

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 Kenneth Schmitt on the 4th day of December 2019 at 7:04 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Lupinacci, Councilwoman McDonough and Supervisor Schmitt. Councilman Schneider 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.

Supervisor Schmitt announced that the Town Board met at 6:00 p.m. in Executive Session to interview two candidates in connection with the soon to be vacated Town Justice position. He stated that an additional three candidates will be interviewed at the conclusion of the Regular Meeting.

MINUTES OF TOWN BOARD MEETINGS HELD ON 10/16/19, 11/6/19 AND 11/13/19
- ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present voting “aye”, the minutes of the Town Board meetings held on October 16th, November 6th and November 13th 2019 were accepted as submitted by the Town Clerk.

PUBLIC HEARING HELD TO HEAR OBJECTIONS TO ASSESSMENT ROLLS FOR THE OPERATION AND MAINTENANCE OF THE IMPROVEMENTS OF THE GARBAGE, SEWER AND WATER DISTRICTS FOR FISCAL YEAR 2020

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town’s official newspapers:

<div>LEGAL NOTICE</div> <div>NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel, pursuant to Town Law Section 202-a will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York on Wednesday, December 4, 2019 at 7:00 PM or as soon thereafter that evening as possible for the following purpose: To consider the 2020 Tentative Assessment Rolls of Carmel Sewer Districts #1, #2, #3, #4, #5, #6, #7, #8 and extensions thereto as well as Carmel Water Districts #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #12, #13, #14 and extensions thereto as well as the Town of Carmel Garbage District</div>	<div>BE IT FURTHER NOTICED, that the 2020 Tentative Assessment Rolls may be inspected at the Town Hall, 60 McAlpin Avenue, Mahopac, New York during normal business hours. 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 Ann Spofford, Town Clerk</div>
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With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:08 p.m. Six (6) people were in attendance.

With no one wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:08 p.m.

EMPLOYEE HANDBOOK AMENDED - “VACATION LEAVE”

RESOLVED that the Town Board of the Town of Carmel hereby amends Section 802 of the Town of Carmel Employee Handbook, entitled “Vacation Leave”, said amendments being in form as attached hereto and made a part hereof.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u></u>	
Jonathan Schneider	<u></u>	<u></u>	Absent
John Lupinacci	<u>X</u>	<u></u>	
Suzanne McDonough	<u>X</u>	<u></u>	
Kenneth Schmitt	<u>X</u>	<u></u>	

802 *Vacation Leave*

Eligibility – A full-time employee is eligible for paid vacation leave in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid vacation leave but may be allowed to take time-off without pay provided the employee has prior approval from the Department Head.

Allowance – A full-time employee will be credited with paid vacation leave in accordance with the vacation schedule below. Vacation Leave is based on the average number of hours an employee is normally scheduled to work each week. An employee may take vacation leave only after it has been credited. Vacation leave will be credited on the employee’s anniversary date of hire.

- A full time employee who completes one year of continuous service will receive two weeks of paid vacation leave
- A full time employee who completes three years of continuous service will receive three weeks of paid vacation leave
- A full time employee who completes five years of continuous service will receive four weeks of paid vacation leave
- A full time employee who completes ten years of continuous service will receive five weeks of paid vacation leave

Continuous Service – Continuous Service shall mean uninterrupted service. An authorized leave of absence without pay, or a resignation followed by reinstatement within one year following such resignation, shall not constitute an interruption of continuous service. Vacation is earned only for monthly pay periods during which an employee is in full pay status for at least fifteen working days during such monthly pay period.

Scheduling – In order to plan for staffing needs, vacation requests must be submitted by the end of April each year. Town Hall employees should submit vacation requests to the Town Supervisor; all others should submit vacation requests to the applicable Department Head. The Town Supervisor or Department Head will have total discretion in the approval of vacation leave. Vacation leave credits may not be used in increments of less than one-half day.

Accumulation – With approval by the Town Supervisor or Town Board, an employee may accumulate a maximum of five days of vacation leave credits for carry over to the following year.

