

**MICHAEL S. CAZZARI**  
Town Supervisor

**ROBERT F. SCHANIL, JR.**  
Town Councilman  
Deputy Supervisor

**STEPHEN J. BARANOWSKI**  
Town Councilman  
**FRANK D. LOMBARDI**  
Town Councilman  
**SUZANNE MC DONOUGH**  
Town Councilwoman

TOWN OF CARMEL  
TOWN HALL



60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 • Fax (845) 628-6836  
www.ci.carmel.ny.us

**ANN SPOFFORD**  
Town Clerk

**KATHLEEN KRAUS**  
Receiver of Taxes

**MICHAEL SIMONE**  
Superintendent of Highways  
Tel. (845) 628-7474

**TOWN BOARD VOTING MEETING**  
**Wednesday, May 4, 2022 7:00pm**

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**Roll Call - Attendance**

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

**Town Board Voting Meeting:**

- **Public Comment Three (3) Minutes Agenda Items Only**
  
  - **Accept Town Board Minutes April 6, 2022**
1. Res: Acknowledging Emergency Repairs/Services Carmel Water and Sewer Districts
  2. Amended Resolution Accepting Proposal Purchase of Automatic Samplers – Carmel Sewer District #2
  3. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for Latin Hospitality Group, Inc.
  4. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for Il Villaggio Restaurant, Inc.
  5. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for the Stone House Grill, Inc.
  6. Res: Pursuant to Chapter 104 of the Town Code of the Town of Carmel
  7. Res: Adopting Standard Agreement for Provision of Traffic Control Services Town of Carmel Police Department
- **Town Board Comments**

- **Motion to Move into Executive Session**

**Executive Session:**

1. Robert Guidotti, Esq., Labor Counsel - Personnel

- **Motion to Adjourn**

# RESOLUTION #1

## RESOLUTION ACKNOWLEDGING EMERGENCY REPAIRS/SERVICES CARMEL WATER AND SEWER DISTRICTS

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated April 13, 2022, as attached hereto and made a part thereof.

### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

Richard J. Franzetti, P.E.  
Town Engineer



(845) 628-1500  
(845) 628-2087  
Fax (845) 628-7085

**Office of the Town Engineer**  
60 McAlpin Avenue  
Mahopac, New York 10541

## MEMORANDUM

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**To:** Carmel Town Board

**From:** Richard J. Franzetti P.E. Town Engineer 

**Date:** April 13, 2022

**Re:** Emergency Repairs/Services

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This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$10,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- Carmel Water District 2

On April 2, 2002 Inframark reported a leak in the 10" control valve at the intersection of Route 6 and Route 52. The bonnet on the valve detached completely from the valve body (1928 Valve). Attached is the invoice from Kuck Excavating in the amount of \$11,780.87 for the excavation and repair of the valve.

We request that this memorandum be put into the agenda as a matter of record.

EXHIBIT "B"

**Emergency Justification Form  
Town of Carmel Procurement Policy**

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**Procurement Policy, Section VI: Emergency Procurement**

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations

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Department: Engineering

Vendor names: Kuck Excavating

Nature of emergency: Emergency Leaking Valve Repair

Estimated cost: \$11,780.87 per attached

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

- The situation arose out of an accident or unforeseen occurrence or condition.
- Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.
- The situation required immediate action, which could not await competitive bidding.

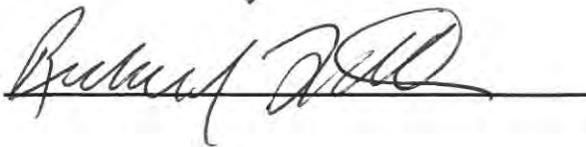
The emergency purchases or services exceeded **\$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.

Other (provide explanation):

Purchasing Agent's signature for approval:



Department Head's signature for approval:



**Ed Kuck Excavating Inc**

20 Day Road  
Carmel, NY 10512

INV # TOC-29-2022  
CWD #2  
REQ #  
Vendor 0670  
Tax ID - 133851002

Attention: Rob Vera

EMERGENCY: 10" VALVE LEAKING

Respond as per: INFRAMARK

Job Location: INTERSECTION OF RTE 6 AND ROUTE 52

Work Completed on: 4/2/2022

Start time: End Time: 11 PW OT

**Job Description:**

**SAW CUT, HAMMER OUT BLACKTOP, DUG UP AND EXPOSED 10" LEAKING VALVE , CUT MAIN AND REPLACED 10"VALVE , BACKFILLED WITH GRAVEL AND ITEM 4, COMPACT ITEM 4, INSTALLED 56 BAGS OF COLD PATCH**

