

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Michael Cazzari on the 11th day of January 2023 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 as well as for our local first responders.

PUBLIC COMMENTS

Charlie Melchner, Jr., Mahopac/Carmel, asked if the Town Board has appointed anyone to the Lake Mahopac Park District Advisory Board yet this year, and asked who from the Town Board are the liaisons to the Lake Mahopac Park District.

Councilman Schanil replied that the liaisons are Councilman Baranowski and himself.

Councilman Lombardi added that the Town Board has not filled the vacancies on the Lake Mahopac Park District Advisory Board. Discussion regarding the advisory board ensued.

Sue O'Connor, Mahopac, stated that she was recently made aware of the proposed zoning changes around Lake Mahopac. She expressed her concerns with regard to why these changes are needed and questioned what precipitated them. Ms. O'Conner expressed support for having a spot on the Town's website for the public to access information about the lake.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 137 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "TAXATION"

With no one present in objection, reading of the following Notice of Public Hearing as published in the Town's official newspaper was waived. Copies of the notice were made available to the public.

NOTICE OF PUBLIC HEARING	
NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, January 11, 2023 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law which is proposing amendments to Chapter 137 of the Code of the Town of Carmel, entitled "Taxation", as follows:	
PROPOSED LOCAL LAW #___ OF THE YEAR 2023	
BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:	
SECTION 1: PURPOSE	
The purpose of this local law is to amend the Town Code to increase the income threshold for the Senior Citizen Property Tax Exemption and the Disabled Person Property Tax Exemption under Chapter 137 of the Carmel Town Code.	
SECTION 2: AUTHORITY	
This chapter is adopted pursuant to the authority, of Article 2, § 10 of the New York State Municipal Home Rule Law.	
SECTION 3: AMENDMENT OF CHAPTER 137, ARTICLE I "SENIOR CITIZENS EXEMPTION"	
§137-2 of The Town Code of the Town of Carmel is hereby amended and shall read as follows:	
§ 137-2 Grant of Exemption; Conditions.	
A. Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, or real property owned by one or more persons, some of whom qualify under § 467 of the Real Property Tax Law and § 459-c of the Real Property Tax Law, shall be exempt from taxation by the Town of Carmel in regard to property located in the Town of Carmel up to a maximum of 50% of the assessed valuation in accordance with the schedule listed below and subject to the conditions herein contained in Subsections B through D:	
1. For the Roll Year 2023:	
Annual Income	Percentage of Assessed Value Exempt from Taxation
\$40,000 and less	50%
\$40,000 but less than \$41,000	45%
\$41,000 but less than \$42,000	40%
\$42,000 but less than \$43,000	35%
\$43,000 but less than \$43,900	30%
\$43,900 but less than \$44,800	25%
\$44,800 but less than \$45,700	20%
\$45,700 but less than \$46,600	15%
\$46,600 but less than \$47,500	10%
\$47,500 but less than \$48,400	5%
2. For the Roll Year 2024:	
Annual Income	Percentage of Assessed Value Exempt from Taxation
\$45,000 and less	50%
\$45,000 but less than \$46,000	45%
\$46,000 but less than \$47,000	40%
\$47,000 but less than \$48,000	35%
\$48,000 but less than \$48,900	30%
\$48,900 but less than \$49,800	25%
\$49,800 but less than \$50,700	20%
\$50,700 but less than \$51,600	15%
\$51,600 but less than \$52,500	10%
\$52,500 but less than \$53,400	5%

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(Cont.)

3. For the Roll Year 2025:

Annual income	Percentage of Assessed Value Exempt from Taxation
50,000 and less	50%
\$50,000 but less than \$51,000	45%
\$51,000 but less than \$52,000	40%
\$52,000 but less than \$53,000	35%
\$53,000 but less than \$53,900	30%
\$53,900 but less than \$54,800	25%
\$54,800 but less than \$55,700	20%
\$55,700 but less than \$56,600	15%
\$56,600 but less than \$57,500	10%
\$57,500 but less than \$58,400	5%

SECTION 4: AMENDMENT OF CHAPTER 137, ARTICLE V "EXEMPTION FOR PERSONS WITH DISABILITIES AND LIMITED INCOMES"

§ 137-13 of The Town Code of the Town of Carmel is hereby amended and shall read as follows:

§ 137-13 Maximum Income Eligibility Level.

A. Pursuant to Real Property Tax Law § 459-c, real property owned by one or more persons with disabilities or real property owned by a husband, wife or both or by siblings, at least one of whom has a disability and whose income, as hereinafter defined, is limited by reason of such disability, shall be exempt from taxation by the Town of Carmel in regard to property located in the Town of Carmel up to a maximum of 50% of the assessed valuation pursuant to the following schedule:

1. For the Roll Year 2023:

Annual income	Percentage of Assessed Value Exempt from Taxation
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\$40,000 but less than \$41,000	45%
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\$45,700 but less than \$46,600	15%
\$46,600 but less than \$47,500	10%
\$47,500 but less than \$48,400	5%

SEE LEGALS PAGE 25

LEGALS FROM PAGE 24	2. For the Roll Year 2024:		
	Annual income	Percentage of Assessed Value Exempt from Taxation	
	\$45,000 and less	50%	
	\$45,000 but less than \$46,000	45%	
	\$46,000 but less than \$47,000	40%	
	\$47,000 but less than \$48,000	35%	
	\$48,000 but less than \$48,900	30%	
	\$48,900 but less than \$49,800	25%	
	\$49,800 but less than \$50,700	20%	
	\$50,700 but less than \$51,600	15%	
	\$51,600 but less than \$52,500	10%	
	\$52,500 but less than \$53,400	5%	
3. For the Roll Year 2025:			
Annual income			Percentage of Assessed Value Exempt from Taxation
50,000 and less			50%
\$50,000 but less than \$51,000			45%
\$51,000 but less than \$52,000			40%
\$52,000 but less than \$53,000			35%
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\$53,900 but less than \$54,800			25%
\$54,800 but less than \$55,700			20%
\$55,700 but less than \$56,600			15%
\$56,600 but less than \$57,500			10%
\$57,500 but less than \$58,400			5%
SECTION 5 – HOME RULE			
Nothing in this Local Law is intended, or shall be construed 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 6 – 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 7 – 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.			
At said Public Hearing, all interested persons shall be heard on the subject thereof. 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.			
			By Order of the Town Board of the Town of Carmel Alice Daly, Deputy Town Clerk

Prior to opening the Public Hearing, Supervisor Cazzari called upon Town Assessor Glenn Droese to explain the purpose of the proposed Local Law Amending Chapter 137 of the Code of the Town of Carmel, Entitled “Taxation”.

Town Assessor Glenn Droese stated that the intent of the proposal is to increase the annual income threshold for senior citizens and disabled persons. He explained that currently the gross income threshold is \$37,400 and that anyone with incomes under that amount receives an exemption from 5% to 50% off their Town, County and school taxes. If enacted the proposed Local Law would increase the threshold to \$48,400 for year 2023, \$53,400 for year 2024, and \$58,400 for year 2025.

Mr. Droese stated that the Local Law will benefit senior citizens and disabled persons with limited incomes. He urged interested residents to contact the Assessor’s office, or come in with their federal income tax return from 2021 as soon as possible. He pointed out that even if the Town of Carmel does not enact this legislation, because Putnam County already has, the \$48,400 gross income level is already applicable on the County portion of the tax bill.

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Supervisor Cazzari asked if the proposed Local Law was adopted, would a resident be required to apply at the County as well.

Mr. Droese explained that they would not have to. Residents just have to go to the Assessor’s office at Town Hall.

Councilman Baranowski confirmed with Mr. Droese that the income thresholds match what the County approved. He then inquired about the schools.

Mr. Droese indicated that he was not aware if the school districts have adopted the new income thresholds at this time.

Supervisor Cazzari opened the Public Hearing for public comment at 7:15 p.m. Fifteen (15) people were in attendance.

With no one present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Baranowski, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:16 p.m.

SEQR DETERMINATION MADE - PROPOSED LOCAL LAW AMENDING CHAPTER 137 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED, “TAXATION” - TYPE II ACTION

RESOLVED that the Town Board of the Town of Carmel hereby determines that, the Local Law #1 Amending Chapter 137 of the Town Code of the Town of Carmel, Entitled, “Taxation” is a Type II action under SEQR, NYCRR Section 617.5(c) (27) and no further review is necessary.

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>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

LOCAL LAW #1 OF THE YEAR 2023 - A LOCAL LAW AMENDING CHAPTER 137 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “TAXATION”- ADOPTED AS NOTICED AND PUBLISHED

TOWN OF CARMEL
LOCAL LAW #1 OF THE YEAR 2023
A LOCAL LAW AMENDING CHAPTER 137 OF THE CODE OF THE
TOWN OF CARMEL, ENTITLED “TAXATION”

BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:

SECTION 1: PURPOSE

The purpose of this local law is to amend the Town Code to increase the income threshold for the Senior Citizen Property Tax Exemption and the Disabled Person Property Tax Exemption under Chapter 137 of the Carmel Town Code.

SECTION 2: AUTHORITY

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

(Cont.)

SECTION 3: AMENDMENT OF CHAPTER 137, ARTICLE 1 “SENIOR CITIZENS EXEMPTION”

§137-2 of The Town Code of the Town of Carmel is hereby amended and shall read as follows:

§ 137-2 Grant of Exemption; Conditions.

A. Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, or real property owned by one or more persons, some of whom qualify under § 467 of the Real Property Tax Law and § 459-c of the Real Property Tax Law, shall be exempt from taxation by the Town of Carmel in regard to property located in the Town of Carmel up to a maximum of 50% of the assessed valuation in accordance with the schedule listed below and subject to the conditions herein contained in Subsections B through D:

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3. For the Roll Year 2025:

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SECTION 5 – HOME RULE

Nothing in this Local Law is intended, or shall be construed 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 6 – 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.

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(Cont.)

SECTION 7 – 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.

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

PUBLIC HEARING SCHEDULED FOR 2/1/2023 - FIRE PROTECTION CONTRACTS AND AMBULANCE DISTRICT CONTRACTS FOR THE YEAR 2023

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2023, to be held on the 1st day of February 2023 at Carmel Town Hall, 60 McAlpin Avenue, Mahopac, NY at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 888,800.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$ 1,600,000.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$ 906,000.00
Carmel Volunteer Ambulance Corps	Ambulance Services Carmel Ambulance District #1	\$ 480,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services Carmel Ambulance District #1	\$ 13,500.00

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish a notice of the Public Hearing in the official newspapers of the Town and to post a notice of said hearing on the bulletin board of the Town, said notices to be published and posted a minimum of ten days prior to the Public Hearing.

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

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ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schanil, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 7:20 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk