

3 APRIL 2024

**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 3rd day of April 2024 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 Kearns, Councilwoman McDonough, Councilman Lombardi and Supervisor Cazzari.

The Pledge of Allegiance to the Flag was observed prior to the start of official business and a moment of silence was held to honor those serving in the United States Armed Forces and for NYPD Police Officer Jonathan Diller and his family. Officer Diller was tragically murdered in New York City.

Supervisor Cazzari read the following statement:



It is the Board's understanding that there are many people in attendance this evening who may wish to speak about and/or to express the objections to a particular project that is currently pending before the Planning Board.

While this Board certainly encourages public interest and input in community development as well as public involvement and participation in the approval process, please understand that on the advice of counsel, there will be no comment or discussion relating to this matter this evening or at any time before the Town Board. The Planning Board is an independent and autonomous approval entity that makes its decisions and determinations based solely upon the record before it and without any input or influence whatsoever from the Town Board or its members.

We encourage all of those residents and stakeholders who have an interest in speaking on this or any other application before the Planning Board, Zoning Board or Environmental Conservation Board to attend those meetings and take the opportunity to have their voices heard during the course of the scheduled public hearings.

Thank you.

Supervisor Cazzari added that he was referencing the Planning Board meeting on April 11th when this application will come before them. Supervisor Cazzari said that the reason the Town Board is not involved is because the Planning Board is separate from the Town Board. Town Board members cannot be seen as influencing that Board's decision. This would only lead to litigation and undue cost to the tax payers by having to fight something that could have been avoided by not allowing such discussions.

PUBLIC COMMENTS

Michael Nowak, Carmel resident, asked if the Planning Board are advisory to the trustees or are they an independent approval authority.

Town Attorney Gregory Folchetti responded that the Planning Board is an independent approval authority.

Supervisor Cazzari added that the Zoning Board and the Environmental Conservation Board are also independent approval authorities. Each board has their own approval authority, autonomous from the Town Board.

(Cont.)

The following Town of Carmel residents spoke in opposition of the lithium battery farm project and spoke of their concern that they could not offer public comment on this topic at tonight's meeting: Lauren Rosolen, Michael Nowak, Dr. Carrie Riordan, Gina Gorman, Jody Canariato and Louise Kennedy.

Supervisor Cazzari stated that this topic would not be discussed tonight. He said that the Planning Board will have a public hearing just like the Town Board has public hearings. Public comment will be heard on the matter at that public hearing.

Mr. Nowak requested proposed code changes for the town code regarding public notice requirements which he feels are not appropriate and are lacking. He said that a multitude of projects before various boards are not properly noticed and a 24 x 36 sign is not adequate for people driving 30 mph because of the height and legibility of the letters. He asked if the mail notice requirements and public notices for future projects could be revamped for the Planning Board, Zoning Board, Architectural Review Board and Environmental Conservation Board.

Mr. Nowak requested a moratorium on the lithium battery farm project.

Somers residents Lisa Circelli, Scott Morello and Kevin O'Keefe were informed by Supervisor Cazzari that public comment is for Town of Carmel residents or business owners.

Dr. Carrie Riordan, Carmel resident, asked where she could find the information on the lithium battery farm project.

Supervisor Cazzari stated that the Planning Board will be having a meeting on April 11th and the agenda will be on the website.

Supervisor Cazzari explained that the Planning Board is separate from the Town Board. The Town Board members do not advise the Planning Board to approve or disapprove and they do not provide input. He added that there is a process that is followed and if either party is unhappy with the ruling, it is not that the Town Board had any influence.

Gina Gorman, Carmel resident, asked who oversees the Planning Board and does the Planning Board have the ultimatum on all items that come before them.

Supervisor Cazzari explained that there are zoning codes, state law and state regulations that the Planning Board follows.

Tara Ferdico, Carmel resident, said that it is great that the residents of Carmel and Somers are coming together for the betterment of the community.

Supervisor Cazzari stated that the public can share their comments at the April 11th Planning Board meeting.

Councilwoman McDonough stated that she just received confirmation that this item is not on the Planning Board agenda for April 11th. She also said that she was told that the public hearing has not been scheduled yet.

Christopher Harrigan, Carmel resident, said that he understands that there are certain rules and procedures that must be followed. He said that there is a room full of people at tonight's meeting that are willing to learn about the process and this could be a good opportunity to educate everyone.

(Cont.)

Supervisor Cazzari thanked him for his comments.

Supervisor Cazzari wanted to clarify that the members of the Town Board do not want to be dragged into a lawsuit and let undue pressure go and that is why they cannot discuss this topic.

When comments continued on this topic, Supervisor Cazzari requested that the microphones be turned off.

Louise Kennedy, Carmel resident, asked if the decision for this project will be made by the Planning Board before the people have the opportunity to voice their concerns. She also asked Supervisor Cazzari who would sue him.

Supervisor Cazzari thanked her for her comments and responded that any one may sue if they do not get their way.

Supervisor Cazzari asked the residents to refrain from speaking out from the audience.

Sal Cогnetta, Carmel resident, voiced his concern on how the residents were treated at this meeting.

Supervisor Cazzari thanked Mr. Cогnetta.

Frank Ciano, Carmel resident, suggested to the residents to contact their Senators and Assemblymen regarding this project and also to attend all meetings.

Supervisor Cazzari thanked Mr. Ciano.

MINUTES OF TOWN BOARD MEETING HELD ON 3/6/2024 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Kearns, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on March 6, 2024 were accepted as submitted by the Town Clerk.

GENERAL AND HIGHWAY FUND EQUITY RESERVE BALANCES FOR FISCAL YEAR END 2023 AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Comptroller Mary Ann Maxwell to establish and/or modify the balances in the Fund Equity Reserves for the General and Highway Funds for Fiscal Year End 2023 as set forth on the schedule attached hereto, which is incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Kearns
Seconded by: Councilman Lombardi

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

3 APRIL 2024
TOWN BOARD MEETING

(Cont.)

TOWN OF CARMEL								
GENERAL AND HIGHWAY FUND COMBINED FUND EQUITY (YEARS 2016-2023)								
** unaudited **								
DESCRIPTION	2016	2017	2018	2019	2020	2021	2022	2023
GENERAL FUND								
RESERVE FOR PREPAID EXPENSES	389,280	408,839	371,705	382,894	383,078	465,418	412,835	434,692
RESERVE FOR ENCUMBRANCES	152,275	378,818	500,516	547,344	825,197	977,560	1,150,263	1,132,488
RESERVE FOR COMPENSATED ABS	1,440,000	1,615,000	1,785,000	1,815,000	1,815,000	1,815,000	1,700,000	1,850,000
DESIGNATED FOR TAX CERTIORARI	770,000	770,000	770,000	1,070,000	1,070,000	1,170,000	1,170,000	1,170,000
DESIGNATED FOR RETIREMENT CONTRIBUTIONS	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
DESIGNATED FOR CAPITAL PROJECTS	750,000	1,000,000	1,500,000	2,000,000	2,000,000	3,000,000	3,250,000	3,250,000
DESIGNATED RESERVE VEHICLE PURCHASES	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
UNRESERVED DESIGNATED EQUITY-FY	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
UNRESERVED DESIGNATED EQUITY - SUBSEQUENT YEARS BUDGET	-	-	-	360,000	110,000	475,000	450,000	560,000
UNRESERVED UNDESIGNATED EQUITY**	2,881,689	3,487,762	3,319,837	2,949,458	3,634,305	3,775,415	3,891,672	3,158,517
TOTAL GENERAL FUND EQUITY	\$ 7,133,244	\$ 8,410,419	\$ 8,997,058	\$ 9,874,696	\$ 10,587,580	\$ 12,428,393	\$ 12,774,770	\$ 12,305,697
HIGHWAY FUND								
RESERVE FOR PREPAID EXPENSES	97,000	128,875	120,500	126,250	127,561	134,875	87,750	106,250
RESERVE FOR CAPITAL PURPOSES	150,000	100,000	250,000	190,000	850,000	850,000	850,000	1,500,000
RESERVE FOR COMPENSATED ABSENCES	300,000	300,000	300,000	325,000	375,000	375,000	400,000	400,000
RESERVE FOR SNOW REMOVAL/ROADS	600,000	750,000	750,000	750,000	750,000	750,000	750,000	750,000
UNRESERVED DESIGNATED EQUITY	296,914	474,431	298,687	295,526	544,957	1,203,253	1,152,648	1,391,211
UNRESERVED UNDESIGNATED EQUITY								
TOTAL HIGHWAY FUND EQUITY	\$ 1,443,914	\$ 1,753,306	\$ 1,719,187	\$ 1,686,776	\$ 2,647,518	\$ 3,313,128	\$ 3,240,398	\$ 4,147,461
TOTAL GENERAL & HIGHWAY EQUITY	\$ 8,577,158	\$ 10,163,725	\$ 10,716,245	\$ 11,561,472	\$ 13,235,098	\$ 15,741,521	\$ 16,015,168	\$ 16,453,158

FINAL BUDGET MODIFICATIONS FOR THE PERIOD ENDING DECEMBER 31, 2023
AUTHORIZED – BUDGET REVISIONS SCHEDULE #2023/07

WHEREAS Town Comptroller Mary Ann Maxwell has reviewed the proposed Final Budget Modifications for the period ending December 31, 2023 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2023/07;
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 December 31, 2023, as shown itemized on the schedule #2023/07 attached hereto, incorporated herein and made a part hereof.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Kearns

Roll Call Vote	YES	NO
Robert Kearns	X	
Suzanne McDonough	X	
Frank Lombardi	X	
Michael Cazzari	X	

(Cont.)

TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 12/31/23 #2023/07

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<u>GENERAL FUND</u>					
1	100.9950.0099	TRANSFER TO CAPITAL		198,040.00	
	100.1989.4300	FEDERAL AID - ARPA	*	198,040.00	
		- PROVIDE FOR TRANSFER TO CAPITAL PROJECT FROM ARPA REVENUE REC'D - WATER TANK PROJECT			
<u>MISCELLANEOUS CAPITAL FUNDS</u>					
2	960.8310.5031	TRANSFER FROM GENERAL FUND		4,828.00	
	961.8310.5031	TRANSFER FROM GENERAL FUND		1,207.00	
	962.8310.5031	TRANSFER FROM GENERAL FUND		135,745.00	
	963.8310.5031	TRANSFER FROM GENERAL FUND		7,843.00	
	968.8310.5031	TRANSFER FROM GENERAL FUND		26,244.00	
	969.8310.5031	TRANSFER FROM GENERAL FUND		5,128.00	
	983.8310.5031	TRANSFER FROM GENERAL FUND		3,169.00	
	984.8310.5031	TRANSFER FROM GENERAL FUND		13,876.00	
	960.8310.4300	FEDERAL AID - ARPA FUNDS			4,828.00
	961.8310.4300	FEDERAL AID - ARPA FUNDS			1,207.00
	962.8310.4300	FEDERAL AID - ARPA FUNDS			135,745.00
	963.8310.4300	FEDERAL AID - ARPA FUNDS			7,843.00
	968.8310.4300	FEDERAL AID - ARPA FUNDS			26,244.00
	969.8310.4300	FEDERAL AID - ARPA FUNDS			5,128.00
	983.8310.4300	FEDERAL AID - ARPA FUNDS			3,169.00
	984.8310.4300	FEDERAL AID - ARPA FUNDS			13,876.00
		- TRANSFER FOR GENERAL FUND TRANSFER FROM FEDERAL AID - ARPA FUNDS (STORAGE TANK REHAB)			

NINA KALLMEYER, DIRECTOR OF RECREATION AND PARKS – ATTENDANCE AT SEMINAR AUTHORIZED - THE NEW YORK STATE RECREATION AND PARKS SOCIETY ANNUAL CONFERENCE IN GLENS FALLS, NY, APRIL 14-16, 2024

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Director of Recreation and Parks Nina Kallmeyer to attend the New York State Recreation and Parks Society Annual Conference in Glens Falls, NY being held on April 14-16, 2024; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

(Cont.)

Resolution
Offered by: Supervisor Cazzari
Seconded by: Councilwoman McDonough

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

ACCEPTANCE OF PROPOSAL AUTHORIZED FOR ASSESSMENT SUPPORT SERVICES – GAR ASSOCIATES, WILLIAMSVILLE, NY FOR THE YEARS 2024 THROUGH 2026 AT A COST NOT TO EXCEED \$9,999.00

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town Assessor Glenn Droese, hereby accepts the proposal of GAR Associates, Williamsville, NY, for assessment support services for years 2024 through 2026 at an annual cost of \$9,999.00, in accordance with the proposal dated March 11, 2024.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

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

EMERGENCY REPAIRS ACKNOWLEDGED - CARMEL WATER DISTRICTS #1, #8, #10 AND #13 – JEM ENGINEERING AT A COST NOT TO EXCEED \$5,276.80 AND BEE AND JAY PLUMBING AT A COST NOT TO EXCEED \$10,360.00

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated March 12, 2024, as attached hereto and made a part thereof.

Resolution
Offered by: Councilman Kearns
Seconded by: Councilman Lombardi

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

(Cont.)

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: March 12, 2024

Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of the attached emergency invoice that was submitted for payment/authorization to proceed in excess of \$10,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

• CWD8 - WTP CPU Failure

On February 23, 2024 Bee and Jay the operators for CWD 8, notified the Engineering Department that the CWD 8 Water Treatment Plant (WTP) experienced a major shut down due to the failure of the control panel CPU for auto operation of all systems in filter plant. Attached please find invoices from Bee and Jay Plumbing in the amount of \$10,360.00 and JEM engineering in the amount if \$5,276.80 to make this repair. As this was at the WTP the cost for this repair will be allocated and provided for n the table below.

District	JEM	Bee and Jay
CWD 1	\$485.47	\$953.12
CWD 8	\$3,086.93	\$6,060.60
CWD 10	\$1,028.98	\$2,020.20
CWD 13	\$675.43	\$1,326.08
Total	\$5,276.80	\$10,360.00

. Per the attached, there are sufficient funds in the operating budget for this expense.

We request that this memorandum be put into the agenda as a matter of record.

3 APRIL 2024
TOWN BOARD MEETING

(Cont.)



P.O. Box 78 - 719 Route 6 - Mahopac, NY 10541
p: 845.628.3924 f: 845.628.4062
e: service@beeandjay.com

INVOICE

DATE	INVOICE #
3/6/2024	107378

www.BEEANDJAY.com

BILL TO:

Town Of Carmel, CWD-8
Engineering Dept.
60 Mc Alpin Avenue
Mahopac, NY 10541

SERVICE LOCATION:

Filter Plant
71 Heather Drive
Mahopac, NY

PROFESSIONAL SERVICE 60 YEARS 1964-2024

Master Plumbers Lic.#s W.C. 556 P.C. 30289

CUSTOMER #		TERMS	MECHANIC	SERVICE DATE	WORK ORDER #
845 628 2087		Due Upon Receipt	EK	2/23/2024	68989
ITEM	QTY/HRS	DESCRIPTION		RATE	AMOUNT
		2/27/24 - Installation of new Purac main control panel CPU. Jem Engineering rewrote and reprogrammed complete filter plant operation and uploaded into new CPU. Rewired control and mounted new face monitor. Start up and tested all systems, valves, modulated valves and pumps. Backwashed system and chem filled pump system on both filters. Calibrated and adjusted all equipment. Tested filter plant auto operation and systems.			
Labor TOC Tech	6	2/23/24 - 1- Tech Plb		185.00	1,110.00
Labor TOC Tech	6	2/23/24- 1- Tech Plb		185.00	1,110.00
Labor TOC Tech	6	2/24/24- 1- Tech Plb		185.00	1,110.00
Labor TOC Tech	6	2/24/24- 1- Tech Plb		185.00	1,110.00
Labor TOC Tech	4	2/25/24 -1- Tech Plb		185.00	740.00
Labor TOC Tech	4	2/25/24- 1- Tech Plb		185.00	740.00
Labor TOC Tech	4	2/26/24- 1- Tech Plb		185.00	740.00
Labor TOC Tech	4	2/26/24- 1- Tech Plb		185.00	740.00
Labor TOC Tech	8	2/27/24- 1- Tech Plb		185.00	1,480.00
Labor TOC Tech	8	2/27/24- 1- Tech Plb		185.00	1,480.00

** Invoices not paid when due will be subjected to a finance charge of 1.5% per month

Total Due\$ 10,360.00

WE ACCEPT ALL MAJOR CREDIT CARDS !!

CARD TYPE: VISA MASTERCARD AMERICAN EXPRESS DISCOVER DINER'S CLUB OTHER _____

CARDHOLDER/NAME: _____ SIGNATURE: _____

CARD# _____ EXP. DATE: _____ CID # _____

EMAIL: _____

(Cont.)



P.O. Box 78 - 719 Route 6 - Mahopac, NY 10541
p: 845.628.3924 f: 845.628.4062
e: service@beeandjay.com

INVOICE

DATE	INVOICE #
3/6/2024	107378

www.BEEANDJAY.com

BILL TO:

Town Of Carmel, CWD-8
Engineering Dept.
60 Mc Alpin Avenue
Mahopac, NY 10541

SERVICE LOCATION:

Filter Plant
71 Heather Drive
Mahopac, NY

PROFESSIONAL SERVICE 60 YEARS 1964-2024

Master Plumbers Lic.#s W.C. 556 P.C. 30289

CUSTOMER #	TERMS	MECHANIC	SERVICE DATE	WORK ORDER #
845 628 2087	Due Upon Receipt	EK	2/23/2024	68989
ITEM	QTY/HRS	DESCRIPTION	RATE	AMOUNT
Description		2/23/24 - CWD #8 Filter Plant System failure and complete shut down due to burnt out main purac control panel CPU unit. Panel controls complete operation of filter plant, pumps, chem feed pumps, valves, main filter modulating valves, recirculating valves and air sat system down. Contacted Mike Ruppert of Jem Engineering to test CPU. Found burnout and beyond repair due to age. Rewired main control to operate plant on manual operation only. Start up of all pumps, valves and systems. Calibrated and manually modulated all valves, filters and components to produce filtered water and chemical processes for proper manual operation. Jem Engineering ordered replacement CPU main control unit. 2/24/24- Filter operation on manual. Modulated and calibrated all systems to maintain water service manually. Backwashed filters and tested. 2/25/24 - Filtered operation on manual. Modulated and calibrated all systems to maintain filtered water service. Tested. 2/26/24 - Filtered operation on manual. Modulated and calibrated all systems to maintain filtered water service. Manually backwashed filters and tested.		
Total Due				

EMAIL: _____

(Cont.)

EXHIBIT "B"

**Emergency Justification Form
Town of Carmel Procurement Policy****Procurement Policy, Section VI: Emergency Procurement**

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations

Department: Engineering

Vendor names: Bee and Jay

Nature of emergency: CWD8 Filter Plant System Failure

Estimated Cost: See attached

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

☒ The situation arose out of an accident or unforeseen occurrence or condition.

☐ Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.

☐ The situation required immediate action, which could not await competitive bidding.

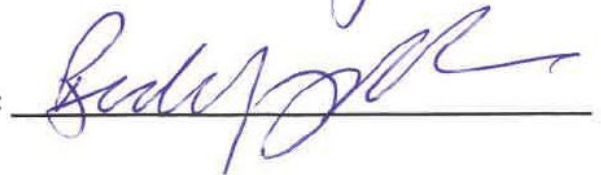
☒ The emergency purchases or services exceeded **\$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.

☐ Other (provide explanation):

Purchasing Agent's signature for approval:



Department Head's signature for approval:


**AMENDMENT AUTHORIZED TO THE BYLAWS OF THE MAHOPAC VOLUNTEER
FIRE DEPARTMENT REGARDING NON-RESIDENT MEMBER REQUIREMENTS**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes and consents to the amendment Section 3 of the bylaws of the Mahopac Volunteer Fire

(Cont.)

Department with respect to expansion of non-resident member requirements, said amendment in form as attached hereto and made a part hereof.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Kearns

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

Good Morning,

Recently members of our department have proposed a bylaw change in an effort to be able to accept more members into the department. We have proposed a bylaw change to allow non-residents of our fire protection district to join as active members. Our current bylaw reads as follows:

Article VI - Membership
Section 3 - Non-Resident Member
Current:
Any person not less than seventeen (17) years of age nor more than sixty-five (65) years of age whose place of employment is within the Mahopac Fire Protection District and who has been so employed for a minimum of twelve months preceding the date of application, may join the Department as a Non-resident Active Member. All rules and regulations of the Department must be adhered to in order to continue membership in the Department except for the residency requirement. 12/03/87

Our certificate of incorporation states that the corporation "proposes to set within the Town of Carmel, County of Putnam, and State of New York, therefore we feel removing the protection district residency requirement to allow for us to accept members within the Town of Carmel is a simple inhouse bylaw change.

However, we have also recently had people express interest in joining from outside the Town of Carmel, even potentially outside of Putnam County. Based on experience with previous Supervisors and Town Boards we feel prior to entertaining this and expanding the Active membership requirements beyond the Town of Carmel we need an interpretation of the meaning of the word vicinity as referenced in Not-for-profit corporation Law Section 1402 Fire Corporations.

The definition of vicinity is a surrounding, adjacent, or nearby area. We felt this required a mileage limitation placed on it that would allow for a reasonable response time. As you will see in the proposed bylaw below we interpret it as being defined as residence or the location of their usual occupation is within four and a half (4.5) road miles travel distance to the Mahopac Volunteer Fire Dept. Headquarters, 741 Route 6, Mahopac, N.Y., by using electronic mapping.

Not for profit corporation Law Section 1402 Fire Corporations states:
(c) Appointment of firefighters.
(3) In towns outside of villages and fire districts, the consent of a majority of the members of the town board to the formation of a fire corporation shall constitute an appointment of the persons named in the certificate of incorporation as town firefighters. Thereafter, other eligible persons may be elected as members pursuant to the by-laws of the fire corporation, but the election of a member must be approved by the town board of each town which consented to the formation of the fire corporation. Such a person shall be a resident of the territory specified in the certificate of incorporation or of territory outside such boundaries which is afforded fire protection by the fire corporation pursuant to a contract for fire protection under which a cash consideration is received by the corporation or for which negotiations for renewal of such a contract are pending. The membership of any volunteer member shall terminate when he or she ceases to be a resident of such inside or outside territory, except that the corporation may authorize his or her continued membership where he or she notifies the secretary of the fire corporation (a) that he or she plans to change his or her residence to a territory which is not in such inside or outside territory, and (b) that by reason of his or her residence in the vicinity or his or her usual occupation he or she will be available to render active service as a volunteer firefighter in either such inside or such outside territory. Voting for such authorization shall be pursuant to the by-laws. Such authorization shall not become effective unless approved by resolution of the town board of each town which consented to the formation of the corporation. Any membership so continued shall terminate when the member can no longer meet the requirements of this subparagraph. A person who cannot meet the residence requirements of this subparagraph may be elected to membership as a volunteer member if by reason of his or her residence in the vicinity or his or her usual occupation he or she will be available to render active service as a volunteer firefighter in such inside or outside territory

(Cont.)

The proposed change to the bylaws is as follows:

Section 3 - Non-resident Member Requirements

A. A person, not less than seventeen (17) years of age nor more than sixty five (65) years of age, may be admitted to active membership, in accordance with Article VI, Section 4 if their residence or their place of employment is in the vicinity, as per New York State Not for Profit Corporation Law 1402, provided the roster does not show a full membership and, the non-resident member roll does not exceed forty five percent (45%).

B. Vicinity is defined as their residence or location of their usual occupation is within four and a half (4.5) road miles travel distance to the Mahopac Volunteer Fire Dept. Headquarters, 741 Route 6, Mahopac, N.Y., by using electronic mapping, as determined by the committee in Article VI, Section 4. For place of employment, the committee shall procure a document from the applicant's employer that he/she will be available to render active service and respond during work hours to fire alarms and/or ambulance calls.

C. Such member shall be entitled to all active member privileges as long as long as they continue to reside or be employed at the location at the time of their application or if they relocate to a residence or place of employment that will meet Sub-section B, above.

D. A member, who was admitted to membership as a non-resident, under Article VI, Section 3, who fails to continue to meet the vicinity requirement of Sub-section B, is dropped from the rolls.

Although we have two other stations on the outlying borders of our protection district, we chose Headquarters because of the possibility to accept EMS only members who would need to respond to Headquarters.

Since the Town Board has to approve the roles of the Mahopac Volunteer Fire Department in order to extend the Worker's Compensation Benefits to our members, we feel it is important to seek your interpretation and approval for the above change so that in the event individuals names with addresses outside of the Town of Carmel come before you, you are aware that this is why.

Please let me know if you have any questions or require additional information.

Thanks
Ray

ACCEPTANCE OF PROPOSAL FOR LIABILITY INSURANCE AUTHORIZED – BROWN AND BROWN, MAHOPAC, NY FOR THE PERIOD APRIL 1, 2024 THROUGH MARCH 31, 2025

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of Brown & Brown, Mahopac, NY to provide liability insurance to the Town of Carmel for the period of April 1, 2024 through March 31, 2025, said proposal to be in form as is on file in the office of the Town Supervisor, and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to sign all necessary documentation required to accept such proposal.

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

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

COMMENCEMENT OF LITIGATION AUTHORIZED AGAINST THE OWNERS OF PROPERTIES LOCATED AT 77 HUGHSON ROAD AND 5 COUNTY LINE ROAD FOR UNAUTHORIZED USE OF RESOURCES AND FACILITIES OF CARMEL WATER DISTRICT # 2 AND #4

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes

(Cont.)

Joseph A. Charbonneau, Esq., 3 Starr Ridge Road, Brewster, NY, to commence litigation against the owners of the property located at 77 Hughson Road and relating to the unauthorized use of resources and facilities of Carmel Water District #2; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel hereby authorizes Joseph A. Charbonneau, Esq., 3 Starr Ridge Road, Brewster, NY, to commence litigation against the owners of the property located at 5 County Line Road relating to the unauthorized use of resources and facilities of Carmel Water District #4; and

BE IT FURTHER RESOLVED that such authorization shall be deemed to include but not be limited to commencement declaratory judgment actions in the Supreme Court; and

BE IT FURTHER RESOLVED, that such services are hereby authorized at a rate of \$225.00 per hour.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Kearns

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

RENEWAL OF CONTRACT AUTHORIZED - LEADS ONLINE ACCESS ADMINISTERED THROUGH THE COUNTY OF PUTNAM FOR THE PERIOD JANUARY 1, 2024 THROUG DECEMBER 31, 2026 AT AN ANNUAL REIMBURSEMENT COST OF \$8,353.43

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Anthony Hoffmann, hereby authorizes the renewal of the contract with Leads Online Access administered through the County of Putnam, for a term commencing January 1, 2024 through December 31, 2026 at an annual reimbursement cost of \$8,353.43; and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to execute said agreement on behalf of the Town of Carmel.

Resolution

Offered by: Councilman Kearns
Seconded by: Councilman Lombardi

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

BIDS AWARDED FOR MISCELLANEOUS HIGHWAY DEPARTMENT MATERIALS AND SERVICES

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for various highway materials and services for the Town Highway Department, and

(Cont.)

WHEREAS such bids were received and opened and Highway Superintendent Michael Stern has recommended the awarding of the bids (after equalizing all FOB bids based on distance to the Town Highway Department yard),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby awards the bids for the purchase of various highway materials and services to the lowest responsible bidders who met specifications as follows for calendar year 2024:

Granular Base Item 4 and Crushed Gravel to Putnam Materials and Thalle Industries per memorandum of Michael Stern to Town Board dated March 14, 2024 attached hereto and incorporated herein;

Bituminous Concrete/Hot Mix Asphalt and Curb in Place, reject all bids received and award bid to Clove Excavators per Putnam County bid RFB-38-23 per NY General Municipal Law §103(16);

Bituminous Concrete FOB Plant, reject all bids received and award bid to Peckham Materials Corp., Package Pavement Co., Inc. and Thalle Industries, per Putnam County bid RFB-17-23 per NY General Municipal Law §103(16);

Aluminum Culvert and Steel Culvert to Chemung Supply Corporation per memorandum to of Michael Stern Town Board dated March 14, 2024 attached hereto and incorporated herein;

Polyethelene Drainage Pipe to Carmel Winwater Works, Chemung Supply Corporation and Expanded Supply per memorandum of Michael Stern to Town Board dated March 14, 2024 attached hereto and incorporated herein;

Precast Concrete Catch Basins, reject all bids received and award bid to Carmel Winwater Works per Putnam County bid RFB-18-23 per NY General Municipal Law §103(16);

Tree Felling & Trimming to New England Property Management per memorandum of Michael Stern to Town Board dated March 14, 2024 attached hereto and incorporated herein.

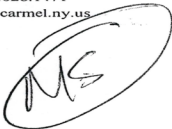
Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Kearns

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

(Cont.)

TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541
MICHAEL STERN
Superintendent of Highways
845.628.7474
FAX 845.628.1471
MStern@ci.carmel.ny.us



MEMORANDUM

TO: TOWN BOARD
FROM: MICHAEL STERN - HIGHWAY SUPERINTENDENT
RE: HIGHWAY SPRING MATERIAL BID AWARDS
DATE: March 14, 2024

As there continues to be many issues associated with supplies and deliveries, as well as scheduling and the quality of materials, I am recommending that some of the materials be awarded to more than one-vendor as follows:

GRANULAR BASE - ITEM 4	Putnam Materials	Thalle Industries, Inc
FOB	\$16.50	\$16.00
DELIVERED	\$24.00	\$24.50

Stone quality differs - each order will depend on specific need for job.

RUN OF BANK GRAVEL NO BIDS RECEIVED

ROAD OILS, CUTBACKS, ETC.	NO BIDS
MEDIUM CURING CUTBACKS	No Bid
RAPID CURING CUTBACKS	No Bid
PENETRATION ASPHALT	No Bid
CATIONIC	No Bid

CRUSHED GRAVEL	Putnam Materials	Thalle Industries
1 1/2" FOB plant	\$22.50	\$24.00 PER TON
1 1/2" DELIVERED	\$30.50	\$32.50 PER TON
3/4" FOB plant	\$22.50	\$23.00 PER TON
3/4" DELIVERED	\$30.50	\$31.50 PER TON
3/8" FOB plant	NO BID	\$26.00 PER TON
3/8" DELIVERED	NO BID	\$34.50 PER TON
1/4" FOB plant	NO BID	\$26.00 PER TON
1/4" DELIVERED	NO BID	\$34.50 PER TON

TOWN OF CARMEL HIGHWAY DEPARTMENT

BITUMINOUS CONCRETE - IN-PLACE	KECT CONST.	CLOVE EXCAVATORS	INTER-COUNTY
TYPE 3 BINDER COURSE - per Ton			
IN-PLACE	\$103.00	\$105.00	\$ 94.50
IN-PLACE with TACK COAT	\$110.00	\$108.00	\$ 97.50
IN-PLACE with KEYS	\$110.00	\$107.00	\$ 96.50
TYPE 6F3 TOP COURSE - per Ton			
IN-PLACE	\$ 97.00	\$ 99.50	\$ 96.00
IN-PLACE with TACK COAT	\$110.00	\$103.00	\$ 98.97
IN-PLACE with KEYS	\$110.00	\$102.00	\$ 97.97
TYPE 7F3 TOP COURSE - per Ton			
IN-PLACE	\$110.00	\$113.00	\$102.50
IN-PLACE with TACK COAT	\$120.00	\$116.00	\$105.50
IN-PLACE with KEYS	\$120.00	\$115.00	\$104.50
TYPE 9.5 MM SUPERPAVE TOP F3 - per Ton			
IN-PLACE	\$105.00	\$113.50	\$104.50
IN-PLACE with TACK COAT	\$110.00	\$116.50	\$107.50
IN-PLACE with KEYS	\$110.00	\$115.50	\$106.50
TYPE 12.5 MM SUPERPAVE TOP F3 - per Ton			
IN-PLACE	\$104.00	\$ 99.50	\$ 96.50
IN-PLACE with TACK COAT	\$110.00	\$103.00	\$ 99.50
IN-PLACE with KEYS	\$110.00	\$102.00	\$ 98.50
TYPE 19.0 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$104.00	\$106.00	\$ 94.50
IN-PLACE with TACK COAT	\$110.00	\$109.00	\$ 97.50
IN-PLACE with KEYS	\$110.00	\$108.00	\$ 96.50
TYPE 25.0 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$104.00	\$105.00	\$ 94.50
IN-PLACE with TACK COAT	\$109.00	\$109.00	\$ 97.50
IN-PLACE with KEYS	\$110.00	\$108.00	\$ 96.50
TYPE 37.5 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$104.00	\$105.00	\$ 94.50
IN-PLACE with TACK COAT	\$110.00	\$109.00	\$ 97.50
IN-PLACE with KEYS	\$110.00	\$108.00	\$ 96.50
TYPE 6.3 POLYMER MODIFIED TOP - per Ton			
IN-PLACE	\$125.00	\$140.00	\$113.50
IN-PLACE with TACK COAT	\$130.00	\$145.00	\$116.50
IN-PLACE with KEYS	\$130.00	\$143.00	\$115.50
TYPE 1 BASE WARM MIX - per Ton			
IN-PLACE	\$125.00	\$109.00	\$ 97.50
IN-PLACE with TACK COAT	\$130.00	\$113.50	\$100.50
IN-PLACE with KEYS	\$130.00	\$112.00	\$ 99.50
TYPE 3 BINDER WARM MIX - per Ton			
IN-PLACE	\$112.00	\$109.00	\$ 99.50
IN-PLACE with TACK COAT	\$116.00	\$113.50	\$102.50
IN-PLACE with KEYS	\$116.00	\$112.00	\$101.50
TYPE 6F3 TOP WARM MIX - per Ton			
IN-PLACE	\$110.00	\$107.00	\$101.50
IN-PLACE with TACK COAT	\$114.00	\$112.00	\$104.50
IN-PLACE with KEYS	\$114.00	\$111.00	\$103.50
BITUMINOUS CONCRETE - F.O.B.			
	Peckham Materials	Thalle Industries	
BINDER COURSE - TYPE 3	\$ 88.00	\$ 83.00 PER TON	
TOP COURSE - TYPES 6F	\$ 89.00	\$ 83.00 PER TON	
TOP COURSE - TYPES 7F	\$ 94.00	\$ 92.00 PER TON	
CURB MIX	\$115.00	XXXXXXXX PER TON	

ALL Asphalt Prices Bid @ NYS DOT Base Price \$602.00 (February 2024)

(Cont.)

TOWN OF CARMEL HIGHWAY DEPARTMENT

ALUMINUM CULVERT PIPE		CHEMUNG Supply Corporation	
DIAMETER X GAGE BY FOOT		PLAIN FOB/Delivered	PERFORATED FOB/Delivered
6" X 16		\$16.00	\$17.00
8" X 16		\$18.00	\$19.00
10" X 16		\$20.00	\$20.00
12" X 16		\$25.00	\$26.00
15" X 16		\$32.00	\$33.00
18" X 16		\$39.00	\$40.00
21" X 16		\$47.00	\$48.00
24" X 16		\$53.00	\$54.00
30" X 14		\$69.00	\$70.00
36" X 14		\$115.00	\$117.00

STEEL CULVERT PIPE		CHEMUNG Supply Corporation	
DIAMETER X GAGE BY FOOT		PLAIN Same FOB/Delivered	PERFORATED Same FOB/Delivered
6" X 18		\$16.00	\$17.00
8" X 16		\$18.00	\$19.00
10" X 16		\$20.00	\$21.00
12" X 16		\$20.00	\$21.00
15" X 16		\$24.00	\$25.00
18" X 16		\$30.00	\$31.00
21" X 16		\$35.00	\$36.00
24" X 16		\$50.00	\$52.00
30" X 14		\$68.00	\$70.00
36" X 14		\$80.00	\$83.00

TOWN OF CARMEL HIGHWAY DEPARTMENT

POLYETHYLENE DRAINAGE PIPE AWARD ALL		
Carmel WinWater Works ~ Chemung Supply Corp ~ Expanded Supply		
DIAMETER BY FOOT	CORRUGATED FOB/Delivered	SMOOTH FOB/Delivered
4"	\$ 0.95	\$ 2.45
6"	\$ 2.52	\$ 5.28
8"	\$ 4.43	\$ 8.43
10"	\$10.27	\$10.56
12"	\$11.40	\$11.03
15"	N/A	\$15.42
18"	N/A	\$20.98
24"	N/A	\$33.83
30"	N/A	\$50.96
36"	N/A	\$64.34
DIAMETER	ELBOW	TEE
4"	\$24.16	\$28.93
6"	\$39.83	\$50.70

(Cont.)

TOWN OF CARMEL HIGHWAY DEPARTMENT

PRECAST KNOCKOUT CATCH BASINS WITH CAST IRON FRAMES & GRATES					Carmel WW	Expanded Supply
					Concrete	Concrete
TYPE						
BASINS			24"H X 24" X 24"		\$250.00	\$235.00
			30"H X 24" X 24"		NO BID	NO BID
			36"H X 24" X 24"		\$312.50	\$260.00
Tops	Flat Type		24" X 24" X 4"		\$290.00*	\$270.00
	Curb Back		7" X 32" X 32"		NO BID	NO BID
BASIN			36"H X 30" X 30"		\$312.50	\$280.00
	Flat Type		4" X 30" X 30"		\$395.00*	\$425.00
	Curb Back		8" X 36" X 34"		\$595.00*	\$595.00
BASINS			30"H X 30" X 48"		\$340.00	\$331.00
			48"H X 30" X 48"		\$375.00	\$373.00
	Flat Type		4.5" X 30" X 48"		\$795.00*	\$660.00
Tops	Curb Back		12" X 30" X 48"		\$795.00*	\$660.00
BASINS			36"H X 36" X 48"		NO BID	NO BID
			48"H X 36" X 48"		NO BID	NO BID
	Flat Type		8" X 45" X 56"		NO BID	NO BID
Tops	Curb Back		12" X 45" X 56"		NO BID	NO BID
BASINS			36"H X 45" X 56"		NO BID	NO BID
			48"H X 45" X 56"		NO BID	NO BID
	Flat Type		8" X 45" X 56"		NO BID	\$840.00
Tops	Curb Back		12" X 45" X 56"		NO BID	\$850.00

* See Spec

Pickup/Delivered - SAME PRICE

TREE FELLING & TRIMMING		New England Property Maintenance	
DAILY	\$2,200.00		
HOURLY	\$ 275.00	- When truck & chipper is provided for final cleanup	

cc Town Attorney
Town Clerk
Town Comptroller

2024 Spring Bid Awards – Page 5 of 5



PURCHASING AND CENTRAL SERVICES

Telephone No.: (845) 808-1088 Fax No.: (845) 808-1914

Contract Award
Notification

Title: Precast Concrete Catch Basins (ARPA Compliant)

Contract Period: May 15, 2023 - May 14, 2024

Bid Opening Date: April 26, 2023

Bid No: RFB-18-23

Authorized User: Putnam County; Political Subdivisions

Description: Provide precast concrete catch basins

Vendor Information: Carmel Winwater Works
86 Fair Street
Carmel, NY 10512

PURCHASING AGENT: [Signature] DATE: 06/16/2023

DEPARTMENT HEAD: [Signature] DATE: 6/19/23

Budget Line: _____
(to be filled in by using Department)

COUNTY EXECUTIVE: [Signature] DATE: 6/19/23

(Cont.)

Precast Concrete Catch Basins (ARPA Compliant) RFB-18-23 Bid Result

			Carmel Winwater Works 86 Fair Street Carmel, NY 10512 mpcesare@winwaterworks.com
ITEM	DESCRIPTION	UNIT	UNIT PRICE
1	PRECAST CONCRETE TOPS WITH FRAME & GRATE FOR 44" x 33" CATCH BASINS		
1-1	Curb Type Precast Concrete Tob with Frame & Grate	EA	\$595.00
1-2	Flat Type Precast Concrete Top with Frame & Grate	EA	\$595.00
2	24" x 24" I.D. KNOCKOUT CATCH BASINS AND COMPONENTS		
2-1	24" x 24" I.D. x 30" height knockout catch basin	EA	\$235.29
2-2	12" riser	EA	\$105.88
2-3	24" riser	EA	\$111.76
3	30" x 30" I.D. KNOCKOUT CATCH BASINS AND COMPONENTS		
3-1	30" x 30" x 30" hieght knockout catch basin	EA	\$294.12
3-2	12" riser	EA	\$117.65
3-3	24" riser	EA	\$325.14
4	30" x 48" I.D. KNOCKOUT CATCH BASINS AND COMPONENTS		
4-1	30" x 48" I.D. x 36" height knockout catch basin	EA	\$323.53
4-2	30" x 48" I.D. x 48" height knockout catch basin	EA	\$352.94
4-3	12" riser	EA	\$129.41
4-4	24" riser	EA	\$141.18
			LOW BIDDER



PURCHASING AND CENTRAL SERVICES

Telephone No.: (845) 808-1088 Fax No.: (845) 808-1914

PURCHASING AND CENTRAL SERVICES

Telephone No.: (845) 808-1088 Fax No.: (845) 808-1914

Contract Award
Notification

Title: Bituminous Concrete FOB Plant (ARPA Compliant)

Contract Period: May 1, 2023 - April 30, 2024

Bid Opening Date: April 26, 2023

Bid No: RFB-17-23

Authorized User: Putnam County; Political Subdivisions

Description: Bituminous Concrete FOB Plant

Vendor Information: Peckham Materials Corp Package Pavement Co, Inc.
172 Prospect Hill Road 3530 Route 52/PO Box 408
Brewster, NY 10509 Stormville, NY 12582
Awarded 5/9/2023

Thalle Industries, Inc.
172 Prospect Hill Road
Brewster, NY 10509
*AWARD PENDING
SAM.GOV REGISTRATION

(Cont.)

PURCHASING AGENT: John Tully DATE: 06/02/2023

DEPARTMENT HEAD: _____ DATE: _____

Budget Line: _____
(to be filled in by using Department)

COUNTY EXECUTIVE: _____ DATE: _____

RFB-17-23		Bituminous Concrete FOB Plant (ARPA Compliant) RE-BID						Bid Results		
		LOW BIDDER FOR ITEMS AS NOTED			LOW BIDDER FOR ITEMS AS NOTED			LOW BIDDER FOR ITEMS AS NOTED		
		Peckham Materials Corp 172 Prospect Hill Rd Brewster, NY 10509			Thalle Industries, Inc 51 Route 100 Briarcliff Manor, NY 10510			Package Pavement Co. 3530 Route 52 Stormville, NY 12582		
ITEM NO	DESCRIPTION	FOB Plant Unit Price Per Ton	Zone 1 Price - 11.3 Miles O/W	Zone 2 Price - 7.3 Miles O/W	FOB Plant Unit Price Per Ton	Zone 1 Price - 17.8 Miles O/W	Zone 2 Price - 22.7 Miles O/W	FOB Plant Unit Price Per Ton	Zone 1 Price - 14.2 Miles O/W	Zone 2 Price - 11.9 Miles O/W
1	HOT MIX ASPHALT TYPE 1 BASE COURSE	\$86.00	\$96.74	\$92.94	\$83.00	\$99.91	\$104.57	NB	NB	NB
2	HOT MIX ASPHALT TYPE 1 BASE COURSE - W/GLASS	\$88.00	\$98.74	\$94.94	NB	NB	NB	NB	NB	NB
3	HOT MIX ASPHALT TYPE 3 BINDER COURSE	\$86.00	\$96.74	\$92.94	\$83.00	\$99.91	\$104.57	NB	NB	NB
4	HOT MIX ASPHALT TYPE 3 BINDER COURSE - W/GLASS	\$88.00	\$98.74	\$94.94	NB	NB	NB	NB	NB	NB
5	HOT MIX ASPHALT TYPE 6F2 TOP COURSE	\$86.00	\$96.74	\$92.94	\$85.00	\$101.91	\$106.57	NB	NB	NB
6	HOT MIX ASPHALT TYPE 6F2 TOP COURSE - W/GLASS	\$88.00	\$98.74	\$94.94	NB	NB	NB	NB	NB	NB
7	HOT MIX ASPHALT TYPE 6F3 TOP COURSE	\$86.00	\$96.74	\$92.94	\$85.00	\$101.91	\$106.57	NB	NB	NB
8	HOT MIX ASPHALT TYPE 6F3 TOP COURSE - W/GLASS	\$88.00	\$98.74	\$94.94	NB	NB	NB	NB	NB	NB
9	HOT MIX ASPHALT TYPE 6 TOP COURSE	\$86.00	\$96.74	\$92.94	\$85.00	\$101.91	\$106.57	NB	NB	NB
10	HOT MIX ASPHALT TYPE 6 TOP COURSE - W/GLASS	\$88.00	\$98.74	\$94.94	NB	NB	NB	NB	NB	NB
11	HOT MIX ASPHALT TYPE 7F3 TOP COURSE	\$94.00	\$104.74	\$100.94	\$89.00	\$105.91	\$110.57	NB	NB	NB
12	HOT MIX ASPHALT 6.3 POLYMER MODIFIED TOP	\$110.00	\$120.74	\$116.94	\$97.00	\$113.91	\$118.57	NB	NB	NB
13	HOT MIX ASPHALT 6.3 POLYMER MODIFIED WARM MIX	\$114.00	\$124.74	\$120.94	\$101.00	\$117.91	\$122.57	NB	NB	NB
14	HOT MIX ASPHALT TRUE & LEVELING COURSE	\$88.00	\$98.74	\$94.94	\$89.00	\$105.91	\$110.57	NB	NB	NB
15	HOT MIX ASPHALT FOR CURB	\$115.00	\$125.74	\$121.94	NB	NB	NB	NB	NB	NB
16	ALL WEATHER BLACKTOP PATCH - 60 LB BAG	NB	NB	NB	NB	NB	NB	\$7.80	\$21.29	\$19.11
17	HIGH PERFORMANCE BLACKTOP REPAIR - BULK	NB	NB	NB	NB	NB	NB	\$142.00	\$155.49	\$153.31
18	HIGH PERFORMANCE BLACKTOP REPAIR - 60 LB BAG	NB	NB	NB	NB	NB	NB	\$9.40	\$22.89	\$20.71
NB = NO BID		AWARDED 05/09/23			AWARD PENDING SAM.GOV REGISTRATION			AWARDED 06/02/2023		



PURCHASING DEPARTMENT

CONTRACT AWARD NOTIFICATION

Bid # and Title: RFB-38-23 – FURNISH & PLACE HOT MIX ASPHALT & CURB (ARPA COMPLIANT)

Contract Period: 1.1.24 – 12.31.24 (with a one year renewal option)

Bid Opening Date: December 6, 2023

Authorized User: Putnam County

Description: Furnishing & Placing of Hot Mix Asphalt & Curb

Vendor Information: Clove Excavators, Inc.
212 Van Wagner Rd.
Poughkeepsie, NY 12603

PURCHASING AGENT: John Tully DATE: 12/14/23

DEPARTMENT HEAD: Thomas Prigby DATE: 12/31/23

COUNTY EXECUTIVE: [Signature] DATE: 12/18/23

3 APRIL 2024
TOWN BOARD MEETING

(Cont.)

ROY MIX ASPHALT			PALMIRI CONST. CORP.		WOODLEY MELL & SONS		CLOWN RECREATION, INC.		R.D. INDUSTRIES, INC.		MORGAN BROTHERS CORP.		MONTGOMERY BRICK, INC.	
ITEM NO.	APPROX. QUANTITY	DESCRIPTION	881 Palm Road, Office Bldg. 208 280 Route 100 Savannah, New York 12586		120 Highway Road Malabar, NY 12581		312 Van Hook Rd. Poughkeepsie, NY 12603		887 Hill Avenue New Rochelle, NY 10801		2080 Albany Road Chatham, NY 12022		78 Plaza Avenue New Rochelle, NY 10801	
			LAST PRICE	BOTTOMED PRICE	LAST PRICE	BOTTOMED PRICE	LAST PRICE	BOTTOMED PRICE	LAST PRICE	BOTTOMED PRICE	LAST PRICE	BOTTOMED PRICE	LAST PRICE	BOTTOMED PRICE
1	1	Hot Mix Asphalt, Type 1 Base	\$175.00 /Ton	\$175.00			\$174.00 /Ton	\$174.00	\$168.00 /Ton	\$168.00	\$168.00 /Ton	\$168.00	\$177.00 /Ton	\$177.00
1A	Change	1 Cold Mix Asphalt, Type 1 Base w/Flakes	\$175.00 /Ton	\$175.00			\$174.00 /Ton	\$174.00	\$168.00 /Ton	\$168.00	\$168.00 /Ton	\$168.00	\$177.00 /Ton	\$177.00
2	4,100	Hot Mix Asphalt, Type 3 Binder Course	\$180.00 /Ton	\$480,000.00			\$172.00 /Ton	\$456,000.00	\$178.75 /Ton	\$446,775.00	\$168.00 /Ton	\$553,000.00	\$174.00 /Ton	\$487,400.00
2A	Change	4,100 Cold Mix Asphalt, Type 3 Binder w/Flakes	\$175.00 /Ton	\$717,500.00			\$163.00 /Ton	\$667,800.00	\$178.75 /Ton	\$446,775.00	\$168.00 /Ton	\$553,000.00	\$174.00 /Ton	\$487,400.00
3	1	Hot Mix Asphalt, Type 3 Binder Course	\$280.00 /Ton	\$280.00			\$160.00 /Ton	\$160.00	\$168.00 /Ton	\$168.00	\$200.00 /Ton	\$200.00	\$175.00 /Ton	\$175.00
4	3,100	Hot Mix Asphalt, Type RP2 Top Course	\$120.00 /Ton	\$369,000.00			\$110.00 /Ton	\$344,800.00	\$121.00 /Ton	\$356,880.00	\$108.00 /Ton	\$336,800.00	\$114.00 /Ton	\$354,800.00
4A	Change	3,100 Cold Mix Asphalt, Type RP2 Top Course w/Flakes	\$120.00 /Ton	\$369,000.00			\$114.00 /Ton	\$354,400.00	\$121.00 /Ton	\$356,880.00	\$108.00 /Ton	\$336,800.00	\$114.00 /Ton	\$354,800.00
5	1	Hot Mix Asphalt, Type RP3 Top Course	\$128.00 /Ton	\$128.00			\$128.00 /Ton	\$128.00	\$128.00 /Ton	\$128.00	\$138.00 /Ton	\$138.00	\$122.00 /Ton	\$122.00
5A	Change	1 Cold Mix Asphalt, Type RP3 Top Course w/Flakes	\$128.00 /Ton	\$128.00			\$128.00 /Ton	\$128.00	\$128.00 /Ton	\$128.00	\$138.00 /Ton	\$138.00	\$122.00 /Ton	\$122.00
6	15,000	Hot Mix Asphalt, Type 6 Top Course	\$120.00 /Ton	\$1,800,000.00			\$114.00 /Ton	\$1,710,000.00	\$121.75 /Ton	\$1,826,250.00	\$107.00 /Ton	\$1,605,000.00	\$117.00 /Ton	\$1,756,000.00
6A	Change	15,000 Cold Mix Asphalt, Type 6 Top Course w/Flakes	\$120.00 /Ton	\$1,800,000.00			\$112.00 /Ton	\$1,680,000.00	\$121.75 /Ton	\$1,826,250.00	\$107.00 /Ton	\$1,605,000.00	\$117.00 /Ton	\$1,756,000.00
7	1	Hot Mix Asphalt, Type RP3 Top Course	\$138.00 /Ton	\$138.00			\$138.00 /Ton	\$138.00	\$138.00 /Ton	\$138.00	\$138.00 /Ton	\$138.00	\$138.00 /Ton	\$138.00
8	1	Hot Mix Asphalt, 2.0 Superpave Mix	\$180.00 /Ton	\$180.00			\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00
8A	Change	1 Cold Mix Asphalt, 2.0 Superpave Mix w/Flakes	\$180.00 /Ton	\$180.00			\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00
9	5,000	Hot Mix Asphalt, 2.0 Superpave Mix	\$180.00 /Ton	\$900,000.00			\$174.00 /Ton	\$870,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
9A	Change	5,000 Cold Mix Asphalt, 2.0 Superpave Mix w/Flakes	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
10	5,000	Hot Mix Asphalt, 2.0 Superpave Mix	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
10A	Change	5,000 Cold Mix Asphalt, 2.0 Superpave Mix w/Flakes	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
11	1	Hot Mix Asphalt, 20.0 Superpave Mix	\$140.00 /Ton	\$140.00			\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00
11A	Change	1 Cold Mix Asphalt, 20.0 Superpave Mix w/Flakes	\$140.00 /Ton	\$140.00			\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00	\$140.00 /Ton	\$140.00
12	1	Hot Mix Asphalt, 20.0 Superpave Base	\$110.00 /Ton	\$110.00			\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00
12A	Change	1 Cold Mix Asphalt, 20.0 Superpave Base w/Flakes	\$110.00 /Ton	\$110.00			\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00	\$110.00 /Ton	\$110.00
13	5,000	Hot Mix Asphalt, 2.0 Poly. Modified Warm Mix	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
13A	Change	5,000 Cold Mix Asphalt, 2.0 Poly. Modified Warm Mix w/Flakes	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
14	1	Hot Mix Asphalt, 2.0 Poly. Modified Warm Mix	\$180.00 /Ton	\$180.00			\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00
14A	Change	1 Cold Mix Asphalt, 2.0 Poly. Modified Warm Mix w/Flakes	\$180.00 /Ton	\$180.00			\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00	\$180.00 /Ton	\$180.00
15	1	Hot Mix Asphalt, Type 3 Binder Course	\$170.00 /Ton	\$170.00			\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00
15A	Change	1 Cold Mix Asphalt, Type 3 Binder Course w/Flakes	\$170.00 /Ton	\$170.00			\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00
16	1	Hot Mix Asphalt, Type 3 Binder Mix Binder	\$170.00 /Ton	\$170.00			\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00
16A	Change	1 Cold Mix Asphalt, Type 3 Binder Mix Binder w/Flakes	\$170.00 /Ton	\$170.00			\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00	\$170.00 /Ton	\$170.00
17	5,000	Hot Mix Asphalt, 2.0 Superpave Mix Top	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
17A	Change	5,000 Cold Mix Asphalt, 2.0 Superpave Mix Top w/Flakes	\$180.00 /Ton	\$900,000.00			\$178.00 /Ton	\$890,000.00	\$181.75 /Ton	\$908,750.00	\$167.00 /Ton	\$835,000.00	\$174.00 /Ton	\$870,000.00
18	1	Hot Mix Asphalt Curb	\$400.00 /Ton	\$400.00			\$400.00 /Ton	\$400.00	\$400.00 /Ton	\$400.00	\$400.00 /Ton	\$400.00	\$400.00 /Ton	\$400.00
TOTAL EXTENDED PRICE:			\$10,016,730.00				\$9,967,560.00		\$9,673,172.00		\$10,014,544.00		\$9,224,704.00	
GRAND TOTAL:			\$10,086,010.00				\$9,013,786.00		\$9,073,172.00		\$10,014,544.00		\$9,270,302.00	
OPTIONAL ITEMS							LOW BIDDER							
19	1	Tail Coat	\$14,000/ton		DISQUALIFIED - INCOMPLETE PROPOSAL, BIDDERS LOST		\$15,000/ton		\$15,000/ton		\$15,000/ton		\$15,000/ton	
20	1	Asphalt Pavement Joint Sealer	\$1,500/ton				\$2,000/ton		\$2,000/ton		\$2,000/ton		\$2,000/ton	

COMMENTS/ANNOUNCEMENTS

Supervisor Cazzari said that no disrespect was meant to the residents of Somers or Carmel in reference to this item before the Planning Board. He stated that this item could not be discussed in order to protect the residents and the Town Board members from litigation.

Councilwoman McDonough announced that tomorrow night the Recreation Advisory Committee will be having their meeting at 7:30p.m. and everyone is invited.

Councilwoman McDonough stated that she felt that the public should have been allowed to speak tonight about this project without the Town Board members talking about it, discussing it or answering.

Councilman Kearns announced that he will be hosting his monthly Town Hall in the Hamlet of Carmel on Saturday, April 6th from 9:00a.m. to 11:00a.m. at the Spain Memorial Cornerstone Park, One Fair Street. All are welcome and light refreshments will be served.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Kearns, with all Town Board members present and in agreement, the meeting was adjourned at 7:48 p.m. to Executive Session for discussions on Computer Security Technology, Police and Personnel.

Respectfully submitted,

Alice Daly, Town Clerk