

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
www.carmelny.org

KATHLEEN KRAUS
Receiver of Taxes

MICHAEL A. BARILE
Town Councilman
FRANK D. LOMBARDI
Town Councilman
ROBERT F. SCHANIL, JR.
Town Councilman

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

TOWN BOARD VOTING MEETING
Wednesday, April 7, 2021 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

PUBLIC HEARING: On a Proposed Contract Renewing a Cable Television Franchise Agreement with Comcast of New York, LLC

Town Board Voting Meeting:

1. Res: Authorizing the Cost of Engineering Assessment Expenses in Connection with Improvements to the Lake Casse and Upper/Lower Teakettle Dams, in and for the Town of Carmel, Putnam County, New York, at a Maximum Estimated Cost of \$143,200 and Authorizing the Issuance of Up to \$143,200 Bonds of Said Town to Pay the Cost Thereof
 2. Res: Authorizing, Subject to Permissive Referendum, the Issuance of \$750,000 Bonds of the Town of Carmel, Putnam County, New York to Pay the Cost of the Road Reconstruction and Resurfacing, Throughout and In and For Said Town
 3. Res: Authorizing, Subject to Permissive Referendum, Construction of Drainage Improvements Throughout and In and For the Town of Carmel, Putnam County, New York, at a Maximum Estimated Cost of \$200,000, and Authorizing the Issuance of \$200,000 Bonds of Said Town to Pay the Cost Thereof
 4. Res: Authorizing Encumbrances of 2020 Funds for Expenditures in 2021
 5. Res: Authorizing Payment for Software Licensing Agreement and Services- Edmunds GovTech, Inc.
 6. Res: Accepting Proposal for Professional Services Grant Writing- Millennium Strategies, LLC
 7. Res: Accepting Proposal of Jackson Lewis, LLP for Labor Counsel Services
 8. Res: Authorizing Entry in Agreement with Putnam County Department of Real Property Tax Services
 9. Res: Authorizing Advertising for Bids – Replacement of Existing Water Main on Woodland Court (CWD#8)
 10. Res: Authorizing Signing of Change Order #2 - Town Wide Ami Meter Installation Project - Contract # C248
 11. Res: Authorizing Budget Modifications #2021/01 Ending February 28, 2021
 12. Res: Authorizing Fund Balance Modifications - Years 2014-2020– Office of the Town Comptroller
 13. Res: Authorizing Settlement of Litigation
 14. Res: Authorizing Settlement of Litigation
 15. Res: Authorizing Chief of Police to Proceed with the Purchase of Police Vehicles
 16. Res: Authorizing Capital Equipment Purchases – Town of Carmel Highway Department
 - **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/Announcements Adjournment**



Ann Spofford
Town Clerk
Town of Carmel

Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Telephone: 845.628.1500
Fax: 845.628.7434

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, April 7, 2021 at 7:00 p.m. or as soon thereafter that evening as possible, on a proposed contract renewing a Cable Television Franchise Agreement with Comcast of New York, LLC; and that pursuant to Title 16 CRR NY §894.7, copies of all franchise applications as well as copies of the contract which is proposed to be renewed are available for public inspection during normal business hours at Carmel Town Hall 60 McAlpin Avenue, Mahopac, New York.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

RESOLUTION #1

A RESOLUTION AUTHORIZING THE COST OF ENGINEERING ASSESSMENT EXPENSES IN CONNECTION WITH IMPROVEMENTS TO THE LAKE CASSE AND UPPER/LOWER TEA KETTLE DAMS, IN AND FOR THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$143,200, AND AUTHORIZING THE ISSUANCE OF UP TO \$143,200 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the object or purpose hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the regulations provide will not result in any significant environmental effects; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The cost of engineering assessment expenses in connection with improvements to the Lake Casse and Upper/Lower Tea Kettle Dams, in and for the Town of Carmel, Putnam County, New York, including incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$143,200, pursuant to General Municipal Law Section 99-d.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$143,200 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not exceed five years.**

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #2

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$750,000 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE ROAD RECONSTRUCTION AND RESURFACING, THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof; NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Road reconstruction and resurfacing, throughout and in and for the Town of Carmel, Putnam County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$750,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$750,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20© of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation

shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, CONSTRUCTION OF DRAINAGE IMPROVEMENTS THROUGHOUT AND IN AND FOR THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$200,000, AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing;
NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The construction of drainage improvements throughout and in and for the Town of Carmel, Putnam County, New York, together with incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$200,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable

real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #4

RESOLUTION AUTHORIZING ENCUMBRANCES OF 2020 FUNDS FOR EXPENDITURES IN 2021

WHEREAS, it is recommended by the Town Comptroller's Office that 2020 Government Budget Funds be encumbered or reserved for the 2021 Budget Appropriations, based on recent approved Town Board Resolutions and/or specific projects in progress for various purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel authorizes the Town Comptroller's Office to Encumber or Reserve unexpended 2020 Government Fund monies for expenditures in fiscal year 2021 as follows:

<u>Purpose of Encumbrance</u>	<u>Accounts</u>	<u>Maximum</u>	<u>Explanation and/or Comments</u>
Mahopac Falls Fire Dept.	301-3410-0045	\$72,230	Reserve for Dry Hydrant Estimate

Resolution:

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #5

RESOLUTION AUTHORIZING PAYMENT FOR SOFTWARE LICENSING AGREEMENT AND SERVICES

WHEREAS, the Town Board has previously authorized the entry into software licensing agreements utilized by both the Office of the Receiver of Tax and the Office of the Town Clerk with Business Automated Services, Inc., Clifton Park, NY; and

WHEREAS, the Town Board has been advised that Business Automated Services, Inc. has been acquired by Edmunds GovTech, Inc., Northfield, NJ;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the acquisition by Edmunds GovTech, Inc. as referenced herein and authorizes all future payments due under the terms of any licensing agreements with Business Automated Services, Inc. be made to Edmunds GovTech, Inc., effective immediately.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #6

RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES GRANT WRITING

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of Millennium Strategies, LLC, Morristown, NJ, for grant-writing services for the period of April 1, 2021 through March 31, 2022 at a cost not to exceed \$36,000.00 annually; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate this authorization; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #7

RESOLUTION ACCEPTING PROPOSAL OF JACKSON LEWIS, LLP FOR LABOR COUNSEL SERVICES

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of Jackson, Lewis, LLP, White Plains, NY for 2021 labor counsel services, said proposal dated March 29, 2021 and in form as attached hereto and is on file in the office of the Town Supervisor; and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to sign said proposal on behalf of the Town.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

*Via Email
Personal and Confidential*

March 29, 2021

Frank D. Lombardi, Esq.
Town Councilman
Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541
fl@ci.carmel.ny.us

Re: Proposal for Legal Services

Dear Councilman Lombardi:

We appreciate the opportunity to submit this multi-year proposal to continue to serve as labor and employment counsel to the Town of Carmel. As you know, Jackson Lewis has served the Town in this capacity since January 2012. During our relationship, Jackson Lewis attorneys have enjoyed working with the Town Board and Town management on a number of significant labor and personnel matters. Considering that some of our attorneys and their families live and/or grew up in the Town, we have truly appreciated the chance to work with the Town Board on behalf of the community. We welcome the opportunity to continue our relationship.

Based on your discussions with my colleague Tom McDonough, we will reduce the hourly rates proposed in our March 10, 2021 letter for all attorneys, which represent significant discounts from our standard rates:

- The remainder of calendar year 2021: \$300 per hour;
- Calendar year 2022: \$305 per hour; and
- Calendar year 2023: \$315 per hour.

Thank you for considering Jackson Lewis to continue to serve as the Town's labor and employment counsel. If you have any questions, please do not hesitate to contact us.

Very truly yours,



Robert J. Guidotti
Thomas P. McDonough
(914) 872-6878 Direct
Jackson Lewis P.C.

RJG/TPM/gr

RESOLUTION #8

RESOLUTION AUTHORIZING ENTRY INTO AGREEMENT WITH PUTNAM COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES

WHEREAS appropriations have been made in the 2021 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to enter into and execute, on behalf of the Town, the contract with the Putnam County Department of Real Property Tax Services for preparation of the tentative assessment roll for year 2021 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>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT

AGREEMENT MADE THIS 1ST DAY OF MARCH BETWEEN: THE TOWN OF CARMEL REFERRED TO AS THE TOWN AND THE COUNTY OF PUTNAM HAVING ITS PRINCIPAL PLACE OF BUSINESS AT 40 GLENEIDA AVENUE, CARMEL, NEW YORK 10512, HEREINAFTER REFERRED TO AS COUNTY.

THE PARTIES HEREIN AGREE AS FOLLOWS:

- 1) THE COUNTY SHALL PREPARE THE TENTATIVE ASSESSMENT ROLL, FOR THE CALENDAR YEAR OF 2021 AND HAVE IT AVAILABLE ON THE COUNTY WEBSITE TO COMPLY WITH RPTL §1591
- 2) EVERY TRANSFER OF PROPERTY, CHANGE OF ADDRESS, DESCRIPTION OR VALUATION, SPECIAL FRANCHISE, PUBLIC UTILITY, SHALL BE DATA ENTERED BY ASSESSOR OF TOWN OR DESIGNATED STAFF MEMBER. ASSESSOR AND/OR DESIGNATED STAFF MEMBER IS RESPONSIBLE FOR ALL RPS SOFTWARE UPDATES TO BE CURRENT AND UPDATING REFERENCE TABLES IN RPS.
- 3) AFTER CLOSING OF THE BOOKS ON MARCH 1st, ALL CHANGES SHALL BE ENTERED ON OR BEFORE **APRIL 16th** BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1st DEADLINE.
- 4) ALL GRIEVANCE CHANGES, CORRECTION OF CLERICAL ERRORS, & UNLAWFUL ENTRIES SHALL BE APPROVED BY THE BOARD OF ASSESSMENT REVIEW AND ENTERED BY THE TOWN INTO THE REAL PROPERTY SYSTEM, BACKED UP AND BROUGHT TO THE REAL PROPERTY TAX SERVICE AGENCY NO LATER THAN **JUNE 16th** FOR FINAL ROLL PROCESSING AND SCHOOL PROCESSING.
- 5) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE **NOVEMBER 19th**.
- 6) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY **OCTOBER 30th**, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY **NOVEMBER 19TH**.
- 7) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

PRICE FOR THE PREPARATION OF THE FOLLOWING IS \$ 0.50 PER PARCEL:

- 1) TENTATIVE ASSESSMENT ROLL (2 COPIES*) AND ASSOCIATED REPORTS, COA'S
- 2) FINAL ASSESSMENT ROLL (2 COPIES*)
- 3) TAX ROLL (2 COPIES*)
- 4) HARD & SOFT BINDERS FOR ROLLS
- 5) BANK CODE LISTINGS
- 6) APPORTIONMENT OF SPECIAL FRANCHISE
- 7) 1 SET OF TAX BILLS IN ENVELOPES
- 8) RPS 145D1, 155D1 & 160D1 TAX EXTRACTS
- 9) DATA ENTRY FOR PRO-RATAS
- 10) 1 SET TAX MAPS 24" x 36"

UNPAID WATER, SEWER, OR OTHER UNPAIDS WILL BE CHARGED A FEE IN THE AMOUNT OF 50.00 PER HUNDRED IF THE DATA HAS TO BE MANUALLY ENTERED, OR IF TAX MAP NUMBERS PROVIDED IN COMPUTER FORMAT ARE INVALID.

IF ANY ADDITIONAL SPECIAL DISTRICT ROLLS ARE REQUIRED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER PARCEL.

IF ANY INSERTS ARE REQUESTED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER ENVELOPE.

*.02 PER PARCEL WILL BE DEDUCTED IF ONE (1) COPY OF EACH ROLL IS REQUESTED INSTEAD OF TWO (2)

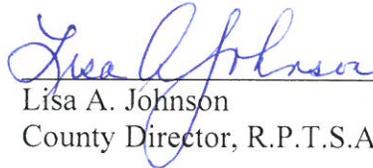
THE TOWN OF CARMEL HEREBY REPRESENTS THAT THE AGREEMENT HEREIN HAS BEEN APPROVED BY RESOLUTION OF THE TOWN BOARD, A COPY OF WHICH IS ANNEXED HERETO AND MADE A PART HEREOF:

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT IN NEW YORK, ON THE DATE HEREIN ABOVE SET FORTH.

READ AND APPROVED BY:

MaryEllen Odell
County Executive

DATE: _____

 DATE: 3/1/2021
Lisa A. Johnson
County Director, R.P.T.S.A.

William J. Carlin
Commissioner of Finance

DATE: _____

Jennifer S. Bumgarner
County Attorney

DATE: _____

Mat C. Bruno, Sr
Risk Manager

DATE: _____

Kenneth Schmitt
Town Supervisor

DATE: _____

RESOLUTION #9

RESOLUTION AUTHORIZING ADVERTISING FOR BIDS

RESOLVED that, pursuant to the request of the Town Engineer Richard J. Franzetti, P.E., Town Clerk Ann Spofford is hereby authorized to advertise for bids for the replacement of the existing water main on Woodland Court within Carmel Water District #8; and

BE IT FURTHER RESOLVED that the Town Engineer is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #10

**RESOLUTION AUTHORIZING SIGNING OF CHANGE ORDER #2
TOWN WIDE AMI METER INSTALLATION PROJECT
CONTRACT NO. C248**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to National Metering Services and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has provided proposed Change Order No.2 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 the various water districts within the Town of Carmel, hereby authorizes the Town Supervisor to sign Change Order #2 to the aforementioned contract, resulting in no overall contract price increase or decrease, 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>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

CHANGE ORDER

2

No.

TOWN WIDE AMI METER INSTALLATION PROJECT

DATE OF ISSUANCE **03/10/2021**

EFFECTIVE DATE **03/10/2021**

OWNER **Town of Carmel**
OWNER's Contractor No. **C-248**

CONTRACTOR: **National Metering Services**

ENGINEER: **Richard J Franzetti PE**

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

Description:

Reason for Change Order: **Time Extension; Updated Price Quote**

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

<p style="text-align: center;">CHANGE IN CONTRACT PRICE:</p> <p>Original Contract Price</p> <p>\$ 708,725.00</p>	<p style="text-align: center;">CHANGE IN CONTRACT TIMES:</p> <p>Original Contract Times</p> <p>Substantial Completion: <u>January 25, 2019</u> Ready for final payment: <u>May 25, 2019</u></p>
<p>Net changes from previous Change Orders No. to No. <u> </u></p> <p style="text-align: center;">(\$11,775)</p>	<p>Net change from previous Change Orders No. <u>1</u> to No. <u>2</u></p> <p style="text-align: center;"><u> </u> 324 days</p>
<p>Contract Price prior to this Change Order</p> <p style="text-align: center;">\$696,950.00</p>	<p>Contract Times prior to this Change Order</p> <p>Substantial Completion: <u>December 15, 2019</u> Ready for final payment: <u>April 15, 2020</u></p>
<p>Net Increase (decrease) of this Change Order</p> <p style="text-align: center;">\$0.00</p>	<p>Net Increase of this Change Order</p> <p style="text-align: center;"><u> </u> 563 days</p>
<p>Contract Price e with all approved Change Orders</p> <p>\$ <u> 696,950.00</u></p>	<p>Contract Times with all approved Change Orders</p> <p>Substantial Completion: <u>June 30, 2021</u> Ready for final payment: <u>October 28, 2021</u> days or dates</p>

RECOMMENDED:

ACCEPTED:

APPROVED:

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

Date: _____ Date: _____ Date: _____

RESOLUTION #11

RESOLUTION AUTHORIZING BUDGET MODIFICATIONS

WHEREAS the Town Comptroller MaryAnn Maxwell has reviewed the proposed Budget Modifications for the period ending February 28, 2021 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule 2021/01;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Budget Modifications/Revisions for the period ending February 28, 2021 as shown itemized on schedule 2021/01 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>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

TOWN OF CARMEL
BUDGET REVISIONS JANUARY - FEBRUARY 2021 #2021/01

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND					
1	100.1420.0049	MISCELLANEOUS LEGAL EXPENSES		6,000.00	
	100.1989.9909	APPROPRIATED FUND BALANCE	*	6,000.00	
		- PROVIDE FOR COST OF OUTSIDE LEGAL COUNSEL INVESTIGATION PER AUTHORIZING RESOLUTION			
2	100.1355.0019	ASSESSOR OTHER COMPENSATION		1,972.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	*	1,972.00	
		- PROVIDE FOR PAYOUT OF ACCRUED VACATION TIME			
3	100.1620.0045	BUILDING GROUNDS IMPROVEMENT		100,000.00	
	100.1680.0020	INFO TECH EQUIPMENT		20,000.00	
	100.1680.0021	DATA IMAGING EQUIPMENT		75,000.00	
	100.1990.0040	CONTINGENCY - SOFTWARE CONVERSION		73,435.00	
	100.1990.0040	CONTINGENCY - MASTER PLAN/TOWN CODE		24,765.00	
	100.1990.0040	CONTINGENCY - SWAN COVE		176,496.00	
	100.3120.0027	POLICE OTHER EQUIPMENT		20,000.00	
	100.3120.0046	POLICE RENTALS/LEASES		30,000.00	
	100.3120.0047	POLICE CONFERENCE TRAINING		15,000.00	
	100.3121.0020	LAKE PATROL EQUIPMENT		16,900.00	
	100.7020.0045	REC ADMIN BLDG IMPROVEMENT		2,000.00	
	100.7110.0022	PARK SPECIAL EQUIPMENT		43,482.00	
	100.7113.0045	SWAN COVE PARK IMPROVEMENTS		106,094.00	
	100.7115.0020	AIRPORT PARK EQUIPMENT EXPENSE		20,025.00	
	100.7118.0040	BALDWIN MEADOW PARK IMPROVEMENTS		72,000.00	
	100.7190.0040	SKATING RINK CONTRACTUAL EXP		30,000.00	
	100.1989.9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	*	825,197.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET PER AUTHORIZING RESOLUTION			
4	100.1620.0048	BUILDING CLEANING SERVICES		1,000.00	
	100.1620.0045	BUILDING GROUNDS SPEC IMPROVEMENTS			1,000.00
		- TRANSFER FOR INCREASED CLEANING SERVICES COST			
5	100.1989.0040	UNCLASSIFIED EXPENDITURE		18,000.00	
	100.1990.0040	CONTINGENCY			18,000.00
		- TRANSFER FOR SNOWPLOWING OF PROPERTY DOWNTOWN			
6	100.5132.0045	HIGHWAY BUILDING CLEANING		500.00	
	100.5132.0021	HIGHWAY GARGAE SPEC EXPENSE			500.00
		- TRANSFER FOR INCREASED CLEANING SERVICES COST			
LAKE MAHOPAC PARK DISTRICT					
7	402.7110.0041	WATER QUALITY/STUDY EXPENSE		16,000.00	
	402.7110.9909	APPROPRIATE FUND BALANCE	*	16,000.00	
		- PROVIDE FOR ELECTROFISHING SURVEY			
TEAKETTLE LAKE PARK DISTRICT					
8	403.7140.0041	LAKE TREATMENT EXPENSE		100.00	
	403.7140.0099	REPAIR RESERVE FUND			100.00
		- TRANSFER FOR LAKE TREATMENT EXPENSE			

RESOLUTION #12

RESOLUTION AUTHORIZING FUND BALANCE MODIFICATIONS OFFICE OF THE TOWN COMPTROLLER

WHEREAS the Town Comptroller has reviewed the Draft Year End Fund Balance Analysis for years 2014-2020 with the Town Board which are detailed and explained on the attached Schedule;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the increase of reserves for the Compensated Absence Reserve Fund and Capital Purposes Fund, in the Highway Fund for the years 2014-2020, as shown on itemized on the schedule 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>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

TOWN OF CARMEL

** unaudited **

GENERAL AND HIGHWAY FUND COMBINED FUND EQUITY (YEARS 2014-2020)

DESCRIPTION	2014	2015	2016	2017	2018	2019	2020
GENERAL FUND							
RESERVE FOR PREPAID EXPENSES	450,029	393,897	389,280	408,839	371,705	382,894	383,078
RESERVE FOR ENCUMBRANCES	89,518	118,210	152,275	378,818	500,516	547,344	825,197
RESERVE FOR COMPENSATED ABS	1,000,000	1,000,000	1,440,000	1,615,000	1,785,000	1,815,000	1,815,000
DESIGNATED FOR TAX CERTIORARI	770,000	770,000	770,000	770,000	770,000	1,070,000	1,070,000
DESIGNATED FOR RETIREMENT CONTRIBUTIONS	200,000	200,000	200,000	200,000	200,000	200,000	200,000
DESIGNATED FOR CAPITAL PROJECTS	500,000	500,000	750,000	1,000,000	1,500,000	2,000,000	2,000,000
DESIGNATED RESERVE VEHICLE PURCHASES	150,000	150,000	150,000	150,000	150,000	150,000	150,000
UNRESERVED DESIGNATED EQUITY-FY	400,000	400,000	400,000	400,000	400,000	400,000	400,000
UNRESERVED DESIGNATED EQUITY - SUBSEQUENT YEARS BUDGET		-	-	-	-	-	-
UNRESERVED UNDESIGNATED EQUITY**	1,532,712	2,172,921	2,881,689	3,487,762	3,319,837	3,309,458	3,744,305
TOTAL GENERAL FUND EQUITY	\$ 5,092,259	\$ 5,705,028	\$ 7,133,244	\$ 8,410,419	\$ 8,997,058	\$ 9,874,696	\$ 10,587,580
HIGHWAY FUND							
RESERVE FOR PREPAID EXPENSES	117,500	112,500	97,000	128,875	120,500	126,250	127,561
RESERVE FOR CAPITAL PURPOSES	100,000	150,000	150,000	100,000	250,000	190,000	850,000
RESERVE FOR COMPENSATED ABSENCES	300,000	300,000	300,000	300,000	300,000	325,000	375,000
RESERVE FOR SNOW REMOVAL/ROADS	500,000	450,000	600,000	750,000	750,000	750,000	750,000
UNRESERVED DESIGNATED EQUITY	61,719	111,856	296,914	474,431	298,687	295,526	544,957
UNRESERVED UNDESIGNATED EQUITY							
TOTAL HIGHWAY FUND EQUITY	\$ 1,079,219	\$ 1,124,356	\$ 1,443,914	\$ 1,753,306	\$ 1,719,187	\$ 1,686,776	\$ 2,647,518
TOTAL GENERAL & HIGHWAY EQUITY	\$ 6,171,478	\$ 6,829,384	\$ 8,577,158	\$ 10,163,725	\$ 10,716,245	\$ 11,561,472	\$ 13,235,098

*Need Reso

*Need Reso

RESOLUTION #13

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 501012/2020 certain lawsuits entitled “Equity Trust Company v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 77.17-1-2; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and Town Counsel Gregory L. Folchetti, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that Town Counsel is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #14

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 500668/2020 a certain lawsuit entitled “Rikfin Group, LLC v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 55.11-1-1; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and Town Counsel Gregory L. Folchetti, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that Town Counsel is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #15

**RESOLUTION AUTHORIZING CHIEF OF POLICE
TO PROCEED WITH THE PURCHASE OF POLICE VEHICLES**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Anthony Hoffman to proceed with the purchase of one (1) new 2021 Ford Interceptor Police Hybrid SUV vehicle at a cost not to exceed \$40,031.25 from Beyer Ford, Morristown, NJ, under Westchester County Contract # RFB-WC-19023 pursuant to General Municipal Law §103(16); and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes Police Anthony Hoffman to proceed with the purchase of one (1) new 2021 Jeep Latitude SUV vehicle at a cost not to exceed \$26,907.00 from NYE Automotive Group, Oneida, NY under NYS Office of General Services Contract Award #48778; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign all necessary documents to purchase said vehicles from the respective vendors set forth herein in accordance with their bid/contract quotations dated March 31, 2021 and March 3, 2021; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget revisions to effect the aforesaid purchase transactions authorized herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #16

**RESOLUTION AUTHORIZING CAPITAL EQUIPMENT PURCHASES
TOWN OF CARMEL HIGHWAY DEPARTMENT**

WHEREAS, the Town Board of the Town of Carmel, has previously authorized capital borrowing and/or funding authorizing the purchase of certain capital equipment and vehicles for the Town of Carmel Highway Department in year 2021 and

WHEREAS, Town of Carmel Highway Superintendent Michael Simone has solicited bids pursuant to the NY General Municipal Law for such capital equipment and a copy of a memorandum summarizing bids and recommended the awarding of bids as set forth herein is on file in the Office of the Town Supervisor;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby accepts the recommendation of the Town of Carmel Highway Superintendent Michael Simone and hereby authorizes the purchase of two (2) 2022 International 4x4 HV507 Cab & Chassis together with Tenco dump body, plow and sander at a unit cost not to exceed \$253,714.66 each under Onondaga County Bid/Contract # 8996 and pursuant to NY General Municipal Law §103(16).

BE IT FURTHER RESOLVED, that Town Comptroller MaryAnn Maxwell is hereby authorized to make all budgetary transfers necessary to effect this authorization and purchase.

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	___	___
Michael Barile	___	___
Frank Lombardi	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___