

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 VOTING MEETING
Wednesday, March 6, 2019 7:00pm

Pledge of Allegiance – Moment of Silence

6:00pm Executive Session:

1. Robert Guidotti, Labor Counsel – Personnel

Town Board Voting Meeting:

- Accept Town Board Minutes February 6, 2019
1. Res: Acknowledging Appointment of Town Historian
 2. Res: Making Permanent Appointment Office of the Town of Carmel Supervisor
 3. Res: Making Appointment of Account Clerk II in the Town of Carmel Highway Department
 4. Res: In Support of Repeal of Article 25A of the New York State Public Health Law
 5. Res: Nominating Harold Gary Distinguished Planner Award Westchester Municipal Planning Federation
 6. Res: Accepting Proposal Safe Yield Analysis Carmel Water District #2
 7. Res: Authorizing Installation of Water Main Carmel Water District #9 Contract C-242--2017
 8. Res: Accepting Proposal for Installation of Radio Transmission Equipment Carmel Water District Numbers #1, #8, #10 and #13
 9. Res: Authorizing Advertising for Bids
 10. Res: Accepting Proposal Bulk Petroleum Storage Compliance Program Town of Carmel Highway Department
 11. Res: Authorizing Payment Waste Wood Processing Town of Carmel Highway Department
 12. Order Calling Public Hearing: For The Increase and Improvement of the Facilities of Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York (April 24, 2019)
 13. Res: Authorizing Signing of Change Order #1 Sycamore Park Tennis Court Rehabilitation Contract #C230
 14. Res: Authorizing Signing of Change Order #1 Sycamore Park Basketball Court Rehabilitation Contract #C250
 15. Res: Authorizing Encumbrance and Expenditure of Funds from Parkland Trust Fund Court Rehabilitation at Sycamore Park
- **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 ACKNOWLEDGING APPOINTMENT OF TOWN HISTORIAN

RESOLVED that the Town of Carmel Town Board hereby acknowledges the appointment by Supervisor Kenneth Schmitt of James T. Meyer, Mahopac, NY as Town Historian for the Town of Carmel, effective immediately.

Resolution

Offered by: _____

Seconded by: _____

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

RESOLUTION #2

RESOLUTION MAKING PERMANENT APPOINTMENT OFFICE OF THE TOWN OF CARMEL SUPERVISOR

RESOLVED that the Town Board of the Town of Carmel hereby appoints Bella Cimadomo to the position of Principal Office Assistant in the Office of the Town Supervisor on a permanent basis, effective immediately subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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 MAKING APPOINTMENT OF ACCOUNT CLERK II IN THE TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby appoints Christine Yandoli to the position of Account Clerk II, Group 4 Step 4 annual salary retroactive to January 1, 2019 in the Highway Department on a probationary basis, subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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 IN SUPPORT OF REPEAL OF ARTICLE 25A OF THE
NEW YORK STATE PUBLIC HEALTH LAW

Whereas, on Tuesday, January 22, 2019, New York State Governor Andrew Cuomo signed into law the Reproductive Health Act, and

Whereas, the law contains a series of measures permitting abortions into the third trimester of pregnancy to be performed by health care providers who are not board certified physicians and expanding reproductive procedures for women, and,

Whereas, the law creates a new article 25A of the Public Health Law and eliminates Public Health Law 4164 which requires a board certified physician to provide medical care for any live birth that is the result of an abortion, where the baby is left to die unless the mother decides otherwise, and

Whereas, the law permits abortion at any time during pregnancy if the health care provider deems it necessary for the life, health and well-being of the mother, and

Whereas, the health and safety of the mother includes all factors, such as, physical, emotional, psychological, financial, and the women's age relevant to the well-being of the patient, and

Whereas, there is concern for the health of pregnant women as serious complications may occur more often during late term abortions.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel urge all members of the New York State Legislature to introduce and pass legislation to repeal this law and protect the life of the unborn while also caring for the health and well-being of the mother, and

BE IT FURTHER RESOLVED THAT the Town Board of the Town of Carmel petitions all local and county governments to introduce legislation encouraging the New York State Legislature to take such action in support of this initiative.

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 NOMINATING HAROLD GARY DISTINGUISHED PLANNER AWARD
WESTCHESTER MUNICIPAL PLANNING FEDERATION**

WHEREAS Harold Gary has dutifully and faithfully served the Town of Carmel through his tenure as a member of the Town of Carmel Zoning Board and as a member and Chairman of the Town of Carmel Planning Board for a period spanning thirty-eight years; and

WHEREAS, through his dedication and efforts in serving the Town of Carmel in this capacity, Harold Gary has earned the respect and admiration of his colleagues and the residents of the Town of Carmel; and

WHEREAS, the Town Board of the Town of Carmel wishes that the outstanding contributions and efforts of Harold Gary in his service to the Town of Carmel Zoning and Planning Boards for nearly four decades be duly recognized;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, with great pleasure hereby nominates Harold Gary for the Distinguished Citizen Planner Award from the Westchester Municipal Planning Federation; and

BE IT FURTHER RESOLVED, that the Office of the Town Supervisor is hereby authorized to submit all documentation to the Westchester Municipal Planning Federation which necessary and required in connection with this nomination.

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 ACCEPTING PROPOSAL
SAFE YIELD ANALYSIS CARMEL WATER DISTRICT #2**

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby accepts the proposal of Hazen & Sawyer Engineers, New York, NY to perform a Safe Yield Analysis for Lake Mahopac at a cost not to exceed \$16,000 and in accordance with the proposal dated March 1, 2019; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to authorize the actions contained herein; and

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

Resolution

Offered by: _____

Seconded by: _____

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

RESOLUTION #7

**RESOLUTION AUTHORIZING INSTALLATION OF WATER MAIN
CARMEL WATER DISTRICT #9 CONTRACT C-242-2017**

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #9, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby authorizes the installation of 6" water main to provide service to the dwelling and premises at 88 Woodland Road (TM#64.19-1-40) in accordance with the memorandum of Town Engineer Richard J. Franzetti, P.E. at dated February 20, 2019 at the unit costs provided for within Contract C-242-2017 .

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 ACCEPTING PROPOSAL FOR INSTALLATION OF RADIO TRANSMISSION EQUIPMENT CARMEL WATER DISTRICTS #1, #8, #10 and #13

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water Districts #1, #8, #10 and #13, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby accepts the proposal of Bee & Jay Plumbing, Mahopac, NY for the installation of electrical and radio transmission equipment at the Kings Ridge Tank and Crest Tank Pump Station locations within the referenced Carmel Water Districts at a cost not to exceed \$17,950 and in accordance with the details contained proposal dated January 28, 2019, a copy of which is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to authorize the actions contained herein; and

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

Resolution

Offered by: _____

Seconded by: _____

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

RESOLUTION #9

RESOLUTION AUTHORIZING ADVERTISING FOR BIDS

RESOLVED that, pursuant to the request of Michael Simone Town of Carmel Highway Superintendent, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the purchase of the following items for fiscal year 2019:

- Crushed Gravel
- Granular Base (Item 4)
- Run of Bank Gravel
- Bituminous Concrete
- Road Oils, Cut Backs, etc.
- Catch Basins & Sumps with Tops
- Tree Felling & Trimming
- Steel Culvert Drainage Pipe
- Aluminum Culvert Drainage Pipe
- Polyethylene Drainage Pipe
- Waste Wood Processing

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the 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	___	___

RESOLUTION #10

**RESOLUTION ACCEPTING PROPOSAL
BULK PETROLEUM STORAGE COMPLIANCE PROGRAM
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED THAT the Town Board of the Town of Carmel hereby accepts the proposal of Environmental Compliance Management Concepts, LLC, Middletown, NY for the performance of monthly petroleum bulk storage compliance program as promulgated and required by the New York State Department of Environmental Conservation, in accordance with the agreement dated January 29, 2019, a copy of which is on file in the Office of Town of Carmel Highway Superintendent Michael Simone; and

BE IT FURTHER RESOLVED that Town Carmel Highway Superintendent Michael Simone is hereby authorized to sign any and all documentation necessary to authorize the actions contained herein.

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 PAYMENT
WASTE WOOD PROCESSING
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes payment of the sum of \$16,000 to Mulch Ink, Mahopac, NY for waste wood processing services performed at the request of the Town of Carmel Highway Department and in accordance with the invoices dated January 4, 2019 and January 11, 2019; and

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

Resolution

Offered by: _____

Seconded by: _____

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

RESOLUTION #12

ORDER CALLING PUBLIC HEARING IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF CARMEL WATER DISTRICT #2 IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York, being the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$13,301,400; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant adverse impact pursuant to 6 NYCRR Part 617.5(c)(2); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Carmel Water District No. 2, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Carmel Fire House, Vink Drive, in Carmel, New York, in said Town, on April 24, 2019, at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Carmel Water District No. 2, in the Town of Carmel, Carmel, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

Resolution

Offered by: _____

Seconded by: _____

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Carmel Fire House, Vink Drive, in Carmel, New York, on April 24, 2019, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Carmel Water District No. 2, in said Town, consisting of the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$13,301,400.

Said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in any significant adverse environmental impacts.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,

_____, 2019

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CARMEL, PUTNAM COUNTY, NEW YORK

Ann Spofford
Town Clerk

RESOLUTION #13

**RESOLUTION AUTHORIZING SIGNING OF CHANGE ORDER #1
SYCAMORE PARK TENNIS COURT REHABILITATION
CONTRACT NO. C230**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Sport Tech Construction, Brewster, NY; and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has recommended that the Town Board approve Change Order No. 1 to the aforesaid contract;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Change Order #1 to the aforementioned contract, resulting in an overall increase to contract price in the amount of \$59,578.50, in form as attached hereto and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

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



Estimate

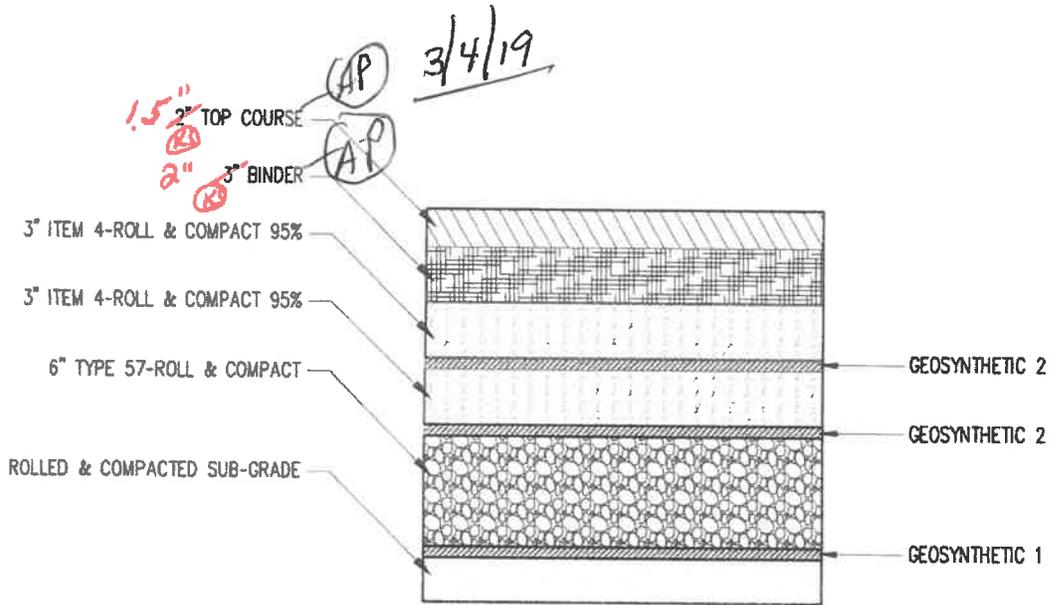
410 Route 22
Brewster, NY 10509

Date	Estimate #
3/4/2019	44

Name / Address
Town of Carmel Sycamore Park

		Project	
Description	Qty	Rate	Total
New scope and profile for asphalt section on tennis courts as discussed at meeting in Town Hall with Supervisor on Friday Feb 22,2019, agreed upon cost for total project prior to scope reduction. SEE NEW SCOPE ATTACHED FOR CONTRACT 218-C230 TENNIS COURTS SYCAMORE PARK	1	59,578.50	59,578.50
Total			\$59,578.50

Phone #	Fax #	E-mail	Web Site
914-232-1640	914-232-1802	angelo@sporttechconstruction.com	www.sporttechconstruction.com



SECTION
NTS

NOTES:

1. GEOSYNTHETIC 1—MIRAFI H2RI
2. GEOSYNTHETIC 2—MIRAFI 180N

RESOLUTION #14

**RESOLUTION AUTHORIZING SIGNING OF CHANGE ORDER #1
SYCAMORE PARK BASKETBALL COURT REHABILITATION
CONTRACT NO. C250**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Sport Tech Construction, Brewster, NY; and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has recommended that the Town Board approve Change Order No. 1 to the aforesaid contract;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Change Order #1 to the aforementioned contract, resulting in an overall increase to contract price in the amount of \$59,578.50, in form as attached hereto and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

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



Estimate

410 Route 22
 Brewster, NY 10509

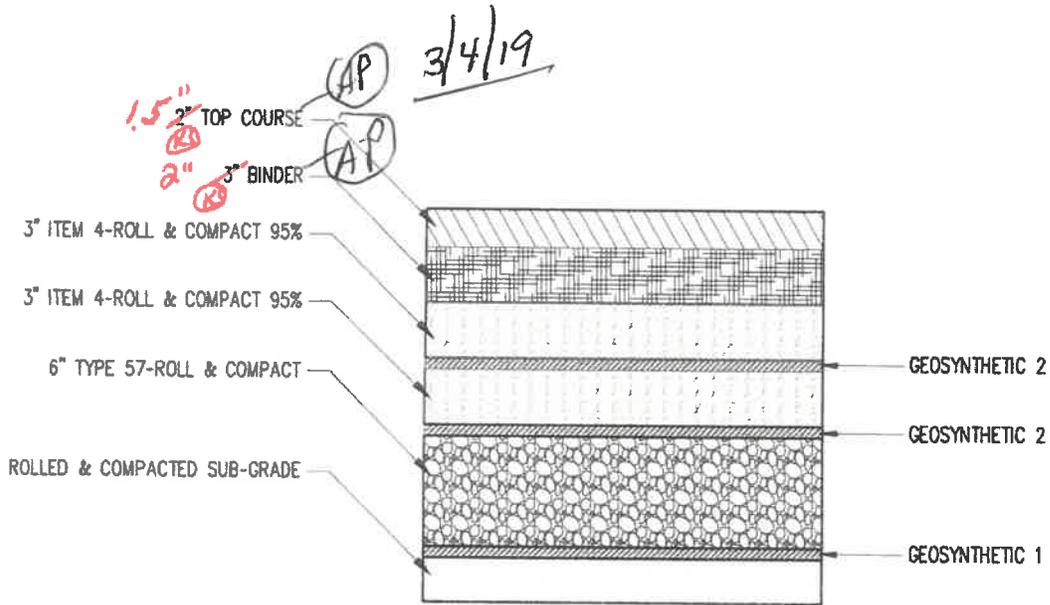
Date	Estimate #
3/4/2019	45

Name / Address
Town of Carmel Sycamore Park

Project	

Description	Qty	Rate	Total
New scope and profile for asphalt section on tennis courts as discussed at meeting in Town Hall with Supervisor on Friday Feb 22,2019, agreed upon cost for total project prior to scope reduction. SEE NEW SCOPE ATTACHED FOR CONTRACT 218-C250 BASKETBALL COURTS SYCAMORE PARK	1	59,578.50	59,578.50
Total			\$59,578.50

Phone #	Fax #	E-mail	Web Site
914-232-1640	914-232-1802	angelo@sporttechconstruction.com	www.sporttechconstruction.com



SECTION
NTS

NOTES:

1. GEOSYNTHETIC 1—MIRAFI H2RI
2. GEOSYNTHETIC 2—MIRAFI 180N

RESOLUTION #15

**RESOLUTION AUTHORIZING ENCUMBRANCE AND EXPENDITURE OF FUNDS
FROM PARKLAND TRUST FUND
COURT REHABILITATION AT SYCAMORE PARK**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the expenditure of up to \$111,599.40 from the Parkland Trust Fund for the rehabilitation of the basketball and tennis courts at Sycamore Park; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all budget transfers or modifications necessary 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	___	___