

**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](http://www.carmelny.org)

**KATHLEEN KRAUS**  
Receiver of Taxes

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

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

**TOWN BOARD VOTING MEETING and  
OPEN PUBLIC MEETING DOWNTOWN REVITALIZATION PROJECTS  
Wednesday, June 30, 2021 7:00pm**

---

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

**Town Board Voting Meeting:**

- Accept Town Board Minutes June 2, 2021
- 1. Res: Requesting American Recovery Plan Coronavirus Local Fiscal Recovery Funds
- 2. Res: Authorizing Acceptance of Proposal for Waste Wood Processing Town of Carmel Highway Department
- 3. Res: Awarding Bid Carmel Water District #8 Water Line Replacement – C276
- 4. Res: Appointing Counsel and Authorizing Commencement of Litigation
- 5. Res: Authorizing Scheduling of Public Hearing On a Proposed Local Law Enacting Chapter 60 of the Code of the Town of Carmel entitled, NYS Cannabis Law Opt-Out Legislation (July 14, 2021)
  - **Public Comment (Three (3) Minutes on Agenda Items Only)**
  - **Town Board Member Comments**
  - **Adjournment**

**Open Public Meeting – Downtown Mahopac Revitalization Projects**

1. Jeff Contelmo, PE, Insight Engineering – Presentation of Proposed Downtown Mahopac Revitalization Projects

# RESOLUTION #1

## RESOLUTION REQUESTING AMERICAN RECOVERY PLAN CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS

WHEREAS New York State is required by the American Rescue Plan Act (ARPA) to distribute Coronavirus Local Fiscal Recovery Funds to Non-Entitlement Units (NEUs) of local government on behalf of the United States Department of the Treasury; and

WHEREAS, all NEU's must either decline or request ARPA funding by July 9, 2021; and

WHEREAS, The Town of Carmel has been classified as a NEU under NEU Recipient Number NY3701 by the New York State Division of Budget;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the acceptance of American Rescue Plan Act funding and the submission of all documentation required to secure the acceptance of such funding in connection with this authorization; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all such documentation, including but not limited to US Department of the Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions, Assurances of Compliance with Civil Rights Requirements and any other and further documentation required to effect this authorization.

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

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

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

## RESOLUTION #2

### RESOLUTION AUTHORIZING ACCEPTANCE OF PROPOSAL FOR WASTE WOOD PROCESSING TOWN OF CARMEL HIGHWAY DEPARTMENT

WHEREAS, on May 19, 2021 the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, duly passed a unanimous resolution which accepted a proposal for waste wood processing services to be performed at the Secor Yard location from Material Processors, Inc, Warwick, NY at a lump sum cost of \$25,000;

WHEREAS, the Town Board has subsequently been advised by the Highway Superintendent that the referenced vendor has declined to commence performance and/or declined to perform the waste wood processing services which had been previously authorized by the Town Board on May 19, 2021;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby rescinds the previous approval and authorization which accepted the proposal and authorized performance of waste wood processing services at Secor Yard from Material Processors, Inc.; and

BE IT FURTHER RESOLVED, RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby accepts the proposal for waste wood processing at the Secor yard location from Mike's Blue Wheel Services, Inc., Mahopac, NY at a lump sum cost of \$25,000 and in accordance with the proposal dated June 2021; and

BE IT FURTHER RESOLVED, that that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect the authorization upon the terms authorized herein.

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

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

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

# RESOLUTION #3

## RESOLUTION AWARDING BID CARMEL WATER DISTRICT #8 WATER LINE REPLACEMENT – C276

WHEREAS the Town Board of the Town of Carmel, upon the request of Town of Carmel Engineer Richard J. Franzetti, P.E., has previously authorized advertisement for the solicitation of bids for the installation of water lines within the Carmel Water District #8 boundaries; and

WHEREAS such bids were received and opened and the Town Engineer has recommended the awarding of the bid as set forth herein;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #8 and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby awards the bids for the installation of the referenced water lines to MTS Infrastructure, LLC, White Plains, NY, the lowest responsible bidder meeting specifications at an estimated contract cost of \$28,816.70; and

BE IT FURTHER RESOLVED that upon review of insurance certificates, performance bond and labor and materials bond in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any other and further documentation necessary to accept such bid and contract for said services.

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

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

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

# RESOLUTION #4

## RESOLUTION APPOINTING COUNSEL AND AUTHORIZING COMMENCEMENT OF LITIGATION

RESOLVED, that the Town Board of the Town of Carmel, as Commissioners of Carmel Water District #2, hereby authorizes Joseph A. Charbonneau, Esq., 3 Starr Ridge Road, Brewster, NY , to commence all necessary litigation required for the purposes of acquiring any and all necessary property interests for the improvements proposed in the Carmel Water District #2 Treatment Plant Upgrade Project with respect to the premises and property known and designated as Town of Carmel Tax Map No. 55.6-1-31; and

BE IT FURTHER RESOLVED that such authorization shall be deemed to include but not be limited to performance of all necessary legal/procedural requirements contained within NY Eminent Domain Procedure Law as well as the commencement of legal proceedings thereunder in New York State Supreme Court if necessary; and

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

### Resolution

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

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

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

**RESOLUTION #5**

**RESOLUTION AUTHORIZING 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 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday July 14, 2021 at 7:00 p.m. or as soon thereafter that evening as possible, on a proposed Local Law enacting Chapter 60 of the Code of the Town of Carmel, entitled "NYS Cannabis Law Opt-Out Legislation"; 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.

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

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

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

## PROPOSED LOCAL LAW # \_\_\_ OF THE YEAR 2021

### **A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL TO ADD CHAPTER 60 TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES UNDER NEW YORK STATE CANNABIS LAW ARTICLE 4**

#### **SECTION 1 : AUTHORITY**

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law and NY State Cannabis Law §131.

#### **SECTION 2 : ENACTMENT OF CHAPTER 60 OF TOWN OF CARMEL TOWN CODE ENTITLED NYS CANNABIS LAW OPT-OUT LEGISLATION**

Chapter 60 of the Code of the Town of Carmel entitled “NYS Cannabis Law Opt-Out Legislation” is hereby enacted as follows:

##### **§60-1 LEGISLATIVE INTENT**

It is the intent of this local law for the Town of Carmel to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption site within the Town of Carmel that would be otherwise allowed under New York State Cannabis Law Article 4.

##### **§60-2 AUTHORITY**

This local law is adopted pursuant to New York State Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of Carmel and is subject to a permissive referendum, the procedure of which is governed by NY Municipal Home Rule Law §24.

##### **§60-3 LOCAL OPT-OUT**

The Town Board of the Town of Carmel hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town’s jurisdiction.

##### **§60-4 SEVERABILITY**

If any part or provision of this Local Law or the application thereof to any person or firm or corporation or circumstance be shall adjudged invalid or unconstitutional 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, firm corporation or circumstance, 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.

**§60-5 PERMISSIVE REFERENDUM/REFERENDUM ON PETITION**

This local law is subject to a referendum on petition in accordance with New York State Cannabis Law §131 and the procedure outlined in New York Municipal Home Rule Law §24.

**§60-6EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State

.

**KENNETH SCHMITT**  
Town Supervisor

**SUZANNE MC DONOUGH**  
Town Councilwoman  
Deputy Supervisor

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

**TOWN OF CARMEL**  
**TOWN HALL**

60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 • Fax (845) 628-6836  
[www.carmelny.org](http://www.carmelny.org)

**ANN SPOFFORD**  
Town Clerk

**KATHLEEN KRAUS**  
Receiver of Taxes

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

**Open Public Meeting – Downtown Mahopac Revitalization Projects**

1. Jeff Contelmo, PE, Insight Engineering – Presentation of Proposed Downtown Mahopac Revitalization Projects, to Include Swan Cove Park, Municipal Parking Lot, Downtown Improvements, Side Walks, Lighting, New Parking Plan

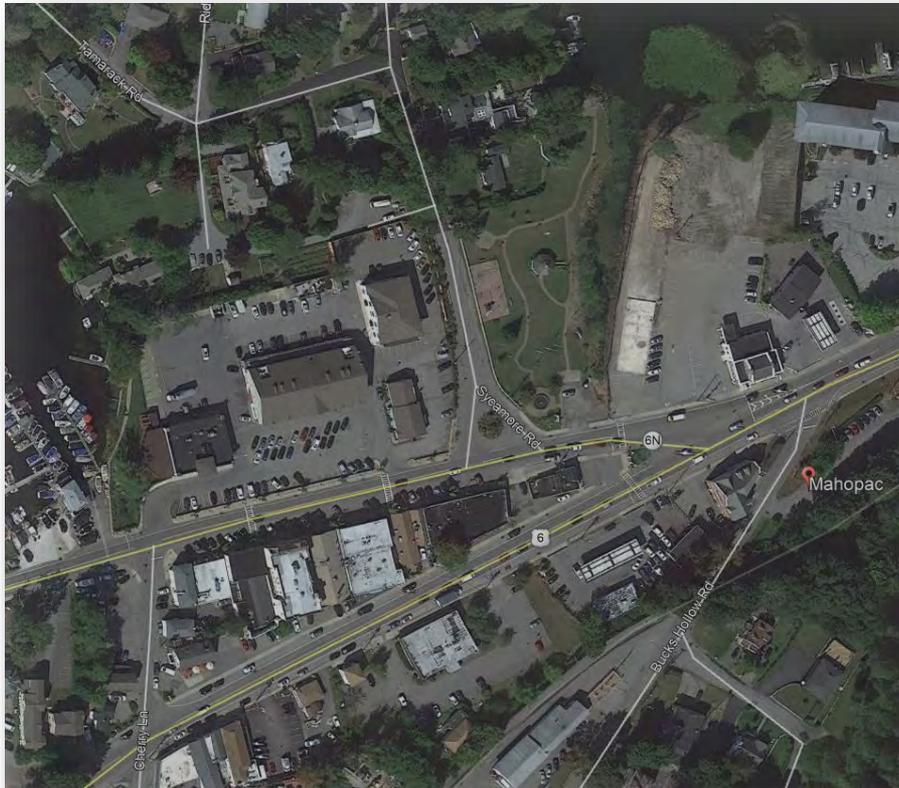
# **TOWN OF CARMEL DOWNTOWN MAHOPAC IMPROVEMENTS**



# DOWNTOWN MAHOPAC IMPROVEMENTS

Jeffrey J. Contelmo, PE  
Senior Principal Engineer

Dawn Lewis McKenzie, RLA  
Senior Project Landscape Architect

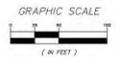


# DOWNTOWN MAHOPAC IMPROVEMENTS

- PROJECT SCOPE**
- 1 DOWNTOWN ROUTE 6N SOUTHSIDE SIDEWALK, LIGHTING AND PARKING RECONFIGURATION
  - 2 REDEVELOPMENT OF EXISTING CHAMBER PARK AND PARKING
  - 3 REDEVELOPMENT OF NEW PARK AND NEWLY ACQUIRED PARCELS AND PARKING
  - 4 REDEVELOPMENT OF CHERRY LANE



**TOWN OF CARMEL  
DOWNTOWN MAHOPAC IMPROVEMENTS  
OVERALL PROJECT SITE**  
February 2, 2021



PREPARED BY  
**INSITE**  
 ENGINEERING, SURVEYING &  
 LANDSCAPE ARCHITECTURE, P.C.  
 3 Cornett Place  
 Carmel, NY 12023  
 (518) 335-8900  
 (518) 335-8177 fax  
 www.insite-ny.com

P:\2020\2020 Mahopac\2020 Mahopac\2020 Mahopac.dwg, 11/17/2020 10:28:14 AM, 11/17/2020 10:28:14 AM

# DOWNTOWN MAHOPAC IMPROVEMENTS

## *Scope of Initial Conceptual Design*

1. **Downtown Route 6N Southside Sidewalk, Lighting and Parking Reconfiguration.**
2. **Redevelopment of Existing Chamber Park and Parking.**
3. **Redevelopment of New Park and Newly Acquired Parcels and Parking.**
4. **Redevelopment of Cherry Lane.**



# DOWNTOWN MAHOPAC IMPROVEMENTS

## *Initial Concept Design*

### Downtown Route 6N Lighting, Sidewalk and Parking Reconfiguration

- **Route 6N - Southside**
  - Elimination of angled parking replaced with parallel parking
  - 600 linear feet of new sidewalk
  - 13 new street-lights (irrigation and speakers on poles)
  - Pedestrian cross walk bump outs
  - ADA accessibility improvements



## *Initial Concept Design*

### Chamber Park and Municipal Parking

- Extend culvert to drainage channel
- Provide bridge connecting Chamber Park with new park to the east
- Provide expanded parking (80 spaces)
- Remove/relocate fountain
- Dredge channel between parks
- Repower Chamber Park lights with Route 6N northside Lighting



## *Initial Concept Design*

### **Proposed Park and Municipal Parking**

- Bridge between parks
- Walkways, benches, picnic tables, lighting and landscaping
- New restrooms and office space
- Regrade parking areas to eliminate flooding
- Dredge channel and waterfront
- Fishing pier/boat tie-up pier/boat launch for Town Recreation Department
- Sailboat/kayak storage for Town Recreation Department
- Fountain in channel between parks
- Expanded parking
  - *62 new town spaces*
  - *18 bank spaces*



## *Initial Concept Design*

### Cherry Lane Improvements

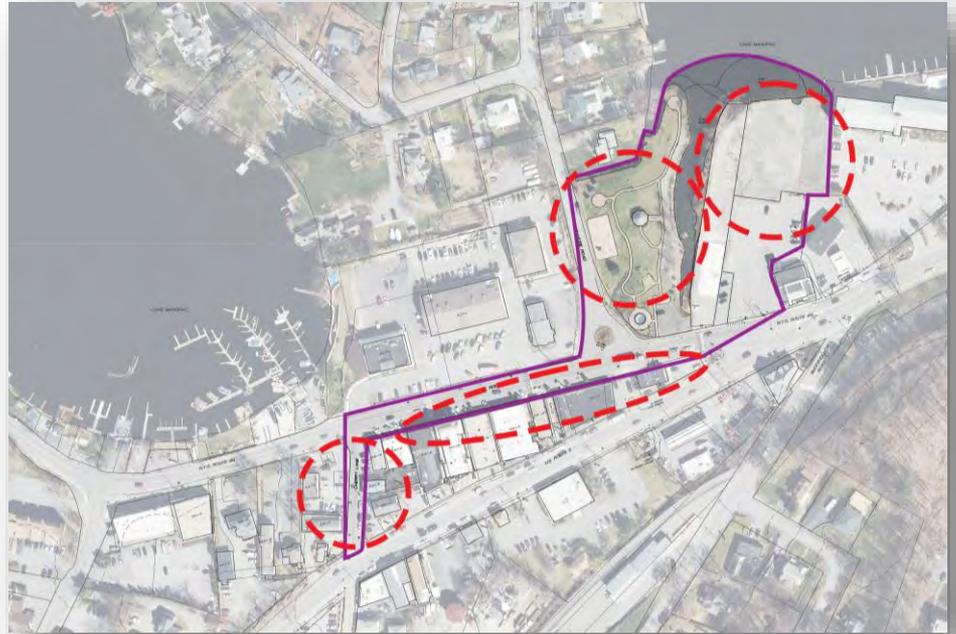
- 25 foot wide right of way
- Highway superintendent would prefer one-way traffic from 6 to 6N
- Consider parking, pedestrian walkways, pavement restoration
- Consider bike racks and possible pocket park



## ***Task 1.0 – Data Collection, Mapping and Project Initiation***

### **Task Summary:**

- Gather and review latest information relating to project area:
  - Prior parking study
  - Lake elevation data
  - Easements and land use restrictions
  - Other studies and plans
  - Subsurface utility plans
  - Survey information
  - GIS data assembled and delivered to Town

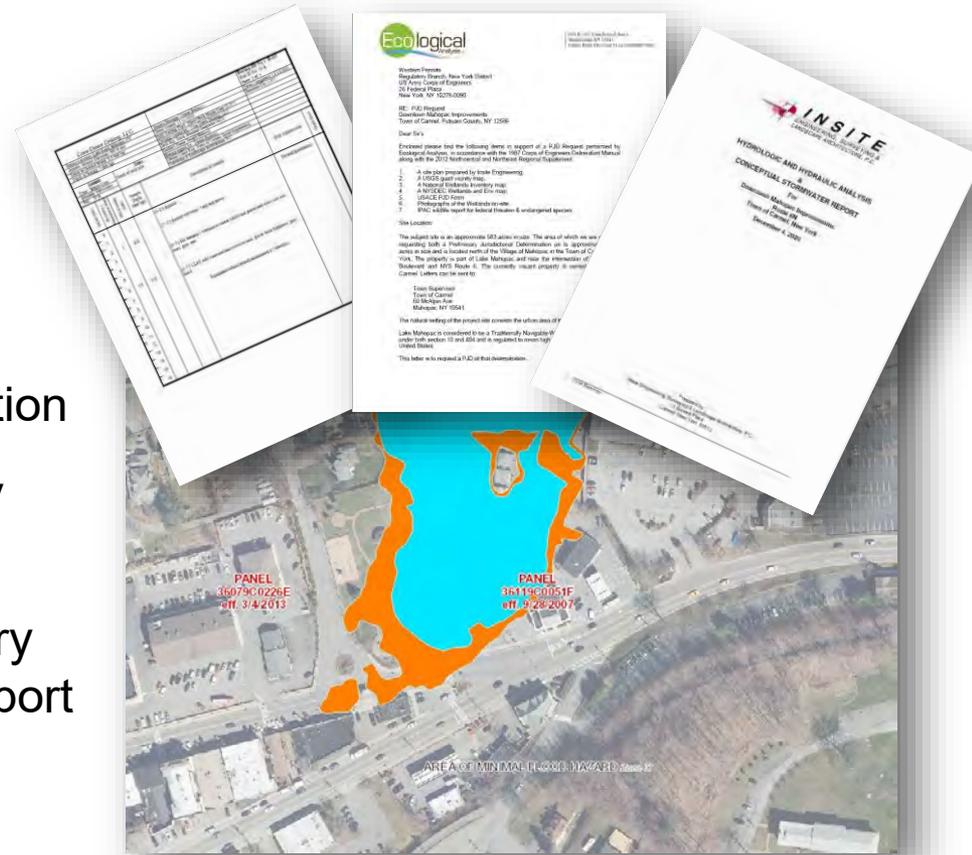


# DOWNTOWN MAHOPAC IMPROVEMENTS

## Task 2.0 – Site Understanding and Analysis

### Task Summary:

- Review/assess impacts of past studies/plans
- Prepare baseline hydraulic and hydrologic (H&H) model
- Conduct geotechnical investigation
- Conduct dredge material quality investigation
- Prepare an USACOE Preliminary Jurisdictional Determination Report
- Prepare memo summarizing necessary permits for project
- Prepare summary of documents and deliver to Town



## ***Task 3.0 – Conceptual Design***

### **Task Summary:**

- Master Plan 3 alternatives with budgetary estimates
- Proposed Design Alternative Analysis
- Present Alternatives to Town Staff
- Present Alternatives at Public Meeting



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Route 6N – Southside



**PROJECT ELEMENTS**

- 1 REPLACE ANGLED PARKING WITH 19 PARALLEL PARKING SPACES
- 2 EXPAND SIDEWALK ON SOUTH SIDE AND ENHANCE WITH TREES AND UPDATED LIGHTING
- 3 PROVIDE CURB BUMPOUTS TO SHORTEN CROSSWALKS AND FOR TRAFFIC CALMING
- 4 REPLACE PAVERS ON NORTH SIDE SIDEWALK AND PROVIDE HANDICAP ACCESS

38 EXISTING SPACES  
20 PROPOSED PARALLEL SPACES

**TOWN OF CARMEL**  
**DOWNTOWN MAHOPAC IMPROVEMENTS**  
**Route 6N Parking & Sidewalk Improvements**

February 2, 2021

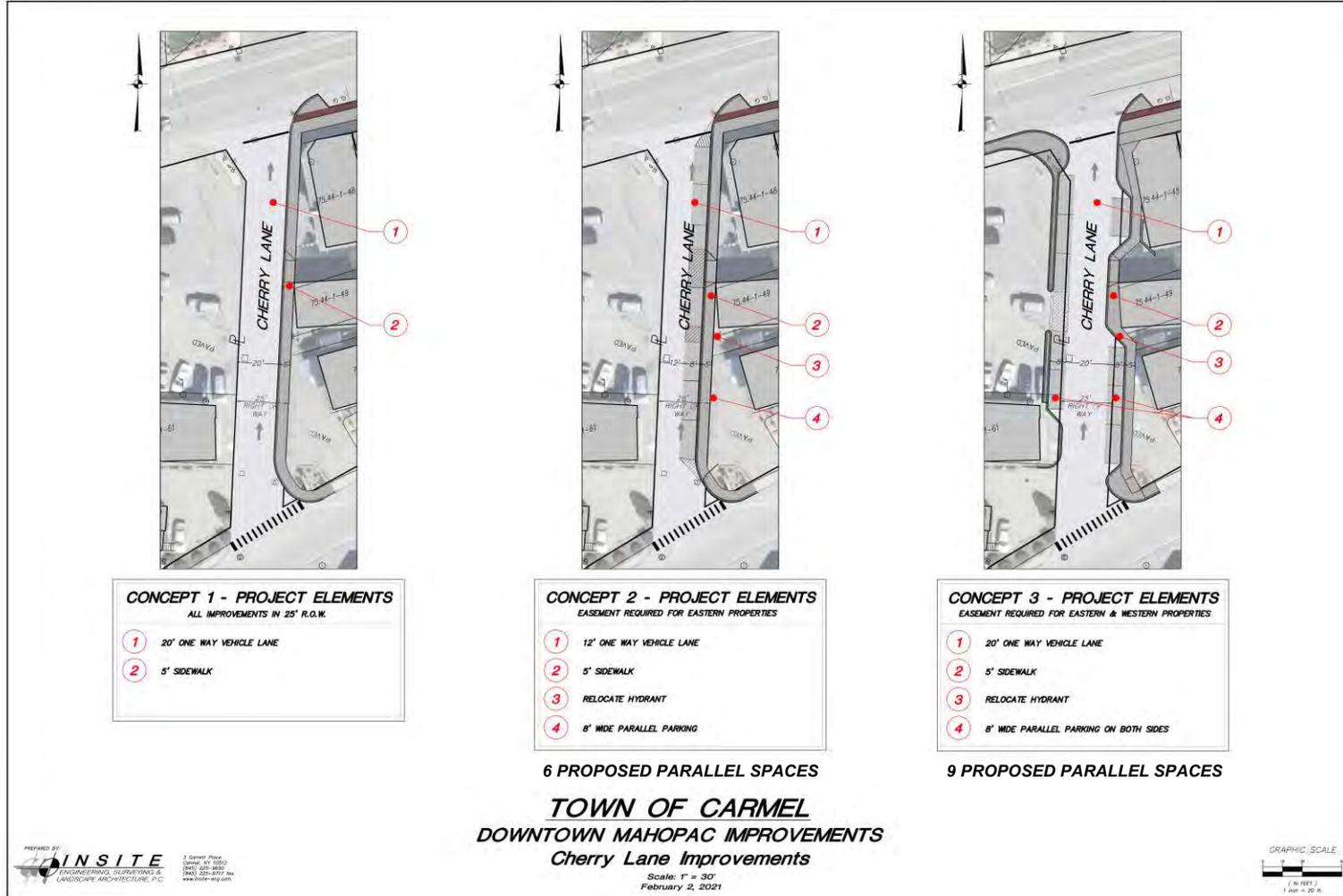
PREPARED BY  
**INSITE**  
ENGINEERING, SURVEYING &  
LANDSCAPE ARCHITECTURE, P.C.

3 Summit Plaza  
Carmel, NY 10512  
(518) 422-8600  
(518) 422-8777 fax  
www.insite-nyc.com

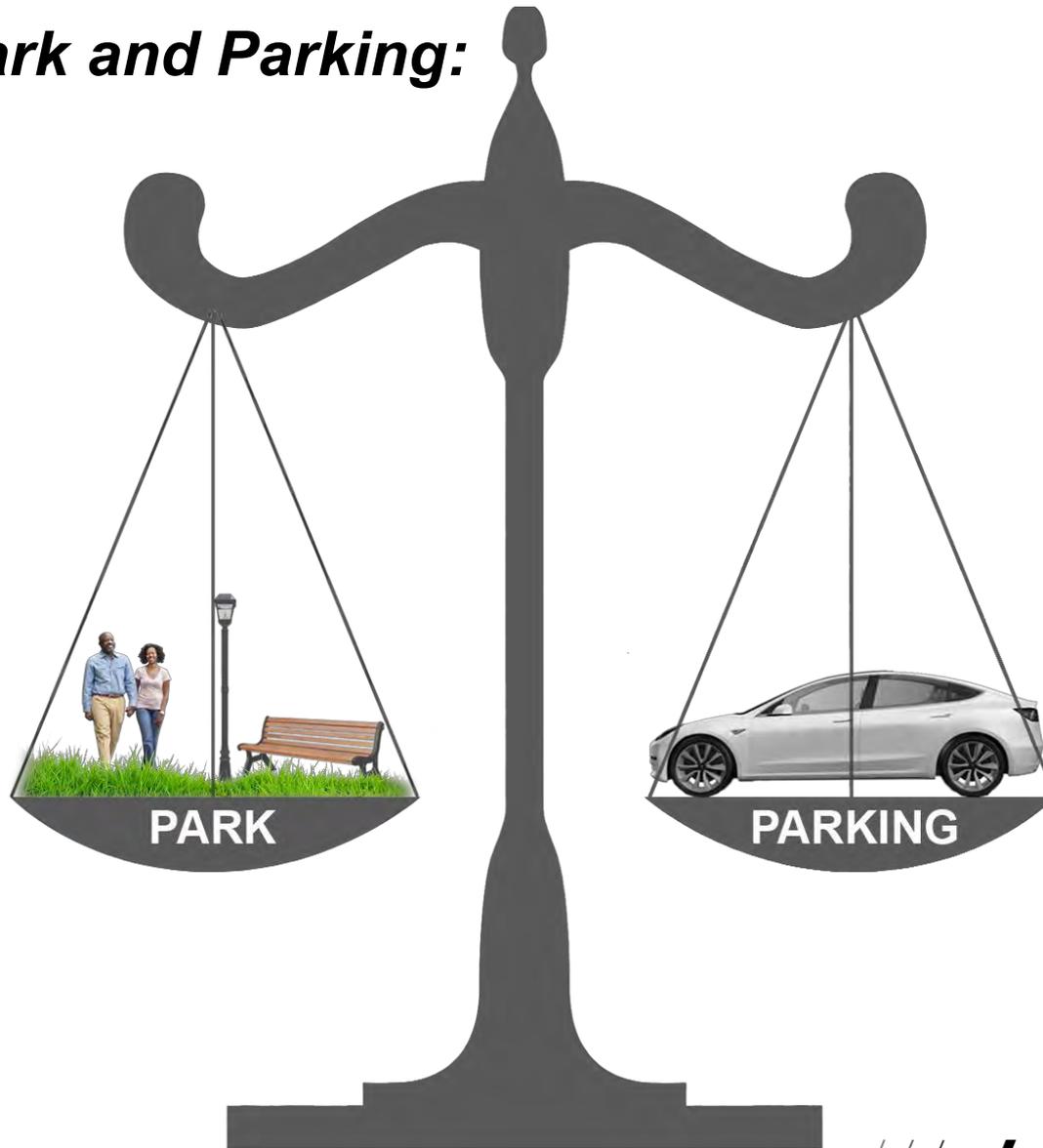
GRAPHIC SCALE  
1" = 20' (HORIZONTAL)  
1" = 20' (VERTICAL)

# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plans – Cherry Lane



***Balancing Park and Parking:***





# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 1



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 1



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 2



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 2



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 3



# DOWNTOWN MAHOPAC IMPROVEMENTS

## Concept Plan – Park Alternative 3



PREPARED BY: **INSITE**  
 ENGINEERING, SURVEYING &  
 LANDSCAPE ARCHITECTURE, P.C.

3 Carmel Plaza  
 Carmel, NY 10512  
 (518) 522-8800  
 (518) 522-8177 fax  
 www.insite-nyc.com

**TOWN OF CARMEL  
DOWNTOWN MAHOPAC IMPROVEMENTS**

**Questions / Comments**