Cash Outs for Exempt Employees – An exempt employee may cash out up to one (1) week of accrued, unused vacation time prior to their anniversary date of hire. In order to receive this payment, the exempt employee must notify the Town Supervisor or Town Board in writing of their desire to cash out this time at least two (2) weeks prior to the anniversary of their date of hire.

Holiday During Scheduled Vacation – In the event a designated holiday occurs on an employee’s normal workday and the employee is on paid vacation, the employee will receive

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Supervisor Schmitt explained that the Town of Carmel Employee Handbook is being amended to allow for exempt employees to buy back up to one week of unused vacation prior to their anniversary date.

4 DECEMBER 2019
TOWN BOARD MEETING

SUBMISSION OF STATEMENT OF DELINQUENT TOWN OF CARMEL WATER DISTRICT AND SEWER DISTRICT CHARGES FOR RE-LEVYING ON THE 2020 COUNTY AND TOWN TAX BILL - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, pursuant to Section 198 of the Town Law of the State of New York, hereby authorizes submission of the attached statements of delinquent water and sewer charges for the Town’s Water and Sewer Districts, as well as pursuant to Chapter 114 of the Town Code, as prepared by the Town Comptroller’s Office and attached hereto and made a part hereof, to the Putnam County Legislature for the re levying of such charges on the 2020 County and Town Tax Bill.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u> </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

TOWN OF CARMEL DELINQUENT SEWER/WATER RELEVY AS OF 12/04/19

FUND	RPS CODE	DISTRICT	PURPOSE CODE	AMOUNT	
UNPAID WATER CHARGES:					
601	WD033	CWD #1	DEL. WATER	1,945.13	
601	WD033	CWD #1	PENALTY	737.84	
				2,682.97	
602	WD001	CWD #2	DEL. WATER	58,918.99	
602	WD001	CWD #2	PENALTY	18,432.10	
				77,351.09	
603	WD002	CWD #3	DEL. WATER	18,906.72	
603	WD002	CWD #3	PENALTY	6,235.98	
				25,142.70	
604	WD003	CWD #4	DEL. WATER	9,194.60	
604	WD003	CWD #4	PENALTY	3,098.18	
				12,292.78	
605	WD012	CWD #5	DEL. WATER	1,051.41	
605	WD012	CWD #5	PENALTY	208.52	
				1,259.93	
606	WD013	CWD #6	DEL. WATER	2,700.10	
606	WD013	CWD #6	PENALTY	865.70	
				3,565.80	
607	WD023	CWD #7	DEL. WATER	3,106.39	
607	WD023	CWD #7	PENALTY	647.71	
				3,754.10	
608	WD020	CWD #8	DEL. WATER	16,258.31	
608	WD020	CWD #8	PENALTY	5,078.72	
				21,337.03	
609	WD022	CWD #9	DEL. WATER	7,283.17	
609	WD022	CWD #9	PENALTY	2,354.66	
				9,637.83	
610	WD025	CWD #10	DEL. WATER	5,089.73	
610	WD025	CWD #10	PENALTY	1,719.89	
				6,809.62	
612	WD024	CWD #12	DEL. WATER	11,432.46	
612	WD024	CWD #12	PENALTY	2,725.96	
				14,158.42	

613	WD029	CWD #13	DEL. WATER	2,041.37	
613	WD029	CWD #13	PENALTY	572.79	
				2,614.16	
614	WD030	CWD #14	DEL. WATER	8,182.22	
614	WD030	CWD #14	PENALTY	2,403.07	
				10,585.29	
622	WD028	CWD #2 EXT	DEL. WATER	0.00	
622	WD028	CWD #2 EXT	PENALTY	0.00	
				0.00	
			Total Delinquent Water	191,191.72	

UNPAID OUT OF DISTRICT CHARGES:					
	WD002	74.11-1-20	OOD Water	732.70	
	WD003	86.14-1-2	OOD Water	763.47	
	WD003	86.14-1-3	OOD Water	766.86	
	WD020	76.18-2-22	OOD Water	971.75	
	SW002	55.16-1-4	OOD Sewer Use	366.09	
	SW003	76.30-1-37	OOD Sewer Use	102.00	
	SW003	76.30-1-38	OOD Sewer Use	102.00	
	SW007	74.11-1-20	OOD Sewer Use	2,236.60	
	SW004	74.11-1-20	OOD Sewer Cap	335.32	
	SW015	55.16-1-4	OOD Sewer Cap	55.35	
	SW017	76.30-1-37	OOD Sewer Cap	114.00	
	SW017	76.30-1-38	OOD Sewer Cap	342.00	
		Total Delinquent OOD		6,888.14	
TOWN FOR PROPERTY MAINTENANCE CLEANUP					
	TOWN	76.9-3-38	Property Maint Cleanup	1,306.70	
	TOWN	55.19-1-19.1	Property Maint Cleanup	400.00	
	TOWN	65.14-1-24	Property Maint Cleanup	385.00	
	TOWN	74.34-1-39	Property Maint Cleanup	585.00	
	TOWN	65.14-1-24	Property Maint Cleanup	995.00	
	TOWN	74.42-1-69	Property Maint Cleanup	975.00	
				4,646.70	
		Total Delinquent Relevy		202,726.56	

ASSESSMENT ROLLS ADOPTED FOR THE OPERATION AND MAINTENANCE OF THE IMPROVEMENTS OF THE GARBAGE, SEWER AND WATER DISTRICTS FOR FISCAL YEAR 2020

RESOLVED that the Town Board of the Town of Carmel hereby adopts the assessment rolls for the operation and maintenance of the improvements serving Carmel Sewer Districts #1, #2, #3, #4, #5, #6, #7 and #8 and extensions thereto as well as Carmel Water Districts #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #12, #13, #14 and extensions thereto as well as the Town of Carmel Garbage District of said Town for fiscal year 2020 as originally prepared by Town Assessor Glenn Droese and filed with the Town Clerk as the final assessment rolls for the year 2020.

(Cont.)

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u> </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

DEDICATION OF SPLIT ROCK ROAD AS TOWN HIGHWAY - AUTHORIZED

WHEREAS an application to dedicate the remaining portion of Split Rock Road to the Town of Carmel together with a Dedication and Release has been filed by Lori Infantino; and

WHEREAS the Town Highway Superintendent and the Town Engineer have recommended that the road be accepted for dedication,

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, that the Town Board of the Town of Carmel hereby consents to the dedication of Split Rock Road and hereby authorizes the Town Highway Superintendent to sign an Order Laying Out said Split Rock Road as a Town Highway upon being advised by Town Counsel that all necessary documents required in connection with said dedication have been received; and

BE IT FURTHER RESOLVED that, upon the recommendation of the Highway Superintendent and the Town Engineering Consultant, the posting of a maintenance bond for said road is hereby waived since the top course of pavement has been in place for over one year.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u>X</u>	<u> </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CERTAIN VEHICLES DECLARED OBSOLETE AND DISPOSAL AUTHORIZED

RESOLVED that, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, the Town Board of the Town of Carmel hereby declares the two vehicles listed and enumerated in the memorandum dated November 20, 2019, which is incorporated herein and made a part hereof, to be obsolete and authorizes their disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough and Councilman Barile

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(Cont.)

Roll Call Vote	YES	NO	
Michael Barile	X		
Jonathan Schneider			Absent
John Lupinacci	X		
Suzanne McDonough	X		
Kenneth Schmitt	X		

TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541
MICHAEL SIMONE
Superintendent of Highways
845.628.7474
FAX 845.628.1471
MSimone@bestweb.net

FROM THE DESK OF: *Michael Simone* *yes*

TO: SUPERVISOR KENNETH SCHMITT
TOWN BOARD
DATE: NOVEMBER 20, 2019
RE: REQUEST TO DISPOSE OF EQUIPMENT

I am requesting the authorization to dispose of the following:

2002 Mack VIN 34119 – Truck #43
2007 FORD VIN100656 – PD #313

These vehicles will no longer pass inspection and have no further value.

**HIGHWAY DEPARTMENT - PAYMENT FOR EQUIPMENT REPAIR AUTHORIZED -
PINE PLAINS TRACTOR AND EQUIPMENT, INC. - \$7,455.98**

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby authorizes the payment to Pine Plains Tractor & Equipment, Inc., Pine Plains, NY in the amount of \$7,455.98 for flail mower repairs, in accordance with the invoice dated October 16, 2019; 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 repairs authorized herein.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

Roll Call Vote	YES	NO	
Michael Barile	X		
Jonathan Schneider			Absent
John Lupinacci	X		
Suzanne McDonough	X		
Kenneth Schmitt	X		

4 DECEMBER 2019
TOWN BOARD MEETING

AIRPORT PARK - PROPOSAL ACCEPTED FOR WELL TESTING PROFESSIONAL SERVICES - HYDROENVIRONMENTAL SOLUTIONS, INC. - NOT TO EXCEED \$11,670

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, as well as upon the recommendation of Insite Engineering, Surveying and Landscape Architecture, P.C., Carmel, NY, hereby authorizes the acceptance of the proposal of HydroEnvironmental Solutions, Inc., Somers, NY, for the performance of a forty-eight hour pumping test on well No. 7 at Putnam National Golf Course for the potential use in the field irrigation system at Airport Park; and

BE IT FURTHER RESOLVED that such services are hereby authorized at a cost not to exceed \$11,670 and in accordance with the proposal dated November 12, 2019; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is authorized to sign all necessary documents required to effect the purchase on the terms authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any necessary budget modifications required to fund the services authorized hereunder.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Michael Barile	<u> </u>	<u> X </u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u> X </u>	<u> </u>	
Suzanne McDonough	<u> X </u>	<u> </u>	
Kenneth Schmitt	<u> X </u>	<u> </u>	

Councilman Barile indicated that he believed that the \$11,000.00 would be better spent on monitoring Lake MacGregor for use as a water source. He suggested if after monitoring the lake over a two year period there is substantial drawdown, then a well should be considered. Councilman Barile concluded that a well hookup will be very costly for taxpayers.

PUBLIC COMMENTS - AGENDA ITEMS

Jean Hopper, Mahopac resident, addressed the well testing at the Airport Park. She asked about the water source for the field's irrigation identified in the project's original plan.

Councilman Lupinacci stated that the water source was never fully determined. He detailed the evolution of the project and explained that either one or a combination of options being considered included utilizing an existing well on Putnam County's golf course, digging a new well(s) at the Airport Park and Lake MacGregor. Discussion followed.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

No member of the Town Board wished to comment at this time.

PUBLIC COMMENTS - OPEN FORUM

No member of the public wished to comment at this time.

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TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Supervisor Schmitt reported on the status of a request for a stop sign at the Random Ridge Subdivision. He stated that he was advised by the project's manager that the stop sign has been ordered and that it will be installed as soon as possible.

Mahopac resident Carl Eberle expressed his appreciation.

Supervisor Schmitt announced that the Town Board will be holding an informational/scoping meeting on December 5, 2019 at 6:30 p.m. at the Town Hall to discuss the future of downtown Mahopac, the proposed parking facility and the proposed Swan Cove lakeside passive park. Sidewalks, lighting and traffic calming features will also be discussed. The meeting is open to the public and all are encouraged to attend.

Councilman Barile added that for those who cannot attend, emails, texts, phone calls and letters directed to the Town Board are welcome. Discussion regarding the meeting ensued.

Councilman Lupinacci announced the upcoming schedule of activities for the Hamlet of Carmel Civic Association's 25th annual Holiday on the Lake parade and tree lighting event taking place on December 7, 2019 from 8:00 a.m. to 8:00 p.m. on Route 52 in Carmel.

Supervisor Schmitt commended Highway Superintendent Michael Simone and his staff for their outstanding efforts throughout the recent multi-day weather event.

Supervisor Schmitt announced that the longstanding sewer lateral issue at the American Legion Hall Post 1080 has been resolved. He acknowledged the Highway Department as well as the private parties involved for their collaboration.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all Town Board members present in agreement, the meeting was adjourned at 7:34 p.m. to Executive Session to continue the interviews in connection with the soon to be vacated Town Justice position.

Respectfully submitted,

Ann Spofford, Town Clerk