

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

SUZANNE MC DONOUGH
Town Councilwoman
Deputy Supervisor

60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 • Fax (845) 628-6836
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KATHLEEN KRAUS
Receiver of Taxes

MICHAEL A. BARILE
Town Councilman
JOHN D. LUPINACCI
Town Councilman
JONATHAN SCHNEIDER
Town Councilman

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

TOWN BOARD VOTING MEETING
Wednesday, August 7, 2019 7:00pm

Pledge of Allegiance – Moment of Silence

6:00pm Executive Session:

1. Personnel – Interview Candidates

Town Board Voting Meeting:

- Accept Town Board Meeting Minutes July 2, 17, 2019
 - 1. Res: Authorizing Re-scheduling of Public Hearing on a Proposed Local Law Amending Chapter 156 of the Town Code of the Town of Carmel, entitled “Zoning” (August 21, 2019)
 - 2. Res: Calling Performance Bond of Serg, Inc. In Regard to the Improvements Proposed for Shear Hill Estates Realty Subdivision
 - 3. Res: Authorizing Commencement of Litigation
 - 4. Res: Setting Forth Intent and Designating Authorized Officials in Connection with Submission of Water Infrastructure Improvement Act Grant Application to New York State Environmental Facilities Corporation, Carmel Water District #2 Distribution System Re-Lining and Installation Project
 - 5. Res: Authorizing Budget Modification 2019/03
 - 6. Res: Accepting Proposal for Independent Auditing Services and Preparation of Comprehensive Annual Financial Report
 - 7. Res: Declaring Certain Equipment Obsolete and Authorizing Disposal
 - 8. Res: Authorizing Adopting Amended Town of Carmel Organizational Chart
 - 9. Res: Authorizing Signing of Change Order #4 Carmel Water District #2 Emergency Pipe Replacement Contract No. C246
 - 10. Res: Authorizing Reduction of Bond TM# 65.10-1-45 – Lake Plaza Shopping Center
- **Public Comment (Three (3) Minutes on Agenda Items Only)**
 - **Town Board Member Comments**
- Open Forum:**
- **Public Comments on New Town Related Business (Three (3) Minutes Maximum for Town Residents, Property Owners & Business Owners Only)**
 - **Town Board Member Comments**
 - **Adjournment**

RESOLUTION #1

RESOLUTION AUTHORIZING RE-SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re-scheduling of a Public Hearing at Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday August 21, 2019 at 7:00 p.m., or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning" and adopting an amended zoning map in connection therewith; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and instructed to publish and post the necessary notices in the official newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #2

RESOLUTION CALLING PERFORMANCE BOND OF SERG, INC IN REGARD TO THE IMPROVEMENTS PROPOSED FOR SHEAR HILL ESTATES REALTY SUBDIVISION

WHEREAS Serg, Inc. has failed to complete the improvements called for in the approved subdivision known as Shear Hill Estates, within the Town of Carmel and/or has failed to comply with all the terms and conditions of its subdivision approval with respect to the performance of the improvements called for thereon; and

WHEREAS Serg, Inc. posted a cash performance bond, in the amount of \$35,000 indemnifying and guaranteeing the Town of Carmel against the failure of Serg, Inc. perform said obligations;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby calls the performance bond posted by Serg, Inc. posted with the Town of Carmel for and in connection with the improvements to be performed at the Shear Hill Estates Subdivision in the amount of \$35,000 and hereby authorizes the performance of any remaining site work identified in the approved subdivision plat and/or final approval resolution of the Town of Carmel Planning Board issued in connection therewith, subject to the provisions of New York General Municipal Law and/or the Town of Carmel's adopted procurement policy; and

BE IT FURTHER RESOLVED that Town Counsel, Gregory L. Folchetti, is to notify Serg, Inc. of the calling of its bond and forward to it a certified copy of this resolution with attachments.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

RESOLUTION AUTHORIZING COMMENCEMENT OF LITIGATION

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes Town Counsel Gregory L. Folchetti, 1875 Route Six, Carmel, NY, to commence litigation against Serg, Inc., its successors and/or assigns, for the purposes of acquiring title to all real property initially intended to be dedicated to the Town of Carmel by Serg, Inc. in connection with approval of the realty subdivision known as Shear Hill Estates; and

BE IT FURTHER RESOLVED that such authorization shall be deemed to include but not be limited to commencement of proceedings under NY Eminent Domain Procedure Law; and; and

BE IT FURTHER RESOLVED, that such services are hereby authorized at a rate of \$205.00 per hour; and

BE IT FURTHER RESOLVED that the costs, fees and disbursements incurred in such action shall be first charged directly against any security previously posted by Serg, Inc. in connection with the obligations of Serg Inc. to perform the site work required by the Town of Carmel Planning Board in connection with the Shear Hill Estates Subdivision approval.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #4

RESOLUTION SETTING FORTH INTENT AND DESIGNATING AUTHORIZED OFFICIALS IN CONNECTION WITH SUBMISSION OF WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION TO NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION CARMEL WATER DISTRICT #2 DISTRIBUTION SYSTEM RE-LINING AND INSTALLATION PROJECT

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, has previously authorized the preparation of a map, plan and report pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York, consisting of the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2; and

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2 wishes to authorize the submission of an application to the New York State Environmental Facilities Corporation (NYSEFC) for grant funding in connection with the increase and improvement of the facilities of Carmel Water District #2, such application submitted to and seeking funding the referenced project under the Water Infrastructure Improvement Act ("WIIA");

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2 hereby authorizes the undertaking of the project currently known and designated as "The Increase and Improvement of the facilities of Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York," said project consisting of the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements; and

BE IT FURTHER RESOLVED THAT the maximum anticipated total cost of said project is \$13,301,400.00 (THIRTEEN MILLION THREE HUNDRED ONE THOUSAND FOUR HUNDRED DOLLARS); and

BE IT FURTHER RESOLVED that all such expenditures incurred in connection with said project shall be paid through the borrowing previously authorized by this Board in connection with said project by bond resolution passed after duly-held public hearing on said proposed borrowing on April 24, 2019, together with any funds on hand within Carmel Water District #2 budget lines, as well as any and all grant applications, including

by not limited to WIIA grant funding applications submitted to NYSEFC; and

BE IT FURTHER RESOLVED THAT the submission of grant funding applications to NYSEFC in connection with this project pursuant to any grant fund sourcing including but not limited to WIIA grant funding, is hereby authorized; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby designated as the authorized Town Official for the purposes of the execution and submission of all documentation required in connection with the referenced grant application(s), including but not limited to grant funding agreements, grant disbursement applications and all associated grant-funding documents.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #5

RESOLUTION AUTHORIZING BUDGET MODIFICATIONS

WHEREAS the Town Comptroller MaryAnn Maxwell has reviewed the proposed Final Budget Modifications for the period ending June 30, 2019 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule 2019/03;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending June 30, 2019 as shown itemized on schedule 2019/03 which is attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.1410.0019	TOWN CLERK OTHER COMPENSATION	55,814.00	
	100.3620.0019	BUILDING DEPARTMENT OTHER COMPENSATION	39,566.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	*	95,380.00
		- PROVIDE FOR RETIREMENT PAYOUT OF ACCRUED TIME		
2	100.3120.0012	POLICE OVERTIME EXPENSE	30,645.51	
	100.1989.2680	INSURANCE RECOVERY - PAYROLL	*	30,645.51
		- PROVIDE FOR POLICE OVERTIME EXPENSE FROM 207C REVENUE RECEIVED		
3	100.3120.0024	POLICE ACCIDENT REPAIRS	5,773.24	
	100.1989.2681	INSURANCE RECOVERY - ASSET	*	5,773.24
		- PROVIDE FOR POLICE VEHICLE REPAIRS FROM INSURANCE CLAIM		
4	100.1220.0013	SUPERVISOR TEMPORARY STAFF	500.00	
	100.1315.0012	COMPTROLLER STAFF OVERTIME	60.00	
	100.1410.0011	TOWN CLERK STAFF	2,690.00	
	100.1220.0011	SUPERVISOR STAFF PERSONNEL SERVICES		500.00
	100.1315.0047	COMPTROLLER CONFERENCES		60.00
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS		2,690.00
		- TRANSFER FOR MISCELLANEOUS STAFF COMPENSATION COSTS		
5	100.1410.0086	TOWN CLERK RETIREE INSURANCE	10,500.00	
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS		10,500.00
		- TRANSFER FOR RETIREE HEALTH INSURANCE COST		
6	100.1640.0020	CENTRAL GARAGE EQUIPMENT	2,000.00	
	100.1640.0080	EMPLOYEE RETIREMENT		2,000.00
		- TRANSFER FOR CENTRAL GARAGE EQUIPMENT		
7	100.3120.0017	POLICE UNIFORM ALLOWANCE	950.00	
	100.3120.0013	POLICE TEMP STAFF - JAIL		950.00
		- TRANSFER FOR POLICE UNIFORM ALLOWANCE		
8	100.3121.0040	LAKE PATROL CONTRACTUAL EXPENSES	15,113.00	
	100.3120.0027	POLICE EQUIPMENT		15,113.00
		- TRANSFER FOR COST TO REPAIR POLICE BOAT PER AUTHORIZING RESOLUTION		
9	100.3650.0040	BUILDING DEMO EXPENSE	3,100.00	
	100.1990.0040	CONTINGENCY		3,100.00
		- TRANSFER FOR ASBESTOS SURVEY FOR POTENTIAL TOWN PROPERTY		
10	100.5010.0012	HIGHWAY ADMIN OVERTIME	1,000.00	
	100.5010.0086	RETIREEES HEALTH INSURANCE		1,000.00
		- TRANSFER FOR HIGHWAY ADMIN OVERTIME		
11	100.7020.0011	RECREATION ADMIN STAFF	4,195.00	
	100.7020.0086	RETIREEES HEALTH INSURANCE		4,195.00
		- TRANSFER FOR STAFF COMPENSATION COST		
12	100.7110.0012	PARK STAFF OVERTIME	1,000.00	
	100.7110.0022	PARK EQUIPMENT		1,000.00
		- TRANSFER FOR PARK STAFF OVERTIME		
13	100.7113.0040	CHAMBER PARK CONTRACTUAL EXPENSES	1,000.00	
	100.7114.0040	RED MILLS CONTRACTUAL EXPENSES	9,500.00	
	100.7020.0044	RECREATION BUILDING CONCESSION EXPENSE		2,000.00
	100.7020.0045	RECREATION BUILDING REPAIRS		5,000.00
	100.7117.0040	CARMADA PARK CONTRACTUAL EXPENSES		3,500.00
		- TRANSFER FOR MISCELLANEOUS RECREATION EXPENSES		

TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
HIGHWAY FUND				
14	500.5110.0012	GENERAL REPAIR LABOR OVERTIME	2,000.00	
	500.5110.0018	HIGHWAY DIFFERENTIAL COMP	2,000.00	
	500.5110.0040	GENERAL REPAIR CONTRACTUAL EXPENSE	25,000.00	
	500.5110.0041	GENERAL REPAIR GAS AND FUEL		29,000.00
		- TRANSFER FOR MISCELLANEOUS HIGHWAY EXPENSES		
LAKE MAHOPAC PARK DISTRICT				
15	402.7110.0040	CONTRACTUAL EXPENSES	5,000.00	
	402.7110.0099	REPAIR RESERVE FUND		5,000.00
		- TRANSFER FOR THE PURCHASE OF CARP PER RESOLUTION		
TEAKETTLE SPOUT PARK DISTRICT				
16	403.7140.0054	CAPITAL EXPENDITURES	20,000.00	
	403.7140.9909	APPROPRIATED FUND BALANCE	*	20,000.00
		- PROVIDE FOR DAM MAINTENANCE DESIGN		
GARBAGE DISTRICT - CLUSTER				
17	572.8160.0045	GARBAGE CONTRACT	700.00	
	572.8160.9909	APPROPRIATED FUND BALANCE	*	700.00
		- PROVIDE FOR INCREASE IN REFUSE COLLECTION COST		
VARIOUS WATER DISTRICTS				
18	601.8310.0020	EQUIPMENT	1,192.00	
	608.8310.0020	EQUIPMENT	7,576.00	
	610.8310.0020	EQUIPMENT	2,526.00	
	613.8310.0020	EQUIPMENT	1,658.00	
	601.8310.0099	REPAIR RESERVE FUND		1,192.00
	608.8310.0099	REPAIR RESERVE FUND		7,576.00
	610.8310.0099	REPAIR RESERVE FUND		2,526.00
	613.8310.0099	REPAIR RESERVE FUND		1,658.00
		- TRANSFER FOR TANK LEVEL OPERATION CONTROL UPGRADE		
19	601.8310.0020	EQUIPMENT	261.00	
	608.8310.0020	EQUIPMENT	1,658.00	
	610.8310.0020	EQUIPMENT	553.00	
	613.8310.0020	EQUIPMENT	363.00	
	601.8310.0099	REPAIR RESERVE FUND		261.00
	608.8310.0099	REPAIR RESERVE FUND		1,658.00
	610.8310.0099	REPAIR RESERVE FUND		553.00
	613.8310.0099	REPAIR RESERVE FUND		363.00
		- TRANSFER FOR FILTER LEVEL CONTROL REPLACEMENT		
CARMEL WATER DISTRICT #2				
20	602.8310.0044	ENGINEERING SERVICES	15,000.00	
	602.8310.0040	CONTRACTUAL EXPENSES		15,000.00
		-TRANSFER FOR SAFE YIELD ANALYSIS		
CARMEL WATER DISTRICT #12				
21	612.8310.0020	EQUIPMENT	2,000.00	
	612.8310.0040	CONTRACTUAL EXPENSES		2,000.00
		- TRANSFER FOR THE PURCHASE OF A WELL PUMP		
CARMEL WATER DISTRICT #14				
22	614.8310.0047	EMERGENCY REPAIRS	7,000.00	
	614.8310.0099	REPAIR RESERVE FUND		7,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		

**TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03**

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #2				
23	702.8130.0044	ENGINEERING SERVICES	44,020.00	
	702.8130.0090	CONTINGENCY		44,020.00
		- TRANSFER FOR SAND FILTER ROOF DESIGN		
24	702.8130.0046	PURCHASE OF WATER	1,000.00	
	702.8130.0040	CONTRACTUAL EXPENSES		1,000.00
		- TRANSFER FOR THE PURCHASE OF WATER		
CARMEL SEWER DISTRICT #4				
25	704.8130.0020	EQUIPMENT	14,700.00	
	704.8130.0041	CHEMICALS		1,500.00
	704.8130.0090	CONTINGENCY		5,000.00
	704.8130.9909	APPROPRIATED FUND BALANCE	*	8,200.00
		- PROVIDE AND TRANSFER FOR RBC REPLACEMENT		
26	704.8130.0040	CONTRACTUAL EXPENSES	21,800.00	
	704.8130.9909	APPROPRIATED FUND BALANCE	*	21,800.00
		- PROVIDE FOR OPERATOR EMERGENCY REPAIR OVERTIME COSTS		
PARK COMMUNITY CENTER CAPITAL FUND				
27	915.7140.0045	CONTRACTED IMPROVEMENTS	108,500.00	
	915.7140.3000	STATE AID - GRANT	*	108,500.00
		- PROVIDE FOR SYCAMORE PARK COURT UPGRADES FROM STATE AID		

RESOLUTION #6

RESOLUTION ACCEPTING PROPOSAL FOR INDEPENDENT AUDITING SERVICES AND PREPARATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of PKF O'Connor Davies, LLP, Harrison, NY for the provision of independent auditing services and preparation of a comprehensive annual financial report for the Town of Carmel for years 2019, 2020 and 2021 in accordance with the proposal dated July 9, 2019, a copy of which is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED, that pursuant to the referenced proposal, compensation for the contemplated services shall aggregate \$78,000 per year.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #7

RESOLUTION DECLARING CERTAIN EQUIPMENT OBSOLETE AND AUTHORIZING DISPOSAL

RESOLVED, that the Town Board of the Town of Carmel hereby its IBM Series I-5 computer, Serial No. 3BBM9Z57, to be obsolete and authorizes disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #8

RESOLUTION ADOPTING AMENDED TOWN OF CARMEL ORGANIZATIONAL CHART

RESOLVED that the Town Board of the Town of Carmel hereby adopts and ratifies the Town of Carmel Organizational Chart as amended, in form as attached hereto and made part hereof, effective immediately.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Town of Carmel Organizational Chart

Town Supervisor & Carmel Town Board



Supervisor's Office

Kenneth Schmitt, Supervisor

Confidential Secy/Asst to TB
Senior Office Assistant

Reception
Receptionist
P/T Fill In Office Help

Assessor Office
Town Assessor
Sr. Real Property Appraiser
Real Property Appraiser
Assessment Assistant

Building Department
Building & Codes Enforcer
Fire Inspector
Property Compliance Officer
Senior Office Assistants
P/T Office Help

Recreation Department
Recreation Director
Sr. Recreation Leader Sr.
Typist/Office Asst.
Account Clerk/Recreation
P/T Office Help(s)
Park Maintenance Worker(s)
P/T Laborer

Maintenance Dept.
Building & Grounds Maintenance Supervisor
P/T Help

Engineering Office
Richard Franzetti, PE
Town Engineer

↓

Engineering Projects
Coordinator
Senior Account Clerk II
Seasonal P/T

Planning Department
P/T Secy to Bds
P/T Office Help

Comptroller Dept.
Mary Ann Maxwell,
Comptroller

↓

Senior Account Clerk II
Sr. Account Clerk

Accounting Dept.
Principal Account Clerk
Assistant Payroll Clerk

Police Dept.
Michael Cazzari,
Police Chief

↓

Pol Lt

Detective Sergeant

Sergeant(s)
Detective(s)

Police Officers

P/T Dispatcher (Records)
Dispatcher(s)
Account Clerk II
Sr. Typist/Office Assistant

Town of Carmel Elected Officials

Receiver of Taxes
Kathleen Kraus, Rec. of Taxes

↓

Deputy Receiver of Taxes
Sr. Account Clerk

Town Clerk
Ann Spofford, Town Clerk

↓

Deputy Town Clerk
Principal Office Assistant

Highway Department
Michael Simone, Highway Sup.

↓

Deputy Highway Superintendent
Senior Account Clerk II
Account Clerk II

Highway Workers

Justice Court
Thomas Jacobellis. T.J.
Joseph Spofford, T.J.

↓

Town Court Clerk
Clerk to Justice(s)
Sr. Account Clerk

RESOLUTION #9

**RESOLUTION AUTHORIZING SIGNING OF CHANGE ORDER #4
CARMEL WATER DISTRICT #2 EMERGENCY PIPE REPLACEMENT
CONTRACT NO. C246**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Legacy Supply, Inc. and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has provided proposed Change Order No.4 to the aforesaid contract to the Town Board for consideration and review;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, hereby authorizes the Town Supervisor to sign Change Order #4 to the aforementioned contract, resulting in an over contract price increase of \$1,877.40, said Change Order to be in form as attached hereto and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

CHANGE ORDER

4

No. _____

CARMEL WATER DISTRICT NO. 2 EMERGENCY WATER MAIN REPLACEMENT
PROJECT

DATE OF ISSUANCE 2/22/2018

EFFECTIVE DATE 2/22/2018

OWNER The Town of Carmel
OWNER's Contractor No. C-246

CONTRACTOR: Legacy Supply, LLC

ENGINEER: J. Robert Folchetti & Associates

You are directed to make the following changes in the Contract Documents.

Description:

Reason for Change Order: Time Extension

Attachments: (List documents supporting change) Engineering Memo; Contractor Request

CHANGE IN CONTRACT PRICE: Original Contract Price	CHANGE IN CONTRACT TIMES: Original Contract Times
\$ <u>1,787,700.00</u>	Substantial Completion: <u>September 20, 2018</u> Ready for final payment: <u>December 19, 2018</u>
Net changes from previous Change Orders No. to No. \$ <u>0</u>	Net change from previous Change Orders No. to No. <u>245</u> days
Contract Price prior to this Change Order \$ <u>1,787,700.00</u>	Contract Times prior to this Change Order Substantial Completion: <u>May 10, 2019</u> Ready for final payment: <u>-June 1, 2019 -</u>
Net Increase (decrease) of this Change Order \$ <u>1887.4</u>	Net Increase of this Change Order <u>45</u> days
Contract Price with all approved Change Orders \$ <u>1,789,587.40</u>	Contract Times with all approved Change Orders Substantial Completion: <u>July 10, 2019</u> Ready for final payment: <u>August 15, 2019</u> days or dates

RECOMMENDED:

ACCEPTED:

APPROVED:

By: _____ By: _____ By: _____
Engineer (Authorized Signature) Contractor (Authorized Signature) Owner (Authorized Signature)

Date: _____ Date: _____ Date: _____

RESOLUTION #10

RESOLUTION AUTHORIZING REDUCTION OF BOND TM #65.10-1-45 & 46 – LAKE PLAZA SHOPPING CENTER

WHEREAS application has been made by Heidenberg Properties, LLC for reduction of a site plan bond posted in accordance with the Land Subdivision and/or Zoning Regulations for the Lake Plaza Shopping Center site plan, Tax Map #65.10-1-45 and 46; and

WHEREAS said application has been reviewed by the Town Engineer Richard J. Franzetti, P.E., and a reduction of the bond has been recommended and approved by the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the reduction of the aforementioned bond posted for Lake Plaza Shopping Center from its original amount of \$1,262,000 to a reduced amount of \$350,000; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to accept substituted collateral in form of duly acknowledged surety bond and/or cash bond in connection with this authorization.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___