

2 NOVEMBER 2022

**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 2nd day of November 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, Councilman Schanil, and Supervisor Cazzari.

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.

**PUBLIC HEARING HELD PURSUANT TO NEW YORK EMINENT DOMAIN
PROCEDURE LAW - CARMEL WATER DISTRICT #2 - ACQUISITION OF REAL
PROPERTY AND IMPROVEMENTS LOCATED AT 1760 ROUTE SIX - TAX MAP NO.
55.6 BLOCK 1 LOT 31**

Supervisor Cazzari asked the Town Clerk to read the following Notice of Public Hearing as published in the Town's official daily and weekly newspapers:

NOTICE OF PUBLIC HEARING UNDER THE EMINENT DOMAIN PROCEDURE LAW IN REGARD TO THE DESIGN, PLACEMENT AND CONSTRUCTION OF A NEW WATER TREATMENT PLANT FACILITY FOR CARMEL WATER DISTRICT #2 NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel pursuant to New York Eminent Domain Procedure Law Article 2, §202 will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, November 2, 2022 at 7:00 p.m. or as soon thereafter that evening as possible for discussion and consideration of the acquisition by Carmel Water District #2, pursuant NY Eminent Domain Procedure Law, the real property and improvements located at 1760 Route Six in the Town of Carmel, also known and designated as Town of Carmel Tax Map No. 55.6 Block 1 Lot 31 for the design, placement and construction of a new water treatment plant facility for Carmel Water District #2, and whether such proposed acquisition is in furtherance of the public purposes of providing and constructing a new water treatment plant facility for Carmel Water District #2 and the residents and users located within such district. At said Public Hearing, all interested persons will be given the opportunity to express their views concerning the economic and social effects of the action, its impacts on the environment and its consistency with the goals and objectives established by the community. The proceedings will be recorded. Persons may make oral statements and/or file written statements. Written statements submitted at the hearing or mailed to the Town Clerk no later than November 9, 2022 will be made part of the record. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk. Those property owners who may subsequently wish to challenge condemnation of the their property via judicial review may do so only on the basis of issues, facts, and objections raised at the hearing (EDPL§ 202(C)(2)). Each individual assessment record billing owner (property owner) or his or her attorney of record whose property may be acquired shall note that, under EDPL § 207(A), a petition to seek judicial review of the condemner's determination and findings must be filed within 30 days after the condemner's completion of its publication of its determination and findings. Further, the exclusive venue for judicial review of the condemner's determination and findings is the appellate division of the Supreme Court of the State of New York, County of Putnam. By Order of the Town Board of the Town of Carmel Ann Spofford, Town Clerk 0005452876

With no one objecting to the public notice as read, Supervisor Cazzari opened the Public Hearing for public comment at 7:07 p.m. One person was present.

With no one wishing to be heard on the subject of the Public Hearing, at 7:08 p.m. a motion was offered by Councilman Lombardi to hold the Public Hearing open for the purpose of receiving any written submissions through and including November 9, 2022. The motion was seconded by Councilwoman McDonough, and with all members of the Town Board voting in favor, adopted.

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(Cont.)

Legal Counsel Gregory Folchetti explained that after the Public Hearing is closed, the Town Board will consider any comments and have 90 days from then to make a determination of findings as to whether the acquisition is in the public interest, and if that is the case, the Town Board may commence proceedings if they choose to do so.

Councilman Schanil confirmed with Legal Counsel Folchetti that the written submissions may be submitted via email.

PUBLIC COMMENTS

There were no public comments at this time.

MINUTES OF TOWN BOARD MEETING HELD ON 10/12/2022 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Schanil, seconded by Councilwoman McDonough, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on October 12th, 2022 were accepted as submitted by the Town Clerk.

FINAL BUDGET MODIFICATIONS/REVISIONS FOR THE PERIOD ENDING 9/30/2022 AUTHORIZED AND RATIFIED - BUDGET REVISIONS SCHEDULE #2022/04

WHEREAS the Town Comptroller Mary Ann Maxwell has reviewed the proposed Budget Revisions for the period ending September 30, 2022 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2022/04; and
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending September 30, 2022 as shown itemized on schedule #2022/04 which is attached hereto, incorporated herein and made a part hereof.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

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

TOWN OF CARMEL
BUDGET REVISIONS AUGUST-SEPTEMBER 2022 #2022/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<u>GENERAL FUND</u>				
1	100.1930.0040	CERTIORARI SETTLEMENTS	10,000.00	
	100.1989.9876	RESERVE FOR CERTIORARI SETTLEMENTS	* 10,000.00	
		- PROVIDE FOR CERTIORARI SETTLEMENTS		
2	100.3120.0019	POLICE STAFF OTHER COMPENSATION	122,240.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	* 122,240.00	
		- PROVIDE FOR RETIREMENT INCENTIVE AND PAYOUT OF ACCRUED TIME		
3	100.3120.0027	POLICE OTHER EQUIPMENT	3,395.00	
	100.3120.0029	POLICE SPEC EQUIP-GRANTS	11,640.00	
	100.1989.3389	STATE AID - POLICE EQUIPMENT	* 22,362.00	
	100.1989.3041	STATE AID - OTHER GOVT	*	7,327.00
		- PROVIDE FOR LPR SYSTEM/DOCKING STATION FOR POLICE VEHICLES FROM NYS SAM GRANT		

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(Cont.)

4	100.3123.0012	COMMUNITY POLICE OVERTIME		22,375.00	
	100.1989.1523	POLICE TRAFFIC CONTROL REVENUE	*	22,375.00	
		- PROVIDE FOR POLICE OVERTIME FROM TRAFFIC CONTROL REVENUE RECEIVED			
5	100.9903.0099	TRANSFER TO OTHER FUNDS		70,000.00	
	100.1989.9909	APPROPRIATED FUND BALANCE		70,000.00	
		- PROVIDE FOR TRANSFER TO CWD #7 TO FUND INCREASE IN DISTRICT EMERGENCY COST IN 2022			
6	100.3120.0021	POLICE MOTOR VEHICLES		64,000.00	
	100.3120.0011	POLICE PERSONNEL SALARY - UNIFORM			64,000.00
		- TRANSFER FOR THE PURCHASE OF POLICE VEHICLES			
7	100.3120.0016	POLICE HOLIDAY PAY		100,000.00	
	100.3121.0012	LAKE PATROL OVERTIME		5,000.00	
	100.3121.0041	LAKE PATROL FUEL EXPENSE		800.00	
	100.3124.0012	K-9 POLICE OVERTIME		6,500.00	
	100.3124.0040	K-9 POLICE CONTRACT EXPENSE		5,000.00	
	100.3120.0011	POLICE UNIFORM STAFF SALARY			50,000.00
	100.3120.0081	POLICE STAFF RETIREMENT EXPENSE			67,300.00
		- TRANSFER FOR POLICE HOLIDAY PAY, LAKE PATROL/K-9 OVERTIME AND OTHER EXPENSE			
8	100.1640.0084	HEALTH INSURANCE		1,500.00	
	100.3310.0084	HEALTH INSURANCE		6,400.00	
	100.8090.0084	HEALTH INSURANCE		1,500.00	
	500.5110.0084	HEALTH INSURANCE		7,000.00	
	500.5140.0084	HEALTH INSURANCE		6,000.00	
	500.5142.0084	HEALTH INSURANCE		7,000.00	
	100.1640.0083	WORKMANS COMPENSATION			1,500.00
	100.3310.0012	SIGN CONTROL OVERTIME			1,000.00
	100.3310.0080	EMPLOYEE RETIREMENT			2,500.00
	100.3310.0083	WORKMANS COMPENSATION			2,900.00
	100.8090.0083	WORKMANS COMPENSATION			1,500.00
	500.5110.0083	WORKMANS COMPENSATION			7,000.00
	500.5140.0083	WORKMANS COMPENSATION			6,000.00
	500.5142.0084	WORKMANS COMPENSATION			7,000.00
		- TRANSFER FOR HEALTH INSURANCE COSTS			
HIGHWAY FUND					
9	500.5110.0012	GENERAL REPAIR OVERTIME		13,500.00	
	500.5110.0045	GR CONTRACED CAPITAL IMPROVEMENTS		475,000.00	
	500.5010.4321	FEDERAL AID - FEMA	*	488,500.00	
		- PROVIDE FOR HIGHWAY GENRL REPR EXPENDITURES FROM ANTICIPATED FEMA REIMBURSEMENT			

May change...based
on final costs and
FEMA reimb

TOWN OF CARMEL
BUDGET REVISIONS AUGUST-SEPTEMBER 2022 #2022/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
10	500.5130.0041	MACHINERY REPAIR CAPITAL EXPENSES	560,000.00	
	500.5010.9878	FUND BALANCE FOR CAPITAL PROJECTS	*	560,000.00
		- PROVIDE FOR HIGHWAY MACHINERY CAPITAL EXPENSE		
11	500.5112.0012	PROJECT OVERTIME		33,682.88
	500.5112.0020	PROJECT EXPENDITURES	35,756.84	
	500.5112.0082	PROJECT FICAMED COST		7,195.61
	500.5010.3502	CHIPS STATE AID - CAPITAL	*	5,121.65
		- PROVIDE FOR HIGHWAY PROJECT COSTS FROM REDUCTION IN CHIPS FUNDING		
DEBT FUNDS				
12	810-9730-0061	BAN PRINCIPAL DRAINAGE/AIRPORT	220,000.00	
	850-9730-0060	BAN PRINCIPAL ROAD RESURFACING	100,000.00	
	871-9730-0060	BAN PRINCIPAL CSD #1	15,000.00	
	810-1989-9909	GENERAL DEBT APPROPRIATED FUND BALANCE	*	220,000.00
	850-5010-9909	HIGHWAY DEBT APPROPRIATED FUND BALANCE	*	100,000.00
	871-8130-9909	CSD #1 DEBT APPROPRIATED FUND BALANCE	*	15,000.00
		- PROVIDE FOR ADDITIONAL BAN PAYMENTS IN DEBT FUNDS		
CAPITAL DRAINAGE FUND				
13	900.1989.0012	PROJECT OVERTIME	3,000.00	
	900.1989.0040	CONTRACTUAL EXPENDITURES		3,000.00
		- TRANSFER CAPITAL PROJECT COST		

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SPECIAL CAPITAL DRAINAGE FUND			
14	902.1989.0040	CONTRACTUAL EXPENDITURES	32,000.00
	902.1989.0048	OTHER PROJECT EXPENDITURE	2,000.00
	902.1989.4300	FEDERAL AID - ARPA	216,000.00
	902.1989.5710	PROCEEDS OF BORROWING	250,000.00
		- PROVIDE FOR CAPITAL PROJECT COSTS FROM APPROVED BORROWING	
AIRPORT PARK CAPITAL FUND			
15	910.7140.0040	CONTRACTUAL EXPENDITURES	125,000.00
	910.7140.0046	CONTRACTED PLAYGROUND IMPROVEMENTS	100,000.00
	910.7140.0047	CONTRACTED BUILDING IMPROVEMENTS	25,000.00
	910.7140.3000	INTERFUND TRANSFER - OTHER	250,000.00
		- PROVIDE FOR CAPITAL IMPROVEMENTS AT AIRPORT PARK FROM GRANT FUNDING	
HIGHWAY RESURFACING CAPITAL PROJECT			
16	950.5112.0045	CONTRACTED PAVING SERVICES	15,000.00
	950.5112.0048	OTHER PROJECT EXPENDITURES	15,000.00
		- TRANSFER CAPITAL PROJECT COST	
CARMEL SEWER DISTRICT #5 CAPITAL FUND			
17	975.8130.0044	PROJECT ENGINEERING	60,000.00
	975.8130.0045	CONTRACT IMPROVEMENTS	125,000.00
	975.8130.0046	TECHNICAL SERVICES	14,600.00
	975.8130.0048	OTHER PROJECT EXPENDITURES	400.00
	975.8130.5710	PROCEEDS OF BORROWING	200,000.00
		- PROVIDE FOR CAPITAL PROJECT COSTS FROM APPROVED BORROWING	
CARMEL WATER DISTRICT #14 CAPITAL FUND			
18	984.8310.0048	OTHER PROJECT EXPENDITURES	3,200.00
	984.8310.5710	PROCEEDS OF BORROWING	3,200.00
		- PROVIDE FOR CAPITAL PROJECT COSTS FROM APPROVED BORROWING	

RESOLUTION FROM 8/17/2022 AMENDED - RESOLUTION ADOPTED IN SUPPORT OF COMMISSION OF TRAFFIC STUDIES - NEW YORK STATE DEPARTMENT OF TRANSPORTATION - SPEED REDUCTION NYS ROUTE 6 & SOUTH LAKE BOULEVARD

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, hereby supports the commission of a study by the New York State Department of Transportation for the purpose of establishing speed reduction to 35 MPH in the vicinity of 493 NYS Route 6, Mahopac, New York, (mile marker 6-8404-1017) westerly to the area of 418 Route 6, Cargain Funeral Home (mile marker 6-8404-1014); and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel, hereby supports the commission of a study by the New York State Department of Transportation for the purpose of establishing speed reduction to 25 MPH on South Lake Blvd, Mahopac, New York, from the intersection with Route 6 (mile marker 6- 8404-1025) to the intersection with West Lake Blvd (mile marker 6N-8402-1032); and

BE IT FURTHER RESOLVED the Town Supervisor Michael Cazzari is hereby authorized to transmit a copy of this resolution to New York State Department of Transportation immediately.

Resolution
Offered by: Supervisor Cazzari
Seconded by: Councilman Lombardi

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

Supervisor Cazzari explained that the previously adopted resolution was amended at the request of the New York State Department of Transportation to include the actual specific road locations for the traffic study.

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POLICE DEPARTMENT - INSTALLATION OF EMERGENCY EQUIPMENT IN SPECIAL OPERATIONS VEHICLE AUTHORIZED - RFC EMERGENCY LIGHTING & SERVICES, LLC - \$12,846.92

RESOLVED, that the Town Board of the Town of Carmel, upon the request and recommendation of Town of Carmel Chief of Police Anthony Hoffman, hereby authorizes the installation of emergency equipment within the Town of Carmel Police - Special Operations Vehicle to RFC Emergency Lighting & Services, LLC, Briarcliff Manor, NY in the amount of \$12,846.92 as shown on invoices dated August 9, 2022 and September 21, 2022; and

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

Resolution

Offered by: Councilwoman McDonough
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>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

PURCHASE AND INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS AUTHORIZED UNDER NYS OFFICE OF GENERAL SERVICES CONTRACT #PGB-23035 - PLUGIN STATIONS ONLINE, LLC - \$108,833.63

WHEREAS, the Town of Carmel has received a grant from the New York State Department of Environmental Conservation for the supply and installation of four (4) Electric Vehicle (EV) charging stations; and

The terms and conditions of the NYSDEC grant require that the units be specified as Chargepoint CT4021-GW1 models;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, upon the request and recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby awards the contract for supply and installation of the referenced EV stations to PlugIn Stations Online, LLC, Valatie, NY; and

BE IT FURTHER resolved that such award is made pursuant to New York State Office of General Services Contract #PGB-23035 and shall be at a cost not to exceed \$108,833.63; and

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

Resolution

Offered by: Councilman Baranowski
Seconded by: Councilman Schanil 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>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

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COMMENTS/ANNOUNCEMENTS

Supervisor Cazzari announced that as of November 15th, the winter all-night parking regulations of the Town of Carmel are in effect to facilitate the safe and effective removal of snow during the winter season. The ordinance states that no person shall park a vehicle upon any highway within the Town between the hours of 6:00 p.m. and 9:00 a.m. from November 15th through April 15th. He noted that some roads are designated as alternate side parking. Those roads are posted and listed on the Town's website. The Police Department and the Highway Department are asking residents and vehicle owners to please comply.

Councilwoman McDonough commended the Department of Recreation and Parks for their outstanding efforts in connection with their recently held annual Harvest Fest, as well as the Police Department for their assistance with traffic control at the very popular event.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough and Councilman Schanil, with all Town Board members present and in agreement, the meeting was adjourned at 7:17 p.m. to Executive Session for a litigation update from Legal Counsel Gregory Folchetti, as well as to discuss personnel in connection with the 2023 Fiscal Year Budget.

Respectfully submitted,

Ann Spofford, Town Clerk