

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 2nd day of September, 2020 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 Schanil, Councilman Lombardi, Councilwoman McDonough and Supervisor Schmitt. Councilman Barile 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, emergency first responders and medical personnel.

Supervisor Schmitt apologized for the late start to the meeting and stated that the Town Board met in Executive Session at 6:30 p.m. in regard to confidential Town of Carmel legal matters.

MINUTES OF TOWN BOARD MEETING HELD ON 8/12/2020 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Schanil, seconded by Councilman Lombardi and Councilwoman McDonough, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on August 12th, 2020 were accepted as submitted by the Town Clerk.

HIGHWAY DEPARTMENT - PROBATIONARY PROMOTIONAL APPOINTMENT OF PRINCIPAL ACCOUNT CLERK MADE - STACI NORTON

RESOLVED that the Town Board of the Town of Carmel hereby appoints Staci Norton to the position of Principal Account Clerk, in the Town of Carmel Highway Department, at a Group 10, Step 1 annual salary, effective immediately, on a promotional probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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> </u>	<u> </u>	Absent
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

COMPTROLLER’S OFFICE - PROBATIONARY PROMOTIONAL APPOINTMENT OF PRINCIPAL ACCOUNT CLERK MADE - MICHELLE TENEFRANCIA

RESOLVED that the Town Board of the Town of Carmel hereby appoints Michelle Tenefrancia to the position of Principal Account Clerk in the Town of Carmel Comptroller’s Office, at a Group 10, Step 1 annual salary, effective immediately, on a promotional probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution
Offered by: Councilwoman McDonough
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> </u>	<u> </u>	Absent
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

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**ENGINEERING DEPARTMENT - PROBATIONARY PROMOTIONAL APPOINTMENT
OF PRINCIPAL ACCOUNT CLERK MADE - DONNA ESTEVES**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Donna Esteves to the position of Principal Account Clerk in the Town of Carmel Engineering Department, at a Group 10, Step 1 annual salary, effective immediately, on a promotional probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

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

Supervisor Schmitt expressed congratulations to Staci Norton, Michelle Tenefrancia and Donna Esteves on their well-deserved promotions.

**POLICE DEPARTMENT - APPLICATION FOR EDUCATION STIPEND APPROVED -
POLICE OFFICER DAVID GARCIA**

RESOLVED that the Town Board of the Town of Carmel, upon the application of Town of Carmel Police Department Commanding Officer Lt. John R. Dearman, hereby approves the application for payment of education stipend of Police Officer David Garcia for Monroe College and authorizes payment of \$600 to P.O. Garcia.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

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

Supervisor Schmitt explained that payment of an education stipend is a provision included in the Carmel P.B.A.'s contract.

**LAKE CASSE DAM REHABILITATION - CHANGE ORDER #1 AUTHORIZED -
CONTRACT NO. C261**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Legacy Supply, LLC and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has provided proposed Change Order No.1 to the aforesaid contract to the Town Board for consideration and review;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Casse Park District, hereby authorizes Town Supervisor Kenneth Schmitt to sign Change Order #1 to the aforementioned contract, resulting in no overall contract price increase or decrease, said Change Order to be in form as attached hereto and made a part hereof.

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(Cont.)

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

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

CHANGE ORDER NO. 1

<u>Lake Casse Dam Rehabilitation</u>			
PROJECT			
DATE OF ISSUANCE	8/10/2020	EFFECTIVE DATE	8/10/2020
OWNER The Town of Carmel			
OWNER's Contractor No. C261-A			
CONTRACTOR: Legacy Supply, LLC		ENGINEER: Weston & Sampson, PE, LS, LA, PC	
You are directed to make the following changes in the Contract Documents.			
Description: No Change in Contract Value reallocation of budget as follows:			
Reduce Item 1A Trees greater than 20" and reallocate to Item 3 Rip Rap			
Reduce Item 1B Trees 10" to 20" and reallocate to Item 3 Rip Rap			
Reduce Item 1C Trees 4" to 10" and reallocate to Item 3 Rip Rap			
Reason for Change Order: Additional rip rap required to provide additional depth and in some location's width for adequate dam bank stabilization which was offset by fewer trees removed which became evident after initial clearing and brush removal was completed. Additional RIP RAP used 61yds.			
Attachments: Rip Rap delivery tickets, Engineering Memo with final tree count, Contractor Request letter.			
CHANGE IN CONTRACT PRICE:		CHANGE IN CONTRACT TIMES:	
Original Contract Price		Original Contract Times	
\$166,860		Substantial Completion: October 7, 2020	
		Ready for final payment: November 6, 2020	
Net changes from previous Change Orders No. to No.		Net change from previous Change Orders No. to No.	
None		None	
Contract Price prior to this Change Order		Contract Times prior to this Change Order	
\$166,860		Substantial Completion: October 7, 2020	
		Ready for final payment: November 6, 2020	
Net Increase (decrease) of this Change Order		Net Increase of this Change Order	
\$0		None	
Contract Price with all approved Change Orders		Contract Times with all approved Change Orders	
\$166,860		Substantial Completion: October 7, 2020	
		Ready for final payment: November 6, 2020	
		days or dates	

RECOMMENDED: ACCEPTED: APPROVED:

By: _____ By: _____ By: _____
Engineer (Authorized Signature) Contractor (Authorized Signature) Owner (Authorized Signature)

Date: _____ Date: _____ Date: _____

Supervisor Schmitt pointed out that the Change Order represents a no cost modification to the project.

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**CARMEL WATER DISTRICT #2 AND CARMEL WATER DISTRICT #12 -
PERFORMANCE OF EMERGENCY REPAIRS ACKNOWLEDGED**

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, specifically those performed in Carmel Water District #2 and Carmel Water District #12, all as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated August 13, 2020, which is attached hereto and made a part thereof.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

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

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: August 13, 2020
Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$5,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- CWD2 ~ Water Main Repair

On July 25, 2020, Inframark, the operator for the CWD 2 alerted the Engineering Department that there was a water main break at Sunset Dr. Attached is the invoice for the installation of a 6-inch valve for the repair in the amount of \$8,518.36.
- CWD12 ~ Service Line Repairs

On July 28, 2020, Inframark, the operator for CWD12 alerted the Engineering Department that there was a water main break located on Tommy Court. Attached is the invoice for Kuck Excavating to excavate the main, replace the saddles and lawn restoration at 5 and& 11 Tommy Ct. in the amount of \$6,353.63 for this work.

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

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CARMEL SEWER DISTRICT #2 - LINDY DRIVE PUMP STATION - EMERGENCY PURCHASE AND INSTALLATION OF EQUIPMENT AUTHORIZED

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the emergency purchase and installation of a new generator unit and appurtenances at the Carmel Sewer District #2 Lindy Drive Pump Station, such goods and services to be provided by Magpro Services, LLC, Carmel, NY at an overall cost not to exceed \$21,040.00 in accordance with the proposal dated August 12, 2020; 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 Schanil
Seconded by: Councilman Lombardi and Councilwoman McDonough

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

IMPROVEMENTS AT SYCAMORE PARK (BOCCE COURT) AUTHORIZED - PROPOSED EAGLE SCOUT PROJECT OF MICHAEL HORAN

RESOLVED that the Town Board of the Town of Carmel, in connection with the proposed Eagle Scout project of Michael Horan of Boy Scouts of America Troop #371 Mahopac, hereby authorizes the performance of improvements at Sycamore Park in accordance with the memorandum and plans provided by Director of Recreation and Parks James R. Gilchrist as detailed in his memorandum to the Town Board dated August 14, 2020; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced.

Resolution

Offered by: Councilwoman McDonough
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> </u>	<u> </u>	Absent
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

AIRPORT PARK - DONATION OF SOCCER SCOREBOARD ACCEPTED

RESOLVED that the Town Board of the Town of Carmel hereby accepts the donation of a Soccer Scoreboard for the Airport Park facility from Daniel Fraser and Scooter Hatch; and

BE IT FURTHER RESOLVED that said donation is hereby acknowledged to be made in the memories of Mark Fraser, Rob Hatch and Betty Jo Hatch.

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(Cont.)

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

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

Supervisor Schmitt thanked the families of Mark Fraser, Rob Hatch and Betty Jo Hatch for their very generous donation.

HIGHWAY DEPARTMENT MATERIALS - ADVERTISING FOR BIDS AUTHORIZED - SAND, GUIDE RAIL, WINTER MIX AND WASTE WOOD PROCESSING

RESOLVED that, pursuant to the request of Michael Simone, Town of Carmel Highway Superintendent, the Town Board of the Town of Carmel hereby authorizes Town Clerk Ann Spofford to advertise for bids for the purchase of the following items for fiscal year 2020:

- Sand
- Guide Rail
- Winter Mix
- Waste Wood Processing;

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

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

HIGHWAY DEPARTMENT EQUIPMENT DECLARED OBSOLETE AND DISPOSAL AUTHORIZED - 2000 CHEVROLET SILVERADO

RESOLVED, that the Town Board of the Town of Carmel, pursuant to the request of Town of Carmel Highway Superintendent Michael Simone hereby declares Town of Carmel Highway Vehicle #11, a 2000 Chevrolet Silverado VIN #1GCFC24T6Y2271900, to be obsolete and authorizes disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Schanil and Councilman Lombardi

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(Cont.)

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

**NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW
WAIVED - LIQUOR LICENSE FOR PUTNAM FAMILY HOUSE, INC. D/B/A “PUTNAM
HOUSE”**

WHEREAS, the representatives and/or proprietors of Putnam Family House, Inc., dba “Putnam House”, 983 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;

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 Lombardi
Seconded by: Councilwoman McDonough

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

**LAKE MAHOPAC DAM ORDER ON CONSENT CO3-20170425-83 - PROJECT
MANAGER APPOINTED - TOWN ENGINEER RICHARD J. FRANZETTI, P.E.**

RESOLVED, that the Town Board of the Town of Carmel, hereby appoints Town Engineer Richard J. Franzetti, P.E. as project manager for all purposes related to the terms, conditions and obligations for compliance contained within Order on Consent #CO3-20170425-83 executed with the New York State Department of Environmental Conservation dated July 24, 2020, under NYS Department of Environmental Conservation ID#213-4662.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

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

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PUBLIC COMMENTS - AGENDA ITEMS AND OPEN FORUM

No members of the public were in attendance at the meeting.

TOWN BOARD MEMBER COMMENTS

On behalf of Tax Receiver Kathleen Kraus, Supervisor Schmitt explained the new tax collection procedures in effect due to the Covid-19 pandemic. For the protection of the community, online and mail in payments were strongly recommended as building access is limited.

Councilman Lombardi expressed his concern with regard to the substantial rate increase proposed by New York State Electric and Gas. He spoke about NYSEG's high frequency of power outages and poor response to recent storms. Councilman Lombardi requested that a letter be sent to the Public Service Commission on behalf of the Town Board and the residents of the Town, opposing the proposed rate increase.

Supervisor Schmitt voiced his agreement with Councilman Lombardi and a brief discussion followed.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all Town Board members present in agreement, the meeting was adjourned at 7:39 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk