

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
JOHN D. LUPINACCI
Town Councilman
JONATHAN SCHNEIDER
Town Councilman

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

TOWN BOARD SPECIAL VOTING MEETING/ WORK SESSION
Wednesday, April 10, 2019 7:00pm

Pledge of Allegiance – Moment of Silence

6:00pm Executive Session:

1. Police Chief Michael Cazzari – Personnel
2. Michael Simone, Highway Superintendent – Personnel
3. Robert Guidotti, Esq., Labor Counsel - Personnel

Town Board Special Voting Meeting:

1. Res: Authorizing Settlement of Litigation
2. Res: Authorizing Settlement of Litigation
3. Res: Authorizing Settlement of Litigation
4. Res: Authorizing Settlement of Litigation
5. Res: Authorizing Settlement of Litigation
6. Res: Authorizing Settlement of Litigation
7. Res: Authorizing Settlement of Litigation
8. Res: Authorizing Settlement of Litigation
9. Res: Authorizing Settlement of Litigation
10. Res: Authorizing Settlement of Litigation
11. Res: Authorizing Settlement of Litigation
12. Res: Authorizing Settlement of Litigation
13. Res: Authorizing Settlement of Litigation
14. Res: Authorizing Settlement of Litigation
15. Res: Authorizing Settlement of Litigation
16. Res: Authorizing Settlement of Litigation
17. Res: Authorizing Settlement of Litigation
18. Res: Authorizing Settlement of Litigation
19. Res: Authorizing Settlement of Litigation
20. Res: Authorizing Settlement of Litigation
21. Res: Authorizing Settlement of Litigation
22. Res: Authorizing Settlement of Litigation
23. Res: Authorizing Settlement of Litigation
24. Res: Authorizing Scheduling of Public Hearing on a Proposed Local Law Amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning" (May 1, 2019)
25. Res: Authorizing Entry into Agreement with County of Putnam (SPO Program)
26. Res: Authorizing Advertising for Bids

- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**

Town Board Work Session:

- Review of Town Board Minutes, March 20, April 3, 2019
- 1. William Shilling, Esq., Attorney for Petitioner - Consider Petition for Proposed Zoning Change Pursuant to Section 156 of the Town Code of the Town of Carmel– Top Cat Realty Corp and 1841 Park Avenue Realty Corp
- 2. James Gilchrist, Director of Recreation and Parks- Consider Request to Approve Eagle Scout Project – Raised Flower Beds at Sycamore Park – Eagle Scout Candidate Davis Grimm
- 3. Putnam County Executive- Consider Request for Waiver of Sound Amplification Permit per the Provisions of Chapter 104 of the Town Code – Putnam County Golf Course 2019 Friday Night Barbeques
- 4. Police Chief Michael Cazzari – Consider Request for Reimbursement of Tuition per the PBA Collective Bargaining Agreement (PO Brian Smith)
- 5. Consider Request to Declare Equipment Old and Obsolete and Authorizing Disposal
- 6. Town Legal Counsel, Gregory Folchetti - Consider RFQ for Town Comprehensive Plan
- 7. Richard Franzetti, PE, Town Engineer – Consider Draft of MS4 Annual Report
- 8. Michael Simone, Highway Superintendent – Consider Request to Award Bids for Spring Supplies and Miscellaneous Equipment
- 9. Michael Simone, Highway Superintendent – Consider Request to Approve 2019 Capital Funding for Drainage, Paving and Equipment

- **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 Speaker for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

RESOLUTION #1

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 66/2016, 1151/2016, 500623/2017 and 500967/2018 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-2; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #2

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 65/2016, 1147/2016 and 500625/2017 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 43-1-9; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 1572/2014, 1145/2016, 500622/2017 and 500969/2018 certain lawsuits entitled "Putnam County National Bank v. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-3; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #4

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 1574/2014, 1154/2016, 500626/2017 and 500970/2018 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-4; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #5

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 68/2016, 1153/2016, 500624/2017 and 500966/2018 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-5; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #6

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 67/2016, 1152/2016 and 500621/2017 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-23; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #7

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 64/2016, 1148/2016 and 500629/2017 certain lawsuits entitled “Estate of Marigrace Blanks v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 44.18-1-36; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #8

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 58/2016, 1146/2016, 500620/2017 and 500968/2018 certain lawsuits entitled “Putnam County National Bank v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. No. 44.9-1-8; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #9

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 63/2016, 1150/2016 and 500628/2017 certain lawsuits entitled “Ryder v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 55.6-1-8; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #10

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 500627/2017 a certain lawsuit entitled “Ryder v. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 55.6-1-11; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #11

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 59/2016, 1149/2016 and 500631/2017 certain lawsuits entitled "Ryder v. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 55.13-1-44; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #12

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500630/2017 and 500965/2018 certain lawsuits entitled "Ryder vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 66.-2-49; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

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 Nos. 1175/2016, 500588/2017 and 500906/2018 certain lawsuits entitled "Sayed El Shakry vs. The Town of Carmel" regarding the tax assessments for the properties known and designated Town of Carmel Tax Map Nos. 65.19-1-10 and 44.14-1-53; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard T. Blancato, 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 Special Counsel Richard T. Blancato 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
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. 500494/2017 a certain lawsuit entitled “Michael Stern and Nicole Stern vs. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 76.30-1-4; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Joseph A. Charbonneau, 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 Special Counsel Joseph A. Charbonneau 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #15

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500433/2017 and 500810/2018 certain lawsuit entitled "Bernard Simon and Ruth Simon vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 64.12-1-36; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #16

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500432/2017 and 500812/2018 certain lawsuits entitled "Morton Teich vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.7-3-44; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #17

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500417/2017 and 500803/2018 certain lawsuit entitled "William Frumkin and Jean Frumkin vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.8-2-19; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #18

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500403/2017 and 500804/2018 certain lawsuits entitled "Robert Frenkel vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.8-2-20; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #19

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500423/2017 and 500805/2018 certain lawsuits entitled “Gerard Kraus and Christine Kraus vs. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.8-2-9; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #20

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500426/2017 and 500806/2018 certain lawsuits entitled “James Libby and Patricia Libby vs. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 76.5-1-24; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #21

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500428/2017 and 500807/2018 certain lawsuits entitled “Francis McGarrell and Marina McGarrell vs. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.7-3-35; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #22

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500429/2017 and 500809/2018 certain lawsuits entitled “Ignacio Morales and Marguerite Morales vs. The Town of Carmel” regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 76.5-1-34; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #23

AMENDED RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500430/2017 and 500811/2018 certain lawsuits entitled "Robert Riegger vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 76.5-1-37; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special 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 Special Counsel Gregory L. Folchetti 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #24

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday May 1, 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

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and instructed to publish and post the necessary notices in the official newspapers 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	___	___

A LOCAL LAW REGULATING STORMWATER WITH RESPECT TO ILLICIT DISCHARGE AND ELIMINATION

Chapter 156 of the Town of Carmel Town Code is hereby amended by the addition of the following:

ARTICLE XII STORMWATER CONTROL – ILLICIT DISCHARGE AND ELIMINATION

§156-100. PURPOSE/INTENT.

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the Town of Carmel through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems. The objectives of this law are:

- A. To meet the requirements of the SPDES General Permit for Stormwater Discharges from VMS4s, Permit no. GP-02-02 or as amended or revised;
- B. To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- C. To prohibit Illicit Connections, Activities and Discharges to the MS4;
- D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this law; and
- E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§156-101. DEFINITIONS.

Whenever used in this law, unless a different meaning is stated in a definition applicable to only a portion of this law, the following terms will have meanings set forth below:

- A. Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

- B. Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. ' 1251 et seq.), and any subsequent amendments thereto.
- C. Construction Activity. Activities requiring authorization under the SPDES permit for stormwater discharges from construction activity, GP-02-01, as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- D. Department. The New York State Department of Environmental Conservation.
- E. Design professional. New York State licensed professional engineer or licensed architect.
- F. Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- G. Illicit Connections. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the MS4, including but not limited to:
 - 1. Any conveyances which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
 - 2. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- H. Illicit Discharge. Any direct or indirect non-stormwater discharge to the MS4, except as otherwise exempted within the provisions of this law.
- I. Individual Sewage Treatment System. A facility serving one or more parcels of land or residential households, or a private, commercial or institutional facility, that treats sewage or other liquid wastes for discharge into the groundwater of New York State, except where a permit for such a

facility is required under the applicable provisions of Article 17 of the Environmental Conservation Law.

- J. Industrial Activity. Activities requiring the SPDES permit for discharges from industrial activities except construction, GP-98-03, as amended or revised.
- K. MS4. Municipal Separate Storm Sewer System.
- L. Municipal Separate Storm Sewer System. A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
 - 1. Owned or operated by the Town of Carmel;
 - 2. Designed or used for collecting or conveying stormwater;
 - 3. Which is not a combined sewer; and
 - 4. Which is not part of a Publicly Owned Treatment Works (POT.) as defined at 40CFR
- M. Municipality. The Town of Carmel.
- N. Non-Stormwater Discharge. Any discharge to the MS4 that is not composed entirely of stormwater.
- O. Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner=s agent.
- P. Pollutant. Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.
- Q. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.
- R. Special Conditions.
 - 1. Discharge Compliance with Water Quality Standards. The condition that applies where a municipality has been notified that the discharge of stormwater authorized under their MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure

future discharges do not cause or contribute to a violation of water quality standards.

2. 303(d) Listed Waters. The condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.
 3. Total Maximum Daily Load (TMDL) Strategy. The condition in the municipality's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a waterbody or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
 4. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by EPA for any waterbody or watershed into which an MS4 discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.
- S. State Pollutant Discharge Elimination System. (SPDES) Stormwater Discharge Permit. A permit issued by the Department that authorizes the discharge of pollutants to waters of the state.
- T. Stormwater. Rainwater, surface runoff, snowmelt and drainage.
- U. Stormwater Management Officer (SMO). An employee, the municipal engineer or other public official(s) designated by the Town of Carmel to enforce this local law. The SMO may also be designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.
- V. 303(d) List. A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the Department as

required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

- W. TMDL. Total Maximum Daily Load.
- X. Total Maximum Daily Load. The maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water, allocated among the sources of that pollutant.
- Y. Wastewater. Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

§156-102. APPLICABILITY.

This law shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§156-103. RESPONSIBILITY FOR ADMINISTRATION.

The Stormwater Management Officer(s) (SMO(s)) shall administer, implement, and enforce the provisions of this law. Such powers granted or duties imposed upon the authorized enforcement official may be delegated in writing by the SMO as may be authorized by the municipality.

§156-104. SEVERABILITY.

The provisions of this law are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this law.

§156-105. DISCHARGE PROHIBITIONS.

- A. Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the MS4 any materials other than stormwater except as provided in '156-95(B). The commencement, conduct or continuance of any illegal discharge to the MS4 is prohibited except as described as follows:
- B. The following discharges are exempt from discharge prohibitions established by this local law, unless the Department or the municipality has determined them to be substantial contributors of pollutants: water line flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising ground water, uncontaminated ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains, crawl space or basement sump pumps, air conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian

habitat or wetland flows, dechlorinated swimming pool discharges, residential street wash water, water from fire fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

- C. Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that, such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this local law.
- D. Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.
- E. The prohibition shall not apply to any discharge permitted under an SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.
- F. Prohibition of Illicit Connections.
 - 1. The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.
 - 2. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - 3. A person is considered to be in violation of this local law if the person connects a line conveying sewage to the municipality=s MS4, or allows such a connection to continue.

§156-106. PROHIBITION AGAINST FAILING INDIVIDUAL SEWAGE TREATMENT SYSTEMS

- A. No persons shall operate a failing individual sewage treatment system in areas tributary to the municipality=s MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:
 - 1. The backup of sewage into a structure.

2. Discharges of treated or untreated sewage onto the ground surface.
3. A connection or connections to a separate stormwater sewer system.
4. Liquid level in the septic tank above the outlet invert.
5. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.
6. Contamination of off-site groundwater.

§156-107. PROHIBITION AGAINST ACTIVITIES CONTAMINATING STORMWATER

- A. Activities that are subject to the requirements of this section are those types of activities that:
 1. Cause or contribute to a violation of the municipality's MS4 SPDES permit.
 2. Cause or contribute to the municipality being subject to the Special Conditions as defined in Section 2 (Definitions) of this local law.
 3. Such activities include failing individual sewage treatment systems as defined in Section 7, improper management of pet waste or any other activity that causes or contributes to violations of the municipality's MS4 SPDES permit authorization.
- B. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the municipality's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the municipality's MS4 SPDES permit authorization.

§156-108. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORMWATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

- A. Best Management Practices. Where the SMO has identified illicit discharges as defined in Section 2 or activities contaminating stormwater as defined in Section 8 the municipality may require implementation of Best Management Practices (BMPs) to control those illicit discharges and activities.
 1. The owner or operator of a commercial or industrial establishment

shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and non-structural BMPs.

2. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge as defined in Section 2 or an activity contaminating stormwater as defined in Section 8, may be required to implement, at said person=s expense, additional structural and non-structural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.
3. Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

B. Individual Sewage Treatment Systems - Response to Special Conditions Requiring No Increase of Pollutants or Requiring a Reduction of Pollutants Where individual sewage treatment systems are contributing to the municipality=s being subject to the Special Conditions as defined in Section 2 of this local law, the owner or operator of such individual sewage treatment systems shall be required to:

1. Maintain and operate individual sewage treatment systems as follows:
 - a. Inspect the septic tank annually to determine scum and sludge accumulation. Septic tanks must be pumped out whenever the bottom of the scum layer is within three inches of the bottom of the outlet baffle or sanitary tee or the top of the sludge is within ten inches of the bottom of the outlet baffle or sanitary tee.
 - b. Avoid the use of septic tank additives.
 - c. Avoid the disposal of excessive quantities of detergents, kitchen wastes, laundry wastes, and household chemicals; and
 - d. Avoid the disposal of cigarette butts, disposable diapers, sanitary napkins, trash and other such items.
2. Repair or replace individual sewage treatment systems as follows:
 - a. In accordance with 10NYCRR Appendix 75A to the maximum extent practicable.

- b. A design professional licensed to practice in New York State shall prepare design plans for any type of absorption field that involves:
 - i. Relocating or extending an absorption area to a location not previously approved for such.
 - ii. Installation of a new subsurface treatment system at the same location.
 - iii. Use of alternate system or innovative system design or technology.
- c. A written certificate of compliance shall be submitted by the design professional to the municipality at the completion of construction of the repair or replacement system.

§156-109. SUSPENSION OF ACCESS TO MS4. Illicit Discharges in Emergency Situations.

- A. The SMO may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.
- B. Suspension due to the detection of illicit discharge. Any person discharging to the municipality's MS4 in violation of this law may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the SMO.

§156-110. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the municipality prior to the allowing of

discharges to the MS4.

§156-111. ACCESS AND MONITORING OF DISCHARGES.

- A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this Law, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Law.

- B. Access to Facilities.
 - 1 The SMO shall be permitted to enter and inspect facilities subject to regulation under this law as often as may be necessary to determine compliance with this Law. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to the SMO.

 - 2. Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this law.

 - 3. The municipality shall have the right to set up on any facility subject to this law such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.

 - 4 The municipality has the right to require the facilities subject to this law to install monitoring equipment as is reasonably necessary to determine compliance with this law. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

 - 5. Unreasonable delays in allowing the municipality access to a facility subject to this law is a violation of this law. A person who is the operator of a facility subject to this law commits an offense if the person denies the municipality reasonable access to the facility for the purpose of conducting any activity authorized or required by this law.

 - 6. If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this law, or that there is a need to inspect and/or sample

as part of a routine inspection and sampling program designed to verify compliance with this law or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

§156-112. NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the municipality in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the municipality within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§156-113. ENFORCEMENT.

- A. Notice of Violation. When the municipality's SMO finds that a person has violated a prohibition or failed to meet a requirement of this law, he/she may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
1. The elimination of illicit connections or discharges;
 2. That violating discharges, practices, or operations shall cease and desist;
 3. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 4. The performance of monitoring, analyses, and reporting;
 5. Payment of a fine; and
 6. The implementation of source control or treatment BMPs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall

further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

- B. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this local law shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars (\$350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars (\$700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars (\$1000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week=s continued violation shall constitute a separate additional violation.

§156-114. APPEAL OF NOTICE OF VIOLATION.

Any person receiving a Notice of Violation may appeal the determination of the SMO to the Town Board within 15 days of its issuance, which shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, file its decision in the office of the municipal clerk and mail a copy of its decision by certified mail to the discharger.

§156-115. CORRECTIVE MEASURES AFTER APPEAL.

- A. If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 business days of the decision of the municipal authority upholding the decision of the SMO, then the SMO shall request the owner=s permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.
- B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the

discharger.

§156-116. INJUNCTIVE RELIEF.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this law. If a person has violated or continues to violate the provisions of this law, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

§156-117. ALTERNATIVE REMEDIES.

- A. Where a person has violated a provision of this Law, he/she may be eligible for alternative remedies in lieu of a civil penalty, upon recommendation of the Municipal Attorney and concurrence of the Municipal Code Enforcement Officer, where:
1. The violation was unintentional.
 2. The violator has no history of previous violations of this Law.
 3. Environmental damage was minimal.
 4. Violator acted quickly to remedy violation.
 5. Violator cooperated in investigation and resolution.

SECTION 3 C HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 ⁵/₈C SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION #25

RESOLUTION AUTHORIZING ENTRY INTO AGREEMENT WITH COUNTY OF PUTNAM

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the entry into an agreement with the County of Putnam and the Putnam County Sheriff's Office for the provision of Special Patrol Officers for the Town of Carmel Town Hall per said agreement as attached hereto and made a part thereof; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to sign said agreement and any related documentation thereto; and

BE IT FURTHER RESOLVED that Town Comptroller MaryAnn Maxwell is hereby authorized to make any and all necessary budget modifications required 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	___	___

AGREEMENT

THIS AGREEMENT, made by and between the TOWN OF CARMEL, a municipal corporation located at 60 McAlpin Avenue, Mahopac, New York 10541 (hereinafter referred to as the “Town”), and the COUNTY OF PUTNAM, a municipal corporation organized and existing under the laws of the State of New York, having an office at 40 Gleneida Avenue, Carmel, New York 10512 (hereinafter referred to as the “County”) and THE SHERIFF OF PUTNAM COUNTY, a constitutional officer in and for the County of Putnam, having an office at 3 County Center, Carmel, New York 10512 (hereinafter referred to as the “Sheriff”).

WITNESSETH:

WHEREAS, the Town desires to obtain certain specified professional services from the County and the Sheriff as more fully set forth hereunder; and

WHEREAS, the County and the Sheriff are willing to provide such professional services on the terms and conditions set forth herein and for the compensation and consideration stated hereunder.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: The County shall permit and the Sheriff shall furnish two (2) Special Patrol Officer (hereinafter “SPO”) to the Town to perform such services as more fully described in Schedule “A,” attached hereto and made a part hereof. The SPOs shall perform such services at the Carmel Town Hall, located at 60 McAlpin Avenue, Mahopac, New York 1054.

SECOND: For the services rendered pursuant to paragraph “FIRST,” the Town shall pay the County as follows:

1. a onetime payment of Two Thousand One Hundred Thirty Dollars (\$2,130.00) per individual SPO for services related to investigative background checks and purchasing. Should a replacement SPO be requested by the Town, other than for good cause shown, the Town agrees to compensate the County an additional \$2,130.00 for each such request; and
2. an invoiced monthly payment consisting of :
 - a. Twenty-five Dollars (\$25.00) per hour per SPO for each hour the SPO(s) are carrying out his/her duties as set forth in Schedule "A" annexed hereto; and
 - b. The costs of equipment (uniforms, firearms, radio), FICA costs and other training costs; and
 - c. An annual supervisory administrative fee of Three Thousand Four Hundred Fifty-nine Dollars (\$3,459.00) to be paid monthly at the rate of Two Hundred Eighty-Eight and 25/100 (\$288.25) dollars.

The Town shall make payment for the services rendered pursuant to this Agreement by the thirtieth (30th) calendar day of the month following the month in which the services are rendered and invoiced. Prior to the making of any payments hereunder, the Town may, at its option and upon reasonable notice to the County and Sheriff, request a summary explaining the manner in which the monthly payment was determined. In the event the Town fails to make a scheduled payment within thirty (30) days of the due date, the County will, prior to terminating the Agreement, provide the Town with notice of the default and an opportunity to cure the default within fifteen (15) days thereafter.

THIRD: This Agreement shall commence on April 1, 2019 and terminate on March 31, 2020, unless otherwise extended by a written instrument signed by the parties hereto.

FOURTH: The SPO shall be selected by the Sheriff's Department, with close coordination and cooperation by the Putnam County Personnel Department.

FIFTH: The SPO shall at all times be an employee of the County and be under the general supervision of the Sheriff and shall follow all policies and procedures of the Sheriff's Department.

SIXTH: The SPO shall be assigned pursuant to a schedule that is determined at the discretion of the Town.

SEVENTH: Either party, upon sixty (60) days notice to the other, may terminate this Agreement, in whole or in part, when a party deems it to be in its best interest. In such event, the County shall be compensated and the Town shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination.

Notwithstanding the notice requirements set forth above, if the Town terminates this Agreement, in whole or in part, without cause prior to the termination date set forth in paragraph "THIRD", the Town shall reimburse the County for all costs and liabilities associated with N.Y. Unemployment benefits for the contracted SPO(s) incurred by the County, if any, while in the process of reassigning the contracted SPO(s), if reasonably possible. In addition, should the Town select not to renew the Agreement at the conclusion of the Agreement term, and the Sheriff is unable to reassign the SPO(s) without incurring a layoff, the Town shall reimburse the County for all costs and liabilities associated with N.Y. Unemployment benefits incurred by the County, if any, for the contracted SPO(s) caused by the layoff of such SPO.

EIGHTH: Except as otherwise contemplated herein, neither party shall assign or sub-contract any of its obligations and/or responsibilities under this Agreement and any purported delegation of duties, assignment of rights or sub-contracting of responsibilities under this Agreement is void and shall be deemed a direct breach of this Agreement.

NINTH: In addition to, and not in limitation of, the insurance requirements contained in Schedule "B" entitled "Putnam County Insurance Requirements" attached hereto and made a part of this Agreement, the Town agrees to protect, defend, indemnify and hold the County and the Sheriff and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or from those duties and services of the SPOs provided under this Agreement and/or performance hereof over which the Town retains direct control. The Town further agrees to indemnify the County and the Sheriff for any damage to County property which arises out of the performance of the services provided under this Agreement.

The parties acknowledge that for purposes of New York Workers' Compensation Law and/or Section 207-c of the General Municipal Law (if applicable), the SPOs are employees of the County. The County shall maintain the appropriate Worker's Compensation Insurance for the SPOs and provide the Town documentation of such coverage. The Town agrees to reimburse the County and/or Sheriff for any and all associated costs of Workers' Compensation and/or Section 207-c benefits (if applicable) incurred by the County and/or Sheriff for any injuries sustained by SPOs while on Town property and/or in the performance of his/her duties for the Town under this Agreement.

The County shall indemnify, defend and hold harmless the Town, its officers, employees and agents from and against any and all claims, suits, actions, causes of action, damages, judgments, liabilities, fines, penalties and expenses, including reasonable attorney fees and litigation costs arising out of or related to the services, acts or omissions of the SPOs over which the County retains direct control.

The County will be responsible to provide the Town proof of Professional Liability and Automobile insurance for SPOs' services provided under this Agreement. The Town will be named as an additional insured on the aforementioned policies.

TENTH: In connection with the performance of this Agreement, the County and Sheriff will comply with all applicable laws, regulations and orders, including, but not limited to, equal employment opportunity laws and regulations, as well as the Fair Labor Standards Act, to the extent required by law.

The parties hereto expressly agree that they shall be solely responsible for supervising their respective employees; that they shall respectively comply with all rules, regulations, orders, standards, and interpretations promulgated pursuant to the Occupational Health and Safety Act of 1970 and the Public Employees Safety and Health Act (hereinafter referred to as "PESH"), including but not limited to training; provision of personal protective equipment; adherence to all appropriate lockout/tagout procedures; and providing all notices, material safety data sheets, labels, etc. required by the right-to-know standard.

ELEVENTH: All notices of any nature referred to in this Agreement shall be in writing and sent by registered or certified mail, postage prepaid, to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing:

To the Town:

Kenneth Schmitt, Supervisor
Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541

To the County:

Hon. Robert L. Langley, Jr., Sheriff
Putnam County Sheriff's Department
3 County Center
Carmel, New York 10512

With a copy to:

Jennifer S. Bumgarner
County Attorney
48 Gleneida Avenue
Carmel, New York 10512

TWELFTH: This Agreement and its attachments constitute the entire agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

THIRTEENTH: Unless specifically provided by law, electronic signatures may be used in lieu of a signature affixed by hand. The use of said electronic signatures shall have the same force and effect of law and shall be deemed binding. Moreover, this contract shall not be deemed effective until fully executed by the Town, the required County signatories and the County Executive.

FOURTEENTH: This Agreement will be construed in accordance with the laws of the State of New York. All legal actions and/or proceedings arising out of this Agreement will be venued in Putnam County, New York.

SCHEDULE A

SPO
SCOPE OF SERVICES

Special Patrol Officers are responsible for maintaining order and providing security in and around public buildings, and school district buildings. Special Patrol Officers have all the powers of a peace officer, as set forth in §2.20 of New York's Criminal Procedure Law, when performing the duties of protecting property or persons in and around such premises.

A Special Patrol Officer's typical work duties include, but are not limited to, the following:

- Provides security by standing in and patrolling public buildings and facilities, such as school district buildings, including interior spaces as well as immediate outside areas;
- Protects and guards employees, students, visitors, and the general public in and around public buildings, facilities and properties;
- Physically restrains unruly individuals, as needed;
- Provides general information to visitors and the general public on premises;
- Checks identification and other necessary documents, as needed;
- Safeguards public property;
- Provides assistance in emergency situations;
- Maintains and updates records as required;
- Prepares activity and incident reports;
- Distributes and posts appropriate documents and materials;
- May provide escort to and from public buildings and facilities, as needed;
- Performs a variety of related activities as required.

SCHEDULE B

PUTNAM COUNTY INSURANCE REQUIREMENTS

THE FOLLOWING MUST APPEAR ON EACH INSURANCE CERTIFICATE:

UNDER THE CERTIFICATE HOLDER SECTION:

**COUNTY OF PUTNAM
48 GLENEIDA AVENUE
CARMEL, NEW YORK 10512
ATTN.: LAW DEPT./RISK MANAGER**

**ADDITIONALLY, IN THE SPACE (DESCRIPTION OF OPERATIONS/LOCATIONS)
ON THE INSURANCE CERTIFICATE, IT MUST BE NOTED AS FOLLOWS:**

***"PUTNAM COUNTY IS INCLUDED AS AN ADDITIONAL INSURED except for
Professional Liability and Workers' Comp."***

It is the requirement of the County of Putnam and/or Putnam County Highway Department that for work performed under contract and/or permit authorized by the County and/or Highway Department and/or any event or performance conducted on County property that the contractor or permittee procure and maintain at their own expense and without expense to the County, until final acceptance of the work by the County, the insurances listed below.

Before commencement of any work, event or performance a certificate or certificates of insurance must be furnished to the County and/or Highway Department in forms satisfactory to the County and/or Highway Department.

All insurance coverages must be from an A.M. Best Rated "secured" (B+-A++), New York State admitted insurer.

All certificates of insurance must provide that the policy or policies shall not be changed or canceled until at least thirty (30) days prior written notice has been given to the County and/or Highway Department.

When required by the Highway Department the "XCU" exclusion of the policy or policies shall be eliminated or show proof that "XCU" is covered.

**The Contractor shall provide and maintain at its own expense the following
minimum insurance coverage:**

- A. **Workers' Compensation Insurance** - This is statutorily required and is required for all contracts. Each policy must cover all operations and all locations involved in the contract. If applicable, the policy should also include New York State Disability Benefits. Proof of Workers' Compensation Insurance is required and should be received by Putnam County on a **C105.2 form, S1 12 form, form or U-26.3** - all of these forms are available through your carrier.
- B. **Commercial General Liability** - covering all operations and all locations involved in the contract, including the following coverages:
 - \$2,000,000 General Aggregate
 - 5,000 Medical Expense Limit
 - \$1,000,000 Personal & Advertising Injury Limit
 - \$1,000,000 Each Occurrence
 - \$2,000,000 Products/Completed Operations Aggregate
 - \$50,000 Fire Damage Legal Liability Limit

- C. **Commercial Automobile Liability** - Covering all operations and locations involved in the contract, including the following coverages:
 (1) Owned Automobiles (2) Hired Automobiles (3) Non-Owned Automobiles
 Unless specifically required, each policy shall provide limits of not less than \$1,000,000 Combined Single Limits for Bodily Injury and Property Damage.
- D. If applicable, Professional Liability (errors and omissions) in the amount of at least \$1,000,000 per claim.
- E. **Excess Liability or Umbrella Policy**
 Limits depending on the following contract size
 \$100,000 - \$250,000 - 1 million
 \$250,001 - \$500,000 - 5 million
 \$500,000+ 10 million
- F. **Bid, Performance/Payment, Labor & Material Bonds**
 Required for any contract in excess of \$250,000. These bonds shall be provided by a New York State admitted surety company in good standing. Only the (AIA) - The American Institute of Architects- A312 form- will be accepted. In addition, pursuant to NYS Insurance Law Section 1111 all bonds must include a certificate of solvency for the surety which shall be updated annually. In addition, the Surety must be on the U.S. Treasury List (Circular 570) of acceptable sureties.

STANDARD INSURANCE REQUIREMENTS AND INDEMNIFICATION REQUIREMENT:

All policies and certificates of insurance of the contractor shall contain the following clauses:

1. Putnam County is named as an additional insured and as Certificate Holder. Insurers shall have no right of recovery or subrogation against the County of Putnam (including its agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above described insurance.
2. The Clause "other insurance provisions" in a policy in which the County of Putnam is named as an additional insured, shall not apply to the County of Putnam.
3. The insurance companies issuing the policy or policies shall have no recourse against the County of Putnam (including its agents or agencies) for payment of any premiums or for assessments under any form of policy.
4. Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the risk of the contractor.

RESOLUTION #26

**RESOLUTION AUTHORIZING
ADVERTISEMENT FOR BID**

RESOLVED that, pursuant to the recommendation of Town Engineer Richard J. Franzetti, P.E., the Town Board authorizes hereby authorizes Town Clerk Ann Spofford to advertise for bids for the purchase and installation of a rooftop air conditioning unit to replace the unit currently servicing the Town of Carmel Town Hall Meeting Room at the 60 McAlpin Avenue location; and

BE IT FURTHER RESOLVED that the detailed specifications are to be furnished for the above to Town Clerk Ann Spofford 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Town Board Work Session:

- Review of Town Board Minutes, March 20, April 3, 2019
- 1. William Shilling, Esq., Attorney for Petitioner - Consider Petition for Proposed Zoning Change Pursuant to Section 156 of the Town Code of the Town of Carmel– Top Cat Realty Corp and 1841 Park Avenue Realty Corp
- 2. James Gilchrist, Director of Recreation and Parks- Consider Request to Approve Eagle Scout Project – Raised Flower Beds at Sycamore Park – Eagle Scout Candidate Davis Grimm
- 3. Putnam County Executive- Consider Request for Waiver of Sound Amplification Permit per the Provisions of Chapter 104 of the Town Code – Putnam County Golf Course 2019 Friday Night Barbeques
- 4. Police Chief Michael Cazzari – Consider Request for Reimbursement of Tuition per the PBA Collective Bargaining Agreement (PO Brian Smith)
- 5. Consider Request to Declare Equipment Old and Obsolete and Authorizing Disposal
- 6. Richard Franzetti, PE, Town Engineer - Consider RFQ for Town Comprehensive Plan
- 7. Richard Franzetti, PE, Town Engineer – Consider Draft of MS4 Annual Report
- 8. Michael Simone, Highway Superintendent – Consider Request to Award Bids for Spring Supplies and Miscellaneous Equipment
- 9. Michael Simone, Highway Superintendent – Consider Request to Approve 2019 Capital Funding for Drainage, Paving and Equipment

- **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 Speaker for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

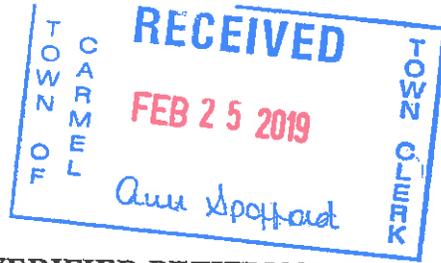
TOWN BOARD
TOWN OF CARMEL, COUNTY OF PUTNAM
-----X

In the Matter of the Petition of

TOP CAT REALTY CORP., and
1841 PARK AVE REALTY CORP.,

Petitioners,

For a Change of Zoning for Parcels of Real
Property from Residential to Commercial
-----X



**VERIFIED PETITION FOR
CHANGE OF ZONING**

Petitioners, Top Cat Realty Corp. and 1841 Park Ave. Realty Corp. (hereinafter
“Petitioners”) respectfully submit as follows:

1. Petitioners are the owner of certain property located at 121-125 Stillwater Road, Mahopac, Town of Carmel, County of Putnam and State of New York.
2. The Tax Map numbers are 86.5-1-25, 86.5-1-26 and 75.17-1-53.
3. The subject premises are located within the Mahopac Central School District.
4. The Petitioners request that the Zoning Code and Zoning Map of the Town of Carmel, be amended, and change the zone of the subject premises from a Residential District to a Commercial District.
5. The Petitioners hereby declare, for the purpose of reliance thereon by the Town of Carmel, that the full particulars of the Petitioners’ proposed use of the subject premises for the next five (5) years, if this change of zone is granted, are as follows:
 - a. Warehouse related uses in harmony with the existing adjoining warehouse use on the adjacent commercial parcel.
6. The site plan is complete, as prepared by Insite Engineering, and is attached to this Petition (EXHIBIT A).

7. The proposed change of zone will not be materially detrimental to the public welfare nor to other property in the neighborhood because the subject property is now a part of a commercial "campus" in harmony with the adjoining parcel.

a. All three parcels and the adjacent commercial parcel were previously zoned Light Industrial, prior to the Town's latest zoning change. Attached to this petition is a depiction of the previous zoning map indicating the light industrial zones (**EXHIBIT B**). Currently, the adjacent parcel 86.5-1-23, is zoned Commercial whereas the other three are zoned Residential. Historically, the parcels have been used for non-residential purposes and have been traditionally used in conformance with the former Light Industrial zone requirements. Indeed, when the Applicant purchased the properties, the area was zoned Light Industrial. Currently, commercial enterprises occupy all three of the previously zoned light industrial parcels. One parcel also contains a two-family residential rental property. A depiction of the current zoning map demonstrates an isolated "commercial island." The current zoning map is attached to this petition (**EXHIBIT C**).

8. There are no non-conforming uses or structures on the subject premises and have been known during the last six (6) months preceding this Petition, except as follows:

a. Petitioners erected additional warehouse space in harmony with the existing commercial campus and warehousing use on the subject properties.

b. Related site improvements in keeping with the warehousing use, i.e. outdoor storage, accessory parking.

9. The subject premises are not located within 500 feet of the town line of the Town of Carmel.

10. The subject premises are not within 500 feet of any existing or proposed County of State Park or other recreation area.

11. The subject premises are not located within 500 feet of any right-of-way of any existing or proposed County of State parkway, thruway, expressway, road or highway.

12. The subject premises are not located within 500 feet of any existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel rights.

13. The subject premises are not located within 500 feet from the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated.

14. The proposed zone change does not affect property within the protectively zoned area of a housing project authorized under the Public Housing Law.

15. The Petitioners hereby consent to Board action reverting the subject premises to its original zoning classification if the Town Board subsequently determines that any statement contained in this Petition or any statement made by the Petitioners at the public hearing called to consider the said Petition is materially false and was not made in good faith, the petitioner further consents to Board action reverting the subject premises to a zoning classification similar to its original zoning classification in the event that the Petitioners fail to abide by any conditions or restrictions contained herein or imposed hereafter by the Town Board.

16. Petitioners waive any or all rights otherwise afforded to them under provisions of the Zoning Code of the Town of Carmel upon the granting of the change of zone requested herein.

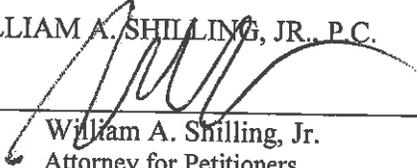
INTENTIONALLY LEFT BLANK

WHEREFORE, Petitioners Top Cat Realty Corp. and 1841 Park Ave. Realty Corp. respectfully request that the Town Board of the Town of Carmel consider, review, and effectuate the requested change of zoning set forth herein.

Dated: Carmel, New York
February 20, 2019

WILLIAM A. SHILLING, JR., P.C.

By: _____


William A. Shilling, Jr.
Attorney for Petitioners
122 Old Route 6
Carmel, New York 10512
(845) 225-7500

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF Putnam)

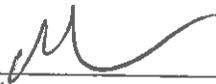
Daniel Moloney, being duly sworn, deposes and says:

I am one of the Petitioners herein. I have read the annexed petition, know the contents thereof, and the same is true to my knowledge, except those matters that are stated to be alleged upon information and belief, and as to those matters, I believe them to be true upon my own investigation and knowledge.



Daniel Moloney
Corporate Officer, Top Cat Realty Corp., and
1841 Park Ave. Realty Corp.

Sworn to before me this
20 day of February, 2019.



Notary Public

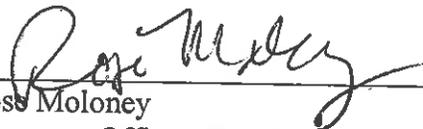
WILLIAM A. SHILLING JR.
Notary Public, State of New York
Reg. No. 025H47 3423
Qualified in Putnam County
Commission Expires 07/31/20 

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF Putnam)

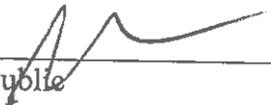
Rose Moloney, being duly sworn, deposes and says:

I am one of the Petitioners herein. I have read the annexed petition, know the contents thereof, and the same is true to my knowledge, except those matters that are stated to be alleged upon information and belief, and as to those matters, I believe them to be true upon my own investigation and knowledge.



Rose Moloney
Corporate Officer, Top Cat Realty Corp., and
1841 Park Ave. Realty Corp.

Sworn to before me this
26 day of February, 2019.



Notary Public

WILLIAM A. SHILLING JR.
Notary Public, State of New York
Reg. No. 02SH47 3423
Qualified in Putnam County
Commission Expires 07/31/20 22

TOWN BOARD
TOWN OF CARMEL

-----X
In the matter of the Petition of

TOP CAT REALTY CORP., and
1841 PARK AVE., REALTY CORP.

STATEMENT OF FACTS

Petitioners,
For a Change of Zoning for Parcels of Real
Property from Residential to Commercial

-----X

Introduction

The Petition for Zone Change related to this Statement of Facts includes three parcels on Stillwater Road, Mahopac, New York. Currently, the properties are owned by Top Cat Realty Corp. and 1841 Park Ave. Realty Corp. These corporations are managed by their corporate officers, Daniel and Rose Moloney. The following information relates to the history of the parcels, and supports the position that this zone change is an appropriate exercise of power under Section 156-76 of the Town of Carmel Code.

Parcel I

The first parcel in question, Tax Map No. 86.5-1-25 held by 1841 Park Ave. Realty Corp., is located at 113 Stillwater Road. The property was purchased in February 2001. At the time of purchase the property was used as an indoor recreation facility. Also, at the time of purchase, the property was included in the Town's light industrial zone, which permitted commercial uses.

From the time of purchase through present, the property has been utilized in a commercial fashion. The rezoning from light commercial to residential did not take into consideration the principal use of the premises, and essentially created an "island" zone with no potential of residential use on same.

Parcel II

The second parcel in question, Tax Map No. 86.5-1-26, is also located within the same commercial campus as the previous parcel on Stillwater Road. This parcel is also owned by 1841 Park Ave. Realty Corp., and was similarly purchased in February 2001 at a time when the zoning was "light industrial."

After the Town's latest zone change, this parcel was zoned "residential." Together with the previously mentioned parcel, and the current commercially zoned parcel, Tax Map No. 86.5-1-23, the three parcels are contiguous and offer no opportunity for residential development potential.

Parcel III

The final parcel sought to be rezoned is Tax Map No. 75/17-1-53, located at 105 Stillwater Road. This parcel is currently held by Top Cat Realty Corp., but initially came into possession of the Petitioners in May of 2002¹.

This parcel, like the two previous parcels, was also zoned light industrial. Historically, this parcel was used in conjunction with the three parcels to create a commercial campus. When Petitioner purchased the property, this parcel was consistently used in furtherance of the commercial campus.

Legal Justification

Pursuant to Section 156-76 of the Town of Carmel Code, the Town Board is authorized to amend the zoning code. Zoning code amendments are also authorized by Section 273 of New York State Town Law. Case law throughout New York State also recognized the Town Board's

¹ The prior two parcels were purchased while still zoned light industrial. This parcel was under contract while zoned light industrial, and closed following the zone change. Petitioner purchased the property in order to continue use of the commercial campus.

authority to amend zoning codes. Specifically, the case of *Dowsey v. Vill. Of Kensington* (257 N.Y. 221, 1931; also see, *Chusud Realty Corp. v. Vill. Of Kensington*, 22 A.D.2d 895, 1964), stands for the proposition that boundary lines for zoning districts will be upheld unless they are unreasonable or arbitrarily drawn. In this instance, the March 2002 change to the Town of Carmel zoning map arbitrarily rezoned the three light industrial zoned parcels to residential, without taking into consideration the historical use, current use or the immediate neighborhood. Effectively, a review of the map demonstrates that a commercial campus, properly situated in a light industrial zone, was reduced to a commercial “island.”

Moreover, zoning district boundaries commonly follow street and lot lines and may be subject to careful scrutiny when drawn in apparent disregard of property lines (*Buffalo Park Lane v. City of Buffalo*, 162 Misc. 207, 1937; see also, *Cordts v. Hutton Co.*, 146 Misc. 10, 1932, *aff'd*. 266 N.Y. 399, 1934.) It has also been held that where a zoning boundary creates an “island” of inconsistent use with that of the surrounding lots, it will be considered a discriminatory impact and warrants a change of zoning (*Jurgens v. Town of Huntington*, 53 A.D.2d 661, 1976). This scenario clearly illustrates that a “zoning island” has been created with respect to the adjoining, presently zoned commercial lot. The March 2002 zoning map change did not consider the history, surrounding area, or the commercial campus that was permitted under the Town’s light industrial zone. By arbitrarily reclassifying this zone as residential, the parcels created an “island” incapable of residential development within the zone.

Conclusion

The proposed change in zone from residential to commercial would have comprehensive benefits beyond those directly related to the Petitioners. The parcels are currently home to more than six commercial enterprises, and the Town would benefit from bringing the parcels into

conformity with the historic use of the premises. The Town would also benefit by creating a legal commercial corridor that would see increased revenues generated by taxes. The proposed change in zoning would benefit the town by ensuring that a vibrant commercial community that already consists of a number of existing small businesses will remain on the campus.

Dated: Carmel, New York
February 20, 2019

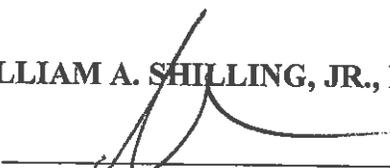
WILLIAM A. SHILLING, JR., P.C.
By: 
William A. Shilling, Jr., Esq.
Attorney for Petitioners
122 Old Route 6
Carmel, New York 10512
(845) 225-7500

EXHIBIT A

EXHIBIT B

EXHIBIT C



COMMERCE/ET



TOWN OF CARMEL RECREATION & PARKS DEPARTMENT
SYCAMORE PARK, 790 LONG POND ROAD
MAHOPAC, NEW YORK 10541

JAMES R. GILCHRIST, CPRP, DIRECTOR

TELEPHONE: (845) 628-7888 FAX: (845) 628-2820

EMAIL: carmelrecreation@ci.carmel.ny.us

WEB: <http://www.carmelny.org>

DATE: April 4, 2019

TO: Carmel Town Board
Carmel Town Hall

FROM: James R. Gilchrist, CPRP
Director, Recreation and Parks

SUBJECT: Eagle Scout Project - Raised Planting Beds at Sycamore Park

Eagle Scout candidate Davis Grimm has proposed to replace the raised planting beds around the main building at Sycamore Park. This project will entail removing the existing railroad timbers and building new beds with new timbers, rebar and gravel. Davis will also fill the beds with soil, landscaping cloth and mulch.

Attached is an outline Davis submitted for review at last night's Recreation and Parks Advisory Committee Meeting. This idea was reviewed and unanimously approved by all members.

Please add this to the next Town Board meeting agenda and contact me with any questions.

/nls
Attachment



Eagle Scout Project

Raised Planting Beds Sycamore Park

Proposed by: Davis Grimm
Troop 1, Mahopac



Project Description

Install and Refurbish
Raised Planting Beds
around the
Sycamore Park Office



Project Scope

Remove & Replace 3 Existing Planting Beds,
as well as Create 1 New Bed

The following will be supplied:

- Labor
- Enclosure & Drainage Materials
(Railroad Timbers, Rebar, Gravel, etc)
- Planting Materials
(Top Soil, Peat Moss, Landscaping Cloth, Mulch, etc)
- A Variety of Evergreen & Perennial Plantings



Project Site Location

Sycamore Park Office





Planting Bed Locations



1. Current Bed, Office Side



2. Current Bed, Office Side



3. Current Bed, Office Front



4. Site for New Bed, Office Front



New Planting Beds

The proposed plan is to use a variety of
Evergreen & Perennial Plantings.





Project Timeline

Once the necessary approvals are received,
the proposed work is planned for
approximately 3 - 5 work days
(as weather & the Park schedule allows),
Spring / Summer of 2019.



Conclusion

Once this project is complete,
all visitors & staff will be able to enjoy
the enhanced visual appeal
of the Sycamore Park Office.

Thank you for your consideration.

PUTNAM COUNTY EXECUTIVE

MaryEllen Odell
County Executive

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1001 Fax (845) 808-1901
www.putnamcountyny.gov

Nicholas DePerno Jr.
Director of Constituent
Services

Patricia Simone
Chief of Staff

Theresa M. Oliver
Confidential Secretary



March 26, 2019

Honorable Kenneth Schmitt
Town of Carmel Town Supervisor
60 McAlpin Avenue
Mahopac, New York 10541

Re: Request for a Waiver

Dear Supervisor Schmitt:

I am writing to once again formally request that the town of Carmel Town Board consider the waiver of the provisions of Chapter 104 of its Town Code, which require that a permit be acquired for the use and operation of sound devices and equipment at the Putnam County Golf Course in connection with its Friday Night Barbeques, which will be held through October of this year (a schedule of the season's live music events is attached).

I know that the continued success of this County-owned course is of paramount importance to us all, in that the taxpayers of Putnam County are the ultimate beneficiaries of this golf and banquet facility. The waiver of the permit requirement, along with the requirement that the County pay a fee for such a permit, will obviously assist the County in continuing to operate the Putnam County Golf Course as a premier event and golf destination.

Thank you for your ongoing consideration and cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "MaryEllen Odell".

MaryEllen Odell
Putnam County Executive

MEO:to

Enc.

cc: Jennifer S. Bumgarner, County Attorney
Michael McCall, General Manager





2019 LINEUP

Series Kickoff

MAY 31 SHILELAGH LAW

June

JUNE 7 DANCIN MACHINE
JUNE 14 HINDENBURG LED ZEPPELIN BAND
JUNE 21 WHO'Z YA DADDY
JUNE 28 BIG SHOT BILLY JOEL BAND - MIKE DELGUIDICE

July

JULY 5 EPIC SOUL BAND
JULY 12 NERDS
JULY 19 GYPSY FLEETWOOD MAC BAND
JULY 26 ZAC BROWN TRIBUTE BAND

August

AUGUST 2 1 WILD NIGHT BON JOVI BAND
AUGUST 9 APPETITE FOR DESTRUCTION (GUNS & ROSES)
AUGUST 16 FAST LANE EAGLES TRIBUTE BAND
AUGUST 23 TRAMPS LIKE US BRUCE SPRINGSTEEN BAND
AUGUST 30 FOR DRIVE BAND

September

SEPTEMBER 7 CLAMBAKE CLASS ACTION BAND
SEPTEMBER 20 OKTOBERFEST AMISH OUTLAWS

GET TICKETS AT
WWW.PUTNAMCOUNTYGOLFCOURSE.COM

Michael Cazzari
Chief of Police

TOWN OF CARMEL
POLICE DEPARTMENT
60 McAlpin Avenue
Mahopac, New York 10541

(845) 628-1300
Fax (845) 628-2597
www.carmelny.org/police

MEMORANDUM

To: Town Board, Town of Carmel

From: Chief Michael Cazzari

Date: March 27, 2019

Ref: Education Stipend

I am requesting approval of the \$900 Education Stipend, as allowed by the PBA contract, for Police Officer Brian Smith. PO Smith has earned a Bachelor of Arts Degree in Criminal Justice from John Jay College in New York City and will reach his one anniversary on April 25th.

Thank you for your consideration.

MC 

John Jay College of Criminal Justice

The City University of New York

In pursuance of the Authority vested in it by the Laws of The State of New York
and upon the recommendation of the Faculty,
the Board of Trustees of The City University of New York confers upon

Brian J. Smith

the Degree of

Bachelor of Arts

Honors in Major

with all the Rights and Privileges pertaining thereto and has granted this Diploma as evidence.

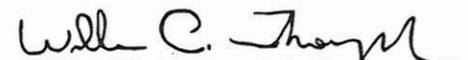
Given in the City of New York in the State of New York

this first day of June, two thousand and eighteen.


Chancellor of the University


President




Chairperson of the Board


Interim Provost and Senior Vice President
for Academic Affairs

Work Session Agenda Item #5

Subject: FW: Old car 404 ford Focus
Date: Monday, April 01, 2019 2:59:56 PM

The Assessor's Car #404, 2004 Ford Focus VIN #2FABP7BVXBX183066 should be declared old and obsolete and removed from Town Fleet vehicle list.

I have declined to do a new York State inspection on car 404 , 2004 Ford focus , found under chassis to rusted , rotted in critical areas , uni-body frame rot and also both lower front control mounts to rusted thin and declared unsafe.

Also please remove the following vehicle for disposal:

Car #306 2007 Crown Victoria Vin 2FAFAP71W87X100656

Thank you , C. Stofko, Fleet technician, Town of Carmel Highway Department



TOWN OF CARMEL
60 MCALPIN AVENUE
MAHOPAC, NEW YORK 10541



Request for Qualifications (RFQ)

Develop Town of Carmel
Comprehensive Plan
And
Town Code Review and Revisions

RFQ-2019-001

Issue Date:, 2019

Due Date: 11:00 AM, , 2019

Town of Carmel Engineering Department
60 McAlpin Avenue
Mahopac, NY 10541

LEGAL NOTICE
REQUEST FOR QUALIFICATIONS

NOTICE IS HEREBY GIVEN that sealed Requests for Qualifications will be received at the Office of the Town Clerk, Town of Carmel, 60 McAlpin, Mahopac, New York 10541, until 11:00 AM **on DATE** for the following:

RFQ-2019-001
TOWN OF CARMEL
PUTNAM COUNTY, NEW YORK
COMPREHENSIVE PLAN AND TOWN CODE REVISIONS

Copies of the Request for Qualifications may be obtained at the Office of the Town Clerk, at the above address, **beginning DATE** between the hours of 8:30 AM - 4:30 PM, Monday through Friday.

Interested firms must submit their qualifications in sealed envelopes marked "Town of Carmel Comprehensive Plan and Town Code Revisions" to the Town Clerk, Town of Carmel, 60 McAlpin Avenue, Carmel, NY 10541. Please contact the Town Clerk at 845-628-1500 for a copy of the RFQ.

The Town Board of the Town of Carmel reserves the right to reject any and all submittals of qualifications and abandon the proposal or may reject all submittals and re-advertise at a future date.

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

TABLE OF CONTENTS
Request for Qualifications
Comprehensive Plan and Town Code Revisions

Section #	Description	Page Number
1.	Introduction.....	5
2.	Statement of Need.....	6
2.1	General.....	6
2.2	Key Goals and Objective of the Plan.....	6
3.	Pre-Submission Questions and Other Procurement Information.....	9
4.	Description of Procurement Process.....	10
4.1	Town Rights and Options.....	10
4.2	Expense of Submittal Preparation.....	11
4.3	Information Disclosure to Third Parties.....	11
4.4	Questions/Clarifications Request.....	11
4.5	Equal Opportunity Requirements.....	12
5.	SUBMITTAL QUALIFICATIONS.....	12
5.1	General Instructions and Submittal Deadline.....	12
5.2	Qualifications and Technical Approach.....	12
5.2.1	Cover Letter.....	13
5.2.2	Required Standards.....	13
5.2.3	Qualifications.....	13
5.3	Technical Approach.....	14
6.	Review and Evaluation.....	15
6.1	Evaluation Criteria.....	16
6.2	Evaluation of Qualifications.....	16

TOWN OF CARMEL, NEW YORK

GENERAL INFORMATION FORM

QUESTIONS: All inquiries for information regarding this solicitation should be directed to:
Richard J. Franzetti, P. E., Town Engineer
Phone: (845) 628-2087
e-mail: rjf@ci.carmel.ny.us

DEADLINE FOR QUESTIONS: **11:00 AM DATE, 2019**

DUE DATE: Sealed Qualification Packages will be received until **11:00 AM, DATE, 2019.**

ADDRESS: Qualification Packages should be mailed or hand delivered to:
Town of Carmel Town Engineer
60 McAlpin Avenue
Mahopac, NY 10541
RE: RFQ-2019-001
Town of Carmel Comprehensive Plan and Town Code Revisions

Full Legal Name (print)		Federal Taxpayer Number (ID#)	Contractor's Registration
Business Name / DBA Name / TA Name and Address		Payment Address	Purchase Order Address
Contact Name/Title		Signature (ink)	Date
Telephone Number	Fax Number	Toll Free Number	E-mail Address

COMPANY INFORMATION/SIGNATURE:

Town of Carmel, New York
Comprehensive Plan and Code Revision

1. Introduction

The Town of Carmel, Putnam County, New York issuing this Request for Qualifications (RFQ) to solicit statements of qualifications and approach from well-qualified professional planning consultant experienced with municipal comprehensive plan development to submit a proposal to prepare an update of the **Comprehensive Plan**. The Town's first Comprehensive Plan was adopted in 1957, and updated in 1980 and most recently on 2000. The new Comprehensive Plan update will state the community's visions, goals, and policies regarding its future in terms of commercial vitality, residential and mixed-use development, open space, community facilities, services and infrastructure.

The Town of Carmel is also issuing this Request for Qualifications (RFQ) to solicit statements of qualifications and approach from well-qualified professional legal consultant experienced with adoption and revisions of municipal codes, including but not limited to zoning, planning and land use components of said codes, to submit a proposal to prepare **Revisions to the existing Town Code** in conjunction with and in conformance with the proposed update of the Comprehensive Plan.

The Town of Carmel, located approximately 60 miles from New York City, is 35.8 square miles in size and lies in south central Putnam County. The Town is the most populous municipality in the County, with an estimated 2017 population of 34,360. The Town is bisected on a northeast to southwest diagonal by NYS Route 6, which provides access to nearby I-84 and I-684. The Taconic Parkway runs along the northwestern edge of the Town. NYS Routes 6N, 52 and 301 provide arterial roadway access within the Town. The Town is bordered by the Towns of Putnam Valley to the west, Kent to the north, Patterson and Southeast to the east and Yorktown, Somers and North Salem in Westchester County to the south.

The Croton Watershed plays an important role in the Town's affairs. Of the 22,937 acres within the Town boundaries, over 20,000 acres or 91% are Croton Watershed lands. Two major reservoirs serving New York City are located in Town; the West Branch and Croton Falls Reservoirs. Numerous other lakes and waterbodies serve to define the character of the Town, with Lake Mahopac serving as the focal point for the Mahopac hamlet and Lake Gleneida for the Carmel hamlet.

2. Statement of Need

2.1 General

In issuing this RFQ the Town intends to prepare and adopt a Comprehensive Plan and to revise all components of its existing Town Code in conjunction with the adoption of said Comprehensive Plan, in accordance with New York State Town Law, which will help anticipate and respond to changing conditions. The plan will utilize sustainable practices that balance social, economic, and environmental considerations to prepare for smart growth while preserving the historical architectural significance of the community. The Town intends that the Comprehensive Plan and Town Code be a document that provides a basis both for land use in the Town and for other governmental decision-making such as planning and zoning approvals, housing development regulations, hamlet zoning, environmental preservation, and transportation.

The Comprehensive Plan will become an official policy document for the Town. It will be a guide for evaluating proposed projects and programs and for considering amendments to Carmel's policies, regulations and Town Code.

The Comprehensive Plan will also be used by Federal, New York State and Putnam County officials when determining funding of a local project or program, bond agencies, business owners/merchants to assist in their decisions, Carmel residents, boards, commissions, and administration to have coordinated goals for the Town's future and to establish a benchmark to evaluate how well the Town is responding to its goals and objectives established in the Comprehensive Plan.

Qualifications submitted by firms in response to this RFQ will be evaluated in accordance with the criteria outlined in Section IV of this RFQ. Based on the Town's evaluation of the RFQ, three (3) respondents will be selected by the Town for price proposals. A response to this RFQ is mandatory for consideration.

2.2 Key Goals and Objective of the Plan

The respective focuses of the Comprehensive Plan and Town Code revisions are to prepare the Town for sustainable growth. This will be accomplished by documenting the aspirations of the community. The Comprehensive Plan shall:

- ***Provide Continuity*** – The Plan shall provide continuity across time, and give successive public bodies a common framework for addressing land use issues.
- ***Be the means by which the Town can balance competing private interests*** – The Comprehensive plan shall strike a balance among the many competing demands on land by creating development patterns that are orderly and rational.

- ***Be the means by which the Town can protect public investments*** – The Comprehensive Plan shall provide the long-term blueprint for public investments in a logical and well-planned fashion, thereby avoiding duplicating efforts or re-doing improvements.
- ***Define future growth in a way that protects valued resources*** – The Comprehensive Plan shall identify significant and sensitive environmental resources, open space areas, historic and cultural resources warranting protection and identify strategies for preserving those resources from destruction or degradation by inappropriate development.
- ***Provide guidance for shaping the appearance and character of the community*** - The Comprehensive Plan shall establish and reinforce policies that foster a distinctive sense of place.
- ***Promote economic development*** – The Comprehensive Plan shall channel and drive investment to suitable areas of the Town.
- ***Provide justification for decisions*** – The Comprehensive Plan shall provide a factual and objective basis to support zoning decisions, which bolsters the defense against legal challenges.
- ***Create a collective vision for the future*** – The Comprehensive Plan, developed through a robust process of public engagement, will enjoy strong community support. Subsequent decisions that are consistent with the plan’s policies are less likely to become embroiled in public controversy.

The hired Consultant(s) is/are expected to review the Town Code, and in particular, current land use regulations, in order to provide recommendation and revisions which, when implemented, will guide future development and provide for smart growth that balances the purposes of the plan stated above. Key areas of focus are identified below:

- Conduct a thorough and in-depth assessment and analysis of existing conditions throughout the community, that includes:
 - Community profile and demographics;
 - Land Use;
 - Zoning;
 - Natural Resources;
 - Transportation and mobility ;
 - Municipal Services;
 - Infrastructure;
 - Economic Resources; and
 - Historic and Cultural resources

- Review of the Town’s residential zoning, both prior to the up-zoning of the early 2000’s as well as the existing single-district residential zoning, to ensure that the Town balances the historical and architectural relevance of the Town’s residential neighborhoods with development that anticipates the ongoing changes to the economic, social and environmental conditions, including diversified residential housing opportunities. Such review at a minimum should include a definition of terms, and a review of use, area, bulk, property setback and height provisions. Make recommendations for revisions to the Town Code in conjunction and coordination with the Plan requirements
- Review of the Town’s hamlet and commercial zoning to ensure that the hamlets of Carmel and Mahopac are well designed, vibrant and adaptable to changes in economic, social and environmental conditions while also making provisions for sufficient parking. The understanding of the corridors that link the hamlets is also essential. This analysis must focus on design, aesthetics and the architectural character of the hamlets and interconnecting corridors.
- An assessment of the Town’s institutional uses, golf courses, camps, the Putnam Hospital Center and the Putnam County government facilities, as well as those of the New York City Department of Environmental Protection (NYCDEP) shall be prepared. This assessment shall not only identify future operating requirements of the facilities, but also evaluate to potential and impact of the conversion of these facilities and sites to other uses.
- Review of how the NYCDEP Watershed rules and regulations will influence future growth and development within the Town.
- Review of the Town infrastructure network, including the following water districts:
 - Carmel Water District (CWD) #1 - Hamlet of Mahopac
 - CWD #2 - Hamlet of Carmel
 - CWD #3 - Lake Secor
 - CWD #4 - Lake Baldwin
 - CWD #5 - Maple Terrace
 - CWD #6 - Shell Valley, Tomahawk Creek
 - CWD #7 - Ivy Hills
 - CWD #8 - Mahopac Ridge
 - CWD #9 - Mahopac Hills – Simone
 - CWD #10 - Lakeview Park
 - CWD #12 - Farmview
 - CWD #13 - Rolling Greens
 - CWD #14 - Red Mills

And the following sewer districts:

- Carmel Sewer District (CSD) #1 - Hamlet of Mahopac
- CSD #2 - Hamlet of Carmel

- CSD # 3 - Hamlet of Mahopac
 - CSD #4 - Lake Secor
 - CSD #5 - Hillsdale
 - CSD #6 - Ivy Hills
 - CSD #7 - Buckshollow
 - CSD #8 - Stoneleigh Ave., Putnam Hospital
- An understanding of existing and projected real estate market conditions is required. This market assessment shall assess and evaluate both residential and commercial real estate trends and conditions. This study would be used to support any changes in zoning found to be necessary.
 - A generalized assessment of traffic operating conditions throughout the Town shall be prepared. This assessment should identify areas of congestion, safety concerns, deficiencies and impediments. The update of the Plan should include significant efforts at improving existing modes of travel, especially facilities and systems that promote pedestrian and bicycle use. The hamlet areas could benefit from traffic calming features to increase safety as well as provide a more inviting environment for non-motorized- modes of travel. Designing for Complete Streets is a goal. The use of marginal lands as connective features should be identified throughout the Town in order to facilitate a network of off road pathway possibilities. This assessment should be conducted with the cooperation of the Putnam County Department of Highways & facilities and New York State DOT.
 - Foster green economic development. The Plan should foster green economic development in terms of establishing development patterns that are more sustainable, and in requiring green construction techniques. These approaches are to be balanced with protection and enhancement of natural habitat.
 - Promote the resource-efficient use of natural resources. Water conservation measures should be considered for new development and redevelopment projects. This will reduce the demand for water, saving energy as well, and reduce the load on sewer systems, which will save energy and reduce the impact on local water resources.
 - Promote climate adaptation and resilience. While the Town is fortunate in that it is not as susceptible to climate change induced changes in weather patterns and other impacts such as changes in sea level, it is subject, to flooding, extreme temperatures, and other weather events that are ultimately affected by climate change. As a result, the plan should consider resiliency and integrate those measures into the plan.

3. Pre-Submission Questions and Other Procurement Information

Before submitting, each respondent shall (a) examine the RFQ Documents thoroughly, (b) visit the sites to familiarize himself with local conditions that may in any manner affect cost, progress or performance of the Work, (c) familiarize himself with federal, state and local laws, ordinances,

rules and regulations that may in any manner affect cost, progress or performance of the Work; and (d) study and carefully correlate observations with the RFQ Documents.

All questions about the meaning or intent of the RFQ Documents shall be submitted to the ENGINEER in writing. In order to receive consideration, questions must be received by the ENGINEER no later than 2:00 p.m. of the fourteenth day prior to the date fixed for the submittal of Qualifications. Any interpretations of questions so raised, which in the opinion of the ENGINEER require interpretations, will be issued by Addenda emailed to all parties recorded by the ENGINEER as having received the RFQ Documents for receipt not later than four days prior to the date fixed for the receipt of Qualifications. The ENGINEER or OWNER will not be responsible for oral interpretations or clarifications which anyone presumes to make on their behalf.

Only emailed questions will be acknowledged. All correspondence shall be sent to:

Richard J. Franzetti P.E.
60 McAlpin Avenue
Mahopac , New York 10541
Phone: 845-628-2087
rjf@ci.carmel.ny.us

Contact with Town of Carmel officials (other than the Town Engineer) is not allowed and will be considered as grounds for disqualification from the selection process.

Copies of all questions and answers, and any addenda to supplement the RFQ, will be sent by email to each respondent no later than four (4) days prior to the proposal due date. Only formal written responses to properly submitted questions will be binding.

4. Description of Procurement Process

4.1 Town Rights and Options

The Town, at its sole discretion, reserves the following rights:

- To supplement, add to, delete from and change this solicitation document;
- To determine which respondent, if any, should be selected for negotiations;
- To reject any or all qualifications, proposals or information received pursuant to this RFQ;
- To supplement, amend, substitute or otherwise modify this RFQ at any time;
- To cancel this RFQ with or without the substitution of another RFQ or pre-qualification process;
- To request additional data or information after the submittal date, if such data or information is considered pertinent, in the Town's sole view, to aid the review and selection process;

- To conduct investigations with respect to the qualifications and experience of each respondent;
- To take any action affecting the RFQ or the services or facilities subject to this RFQ that would be in the best interests of the Town;
- To require one or more respondents to supplement, clarify or provide additional information in order for the Town to evaluate the RFQs submitted;
- To waive any defect or technicality in any RFQ received;
- To reject any portion of any submittal and/or reject all submittals, to waive any informalities or irregularities in the submittals or to re-advertise.

4.2 Expense of Submittal Preparation

The Town accepts no liability for the costs and expenses incurred by the respondents in responding to this RFQ, preparing responses for clarification, attending interviews, participating in meetings and presentations required for the qualification process. Each respondent that enters into the procurement process shall prepare the required materials and submittals at its own expense and with the express understanding that they cannot make any claims whatsoever for reimbursement from the Town for the costs and expenses associated with the procurement process.

4.3 Information Disclosure to Third Parties

This RFQ is a public document. By responding to this RFQ, respondents waive any challenge to the Town's decisions in this regard.

If any submittal contains confidential technical, financial or other types of information, the respondent must clearly label the specific portions sought to be kept confidential and specify the exemption that the respondent is relying upon. Marking all, or substantially all of a response as confidential, may result in the response being considered non-responsive.

Notwithstanding the foregoing, respondents recognize and agree that the Town will not be responsible or liable in any way for any losses that the respondent may suffer from the disclosure of information or materials to third parties.

4.4 Questions/Clarifications Request

No interpretation or clarification of the meaning of any part of this RFQ will be made orally to any respondent. Respondents must request such interpretation or clarification in writing from the Town.

Responses to all requests for information will be provided to all respondents to the RFQ. Any and all such interpretations and supplemental instructions will be made in the form of written addenda which will be sent to all recipients of the RFQ. Any such clarifications or addenda shall become part of this RFQ.

4.5 Equal Opportunity Requirements

The selected respondent, in the performance of all services, will not discriminate on grounds of race, color, religious creed, national origin, age, sex or handicap in employment practices in the selection or retention of subcontractors, or in the procurement of materials and rentals of equipment.

5. SUBMITTAL QUALIFICATIONS

5.1 General Instructions and Submittal Deadline

Respondents are requested to submit one (1) original and five (5) copies of their qualifications to:

Town Clerk
60 McAlpin Avenue
Mahopac, New York 10541

Phone: 845-628-1500

Qualifications are due on **DATE** by 11:00 AM local time. No facsimile copies will be accepted. The package should be clearly labeled “Request for Qualifications for the Operation, Maintenance and Management of the Wastewater and Water Facilities.”

Respondents can opt to provide qualifications for either the Town of Carmel Comprehensive Plan and/or Town Code Revisions as a complete package or provide qualifications for either the Town of Carmel Comprehensive Plan or the Town Code Revisions. Consultants may respond individually or as a joint venture with another respondent.

5.2 Qualifications and Technical Approach

The Qualifications and Technical Approach document must provide the following information and be organized into sections that include at least the following:

- Cover Letter;
- Required Standards;
- Qualifications;
- Technical Approach;
- Appendices (primarily for supporting financial information).

Narrative pages are to be 8½x11 inches and all materials shall be bound into one volume. A clear and concise presentation of information is encouraged.

Respondents are required to organize the information requested in this RFQ in accordance with the format outlined. Failure of the respondent to organize the information required by this RFQ as outlined may result in the Town, at its sole discretion, disqualifying the respondent from further consideration.

5.2.1 Cover Letter

The proposal must include a letter of transmittal attesting to its accuracy. The cover letter should provide the name, address, telephone and facsimile numbers and email address of the respondent along with the name, title, address, telephone and facsimile numbers and email address of the executive that has the authority to contract with the Town.

5.2.2 Required Standards

This section establishes standards of experience and financial capabilities that the Town of Carmel requires for a respondent to be considered qualified. The Town, at its sole discretion, will decide if a respondent meets the standards.

5.2.3 Qualifications

Respondents shall demonstrate their ability to undertake the Town's project by providing the technical qualifications of the respondent, individual team members and principal subcontractors, if applicable. The Town reserves the right to conduct an independent investigation of the respondent's technical qualifications by contacting project references, accessing public information, inspecting facilities or contacting independent parties. Additional information may be requested during the evaluations of technical qualifications. The respondent shall provide the following information to demonstrate its technical qualifications:

- Corporate Profile: The proposal must include the full name, tax identification number, main office address, telephone and email address of the respondent and the principal contact person. It shall include a description of the firm or organization (corporation, partnership, joint venture, etc.) that will serve as the contracting party. A project organization chart clearly delineating lines of authority within the organization is required. The history, ownership, organization and background of the respondent shall also be provided;
- If the respondent is a joint venture, the required information shall be submitted for each member of the joint venture firm. The respondent shall describe the history of the relationships among team members, including a description of past working relationships. If a sole proprietor or partnership, provide names of owners, partners or proprietors;
- Identify when the respondent was organized and, if a corporation, where incorporated and how many years engaged in providing contract operations, maintenance and management services under that name;
- Provide a description of the circumstances, if any, related to any Town of Carmel

employee, Town Council member or other officer, employee or person who is payable in whole or in part from the Town of Carmel that has or had any direct or indirect personal interest in the respondent;

- **Relevant Project Experience/References:** The respondent shall provide its overall experience with the development of Comprehensive Plans.
- **Additional Capabilities:** The respondent should provide its capabilities for providing value added services to the Town should the need arise and
- **Financial Qualifications:** The respondent shall provide full disclosure of information regarding its financial condition. The respondent shall submit audited financial statements for the past three fiscal years. The financial statements must include income statements, balance sheets, and statements of cash flow.

5.3 Technical Approach

The following section describes the specific minimum components which should be included in the scope of work to achieve the plan purpose and the goals and objectives stated above. In addition to the items identified below the Town is open to suggestions which the Consultant believes will be of value in producing a viable Comprehensive Plan and a modified Town Code.

1. Review the 2000 Comprehensive Plan and existing Town Code identify relevant sections that should remain, be revised or be eliminated. This review should include an assessment of the deficiencies of the current plan and identification of elements that should be incorporated into the updated Plan.
2. Prepare all necessary documentation and process the Plan and revised Code through the State Environmental Quality review (SEQR) regulations. The proposal should describe the consultant's approach to SEQR compliance.
3. Provide a broad-based public participation plan for both these initiatives. This plan shall engage the public and various stakeholders and incorporate their input into the comprehensive planning process. The public engagement process shall include an initial Town-wide kick-off meeting, specific visioning workshops for the hamlets of Carmel and Mahopac, and additional workshops to identify strengths and weaknesses and opportunities. The consultant shall employ the full array of public engagement techniques, including public opinion surveys outreach through community organizations and by establishing an on-line presence, either through the Town's website or a separate portal, to allow for continuous public participation, and review of documents and materials, as produced.
4. The consultant shall develop approach to preparing the comprehensive planning process that shall (at a minimum) address following four (4) basic questions:

“Where Are We Now?” - In answering this question, the consultant shall complete a thorough and in-depth assessment and analysis of existing conditions throughout the community. This shall include all previous Town-wide studies as well as all relevant regional studies as well.

“Where Are We Going?” - This portion of the process shall include trend analysis of probable or possible development scenarios, demographic trends, infrastructure needs, etc.

“Where Do We Want to Be?” - In answering this question, the consultant shall rely heavily on the information collected during the public participation process and shall develop a community vision in the form of a Vision Statement or multiple vision statements by topic or geographic area of the Town, whichever is more appropriate.

“How Do We Get There?” - The development of the Comprehensive Plan is the essence of the answer to this question. The Plan shall be developed to include specific goals, objectives, strategies and actions necessary to accomplish the community’s vision. The plan shall also set priorities and provide a general analysis of the cost and implications of such actions on taxpayers, businesses, and the local government.

The creativity and ingenuity of the consultant in how these questions are answered will help to influence the ultimate selection of a consultant. This task shall culminate in the submission of a draft Comprehensive Plan.

5. The consultant shall identify all code revisions required to implement the Comprehensive Plan.
6. The consultant shall support the Town in complying with all statutory requirements, notice, hearing and associated requirements, to adopt the Comprehensive Plan in accordance with Section 272a of New York State Town Law.

6. Review and Evaluation

Submissions received in response to the RFQ will be evaluated based on the respondent’s:

- Corporate capabilities and ability to perform the proposed services;
- The return of this RFP general information form and addenda, if any, signed and completed as required.
- Expertise and past experience of the firm in providing reports on ten (10) other projects of similar size and scope.
- Expertise, experience and qualifications of the firm’s proposed project personnel.
- Identification of any sub consultants assigned to this project (including all information as required for the prime consultant).
- Project approach along with any specialized experience or approach to this type work that may help differentiate the firm from the competition.

- Proposed Schedule.
- Propose total cost with a proposed budget for the work, including a detailed fee schedule for all staff assigned to this project.
- Five (5) recent references, similar to the Town of Carmel, for whom you have provided the type of services described herein. Include the date(s) services were furnished, the client name, address and the name, phone number and email address of the individual contact.

Each respondent’s submission will be reviewed for completeness and responsiveness to the RFQ requirements. Based on its review and evaluation of the qualifications, the Town will select the most qualified respondents to interview. The solicitation will be based on the respondent’s demonstrated ability to technically and financially perform the services outlined in this document. Specifically, qualifications will be evaluated based upon the criteria presented in the subsequent paragraphs.

6.1 Evaluation Criteria

In evaluating the RFQ, the Town will utilize the requirements outlined in this section to identify the respondent best qualified to perform the services.

EVALUATION CRITERIA	WEIGHT (%)
Expertise, experience, and qualifications of the firm relevant to the RFP.	20
Expertise and past experience of the firm's proposed project personnel.	25
The firm's project approach and demonstrated understanding of the Town’s overall goals and objectives of the plan.	30
Any specialized experience or approach to providing the requested services including, but not limited to, demonstrated ability to work with professional staff and boards and record of past performance on similar projects/reference checks.	15
Proposed schedule and demonstrated ability to complete tasks on time and within budget.	10

6.2 Evaluation of Qualifications

Each qualification will be reviewed against the terms of this RFQ to determine if the RFQ is complete and responsive and how well the respondent satisfies the evaluation criteria. The Town may reject any submittal found to be incomplete, unresponsive or not in compliance with the format requirements set forth in this RFQ. A submittal may be determined to be unresponsive if any aspect is found to be unacceptable or contrary to the best interests of the Town.

The Town of Carmel regards the submission of the proposal in response to the RFQ as the most important factor in the selection of a respondent to provide services for the operation, maintenance and management of the current scope of services and their capabilities to provide innovative

improvements at a future date. The Town of Carmel reserves the right to reject any and all responses to the RFQ and is under no obligation to award a contract.

The responsibility for the final selection rests solely with the Town of Carmel. The Town of Carmel shall not be liable to any respondent for costs associated with responding to the RFQ for the respondent's participation in any oral interview, or for any costs associated with the negotiations.

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

To: Carmel Town Board

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

Date: April 4, 2019

Re: DRAFT Annual MS4 Report

The Town of Carmel is an MS4 community and as such we are required to develop and submit an annual report under the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from MS4s (GP-0-15-003).

Attached for your consideration is the Draft Annual (MS4) Report. The Draft report will be placed on the Town of Carmel webpage on April 11, 2019 and will be posted for comment for at least 30 days prior to being made final.

The Final Annual MS4 report is due June 1, 2019. Given the voting schedule in May we respectfully request that if there are no comments made to the Draft document that the report be considered final, signed by the Supervisor and submitted to the NYSDEC in a timely fashion. A copy of this Final document will be placed on the Town of Carmel webpage.

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

Name of MS4

SPDES ID

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

- 1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
- 2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
- 3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
- 4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
- 5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name MI Last Name

Title

Address

City State Zip -

eMail

Phone () - County

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9,

Name of MS4

SPDES ID

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

- 1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
- 2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
- 3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
- 4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
- 5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name MI Last Name

Title

Address

City State Zip -

eMail

Phone () - County

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

--

SPDES ID

--	--	--	--	--	--	--	--	--	--

4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measure 2. Public Involvement/Participation

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program (SWMP) Plan during this reporting period? Check all that apply:

- Cleanup Events # Events
- Comments on SWMP Received # Comments
- Community Hotlines Phone # () -
- Phone # () - Phone # () -
- Phone # () - Phone # () -
- Phone # () - Phone # () -
- Phone # () - Phone # () -
- Phone # () - Phone # () -
- Community Meetings # Attendees
- Plantings Sq. Ft.
- Storm Drain Markings # Drains
- Stakeholder Meetings # Attendees
- Volunteer Monitoring # Events
- Other:

2. Was public notice of availability of this annual report and Stormwater Management Program (SWMP) Plan provided? Yes No

- List-Serve # In List
- Newspaper Advertising # Days Run
- TV/Radio Notices # Days Run
- Other:
- Web Page URL: Enter URL(s) on the following two pages.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition SPDES ID

4.a. If this report was made available on the internet, what date was it posted?

Leave blank if this report was not posted on the internet.

/ /

4.b. For how many days was/will this report be posted?

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period?

Yes No

If Yes, what was the date of the meeting?

/ /

If No, is one planned?

Yes No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?

Yes No

If No, is one planned for each?

Yes No

6. Were comments received during this reporting period?

Yes No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

--	--	--	--	--	--	--	--	--	--

7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measure 3. Illicit Discharge Detection and Elimination

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. Enter the number and approx. percent of outfalls mapped: # %

2. How many of these outfalls have been screened for dry weather discharges during this reporting period (outfall reconnaissance inventory)?

3.a. What types of generating sites/sewersheds were targeted for inspection during this reporting period?

- Auto Recyclers
- Building Maintenance
- Churches
- Commercial Carwashes
- Commercial Laundry/Dry Cleaners
- Construction Vehicle Washouts
- Cross-Connections
- Distribution Centers
- Food Processing Facilities
- Garbage Truck Washouts
- Hospitals
- Improper RV Waste Disposal
- Industrial Process Water
- Other:
- Landscaping (Irrigation)
- Marinas
- Metal Plateing Operations
- Outdoor Fluid Storage
- Parking Lot Maintenance
- Printing
- Residential Carwashing
- Restaurants
- Schools and Universities
- Septic Maintenance
- Swimming Pools
- Vehicle Fueling
- Vehicle Maint./Repair Shops
- None

Sewersheds:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

--	--	--	--	--	--	--	--	--	--

12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
 On behalf of a coalition

How many MS4s contributed to this report?

1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities? Yes No

1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook? Yes No NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

09/2004 03/2006 NT

2. Does your MS4/Coalition have a SWPPP review procedure in place? Yes No

3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?

4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs? Yes No NT

If Yes, how many public comments were received during this reporting period?

5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process? Yes No

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

- Notices of Violation #

--	--	--	--	--	--

 ○ No Authority
- Stop Work Orders #

--	--	--	--	--	--

 ○ No Authority
- Criminal Actions #

--	--	--	--	--	--

 ○ No Authority
- Termination of Contracts #

--	--	--	--	--	--

 ○ No Authority
- Administrative Fines #

--	--	--	--	--	--

 ○ No Authority
- Civil Penalties #

--	--	--	--	--	--

 ○ No Authority
- Administrative Orders #

--	--	--	--	--	--

 ○ No Authority
- Enforcement Actions or Sanctions #

--	--	--	--	--	--

 ○ No Authority
- Other #

--	--	--	--	--	--

 ○ No Authority

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period?

2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?

3. What percent of active construction sites were inspected during this reporting period? NT %

4. What percent of active construction sites were inspected more than once? NT %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual? Yes No NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval? Yes No NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? Yes No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

6. con't.:

Submit additional pages as needed.

MS4/Coalition Office

Department

Address

City

Zip

Phone

() -

Library

Address

City

Zip

Phone

() -

Other

Address

City

Zip

Phone

() -

Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

--	--	--	--	--	--	--	--	--	--

7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measure 5. Post-Construction Stormwater Management

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. How many and what type of post-construction stormwater management practices has your MS4/Coalition inventoried, inspected and maintained in this reporting period?

	# Inventoried	# Inspections	# Times Maintained
<input type="radio"/> Alternative Practices	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Filter Systems	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Infiltration Basins	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Open Channels	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Ponds	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wetlands	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Other	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. Do you use an electronic tool (e.g. GIS, database, spreadsheet) to track post-construction BMPs, inspections and maintenance?

Yes No

3. What types of non-structural practices have been used to implement Low Impact Development/Better Site Design/Green Infrastructure principles?

- Building Codes Municipal Comprehensive Plans
- Overlay Districts Open Space Preservation Program
- Zoning Local Law or Ordinance
- None Land Use Regulation/Zoning
- Watershed Plans Other Comprehensive Plan

Other:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?

Yes No

4b. Does the MS4 have a banking and credit system for stormwater management practices?

Yes No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?

Yes No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

%

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

--

SPDES ID

--	--	--	--	--	--	--	--	--	--

6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

C. How many times was this observation measured or evaluated in this reporting period?

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>		<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>	
	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> Yes	<input type="radio"/> No
Street Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bridge Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Winter Road Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Salt Storage.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Solid Waste Management.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New Municipal Construction and Land Disturbance..	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Right of Way Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marine Operations.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Hydrologic Habitat Modification.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parks and Open Space.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Municipal Building.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Stormwater System Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vehicle and Fleet Maintenance.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other.....	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

2. Provide the following information about municipal operations good housekeeping programs:

- Parking Lots Swept (Number of acres X Number of times swept) # Acres
 - Streets Swept (Number of miles X Number of times swept) # Miles
 - Catch Basins Inspected and Cleaned Where Necessary #
 - Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary #
 - Phosphorus Applied In Chemical Fertilizer # Lbs.
 - Nitrogen Applied In Chemical Fertilizer # Lbs.
 - Pesticide/Herbicide Applied # Acres .
- (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)

3. How many stormwater management trainings have been provided to municipal employees during this reporting period?

4. What was the date of the last training? / /

5. How many municipal employees have been trained in this reporting period?

6. What percent of municipal employees in relevant positions and departments receive stormwater management training? %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

--	--	--	--	--	--	--	--	--	--

7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.****C. How many times was this observation measured or evaluated in this reporting period?**

--	--	--	--	--

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

Yes No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

Yes No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

MS4s must answer the questions or check NA as indicated in the table below.

MS4 Description	Answer	Check NA	(POC)
NYC EOH Watershed	-	-	-
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
Onondaga Lake Watershed	-	-	-
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Greenwood Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Oyster Bay	-	-	-
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
Peconic Estuary	-	-	-
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
Oscawana Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
LI 27 Embayments	-	-	-
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies? Yes No N/A

2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS? Yes No N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far. %

Estimate what percentage was mapped in this reporting period. %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

--	--	--	--

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

--

SPDES ID

--	--	--	--	--	--	--	--	--	--

9. Has your MS4/Coalition developed and implemented a program of native planting?
 Yes No N/A

10. Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?
 Yes No N/A

11. Does your MS4/Coalition have a pet waste bag program?
 Yes No N/A

12. Does your MS4/Coalition have a program to manage goose populations?
 Yes No N/A

TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541

MICHAEL SIMONE
Superintendent of Highways

845.628.7474
FAX 845.628.1471

MSimone@bestweb.net

M E M O R A N D U M

TO: TOWN BOARD
FROM: MICHAEL SIMONE - HIGHWAY SUPERINTENDENT
RE: HIGHWAY SPRING MATERIAL BID AWARDS
DATE: April 9, 2019

WE RECOMMEND THE FOLLOWING BIDS BE AWARDED:

GRANULAR BASE - ITEM 4 **Putnam Materials**

FOB	\$12.65
DELIVERED	\$17.75

Stone quality differs - each order will depend on specific need for job.

RUN OF BANK GRAVEL **Nicholas F. Domain Sand & Gravel**

FOB	\$11.75
DELIVERED	\$19.75

ROAD OILS, CUTBACKS, ETC. **Peckham Road Corporation**

MEDIUM CURING CUTBACKS	No Bid
RAPID CURING CUTBACKS	No Bid
PENETRATION ASPHALT	\$4.25 PER GALLON
CATIONIC	\$3.15 PER GALLON

CRUSHED GRAVEL **Putnam Materials** **Thalle Industries, Inc**

1 1/2" FOB plant	\$17.50 PER TON	
1 1/2" DELIVERED	\$22.50 PER TON	
3/4" FOB plant	\$17.50 PER TON	
3/4" DELIVERED	\$22.50 PER TON	
3/8" FOB plant	\$17.50 PER TON	
3/8" DELIVERED	\$22.50 PER TON	
1/4" FOB plant		\$21.00 PER TON
1/4" DELIVERED		\$28.50 PER TON

BITUMINOUS CONCRETE - F.O.B. **Peckham Material Corporation**

BINDER COURSE - TYPE 3	\$78.00 PER TON
TOP COURSE - TYPES 6F	\$78.00 PER TON
TOP COURSE - TYPES 7F	\$85.00 PER TON
CURB MIX	\$91.00 PER TON

TOWN OF CARMEL HIGHWAY DEPARTMENT

BITUMINOUS CONCRETE - IN-PLACE

Clove Excavators, Inc.

<i>TYPE 3 BINDER COURSE - per Ton</i>	
IN-PLACE	\$88.40
IN-PLACE with TACK COAT	\$92.80
IN-PLACE with KEYS	\$92.80
<i>TYPE 6F3 TOP COURSE - per Ton</i>	
IN-PLACE	\$88.40
IN-PLACE with TACK COAT	\$92.80
IN-PLACE with KEYS	\$92.80
<i>TYPE 7F3 TOP COURSE - per Ton</i>	
IN-PLACE	\$93.50
IN-PLACE with TACK COAT	\$97.90
IN-PLACE with KEYS	\$97.90
<i>TYPE 9.5 MM SUPERPAVE TOP F3 - per Ton</i>	
IN-PLACE	\$93.50
IN-PLACE with TACK COAT	\$97.90
IN-PLACE with KEYS	\$97.90
<i>TYPE 12.5 MM SUPERPAVE TOP F3 - per Ton</i>	
IN-PLACE	\$88.40
IN-PLACE with TACK COAT	\$92.80
IN-PLACE with KEYS	\$92.80
<i>TYPE 19.0 MM SUPERPAVE BINDER - per Ton</i>	
IN-PLACE	\$90.00
IN-PLACE with TACK COAT	\$95.00
IN-PLACE with KEYS	\$95.00
<i>TYPE 25.0 MM SUPERPAVE BINDER - per Ton</i>	
IN-PLACE	\$90.00
IN-PLACE with TACK COAT	\$95.00
IN-PLACE with KEYS	\$95.00
<i>TYPE 37.5 MM SUPERPAVE BASE - per Ton</i>	
IN-PLACE	\$90.00
IN-PLACE with TACK COAT	\$91.00
IN-PLACE with KEYS	\$91.00
<i>TYPE 6.3 POLYMER MODIFIED TOP - per Ton</i>	
IN-PLACE	\$106.00
IN-PLACE with TACK COAT	\$111.00
IN-PLACE with KEYS	\$111.00
<i>TYPE 1 BASE WARM MIX - per Ton</i>	
IN-PLACE	\$94.50
IN-PLACE with TACK COAT	\$99.50
IN-PLACE with KEYS	\$99.50
<i>TYPE 3 BINDER WARM MIX - per Ton</i>	
IN-PLACE	\$94.50
IN-PLACE with TACK COAT	\$99.50
IN-PLACE with KEYS	\$99.50
<i>TYPE 6F3 TOP WARM MIX - per Ton</i>	
IN-PLACE	\$92.40
IN-PLACE with TACK COAT	\$96.80
IN-PLACE with KEYS	\$96.80

Above Asphalt Prices Bid @ NYS DOT Base Price \$518.00 (March 2019)

TOWN OF CARMEL HIGHWAY DEPARTMENT

PRECAST KNOCKOUT CATCH BASINS WITH CAST IRON FRAMES & GRATES

			<u>CARMEL WINWATER</u> (Gray Iron Tops)	<u>M & M PRECAST</u> (Concrete Tops)
			<u>P'up/Delivered</u>	<u>P'up/Delivered</u>
BASINS		24"H X 24" X 24"	\$150.00	\$240.00
		30"H X 24" X 24"	\$195.00	NO BID
		36"H X 24" X 24"	\$195.00	\$260.00
Top	Flat Type	4" X 24" X 24"	\$155.00	\$270.00
	Flat Type	7" X 32" X 32"	XXXXXXXX	XXXXXXXX
BASIN		36"H X 30" X 30"	\$195.00	NO BID
Top	Flat Type	4" X 30" X 30"	\$225.00	NO BID
BASINS		30"H X 30" X 48"	\$195.00	NO BID
		48"H X 30" X 48"	\$265.00	NO BID
Tops	Flat Type	5" X 30" X 48"	\$415.00	XXXXXXXX
	Curb Back	6.5" X 30" X 48"	\$415.00	XXXXXXXX
BASINS		36"H X 36" X 48"	NO BID	\$376.00
		48"H X 36" X 48"	NO BID	\$450.00
Tops	Flat Type	8" X 45" X 56"	XXXXXXXX	\$295.00
	Curb Back	12" X 45" X 56"	XXXXXXXX	\$305.00
	Curb Back	"22639"	\$530.00	XXXXXXXX
BASINS		36"H X 45" X 56"	\$400.00	\$290.00
		48"H X 45" X 56"	\$410.00	\$320.00
Tops	Flat Type	8" X 45" X 56"	XXXXXXXX	\$295.00
	Curb Back	12" X 45" X 56"	XXXXXXXX	\$305.00
	Flat Type	"CT TOP"	\$435.00	XXXXXXXX
	Curb Back	"CT TOP"	\$485.00	XXXXXXXX

TOWN OF CARMEL HIGHWAY DEPARTMENT

ALUMINUM CULVERT PIPE

CHEMUNG Supply Corporation

DIAMETER X GAGE BY FOOT	PLAIN FOB/Delivered	PERFORATED FOB/Delivered
6" X 16	\$ 9.80	\$10.29
8" X 16	\$11.70	\$12.29
10" X 16	\$13.10	\$13.76
12" X 16	\$12.66	\$13.29
15" X 16	\$15.92	\$16.72
18" X 16	\$19.32	\$20.29
21" X 16	\$21.82	\$22.91
24" X 16	\$25.73	\$27.02
30" X 14	\$40.30	\$42.32
36" X 14	\$50.95	\$53.50

STEEL CULVERT PIPE

CHEMUNG Supply Corporation

DIAMETER X GAGE BY FOOT	PLAIN FOB/Delivered	PERFORATED FOB/Delivered
6" X 18	\$ 7.90	\$ 8.37
8" X 16	\$ 8.95	\$ 9.49
10" X 16	\$10.15	\$10.76
12" X 16	\$10.30	\$10.92
15" X 16	\$12.60	\$13.36
18" X 16	\$15.00	\$15.90
21" X 16	\$18.45	\$19.56
24" X 16	\$20.55	\$21.78
30" X 14	\$29.90	\$31.69
36" X 14	\$37.53	\$39.78

TOWN OF CARMEL HIGHWAY DEPARTMENT

POLYETHYLENE DRAINAGE PIPE AWARD ALL

Carmel WinWater Works ~ Chemung Supply Corp ~ Expanded Supply

DIAMETER BY FOOT	CORRUGATED FOB/Delivered	SMOOTH
4"	\$ 0.44	\$ 0.98
6"	\$ 1.35	\$ 2.30
8"	\$ 3.40	\$ 3.40
10"	\$ 4.80	\$ 4.70
12"	\$ 5.78	\$ 5.70
15"	\$ 7.48	\$ 7.40
18"	\$11.24	\$10.90
24"	\$16.30	\$16.10
30"	N/A	\$26.20
36"	N/A	\$34.80
DIAMETER	ELBOW	TEE
4"	\$10.90	\$12.70
6"	\$17.60	\$22.30

TREE FELLING & TRIMMING

MICHAEL A NAGLIERI

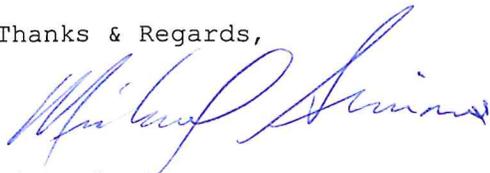
DAILY \$2,295.00

HOURLY \$ 286.87 - When truck & chipper is provided for final cleanup

WASTE WOOD PROCESSING

NO BIDS - May request bid at a later date.

Thanks & Regards,



Michael Simone
Superintendent of Highways

cc Town Attorney
Town Clerk



TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541

MICHAEL SIMONE
Superintendent of Highways

845.628.7474
FAX 845.628.1471
MSimone@bestweb.net

MEMORANDUM

TO: Kenneth Schmitt
Town Board

FROM: Michael Simone – Highway Superintendent

DATE: April 2, 2019

RE: 2019 Highway Capital Requests

I would like to discuss the 2019 Capital Funding for the following:

Capital Drainage \$ 200,000

Capital Paving \$1,000,000

Capital Equipment \$ 690,000

- 2 – 4X4 6-Wheel Cab/Chassis/Dump/Plow Package (\$533,000)
- 1 – 4X4 Ford F550 Lo Boy (\$70,000)
- 1- Flail Head Replacement 2001 New Holland Mower (\$15,000)
- 2 – Portable Lifts for Garage (\$66,000)