
<b>Special Recreation Facilities</b>			
Overtime			
A.7180-19			\$ 3,000
<b>Clerk</b>			
Full Time Clerical			
A.1410-14		\$ 36,298	
Professional and Technical Services			
A.1410-44			\$ 16,430
Overtime			
A.1410-19			\$ 14,919
<b>Records Management</b>			
Equipment			
A.1460-20			\$ 4,949
<b>Parks</b>			
Overtime			
A.7110-19		\$ 102,310	
Professional and Technical Services			
A.7110-44		\$ 18,726	
Part Time Labor			



**RESOLUTION NO. 95 JANUARY 28, 2026  
AUTHORIZING 2026 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2026 Budget Modification is hereby authorized:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
<b>Buildings</b>			
Rent or Lease			
A.1620-45			\$ 14,025
<b>Revenues</b>			
Gift and Donations			
A.0000-2705			\$ 14,025

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5                      YEAS: 5                      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 96 JANUARY 28, 2025  
ACCEPTING A DONATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following donations are accepted with gratitude:

DONOR	ITEM AND VALUE	RECOMMENDED BY	USE
Stop 'n Shop Bloomin' 4 Good Program	Check donation \$216.00	Human Services	North Amityville Senior Center – programs & activities

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5                      YEAS: 5                      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 97 JANUARY 28, 2026  
APPOINTING BOARD MEMBERS AND SETTING SALARIES OF  
THE BOARD OF ASSESSMENT REVIEW**

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

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

BOARD OF ASSESSMENT REVIEW

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Alicia Marks	Chairperson	9/30/2028	14,000/ann.
Thomas Humphrey	Member	9/30/2026	11,000/ann.
Nathan King	Member	9/30/2030	11,000/ann.
Genine Gerbino	Member	9/30/2029	11,000/ann.
Joseph Ferrandino	Member	9/30/2027	11,000/ann.
Nancy Ciolino	Secretary		8,000/ann.
Marianne Hunt	Stenographer		8,000/ann.
Janice Stamm	Attorney		

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5                      YEAS: 5                      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 98 JANUARY 28, 2026  
APPROVING THE 2025 SERVICE AWARD LIST FOR THE  
NORTH LINDENHURST FIRE DEPARTMENT**

BE IT RESOLVED, that based upon the certification and recommendation by the officers North Babylon Volunteer Fire Company, and the review and recommendation by the Comptroller, the 2025 Service Award List for the Length of Service Award Program (LOSAP) on file in the Office of the Town Clerk for the North Lindenhurst Fire Department be and is hereby approved and the Fire Departments are hereby directed to post said list pursuant to General Municipal Law.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5                      YEAS: 5                      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 99 JANUARY 28, 2026  
APPROVING THE 2025 SERVICE AWARD LIST FOR THE  
WYANDANCH FIRE COMPANY, INC.**

BE IT RESOLVED, that based upon the certification and recommendation by the officers North Babylon Volunteer Fire Company, and the review and recommendation by the Comptroller, the 2025 Service Award List for the Length of Service Award Program (LOSAP) on file in the Office of the Town Clerk for the Wyandanch Fire Company, Inc. be and is hereby approved and the Fire Departments are hereby directed to post said list pursuant to General Municipal Law.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5                      YEAS: 5                      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 100 JANUARY 28, 2026  
AUTHORIZING A VETERAN'S POST PROGRAM**

The following resolution was offered by  
and seconded by

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

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with various Veterans Posts, whereby the Town of Babylon will provide funds in an amount not to exceed the sum of Four Hundred and Fifty (\$450.00) Dollars; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Martinez  
and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 101 JANUARY 28, 2026  
AUTHORIZING THE FILING OF AN APPLICATION AND EXECUTION OF A  
CONTRACT FOR STATE ASSISTANCE FROM THE HOUSEHOLD  
HAZARDOUS WASTE STATE ASSISTANCE PROGRAM**

WHEREAS, New York State provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Babylon has examined and duly considered the applicable laws of the State of New York and deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, a contract by and between the People of the State of New York and the Town of Babylon is required to be executed for such state aid.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understandings and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Supervisor is directed and authorized to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State; and be it further

RESOLVED, that the Town of Babylon agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez  
and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 102 JANUARY 28, 2026  
AUTHORIZING PERMISSION FOR A PARADE ON FEBRUARY 2, 2026  
IN THE TOWN OF BABYLON FOR OUR LADY OF THE ASSUMPTION  
CHURCH**

WHEREAS, Our Lady of the Assumption R. C. Church has requested permission to hold a parade on Monday, February 2, 2026 within the Town of Babylon,

<p><b>INDIVIDUAL:</b> Carlos Reyes 237 Parkside Ct. Copiague, NY 11726 (631) 671-7582</p>	<p><b>ORGANIZATION:</b> Our Lady of the Assumption Church 1 Molloy St. Copiague, NY 11726 (631) 671-7582</p>
<p><b>DATES &amp; TIMES:</b> Date(s): 2/2/2026 to: Time: 6:00 p.m. to 7:00 p.m. Rain Date: n/a</p>	<p><b>STARTING/ENDING:</b> Our Lady of the Assumption (NEW CHURCH) 1 Molloy St., Copiague, NY 11726</p>
<p><b>ROUTE:</b> Leaving Our Lady of the Assumption (NEW CHURCH), head west on Dante Ave., turn left and head south onto Leonardo Da Vinci St., continue 2 blocks down, turn left and head north onto Molloy St., continue 2 blocks down, turn left and head west onto Dante Ave. ending at the NEW CHURCH and dispersing onto the church grounds.</p>	

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; and be it further

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.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez  
and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 103 JANUARY 28, 2026  
ADOPTING AMENDMENTS TO CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON  
UNIFORM CODE OF TRAFFIC ORDINANCES**

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Town Hall, 200 E. Sunrise Hwy., N. Lindenhurst, 11757, on the 28<sup>th</sup> day of January, 2026 at 3:00 p.m., prevailing time, upon the question amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances; and therefore, be it

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.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez  
and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**EXHIBIT "A"**

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

**DELETE FROM SCHEDULE K ALL PARK DRIVE RESTRICTIONS AS SHOWN BELOW:**

Name of Street/Side	Location	Hamlet	Regulation	Hours/Days
Park Drive/Both sides (Added 3-11-2015)	From Acorn Street to Washington Avenue	WY	Park in marked stalls only	
Park Drive/East side (Added 3-11-2015)	From North 10 <sup>th</sup> Street to Washington Avenue	WY	No standing	
Park Drive/East side (Added 3-11-2015)	From Acorn Street north for 35 feet +/-	WY	No standing	
Park Drive/East side (Added 3-11-2015)	From Washington Avenue south for 75 feet +/-	WY	No standing	
Park Drive/East side (Added 3-11-2015)	From Wyandanch Railroad Station Parking Garage Driveway north for 50 feet +/-	WY	No standing	
Park Drive/East side (Added 3-11-2015)	From Wyandanch Railroad Station Parking Garage Driveway south for 30 feet +/-	WY	No standing	
Park Drive/West side (Added 3-11-2015)	From North 10 <sup>th</sup> Street to Washington Avenue	WY	Park in marked stalls only	
Park Drive/West side (Added 3-11-2015)	From North 10 <sup>th</sup> Street south for 75 feet +/-	WY	No standing	
Park Drive/West side (Added 4-7-2015)	From Station Drive (north leg) north for 35 feet +/-	WY	No standing	
Park Drive/West side (Added 4-7-2015)	From a point 35 feet +/- north of Station Drive (north leg) north for 85 feet +/-	WY	Limited Parking 30 minutes	
Park Drive/West side (Added 4-7-2015)	From a point 35 feet +/- north of Station Drive (north leg) north for 85 feet +/-	WY	No parking	1:00 a.m. to 6:00 a.m./All days
Park Drive/West side (Added 4-7-2015)	From a point 35 feet +/- north of Station Drive (north leg) north for 85 feet +/-	WY	Metered parking	6:00 a.m. to 1:00 a.m./All days
Park Drive/West side (Added 4-7-2015)	From a point 120 feet +/- north of Station Drive (north leg) north for 155 feet +/-	WY	No standing	
Park Drive/West side (Added 3-11-2015)	From Washington Avenue north for 75 feet +/-	WY	No standing	
Park Drive/West side (Added 3-11-2015)	From Washington Avenue south for 75 feet +/-	WY	No standing	

**ADD to Schedule K:**

Name of Street/Side	Location	Hamlet	Regulation	Hours/Days
Park Drive/Both sides	From Washington Avenue north for 75 feet +/-	WY	No standing	All
Park Drive/Both sides	From Washington Avenue south for 75 feet +/-	WY	No standing	All
Park Drive/East side	From 75 feet +/- south of Washington Avenue for 125 feet +/-	WY	Handicapped Parking Only	All
Park Drive/East side	From 200 feet +/- south of Washington Avenue for 100 feet +/-	WY	Two Hour Parking Only	9:00 am – 7 pm
Park Drive/East side	From 300 feet +/- south of Washington Avenue for 210 feet +/-	WY	No Standing	All
Park Drive/East side	From 510 feet +/- south of Washington Avenue for 75 feet +/-	WY	No Standing	All
Park Drive/West side	From 75 feet +/- south of Washington Avenue for 80 feet +/-	WY	Handicapped Parking Only	All
Park Drive/West side	From 155 feet +/- south of Washington Avenue for 80 feet +/-	WY	Two Hour Parking Only	9:00 am – 7 pm
Park Drive/West side	From 235 feet +/- south of Washington Avenue for 140 feet +/-	WY	No Standing	All
Park Drive/West side	From 375 feet +/- south of Washington Avenue for 35 feet +/-	WY	No Standing	All
Park Drive/West side	From 435 feet +/- south of Washington Avenue for 20 feet +/-	WY	No Standing	All
Park Drive/West side	From 455 feet +/- south of Washington Avenue for 60 feet +/-	WY	30 Minute Parking Only	9:00 am – 7 pm
Park Drive/West side	From 515 feet +/- south of Washington Avenue for 35 feet +/-	WY	No Standing	All

**RESOLUTION NO. 104 JANUARY 28, 2026  
SCHEDULING A PUBLIC HEARING IN REFERENCE TO THE COASTAL EROSION HAZARD AREA VARIANCE OF THE  
OAK ISLAND BEACH ASSOCIATION, THE FAIRWAY,  
OAK BEACH, SCTM NO. 0100-243.00-01.00-153.000**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 E Sunrise Highway, New York, on the 25<sup>th</sup> day of February at 3:00 p.m., prevailing time, to consider the Coastal Erosion Hazard Area variance application of The Oak Island Beach Association for the premises located at The Fairway, SCTM No. 0100-243-01-153 to allow construction of a new community dock; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 105 JANUARY 28, 2026**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING**  
**THE CODE OF THE TOWN OF BABYLON, CHAPTER 195 (TAXATION) BY ADDING**  
**ARTICLE XIII (EXEMPTION FOR SURVIVING SPOUSES OF POLICE OFFICERS**  
**KILLED IN THE LINE OF DUTY)**

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, NY 11757 on the 11th day of February, 2026 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Babylon Town Code as set forth in Exhibit "A" annexed hereto; 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 above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

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

The above resolution was thereupon declared duly adopted.

**Exhibit "A"**

ADD as follows:

**CHAPTER 195**  
**TAXATION ARTICLE XIII**  
**EXEMPTION FOR SURVIVING SPOUSES OF POLICE OFFICERS**  
**KILLED IN THE LINE OF DUTY**

**§ 195-53. Exemption granted.**

Pursuant to section 471 of the Real Property Tax Law, as added by Chapter 670 of the Laws of 2025, real property owned by a surviving spouse of a police officer killed in the line of duty, and constituting the primary residence of such surviving spouse, shall be exempt from taxation by the Town of Babylon to the extent of 50% of the assessed valuation thereof.

**§ 195-54. Definitions.**

As used in this article, the term "police officer" shall have the same meaning as defined in section 1.20 of the Criminal Procedure Law.

**§ 195-55. Trusts.**

Notwithstanding any other provision of law to the contrary, the provisions of this article shall apply to any real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption pursuant to this article, were such person or persons the owner or owners of such real property.

**§ 195-56. Cooperative apartments.**

- A. For the purposes of this article, title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides and which is represented by their share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.
- B. Provided that all other eligibility criteria of this article are met, that proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such real property owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this article and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.
- C. Notwithstanding paragraph B of this section, a tenant-stockholder who resides in a dwelling that is subject to the provisions of either article two, four, five or eleven of the Private Housing Finance Law shall not be eligible for an exemption pursuant to this article.
- D. Notwithstanding paragraph B of this section, real property owned by a cooperative apartment corporation may be exempt from taxation pursuant to this article only if the governing body of the Town of Babylon, after public hearing, adopts a local law, ordinance or resolution providing therefor.

**§ 195-57. Application.**

Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile each year. Applicants shall refile on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the Penal Law. Documentation to establish eligibility under this article shall include the listing of acceptable records made available by the Commissioner in consultation with the Commissioner of the Division of Criminal Justice Services, as posted on the websites of the Division of Criminal Justice Services and the Office of Real Property Tax Services.

**RESOLUTION NO. 106 JANUARY 28, 2026**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING**  
**THE CODE OF THE TOWN OF BABYLON, CHAPTER 195 (TAXATION),**  
**ARTICLE IV (VETERANS TAX EXEMPTION)**

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, NY 11757 on the 11th day of February, 2026 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Babylon Town Code as set forth in Exhibit "A" annexed hereto; 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 above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

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

The above resolution was thereupon declared duly adopted.

**Exhibit "A"**

ADD as follows:

**CHAPTER 195**  
**TAXATION**  
**ARTICLE IV**  
**VETERANS TAX EXEMPTION**

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**§ 195-16.1. Exemption for active military service members in combat zones.**

Pursuant to section 458-d of the Real Property Tax Law, as added by Chapter 677 of the Laws of 2025, qualifying residential real property owned by an active military service member whose military duty station is within New York State and who at any time during the taxable year performed

active duty in a combat zone shall be exempt from taxation by the Town of Babylon to the extent of 25% of the assessed value of such property; provided, however, that such exemption shall not exceed \$20,000 or the product of \$20,000 multiplied by the latest state equalization rate for the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.

A. Definitions. As used in this section:

- (1) "Active military service member" shall mean an individual serving on active duty.
- (2) "Active duty" shall have the same meaning as such term is used in section 101 of title 10 of the United States Code.
- (3) "Armed forces" shall mean the army, navy, marine corps, air force, space force, coast guard, or army or air national guard of the United States, or New York naval militia.
- (4) "Combat zone" shall mean areas designated by an executive order from the President of the United States in which the United States armed forces are engaging or have engaged in combat.
- (5) "Military duty station" shall mean the permanent location to which an active military service member is assigned for duty as specified on the individual's permanent change of status orders.
- (6) "Qualified owner" means an active military service member whose military duty station places such active military service member's residence within the boundaries of New York State.
- (7) "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section.
- (8) "Latest state equalization rate" means the latest final equalization rate established by the state board pursuant to article twelve of the Real Property Tax Law.
- (9) "Latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of the Real Property Tax Law for use in a special assessing unit as defined in section eighteen hundred one of the Real Property Tax Law.

B. The exemption provided by this section shall not be applicable to taxes levied for school purposes. If an active military service member is currently receiving an exemption under section 458, 458-a, or 458-b of the Real Property Tax Law in any given taxable year, the active duty service member shall not be eligible to receive the exemption under this section during the same taxable year.

C. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date, along with documentation of active duty in a combat zone, such as a copy of military orders or a certified letter from the commanding officer. The owner or owners of the property shall be required to refile each year on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the Penal Law.

**RESOLUTION NO. 107 JANUARY 28, 2026**  
**AUTHORIZING EMERGENCY SECURING, BOARD UP STRUCTURE AND CLEANUP LOCATED AT**  
**134 NORTH 23<sup>RD</sup> ST, WHEATLEY HEIGHTS, NY 11798 SCTM No. 0100-039.00-01.00-112.000**

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

WHEREAS, a certain structure, located at 134 North 23<sup>rd</sup> St, Wheatley Heights, NY 11798, bearing Suffolk County Tax Map No. 0100-039.00-01.00-112.000 is condemned and accessible to the public and threatening the health, safety 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 securing of the aforementioned unlawful structure, and

WHEREAS, the property was deemed an Unlawful Structure by Sr. Building Inspector Joseph McDonnell and placarded on October 10, 2025. Property was placarded again by Sr. Building Inspector Joseph McDonnell as an Unlawful Structure and Unsafe Structure on December 30<sup>th</sup>, 2025 after the owner of the property Brian J. Nugent advised the Town Attorney's office that the occupant in the property was utilizing propane tanks inside the house for heating fuel.

WHEREAS, the property continued to be occupied without proper and safe heating source and the Town Attorney's office obtained a warrant on January 9, 2026 to search the premises. The premises was searched on January 9, 2026 confirming no heat, use of space heaters to heat various sections of the home as well as no running water. While Police officers were conducting a safety sweep of the interior guns were found. Such property abandoned and unsecured properly by the owner poses a safety risk.

WHEREAS, Sr. Building Inspector Joseph McDonnell returned to the property for a follow-up on January 14, 2026 and found that the electrical meter was removed from the property. The previous occupants of the property provided Inspector McDonnell with video of the meter being removed by the owner of the property.

WHEREAS, the property contains all kinds of debris to include what appears to be empty propane canisters, garbage, broken down recreational vehicle, unregistered motor vehicles in the garage, and building material throughout the property which poses a risk of rat infestation.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing/board up of the of the premises located at 134 North 23<sup>rd</sup> St, Wheatley Heights, NY 11798, bearing Suffolk County Tax Map No. 0100-039.00-01.00-112.000, in accordance with the fact that the structure is vacant and concerns for safety of those entering illegally the property should be secured and cleaned of all the present debris.

RESOLVED, that the department of Public Works shall undertake the necessary securing 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 and repairing.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 108 JANUARY 28, 2026**  
**AUTHORIZING SECURING, EMERGENCY BOARD UP AND SITE CLEAN UP OF UNSAFE STRUCTURE LOCATED AT**  
**40 COLUMBUS AVE, N AMITYVILLE, NY 11701 SCTM No. 0100-172.00-02.00-016.000**

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

WHEREAS, a certain structure, located at 40 Columbus Ave, N. Amityville, NY, bearing Suffolk County Tax Map No. 0100-172.00-02.00-016.000 is wide open and accessible to the public and threatening the health, safety 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, the inspector's report dated January 5<sup>th</sup>, 2026, indicates that as per communication with Suffolk County Water Authority there is no active water. The home is open and accessible. There are unsafe and unsanitary conditions at this premises, therefore; securing/board up of the premises 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 securing/board up of the unsafe structures located on the premises 40 Columbus Ave, N. Amityville, NY, A/K/A SCTM No. 0100-172.00-02.00-016.000, 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 department of Public Works shall undertake the necessary securing and cleanup and be it further

RESOLVED, that the Town shall notify all utility companies to shut off utility service at this location and the same may not be reinstated without Town approval, 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 and repairing.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 109 JANUARY 28, 2026**  
**AUTHORIZING CLEANUP LOCATED AT 88 LINCOLN AVE, WYANDANCH, NY**  
**11798**  
**SCTM No. 0100-079.00-04.00-009.003**

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

WHEREAS, a certain structure, located at 88 Lincoln Ave, Wyandanch, NY 11798, bearing Suffolk County Tax Map No. 0100-079.00-04.00-009.003 is condemned and accessible to the public and threatening the health, safety 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 cleaning of the aforementioned premises; and

WHEREAS, there is debris throughout the property, to include a dead cat, rubbish, old tire, small refrigerator on a chair, bins, unregistered motor vehicle and what appears to be sheet rock.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the cleanup of the premises located at 88 Lincoln Ave, Wyandanch, NY 11798, bearing Suffolk County Tax Map No. 0100-079.00-04.00-009.003 in accordance with the fact that the owners and or tenants have not cleaned the property and concerns for health of the community to prevent rat infestation makes it a necessity to enter the property to clear it of all the present debris; and be it further

RESOLVED, that the department of Public Works shall undertake the necessary 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 and repairing.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 110 JANUARY 28, 2026**  
**ADOPTING RESOLUTION TO LIFT TOWN BOARD COVENANT AND RESTRICTION FOR**  
**PLANNING BOARD JOB #25-54DI; NEVADA STREET PROPERTIES, INC.**

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

WHEREAS, the Nevada Street Properties, Inc. (the "Petitioner") has heretofore petitioned this Board to lift a restrictive covenant, as per Town of Babylon Code §213-39, in connection with two existing two-family dwellings; and

WHEREAS, more specifically, said covenant, which is recorded in Liber 12395 Pages 843 and 844 and imposed by the Town Board on December 7, 2004 by Resolution No. 826, which states "Owner-occupied use only"; and

WHEREAS, the subject site is located on the e/s/o Teddy Place, 65' s/o Sunrise Highway South Service Road, West Babylon, New York, and is further identified by SCTM Nos. 0100-159-03-27.007 & 0100-159-3-27.008; and

WHEREAS, a public hearing was held on said petition on the 3<sup>rd</sup> day of December, 2025; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves the lifting of a restrictive covenant and it has been determined that the proposed action is a Type II Action; and

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of the Nevada Street Properties, Inc. (PB JOB #25-54DI) be approved and that restrictive covenant imposed by the Town Board, by Resolution No. 826 of December 7, 2004, which states, "#1. Owner-occupied use only;" and as recorded in Liber 12395 Pages 843 and 844 is hereby lifted, subject to the recording by the petitioner of an instrument effectuating the release and lifting of the covenant and restriction as authorized by this resolution, and subject to the approval of the Town Attorney, and subject to the following conditions:

Conditions:

1. Subject to the applicant obtaining and maintain a valid rental permit for the subject premises.

BE IT FURTHER,

RESOLVED, that if the owners hereto, or any owner, its lessees, heirs, successors, or assignees shall violate or attempt to violate any of the terms of this Resolution 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 condition, covenant, or restriction herein shall be cumulative and at the discretion of the Town Board as to how best to enforce such condition, covenant, or restriction; the pursuit of one method of enforcement shall not constitute a bar to pursuing any other method of enforcement permitted by law.

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 111 JANUARY 28, 2026**  
**ADOPTING LOCAL LAW 4 OF 2026**  
**AMENDING THE CODE OF THE TOWN OF BABYLON**  
**CHAPTER 195 (TAXATION), ARTICLE X (EXEMPTION FOR VOLUNTEER**  
**FIREFIGHTERS AND AMBULANCE WORKERS)**

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

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 5<sup>th</sup> day of January, 2026 upon the question of the enactment of Local Law No. 4 of 2026 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.6 and 617.7(b), State Environmental Quality Review (SEQR), the adoption of this local law is a Type II Action and not subject to environmental review under SEQR; and

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 4 of 2026 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**LOCAL LAW 4 OF 2026**  
**AMENDING THE CODE OF THE TOWN OF BABYLON**

**Exhibit "A"**

AMEND as follows:

**CHAPTER 195**  
**TAXATION**  
**ARTICLE X**  
**EXEMPTION FOR VOLUNTEER**  
**FIREFIGHTERS AND AMBULANCE WORKERS**

**§ 195-31. Applicability of exemption.**

\*\*\*

- C. Such exemption shall not exceed 10% of the assessed value of such real property, except as provided in subdivision F(2) of this section for surviving spouses of members killed in the line of duty.
- D. No such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service unless:
- (1) The applicant resides in the Town which is served by such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service;
  - (2) The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least two years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least two years, as required by Real Property Tax Law § 466-a; and
  - (3) The property is the primary residence of the applicant.
- F. Continuation of exemption for ~~unremarried~~ surviving spouses; restrictions.
- (1) Surviving unremarried spouses of deceased volunteer firefighters or volunteer ambulance workers may continue any exemption claimed under ~~such statutes~~ this article by the deceased an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, provided that:
    - (a) Such ~~unremarried~~ surviving spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as ~~an unremarried~~ a surviving spouse of a ~~deceased~~ an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
    - (b) Such deceased volunteer had been
      - (1) an enrolled member for at least 20 years; ~~or~~
      - (2) if he or she was killed in the line of duty, an enrolled member for at least five years; and
    - (c) Such deceased volunteer and surviving spouse had been receiving the exemption for such property prior to ~~his or her~~ the death of such volunteer.
  - (2) Notwithstanding any other provision of this article, real property owned by a surviving spouse of an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service killed in the line of duty shall be exempt from taxation to the extent of 50% of the assessed valuation thereof, provided that:
    - (a) Such surviving spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as a surviving spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
    - (b) Such deceased volunteer had been an enrolled member for at least two years; and
    - (c) Such deceased volunteer had been receiving the exemption prior to his or her death.
  - (23) This subsection as amended shall take effect ~~on the first of January next succeeding the date on which it shall have become a law and shall apply to taxable status dates occurring on or after such date~~ immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2026.

**§ 195-34. Legislative intent**

It is the intent of the Town Board to amend this article so as to conform to the provisions of New York State Real Property Tax Law § 466-a, as amended ~~in 2022~~ by Chapter 670 of the Laws of 2022 and Chapter 592 of the Laws of 2025.

**ADDITIONS ARE INDICATED BY UNDERLINE**

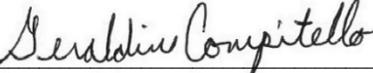
**DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~**

## GENERAL PUBLIC COMMENT

Supervisor Schaffer: Mentions that documents were dropped off at the Town Clerks Office submitted by Anthony Mignone – 886 County Line Road, Amityville, NY 11701 – 516-241-6355 - [mufasahechee@gmail.com](mailto:mufasahechee@gmail.com). These documents are on file in the Town Clerks vault as part of the minutes.

*The next regularly scheduled Town of Babylon Board Meeting will be held on Wednesday February 11, 2026, at 3:00 p.m.*

Being no further business before the Board, the meeting adjourned at 3:10 pm on the motion of Councilman Gregory, seconded by Councilman McSweeney.

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

/jt