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	TOTAL
Track Hoe MR55	11	\$85.00 per hour	935.00 /
Dump Truck	11	\$90.00 per hour	990.00 /
Support Vehicle	Day rate	\$155.00	155.00 /
Chop Saw	Day rate	\$ 70.00	70.00 /
Plate tamper	Day rate	\$70.00	70.00 /
Mud Sucker	Day rate	\$70.00	70.00 /
JUMPING JACK	DAY RATE	\$70.00	70.00 /
Locator	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	250.00
Machine operator	Hrs X 1 man	\$184.18	
Machine operator	11- 1 ½	\$276.27	3,038.97 /
DIRT BOX	RATE		
Laborers	Hrs X 1 man	\$159.30	
Laborers	11 HRS X 2 MEN 1 ½	\$238.95	5,256.90 /
Item 4	15 YARDS	\$45.00 per yard	675.00 /
Seed		\$150.00 bag	
Gravel	4 YARDS	\$50.00 per yard	200.00 /
Top soil		\$50.00	
Blacktop		\$124.00 per ton	
Hay		\$19.00 bag	
Total			11,780.87 /

## **RESOLUTION #2**

### **AMENDED RESOLUTION ACCEPTING PROPOSAL PURCHASE OF AUTOMATIC SAMPLERS – CARMEL SEWER DISTRICT #2**

WHEREAS that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E. previously authorized the proposal of Hach Company, Loveland, CO for purchase of two automatic sampler units for the Carmel Sewer District #2 Wastewater Treatment Plant, at a cost not to exceed \$14,352.50, and in accordance with the proposal/quotation dated January 14, 2022; and

WHEREAS Town Engineer Richard J. Franzetti, P.E. has advised the Town Board that the proposal of Hach Company has expired and upon the recommendation of Inframark, received new quotes for said units; and

BE IT RESOLVED that the Town Board of the Town of Carmel accepts the proposal of Dave Heiner Associates (Isco) at a cost not to exceed \$14,949.01 in accordance with the quote DHA# 012522-1R1; and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to sign all necessary documents to accept said proposal.

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

**RESOLUTION #3**

**RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR LATIN HOSPITALITY GROUP, INC.**

WHEREAS, the representatives and/or proprietors of Latin Hospitality Group, Inc., 925 Route 6, Mahopac, New York, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	NO
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

**RESOLUTION #4**

**RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR IL VILLAGGIO RESTAURANT, INC.**

WHEREAS, the representatives and/or proprietors of Il Villaggio Restaurant., 947 South Lake Blvd., Mahopac, New York, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

**RESOLUTION #5**

**RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR THE STONE HOUSE GRILL, INC.**

WHEREAS, the representatives and/or proprietors of the Stone House Grill, Inc 562 Route 6, Mahopac, New York, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

**RESOLUTION #6**

**RESOLUTION PURSUANT TO CHAPTER 104 OF THE TOWN CODE  
OF THE TOWN OF CARMEL**

RESOLVED, that pursuant to Town Code § 104-8, the Town Board of the Town of Carmel hereby waives the application of Chapter 104 of the Town Code, entitled "Noise" with respect to the County of Putnam and its "Friday Night Barbeque Series "Events scheduled for the following dates at Putnam County Golf Club:

- May 27, 2022;**
- June 3, 2022;**
- June 10, 2022;**
- June 17, 2022;**
- June 18, 2022**
- June 24, 2022**
- July 8, 2022;**
- July 15, 2022;**
- July 22, 2022**
- July 29, 2022;**
- August 5, 2022;**
- August 12, 2022;**
- August 19, 2022;**
- August 26, 2022;**
- September 2, 2022;**
- September 9, 2022;**
- September 16, 2022**
- September 23, 2022**
- September 30, 2022**
- October 8, 2022**

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

**RESOLUTION #7**

**RESOLUTION ADOPTING STANDARD AGREEMENT  
FOR PROVISION OF TRAFFIC CONTROL SERVICES  
TOWN OF CARMEL POLICE DEPARTMENT**

RESOLVED that the Town Board of the Town of Carmel hereby adopts the standard form of agreement to be utilized in circumstances where private entities wish to engage the Town of Carmel Police Department for the provision of traffic control services in the future; and

BE IT FURTHER RESOLVED that the terms and conditions of this adopted agreement may be modified from time to time by the Town Board as may be required; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to enter into such an agreement with any entity seeking such services upon notice and approval by the Town Supervisor.

Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Robert Schanil	___	___
Michael Cazzari	___	___