

**TOWN BOARD MEETING  
TOWN HALL, MAHOPAC, N.Y.**

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Michael Cazzari on the 18<sup>th</sup> day of May 2022 at 7:03 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Baranowski, Councilman Lombardi, Councilwoman McDonough and Supervisor Cazzari. Councilman Schanil was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces and our first responders, as well as to commemorate Police Week and the law enforcement officers who lost their lives in the line of duty.

Supervisor Cazzari stated that due to scheduling conflicts that prohibited the recognition of the Carmel Police Department this evening in conjunction with Police Week, the well-deserving police officers will be presented with their various awards by Police Chief Anthony Hoffmann at the Town Board meeting to be held on June 1, 2022.

**PUBLIC COMMENT**

James Carmody from the hamlet of Carmel asked what specific chemicals will be purchased in connection with the proposed resolution authorizing the advertisement for bids for the water and sewer districts.

Supervisor Cazzari stated that the Town Engineer is not present at this meeting, however the Town Engineer had reported on the list of chemicals required for the wastewater treatment plants and the water treatment facilities at a prior Work Session.

Legal Counsel Gregory Folchetti explained that the resolution will authorize going out to bid for the chemicals and the proposed purchases will be further discussed when the bids are received. He indicated that a list of the current chemicals being utilized is available upon request.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 4/20/2022 AND 5/4/2022 -  
ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Supervisor Cazzari, seconded by Councilwoman McDonough, with all members of the Town Board present voting "aye", the minutes of the Town Board meetings held on April 20<sup>th</sup> and May 4<sup>th</sup>, 2022 were accepted as submitted by the Town Clerk.

**LAKE MAHOPAC DAM - NYSDEC ORDER ON CONSENT - PROPOSAL ACCEPTED  
FOR PROFESSIONAL SERVICES - SCHNABEL ENGINEERING - NOT TO EXCEED  
\$64,400.00**

WHEREAS, the New York State Department of Environmental Conservation has accepted the conclusions and recommendations contained within the Engineering Assessment submitted by the Town of Carmel in accordance with the terms of the Order on Consent issued in NYSDEC Case No. CO3-20170425-83;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Mahopac Park District, hereby accepts the proposal of Schnabel Engineering, Clifton Park, NY for the provision of design, permitting, bid, and construction phase services for dam rehabilitation contemplated and required in connection with the referenced Engineering Assessment and Order on Consent, at a cost not to exceed \$64,400 and in accordance with the proposal dated April 4, 2022; and

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

**Resolution**

Offered by: Councilman Lombardi

Seconded by: Councilwoman McDonough

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**ENVIRONMENTAL CONSERVATION BOARD RE-APPOINTMENT MADE - NICHOLAS FANNIN - 6/14/2022 TO 6/13/2025**

WHEREAS the term of Nicholas Fannin on the Environmental Conservation Board of the Town of Carmel expires on June 13, 2022 and the Town Board wishes to re-appoint him to a new term,  
NOW, THEREFORE, BE IT RESOLVED that Nicholas Fannin is hereby re-appointed to the Town of Carmel Environmental Conservation Board for a three-year term commencing to June 14, 2022 and expiring on June 13, 2025.

Resolution  
Offered by: Supervisor Cazzari  
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**IMPROVEMENTS AT VOLZ PARK AUTHORIZED - PROPOSED EAGLE SCOUT PROJECT OF RAVEN BARKSDALE OF BOY SCOUTS OF AMERICA TROOP #1**

RESOLVED that the Town Board of the Town of Carmel, in connection with the proposed Eagle Scout project of Raven Barksdale of Boy Scouts of America Troop #1 Mahopac, hereby authorizes the performance of improvements at Volz Park in accordance with the memorandum and plans provided by Director of Recreation and Parks James R. Gilchrist as detailed in his memorandum to the Town Board dated May 6, 2022; and  
BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced.

Resolution  
Offered by: Councilwoman McDonough  
Seconded by: Councilman Lombardi and Councilman Baranowski

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**PROPOSAL ACCEPTED - PURCHASE AND INSTALLATION OF WOOD GUIDERAIL  
AT AIRPORT PARK PARKING LOT AUTHORIZED - VINCO BUILDERS, LLC - NOT  
TO EXCEED \$18,600.00**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks James R. Gilchrist accepts the proposal of Vinco Builders, LLC, Mahopac, NY and authorizes the purchase and installation of wood guiderail at the Airport Park Parking Lot at a cost not to exceed \$18,600.00 and in accordance with the proposal dated April 21, 2022; and

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

Resolution

Offered by: Councilman Baranowski  
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**LAKE CASSE PARK DISTRICT - RATES SET FOR 2022 SEASONAL EMPLOYEES**

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Casse Park District, hereby sets the following rates for Lifeguards in 2022.

<u>POSITION</u>	<u>MAXIMUM RATE OF PAY</u>
Lifeguard	\$14.00 to \$18.00/hr.
Gate Guard	\$13.00 to \$18.00/hr.

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**AWARD OF CONTRACT AUTHORIZED UNDER NEW YORK STATE CONTRACT -  
IN-PLACE RECYCLING ON SELECTED TOWN ROADS - HIGHWAY  
REHABILITATION CORP.**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, in his memo dated May 3, 2022, hereby authorizes the hiring of Highway Rehab for the Town of Carmel Highway Department for the period commencing retroactive to April 1, 2022 through March 31, 2024 to Highway Rehabilitation Corp., Brewster, NY under New York State Office of General Services, Group No. 31555, Award No. 23250 and Contract No. No. PC69537 at the prices set forth therein.

(Cont.)

Resolution  
Offered by: Supervisor Cazzari  
Seconded by: Councilman Lombardi and Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**FILING OF ANNUAL MS4 STORMWATER REPORT - AUTHORIZED**

WHEREAS the Town Board has been presented with a draft annual MS4 Stormwater Report prepared by the Town of Carmel Engineering Department; and

WHEREAS opportunity for public comment on the draft annual MS4 report is being provided by the Town Board;

NOW, THEREFORE, BE IT RESOLVED that upon the conclusion of the thirty-day comment period and the consideration of any comments submitted in connection therewith, Town Supervisor Michael Cazzari is hereby authorized to sign and file said report as drafted by Town Engineer Richard J. Franzetti, P.E.

Resolution  
Offered by: Councilwoman McDonough  
Seconded by: Councilman Baranowski and Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**CARMEL SEWER DISTRICT #7 - PROPOSAL ACCEPTED FOR PURCHASE OF TWO (2) CMF AIR COMPRESSORS - IACONO, INC. - NOT TO EXCEED \$17,580.00**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #7, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E. hereby accepts the proposal of Iacono, Inc., Bohemia, NY, for the purchase of two (2) CMF Air Compressors at the Carmel Sewer District #7 Treatment Plant at a cost not to exceed \$17,580.00 and in accordance with the proposal/invoice dated April 20, 2022; and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to sign all necessary documents to accept said proposal; and

BE IT FURTHER RESOLVED that Town Comptroller Mary Ann Maxwell is hereby authorized to make any budgetary transfers or modifications required pursuant to this authorization.

Resolution  
Offered by: Councilman Baranowski  
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**SETTLEMENT OF LITIGATION AUTHORIZED - “DPL, LLC VS. THE TOWN OF CARMEL” - TAX ASSESSMENT FOR TAX MAP NO. 44.14-1-22**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 500955/2021 a certain lawsuit entitled “DPL, LLC vs. The Town of Carmel” regarding the tax assessment for the property known and designated as Town of Carmel Tax Map No. 44.14-1-22; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and certiorari 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 certiorari 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: Councilman Lombardi

Seconded by: Supervisor Cazzari

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**SETTLEMENT OF LITIGATION AUTHORIZED - “LAK3 REALTY, LLC VS. THE TOWN OF CARMEL” - TAX ASSESSMENT FOR TAX MAP NO. 64.16-1-33**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 501031/2021 a certain lawsuit entitled “LAK3 Realty, LLC vs. The Town of Carmel” regarding the tax assessment for the property known and designated as Town of Carmel Tax Map No. 64.16-1-33; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and certiorari 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 certiorari 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: Councilman Lombardi

Seconded by: Supervisor Cazzari

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**SETTLEMENT OF LITIGATION AUTHORIZED - “WRIGHT TO PARADISE, LTD. VS. THE TOWN OF CARMEL” - TAX ASSESSMENT FOR TAX MAP NO. 64.20-1-10**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 500602/2017; 501188/2019, 500989/2020 and 501134/2021 certain lawsuits entitled “Wright to Paradise, Ltd. vs. The Town of Carmel” regarding the tax assessment for the property known and designated Town of Carmel Tax Map No. 64.20-1-10; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and certiorari 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 certiorari 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: Councilman Lombardi  
Seconded by: Supervisor Cazzari

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**SETTLEMENT OF LITIGATION AUTHORIZED - “THE RETREAT AT CARMEL CONDOMINIUM PHASE III (62 UNITS) VS. THE TOWN OF CARMEL” - TAX ASSESSMENT FOR TAX MAP NOS. SECTION: 55.14 BLOCK: 1 LOTS: 11.1-3201 TO 11.1-3608; 11.1-3801 TO 11.1-3906; AND 11.3-4001 TO 11.3-4306**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500709/2018, 501085/2019 500734/2020 and 501032/2021 a certain lawsuit entitled “The Retreat at Carmel Condominium Phase III (62 Units) vs. The Town of Carmel” regarding the tax assessments for the properties known and designated Town of Carmel Tax Map Nos. Section: 55.14 Block: 1 Lots: 11.1-3201 to 11.1-3608; 11.1-3801 to 11.1-3906; and 11.3-4001 to 11.3-4306; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and certiorari 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 certiorari 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: Councilman Lombardi  
Seconded by: Supervisor Cazzari

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**ADVERTISING FOR BIDS AUTHORIZED - PURCHASE AND SUPPLY OF  
CHEMICALS FOR WASTEWATER TREATMENT PLANTS - CARMEL SEWER  
DISTRICTS #2, #4, #5, #6, #7 AND #12 AND FOR WATER TREATMENT FACILITIES  
- CARMEL WATER DISTRICTS #2, #3, #4, #5, #6, #7 AND #12**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts within the Town of Carmel, pursuant to the request of Town Engineer Richard J. Franzetti, P.E., hereby authorizes Town Clerk Ann Spofford to advertise for bids for the purchase and supply of chemicals for the wastewater treatment plants servicing Carmel Sewer Districts #2, #4, #5, #6, #7 and #12; and the water treatment facilities servicing Carmel Water Districts #2, #3, #4, #5, #6, #7 and #12; and

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

Resolution

Offered by: Supervisor Cazzari  
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**LIMITED WAIVER OF ATTORNEY-CLIENT PRIVILEGE AUTHORIZED - “CHARLES  
MELCHNER AND LILLIAN MELCHNER VS. THE TOWN OF CARMEL” - TAX MAP  
NOS. 75.44-1-43 AND 75.44-1-64**

RESOLVED that the Town Board of the Town of Carmel hereby consents and authorizes to a limited waiver of the attorney-client privilege with respect to any deposition testimony to be given and/or required by Joseph A. Charbonneau, Esq. and Gregory L. Folchetti, Esq. in the matter entitled “Charles Melchner and Lillian Melchner vs. The Town of Carmel”, Putnam County Supreme Court Index No. 500395/2017; and

BE IT FURTHER RESOLVED that such waiver shall be limited in its scope solely to communications between the referenced legal counsel and Town of Carmel Town Board members and/or the Director of Codes Enforcement concerning building code enforcement proceedings commenced in Town of Carmel Justice Court during 2008 on Town of Carmel Tax Map Nos. 75.44-1-43 and 75.44-1-64.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Baranowski and Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**SIGNING OF MEMORANDUM OF UNDERSTANDING BETWEEN THE MAHOPAC  
CENTRAL SCHOOL DISTRICT AND THE TOWN OF CARMEL FOR REAL  
PROPERTY APPRAISAL SERVICES AUTHORIZED - POTENTIAL PURCHASE OF  
THE REAL PROPERTY - TAX MAP SECTION 76.22, BLOCK 1, LOTS 7, 55 AND 56**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor Michael S. Cazzari to sign on behalf of the Town of Carmel, the Memorandum of Understanding with the Mahopac Central School District for real property appraisal services relating to the potential purchase of the real property known and designated as Town of Carmel Tax Map Section 76.22, Block 1, Lots 7, 55 and 56 Intermunicipal Agreement between the Mahopac Central School District and the Town of Carmel in the form as attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED that a copy of said Memorandum of Agreement be filed with the Town Clerk after signature by the Town Supervisor.

Resolution

Offered by: Councilman Baranowski  
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding dated the \_\_\_\_ day of \_\_\_\_\_, 2022, is entered into between the BOARD OF EDUCATION OF THE MAHOPAC CENTRAL SCHOOL DISTRICT (the “District”) a municipal corporation with its principal offices located at 179 East Lake Boulevard, Mahopac, New York 10541, and the TOWN OF CARMEL (the “Town”) with its principal offices located at 60 McAlpin Avenue, Mahopac, New York 10541 (collectively referred to sometimes below as the “Parties”), for the following purpose.

The District and the Town are presently considering the negotiation of an agreement whereby the District will, among other things, convey to the Town all of its rights, title and interest in three distinct parcels that it owns, which are identified on the Tax Map of the Town of Carmel as: Section 76.22, Block 1, Lots 7, 55 and 56 (“the Property”)

The District and Town understand that the sale of the premises will be governed by the Education Law of the State of New York, which permits a central school district to convey property that is no longer needed for school purposes to be



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sold to a party for fair market value as determined by the District’s Board of Education, provided that an appraisal is first obtained.

In furtherance of the Parties’ mutual desire to pursue entering into the agreement referenced above, the District and Town agree as follows:

1. The District and the Town each agree to acquire the services of an experienced and qualified real estate appraiser, at their own cost and expense, to determine the fair market value of each parcel of the Property, subject to all existing covenants and restrictions of record, for the purpose of establishing an overall combined sale price for the parcels.
2. In the event of a difference in the fair market value of the appraisals obtained by the District and the Town, the Parties shall agree to negotiate a fair market value price equivalent to the median value between the two appraisals.
3. If the median value of the appraisal is unacceptable to either party, then such party, which considers the median value to be unacceptable may retain an additional experienced and qualified real estate appraiser, at its own cost and expense, to determine the fair market value of each parcel of the Property, subject to all existing covenants and restrictions of record. for their own individual appraisal and enter negotiations for either transaction. The Parties shall agree to negotiate a fair market value equivalent to the median value among the three appraisals.

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4. The parties acknowledge that each of them shall adhere to the provisions of the General Municipal Law and the Education Law of the State of New York as well as all other applicable statutes, rule and regulations which may affect each party.
5. This MOU shall be subject to the approval of the Board of Education of the Mahopac Central School District and the Town Board of the Town of Carmel.

BOARD OF EDUCATION OF THE  
MAHOPAC CENTRAL SCHOOL DISTRICT:      TOWN OF CARMEL:

By:\_\_\_\_\_ By:\_\_\_\_\_  
Superintendent of Schools                      Supervisor

**CHIEF OF POLICE AUTHORIZED TO PROCEED WITH THE PURCHASE OF ONE (1) 2023 CHEVROLET TAHOE PPV UNDER OGS SOLICITATION - ROBERT GREEN AUTO AND TRUCK VEHICLES - NOT TO EXCEED \$43,035.43**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Anthony Hoffmann to proceed with the purchase of one (1) 2023 Chevrolet Tahoe PPV vehicle at a cost not to exceed \$43,035.43 from Robert Green Auto and Truck Vehicles, Monticello, NY under 1379 OGS Solicitation 23166 pursuant to General Municipal Law §103(16); and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to sign all necessary documents to purchase said vehicle from the vendor set forth herein in accordance with the bid/contract quotation date May 9, 2022; and

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

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilman Baranowski

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>          </u>	<u>          </u>	Absent
Michael Cazzari	<u>X</u>	<u>          </u>	

**TOWN BOARD COMMENTS**

Councilman Baranowski spoke about the Carmel Volunteer Ambulance Corps’ annual installation luncheon that he attended last weekend. He commended the members for their outstanding service to the community and pointed out that like many other non-profit agencies at this time, they are seeking additional volunteers.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Supervisor Cazzari, seconded by Councilman Lombardi, with all Town Board members present in agreement, the meeting was adjourned at 7:25 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk