

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 18th day of March 2020 at 7:13 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schanil, Councilman Barile and Councilman Lombardi and Supervisor Schmitt. Councilwoman McDonough 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, as well as law enforcement, first responders, doctors, and nurses on the forefront of the current Novel Coronavirus (COVID-19) crisis.

Supervisor Schmitt explained that in an effort to control the spread of the COVID-19, this meeting is being closed to the public. It will be made available on cable channels 24 and 95, and live streamed on YouTube. Residents and business owners will still have the opportunity to ask questions on agenda items after the meetings via email.

MINUTES OF TOWN BOARD MEETING HELD ON 3/4/2020 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Schanil and Councilman Barile, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on March 4, 2020 were accepted as submitted by the Town Clerk.

POLICE DEPARTMENT - PROBATIONARY APPOINTMENT OF POLICE OFFICER MADE - JAMES ZACCONE

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Town of Carmel Police Department, hereby appoints James Zaccone to the position of Police Officer in the Town of Carmel Police Department, effective March 25, 2020, at an annual salary of \$62,586.00, on a probationary basis, subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution

Offered by: Councilman Schanil
Seconded by: Supervisor Schmitt

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt welcomed former City of Newburgh Police Officer Zaccone to the Town of Carmel and spoke regarding his extensive law enforcement background. Supervisor Schmitt stated that Officer Zaccone will be administered his oath of office at a future time.

RE-APPOINTMENT MADE TO ENVIRONMENTAL CONSERVATION BOARD - ROBERT LAGA - 6/14/20 THROUGH 6/13/23

RESOLVED, that the Town Board of the Town of Carmel hereby re-appoints Robert Laga to the Town of Carmel Environmental Conservation Board commencing June 14, 2020 and concluding June 13, 2023.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Lombardi

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt acknowledged Robert Laga, the chairman of Environmental Conservation Board, for his continued outstanding service to the Town.

SETTLEMENT OF LITIGATION AUTHORIZED - “CENTENNIAL GOLF CLUB OF NEW YORK, LLC VS. THE TOWN OF CARMEL, TOWN BOARD OF THE TOWN OF CARMEL, AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CARMEL” - TAX MAP NOS. 44-2-2.1, 44-2-2.2, 44-2-3.1, 44-2-3.2, 44-2-4.1 AND 44-2-4.2 ON THE 2017, 2018 AND 2019 TAX ROLLS

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500548/2017, 500789/2018 and 501187/2019 certain lawsuits entitled “Centennial Golf Club of New York, LLC vs. The Town of Carmel, Town Board of The Town of Carmel, and The Board of Assessment Review of The Town of Carmel” in regard to the assessment of certain real property known and designated as, Town of Carmel Tax Map Nos. 44-2-2.1, 44-2-2.2, 44-2-3.1, 44-2-3.2, 44-2-4.1 and 44-2-4.2 on the 2017, 2018 and 2019 tax rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glen Droese, Town Assessor, and Town Counsel Gregory L. Folchetti who have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation and any other open litigation concerning the assessment of the aforesaid real property as recommended; and

BE IT FURTHER RESOLVED that Town Counsel Gregory L. Folchetti is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

PROPOSAL ACCEPTED FOR PROFESSIONAL GRANT WRITING SERVICES - MILLENNIUM STRATEGIES, LLC - NOT TO EXCEED \$36,000.00

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of Millennium Strategies, LLC, Morrison, NJ, for grant-writing services for the Town of Carmel at a cost not to exceed \$36,000.00 annually; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder; and

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

(Cont.)

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Councilman Barile expressed his support of retaining Millennium Strategies, LLC for grant-writing services.

Supervisor Schmitt added that the firm has been very successful in obtaining grants for other municipalities. He stated that they will be aggressively seeking funding in connection with Carmel Water District #2.

Councilman Schanil explained how the firm came highly recommended by the town comptroller of the Town of Harrison.

Councilman Lombardi pointed out that they will be seeking funding for other matters in addition to the water district.

SUBMISSION OF GRANT DISBURSEMENT AGREEMENT TO NEW YORK STATE DORMITORY AUTHORIZED - NEW YORK STATE MUNICIPAL FACILITIES PROGRAM PROJECT ID #23681

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the execution and submission of the Grant Disbursement Application/Agreement for New York State Municipal Facilities Program Project ID #23681 for the water tank and storage facilities, said agreement to be in form as is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute the Grant Disbursement Application in accordance with the provisions thereof.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt acknowledged the efforts of Assemblyman Kevin Byrne for initiating the \$50,000 in grant funding for the water storage tanks in Carmel Water District #2.

POLICE DEPARTMENT - PURCHASE OF THREE 2020 DODGE CHARGERS AND ONE 2020 JEEP CHEROKEE AUTHORIZED - ROBERT GREEN TRUCK DIVISION
AMENDED 04-01-2020

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Michael Cazzari to proceed with the purchase of three (3) new 2020 Dodge Charger all-wheel drive police vehicles at a unit cost not to exceed \$38,914.38 for each vehicle from Robert Green Truck Division, Rock Hill, NY, under Onondaga County #8771 Statewide Piggy Back Bid pursuant to General Municipal Law §103(16); and

18 MARCH 2020
TOWN BOARD MEETING

(Cont.)

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Michael Cazzari to proceed to purchase as well as one (1) new 2020 Jeep Cherokee at a cost not to exceed \$28,430.93 from Robert Green Truck Division, Rock Hill, NY, under Onondaga County #8771 Statewide Piggy Back Bid pursuant to General Municipal Law §103(16); and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign all necessary documents to purchase said vehicles from Robert Green Truck Division in accordance with their bid/contract quotations dated March 4, 2020; and

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

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt explained that the vehicles that are to be replaced will be declared obsolete and auctioned off.

POLICE DEPARTMENT - PURCHASE OF LIVESCAN SYSTEM AND ANNUAL MAINTENANCE AUTHORIZED - IDEMIA IDENTITY & SECURITY USA, LLC

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Michael Cazzari, hereby authorizes the purchase of a New York RIC/CAPS TPE LiveScan System for criminalistic information sharing services in the Town of Carmel Police Department from IDEMIA Identity & Security USA, LLC, Anaheim, CT at an initial cost not to exceed \$22,100, in accordance with the proposal dated May 30, 2019; and

BE IT FURTHER RESOLVED that platform subscription in the amount of \$900 and annual maintenance on-site response and parts replacement services in an annual amount not to exceed \$4,160.00 are authorized in connection with this purchase; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign all documents necessary to effect this authorization; and

BE IT FURTHER RESOLVED that the cost of this authorization shall be offset by the award of a grant in the sum of \$10,000 received from the NY State Department of Criminal Justice Services; and

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

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

18 MARCH 2020
TOWN BOARD MEETING

POLICE DEPARTMENT - PROPOSAL ACCEPTED AND PURCHASE OF AMMUNITION AUTHORIZED - EAGLE POINT GUN/T.J. MORRIS & SON DISTRIBUTORS

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Michael Cazzari hereby accepts the proposal of Eagle Point Gun/T.J. Morris & Son Distributors, Thorofare, NJ for purchase of ammunition for the Town of Carmel Police Department in an amount not to exceed \$19,246.48 under NYS Office of General Services Contract/Bid # PC 68734; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder; and

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

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

DEPARTMENT OF RECREATION AND PARKS - BID AWARDED FOR 2020 SUMMER CAMP PROGRAM BUS TRANSPORTATION - BAUMANN & SONS BUSES, INC.

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for bus transportation for the 2020 summer camp program administered by the Town of Carmel Department of Recreation and Parks, as requested by Director of Parks and Recreation, James R. Gilchrist, and

WHEREAS such bids were received and opened on February 27, 2020 and a bid opening memo is on file with Town Clerk Ann Spofford, and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of Director of Parks and Recreation James R. Gilchrist, the Town Board hereby awards the aforesaid bid to Baumann & Sons Buses, Inc., Ronkonkoma, NY, the low responsible bidder meeting specifications for all bus trips scheduled by the Recreation and Parks Department for Summer 2020,

BE IT FURTHER RESOLVED that upon review of insurance certificates in form acceptable to Town Counsel, Kenneth Schmitt, Town Supervisor is hereby authorized to execute any other and further documentation necessary to accept such bid and contract for said services.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

18 MARCH 2020
TOWN BOARD MEETING

CARMEL SEWER DISTRICTS #1, #2, #3, #4, #5, #6, #7 - BID AWARDED FOR SEWER JETTING SERVICES - CONTRACT C263 - TAM ENTERPRISES

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for sewer jetting services for the various Carmel Sewer District collection systems; and

WHEREAS such bids were received and opened on February 28, 2020; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the various Carmel Sewer Districts, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby awards the bids for the said services to TAM Enterprises, Goshen, NY, the low responsible bidder meeting specifications, for years 2020 and 2021 at a total overall cost not to exceed \$176,396; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to allocate the costs of said services among the respective sewer districts as provided by and paid to said vendor, as well as to make any and all necessary budget revisions to effect the aforesaid purchase transactions authorized herein.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Barile and Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

LAKE MAHOPAC PARK DISTRICT - PROPOSAL ACCEPTED FOR FISH SURVEY SERVICES - NORTHEAST AQUATIC SERVICES, LLC - NOT TO EXCEED \$16,000.00

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of the Lake Mahopac Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the acceptance of the proposal of Northeast Aquatic Services, LLC, Mansfield Center, CT for fish survey services on Lake Mahopac, at an overall cost not to exceed \$16,000.00; and

BE IT FURTHER RESOLVED that the costs authorized herein be chargeable as a district expense to the Lake Mahopac Park District; and

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

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

18 MARCH 2020
TOWN BOARD MEETING

ENTRY INTO ADVANCE PAYMENT AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) AUTHORIZED - NYS ROUTE 6N IN MAHOPAC - AGGREGATE SUM OF \$23,075.00 AMENDED 05-27-2020

WHEREAS, the New York State Department of Transportation (NYSDOT), in connection with NYSDOT PIN#8812.04.221 has filed acquisition maps for the condemnation/acquisition easements over four parcels of land owned by the Town of Carmel which are both located on NYS Route 6N in Mahopac, as shown on Acquisition Maps for said PIN as numbered and labeled Maps #101, #102, #105, #106, #111, #112, #115 and #116; and

WHEREAS, NYSDOT has offered the aggregate sum of \$23,075.00 to be paid to the Town of Carmel for advance compensation in connection with these easement acquisitions;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes entry into four (4) Advance Payment Agreements for initial acceptance of the aggregate sum of \$23,075.00 as compensation for said easement acquisitions, subject to the option of the Town Board to claim additional future compensation; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute said Advance Payment Agreements for said easement acquisitions, said agreements to be in form and substance as is on file in the Office of the Town Supervisor.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi and Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Councilman Barile explained that the condemnation/acquisition easements pertain to the drainage, traffic light configuration and sidewalk improvements planned for downtown Mahopac.

ENTRY INTO AGREEMENT WITH PUTNAM COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES - AUTHORIZED

WHEREAS appropriations have been made in the 2020 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to enter into and execute, on behalf of the Town, the contract with the Putnam County Department of Real Property Tax Services for preparation of the tentative assessment roll for year 2020 in form as attached hereto 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>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

18 MARCH 2020
TOWN BOARD MEETING

PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT

AGREEMENT MADE THIS 1st DAY OF MARCH BETWEEN: THE TOWN OF CARMEL REFERRED TO AS THE TOWN AND THE COUNTY OF PUTNAM HAVING ITS PRINCIPAL PLACE OF BUSINESS AT 40 GLENEIDA AVENUE, CARMEL, NEW YORK 10512, HEREINAFTER REFERRED TO AS COUNTY.

THE PARTIES HEREIN AGREE AS FOLLOWS:

- 1) THE COUNTY SHALL PREPARE THE TENTATIVE ASSESSMENT ROLL, FOR THE CALENDAR YEAR OF 2020 AND HAVE IT AVAILABLE ON THE COUNTY WEBSITE TO COMPLY WITH RPTL §1591
- 2) EVERY TRANSFER OF PROPERTY, CHANGE OF ADDRESS, DESCRIPTION OR VALUATION, SPECIAL FRANCHISE, PUBLIC UTILITY, SHALL BE DATA ENTERED BY ASSESSOR OF TOWN OR DESIGNATED STAFF MEMBER. ASSESSOR AND/OR DESIGNATED STAFF MEMBER IS RESPONSIBLE FOR ALL RPS SOFTWARE UPDATES TO BE CURRENT AND UPDATING REFERENCE TABLES IN RPS.
- 3) AFTER CLOSING OF THE BOOKS ON MARCH 1st, ALL CHANGES SHALL BE ENTERED ON OR BEFORE APRIL 15th BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1st DEADLINE.
- 4) ALL GRIEVANCE CHANGES, CORRECTION OF CLERICAL ERRORS, & UNLAWFUL ENTRIES SHALL BE APPROVED BY THE BOARD OF ASSESSMENT REVIEW AND ENTERED BY THE TOWN INTO THE REAL PROPERTY SYSTEM, BACKED UP AND BROUGHT TO THE REAL PROPERTY TAX SERVICE AGENCY NO LATER THAN JUNE 15th FOR FINAL ROLL PROCESSING AND SCHOOL PROCESSING.
- 5) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE NOVEMBER 20th.
- 6) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY OCTOBER 30th, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY NOVEMBER 20th.
- 7) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

PRICE FOR THE PREPARATION OF THE FOLLOWING IS \$ 0.50 PER PARCEL:

- 1) TENTATIVE ASSESSMENT ROLL (2 COPIES*) AND ASSOCIATED REPORTS, COA'S
- 2) FINAL ASSESSMENT ROLL (2 COPIES*)
- 3) TAX ROLL (2 COPIES*)
- 4) HARD & SOFT BINDERS FOR ROLLS
- 5) BANK CODE LISTINGS
- 6) APPORTIONMENT OF SPECIAL FRANCHISE
- 7) 1 SET OF TAX BILLS IN ENVELOPES
- 8) RPS 145D1, 155D1 & 160D1 TAX EXTRACTS
- 9) DATA ENTRY FOR PRO-RATAS
- 10) 1 SET TAX MAPS 24" x 36"

UNPAID WATER, SEWER, OR OTHER UNPAIDS WILL BE CHARGED A FEE IN THE AMOUNT OF 50.00 PER HUNDRED IF THE DATA HAS TO BE MANUALLY ENTERED, OR IF TAX MAP NUMBERS PROVIDED IN COMPUTER FORMAT ARE INVALID.

IF ANY ADDITIONAL SPECIAL DISTRICT ROLLS ARE REQUIRED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER PARCEL.

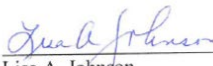
IF ANY INSERTS ARE REQUESTED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER ENVELOPE.

*.02 PER PARCEL WILL BE DEDUCTED IF ONE (1) COPY OF EACH ROLL IS REQUESTED INSTEAD OF TWO (2)

THE TOWN OF CARMEL HEREBY REPRESENTS THAT THE AGREEMENT HEREIN HAS BEEN APPROVED BY RESOLUTION OF THE TOWN BOARD, A COPY OF WHICH IS ANNEXED HERETO AND MADE A PART HEREOF:

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT IN NEW YORK, ON THE DATE HEREIN ABOVE SET FORTH.

READ AND APPROVED BY:

DATE: _____ MaryEllen Odell County Executive	 Lisa A. Johnson County Director, R.P.T.S.A. DATE: <u>3/2/2020</u>
DATE: _____ William J. Carlin Commissioner of Finance	DATE: _____ Jennifer S. Bumgarner County Attorney
DATE: _____ Jennifer S. Bumgarner County Attorney o/b/o Risk Management	DATE: _____ Kenneth Schmitt Town Supervisor

18 MARCH 2020
TOWN BOARD MEETING

SETTLEMENT OF LITIGATION AUTHORIZED - “TOWN OF CARMEL V. ROGER NAULT, ET AL,” - INDEX NO. 501752/2019

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 501752/2019 a certain lawsuit entitled “Town of Carmel v. Roger Nault, et al,” pursuant to Town Law §268; and

WHEREAS a proposed settlement of the litigation has been negotiated by Town Counsel Gregory L. Folchetti,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation in accordance with the terms of the stipulation and order of settlement presented to the Town Board herein, a copy of which is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt and Town Counsel Gregory L. Folchetti are each hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

CARMEL VOLUNTEER FIRE DEPARTMENT- PLANNING AND ZONING REVIEW FEES WAIVED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the waiver of all Planning Board, Zoning Board and related other site plan-related review fees otherwise required under the Town Code of the Town of Carmel, including but not limited to Chapter 131 and Chapter 156 in connection with the site plan application for the Carmel Volunteer Fire Department at 94 Gleneida Avenue, Town of Carmel.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

NOTICE REQUIREMENT WAIVED IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE - SONORITA CORP.

WHEREAS, the representatives and/or proprietors of Sonorita Corp. dba Tijuana Mexican Grill-Bar, 376 Route Six, Mahopac, NY 10541, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the Alcohol Beverage Control Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

18 MARCH 2020
TOWN BOARD MEETING

(Cont.)

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

DEPARTMENT OF RECREATION AND PARKS - DONATION ACCEPTED FROM MAHOPAC SPORTS ASSOCIATION - SUPPORT BUILDING AT THE AIRPORT PARK

RESOLVED that the Town Board of the Town of Carmel hereby accepts the donation of all materials and services from Mahopac Sports Association required for the delivery, construction and installation of a 50' x 60' support building at Airport Park in the Town of Carmel; and

BE IT FURTHER RESOLVED that said donation is accepted upon the representations set forth in the correspondence dated February 24, 2020 from Mahopac Sports Association concerning New York State Labor Law and the rules, regulations and requirements of the New York State Department of Labor with respect to the construction of said improvements, a copy of which is on file in the Office of the Town Supervisor and the Town of Carmel Engineering Department; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel from all contractors involved in the aforesaid improvements, said improvements may be immediately commenced.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi and Supervisor Schmitt

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Councilman Barile commented on how he felt that the construction of the support building at the Airport Park should be the responsibility of the Town and not the Mahopac Sports Association.

Supervisor Schmitt thanked the Mahopac Sports Association for their generous donation.

18 MARCH 2020
TOWN BOARD MEETING

PUBLIC INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE LAKE CASSE PARK DISTRICT - ADOPTED AS PARAPHRASED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Lake Casse Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206 and

WHEREAS, at a meeting of said Town Board duly called and held on February 19, 2020, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Lake Casse Park District, in the Town of Carmel, Putnam County, New York, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Lake Casse Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206.

Section 2. This Order shall take effect immediately.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

ISSUANCE OF \$228,206 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE LAKE CASSE PARK DISTRICT - AUTHORIZED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Lake Casse Park District, in the Town of Carmel, Putnam County, New York, at a maximum estimated cost of \$228,206; and

WHEREAS, said improvements have been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, said regulation provides will not result in any significant environmental effects;

**18 MARCH 2020
TOWN BOARD MEETING**

(Cont.)

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Lake Casse Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$228,206 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$228,206 and that the plan for the financing thereof is by the issuance of the \$228,206 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Lake Casse Park District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(Cont.)

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Resolution

Offered by: Councilman Lombardi
Seconded by: Supervisor Schmitt

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

PUBLIC INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF LAKE TEAKETTLE PARK IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK - ADOPTED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH TOWN CLERK

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Lake Teakettle Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Teakettle, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206 and

WHEREAS, at a meeting of said Town Board duly called and held on February 19, 2020, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Lake Teakettle Park District, in the Town of Carmel, Putnam County, New York, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Lake Teakettle Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Teakettle, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206.

Section 2. This Order shall take effect immediately.

(Cont.)

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

ISSUANCE OF \$157,206 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE LAKE TEAKETTLE PARK DISTRICT - AUTHORIZED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Lake Teakettle Park District, in the Town of Carmel, Putnam County, New York, at a maximum estimated cost of \$157,206; and

WHEREAS, said improvements have been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, said regulation provides will not result in any significant environmental effects;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Lake Teakettle Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Lake Teakettle, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$157,206 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$157,206 and that the plan for the financing thereof is by the issuance of the \$157,206 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Lake Teakettle Park District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

(Cont.)

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

ISSUANCE OF \$750,000 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE ROAD RECONSTRUCTION AND RESURFACING - AUTHORIZED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK - SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

18 MARCH 2020
TOWN BOARD MEETING

(Cont.)

WHEREAS, it is now desired to authorize such capital project and the financing thereof; NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Road reconstruction and resurfacing, throughout and in and for the Town of Carmel, Putnam County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$750,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$750,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20 (c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

(Cont.)

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

PURCHASE OF MAINTENANCE VEHICLES FOR THE HIGHWAY DEPARTMENT IN THE TOWN OF CARMEL AT A MAXIMUM ESTIMATED COST OF \$500,000, AND ISSUANCE OF \$500,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF - AUTHORIZED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK - SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The purchase of maintenance vehicles for the Highway Department, in and for the Town of Carmel, Putnam County, New York, each item of which is \$30,000 or over, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$500,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$500,000 bonds of said Town is hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the

(Cont.)

Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

CONSTRUCTION OF DRAINAGE IMPROVEMENTS THROUGHOUT AND IN AND FOR THE TOWN OF CARMEL AT A MAXIMUM ESTIMATED COST OF \$200,000, AND ISSUANCE OF \$200,000 BONDS OF SAID TOWN TO PAY THE COST - AUTHORIZED AS RESTATED BY TOWN COUNSEL AND PRE-FILED WITH THE TOWN CLERK - SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The construction of drainage improvements throughout and in and for the Town of Carmel, Putnam County, New York, together with incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$200,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

(Cont.)

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

18 MARCH 2020
TOWN BOARD MEETING

STIPULATION OF AGREEMENT CHANGING SALARY GROUP OF ENGINEERING PROJECTS COORDINATOR AUTHORIZED - ROBERT VARA (EMP. NO. 1112)

RESOLVED, that the Town Board of the Town of Carmel ("Town") hereby authorizes the Town Supervisor to sign a Stipulation of Agreement, effective March 18, 2020, Engineering Projects Coordinator Robert Vara (Emp. No. 1112) shall be placed at Step 4 of Salary Group 15, as specified in Appendix "E" of the Collective Bargaining Agreement between the Town and Local 840, CSEA, AFSCME, AFL-CIO that expired on December 31, 2017, and was modified and extended by a Memorandum of Agreement with a duration of January 1, 2018 to December 31, 2021 (the "CBA").

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

The members of the Town Board present as well as Town Counsel Gregory Folchetti spoke regarding Engineering Projects Coordinator Robert Vara's exceptional thirty years of service and commitment to the Town of Carmel.

PUBLIC COMMENTS - AGENDA ITEMS

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

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.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Supervisor Schmitt announced that the Recreation and Parks Department's annual egg hunt scheduled for March 28, 2020 has been cancelled and will be rescheduled for a later date.

Supervisor Schmitt announced that the Recreation and Parks open meeting scheduled for April 2, 2020 has been postponed until May 7, 2020.

Councilman Lombardi, the Town of Carmel's COVID-19 liaison to the school districts, Putnam County and New York State agencies, reported on the precautions that are being taken at Town Hall to prevent the spread of the disease while continuing to serve the public.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Schanil, with all Town Board members present in agreement, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk