

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 Thursday the 16th day of September, 2021 at 7:06 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, Councilman Lombardi, Councilwoman McDonough and Supervisor Schmitt.

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.

POLICE DEPARTMENT - PROBATIONARY APPOINTMENT OF POLICE OFFICER MADE - AARON REYNOLDS

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Town of Carmel Police Department, hereby appoints Aaron Reynolds to the position of Police Officer in the Town of Carmel Police Department, effective immediately, at an annual salary of \$63,997.60, 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: Councilwoman McDonough, Councilman Lombardi, Councilman Barile, 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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt spoke regarding the outstanding qualifications of United States Army veteran and former Federal Air Marshal Aaron Reynolds and welcomed him from the City of Beacon Police Department. Supervisor Schmitt administered his oath of office and the Town Board members expressed congratulatory wishes.

MINUTES OF TOWN BOARD MEETINGS HELD ON 8/11/2021 AND 8/18/2021 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Schanil, seconded by Councilwoman McDonough, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meetings held on August 11th and August 18th, 2021 were accepted as submitted by the Town Clerk.

BOARD OF ASSESSMENT REVIEW RE-APPOINTMENT MADE - KEVIN MORRIS - 10/1/2021 TO 9/30/2026

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Kevin Morris to the Town of Carmel Board of Assessment Review for a term commencing October 1, 2021 and expiring September 30, 2026.

Resolution

Offered by: Councilwoman McDonough
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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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**MAHOPAC VOLUNTEER FIRE DEPARTMENT - ADDITIONS AND STATUS
CHANGE TO THE ACTIVE LIST AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the deletion of the following names to the active list of the Mahopac Volunteer Fire Department:

Richard Pottberg
Taylor McGuiness
Sabrina Selca

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the status change from Active to Exempt for the following member:

Alexa Cucolo

Resolution
Offered by: Councilman Lombardi
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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**POLICE DEPARTMENT - PROPOSAL OF JUREK BROTHERS, INC. ACCEPTED -
PURCHASE OF THIRTY-SEVEN (37) SMITH & WESSON M&P40 M2.0 PISTOLS
AUTHORIZED - NOT TO EXCEED \$15,908.15 AMENDED 8-02-2023**

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Anthony R. Hoffmann hereby accepts the proposal of Jurek Brothers, Inc., Greenfield, MA for purchase of thirty-seven (37) Smith & Wesson M&P40 M2.0 Pistols at a total cost not to exceed \$15,908.15; and

BE IT FURTHER RESOLVED, that 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.

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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**TEAKETTLE SPOUT LAKE PARK DISTRICT - ENTRY INTO CONTRACT FOR
PARK DISTRICT PROPERTY MAINTENANCE AUTHORIZED - KIKO'S
LANDSCAPING**

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Teakettle Spout Lake Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes exercise of its option to extend the existing contract for landscaping and maintenance services for the Teakettle Spout Lake Park District with Kiko's Landscaping, Carmel, NY; and

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(Cont.)

BE IT FURTHER RESOLVED that the overall contract price for years 2022 through 2024 shall not exceed \$20,250 with extension options in favor of the District for years 2025 and 2026 at annual contract price of \$7,500 per year; 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 necessary to effect the authorization set forth within the terms of this resolution.

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

LAKE SECOR PARK DISTRICT - ENTRY INTO CONTRACT FOR PARK DISTRICT PROPERTY MAINTENANCE AUTHORIZED - BELLA VISTA LANDSCAPING

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Secor Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes exercise of its option to extend the existing contract for landscaping and maintenance services for the Lake Secor Park District with Bella Vista Landscaping, Mahopac, NY; and

BE IT FURTHER RESOLVED that the overall contract price for years 2022 through 2024 shall not exceed \$12,150.00 with extension options in favor of the District for years 2025 and 2026 at annual contract prices of \$4,450 and \$4,550 respectively; 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 necessary to effect the authorization set forth within the terms of this resolution.

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

CARMEL WATER DISTRICT #2 RELINING PROJECT - CONTRACT NO. C265 - CHANGE ORDER #1 AUTHORIZED

WHEREAS the Town Board of the Town of Carmel, acting as Commissioners of Town of Carmel Water District #2, has previously awarded the contract for the above project to Michels Pipe Services, Watertown, CT; 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;

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(Cont.)

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Town of Carmel Water District #2, 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.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

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

CHANGE ORDER

No. 1

CARMEL WATER DISTRICT NO. 2 WATERMAIN REHABILITATION - PHASE 1

DATE OF ISSUANCE 8/17/2021 EFFECTIVE DATE 8/17/2021

OWNER The Town of Carmel
OWNER's Contractor No. C-265
CONTRACTOR: Michels Pipe Services ENGINEER: J. Robert Folchetti & Associates

You are directed to make the following changes in the Contract Documents.
Reason for Change Order: 1. Contract Time Extension
Attachments: (List documents supporting change) Engineering Memo; Contractor Request

CHANGE IN CONTRACT PRICE: Original Contract Price	CHANGE IN CONTRACT TIMES: Original Contract Times
\$ None	Substantial Completion: January 6, 2022 Ready for final payment April 6, 2022
Net changes from previous Change Orders No. to No.	Net change from previous Change Orders No. to No.
\$	
Contract Price prior to this Change Order	Contract Times prior to this Change Order
\$	Substantial Completion: January 6, 2022 Ready for final payment: April 6, 2022
Net Increase (decrease) of this Change Order	Net Increase of this Change Order
\$	81 Days
Contract Price with all approved Change Orders	Contract Times with all approved Change Orders
\$	Substantial Completion: June 23, 2022 Ready for final payment: September 21, 2022 days or dates

RECOMMENDED: By: [Signature] Engineer (Authorized Signature) Date: 8.17.2021
ACCEPTED: By: [Signature] Contractor (Authorized Signature) Date: 8-17-2021
APPROVED: By: [Signature] Owner (Authorized Signature) Date:

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**CARMEL SEWER DISTRICT #7 WASTEWATER TREATMENT PLANT -
ACCEPTANCE OF PROPOSAL FOR MICROFILTRATION MODULE AUTHORIZED -
FILMTEC CORPORATION**

WHEREAS, Inframark, LLC, operator for the Carmel Sewer District #2 Wastewater Treatment Plant, and Town Engineer Richard J. Franzetti, P.E. have each advised the Town Board of the Town of Carmel that certain components of microfiltration processes of the Carmel Sewer District #7 Wastewater Treatment Plant are in need of replacement; and

WHEREAS, Inframark and the Town Engineer have each further advised the Town Board that the acquisition of the aforesaid microfiltration modules are exempt from the New York General Municipal Law as a “sole source” exception;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #7 hereby accept and adopt the recommendations of Inframark, LLC and the Town Engineer, and accordingly authorize the acquisition and installation of replacement microfiltration module unit for the CSD #7 Wastewater Treatment Plant from FilmTec Corporation, Edina, MN at a cost not to exceed \$43,437.60 in accordance with the proposal dated August 17, 2021; and

BE IT FURTHER RESOLVED, that a sum not to exceed \$8,160.00 is hereby authorized for the cost of installation of said microfiltration module units; 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 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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**CARMEL WATER DISTRICT #2 WATER MAIN LINING PHASE 2 - BID AWARDED -
CONTRACT #C265 - MAINLINING AMERICA, LLC - ESTIMATED CONTRACT
PRICE OF \$3,248,400**

WHEREAS, the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for the re-lining of approximately 24,400 linear feet of water main in Carmel Water District #2, Contract #C265; and

WHEREAS, such bids were received and opened on August 30, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, and upon the recommendation of Design Engineer J. Robert Folchetti Associates, LLC hereby awards said contract to Mainlining America, LLC, Buffalo, NY, the low responsible bidder meeting specifications at the unit costs contained within the aforesaid bid and at an estimated contract price of \$3,248,400; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and performance and labor and materials bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute the contract documents pursuant to this authorization.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

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

HIGHWAY DEPARTMENT - PURCHASE OF BULK DIESEL FUEL AUTHORIZED UNDER NEW YORK STATE OFFICE OF GENERAL SERVICES, GROUP NO. 5602, AWARD NO. 23237 AND CONTRACT NO. PC67022 - GLOBAL MONTELLO GROUP CORP. AMENDED 10-20-2021

RESOLVED, THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the award of bid contract for purchase of bulk diesel fuel for the Town of Carmel Highway Department for the period commencing retroactive to August 27, 2021 through August 24, 2023 to Global Montello Group Corp. under New York State Office of General Services, Group No. 5602, Award No. 23237 and Contract No. PC67022 at the price per gallon not to exceed \$2.2637 for No. 2 diesel and \$2.1314 for No. 1 diesel.

Resolution
Offered by: Councilwoman McDonough
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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

HIGHWAY DEPARTMENT - ADVERTISING FOR BIDS AUTHORIZED - SAND, GUIDE RAIL AND WINTER MIX

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 2021:

- Sand
- Guide Rail
- Winter Mix

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 Lombardi
Seconded by: Councilwoman McDonough and 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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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PARTIAL REFUND OF BUILDING PERMIT FEE AUTHORIZED - VILMA NOKAJ - 24 DREPS DR. - TAX MAP NO. 74.16-2-54.1

RESOLVED that, the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Codes Enforcement Michael Carnazza, hereby authorizes a refund of duplicate fee for building permit application for the property known as 24 Dreps Dr., Town of Carmel Tax Map No. 74.16-2-54.1 in the amount of \$500.00 to Vilma Nokaj.

Resolution
Offered by: Councilman Barile
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>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CARMEL WATER DISTRICTS #2, #3, #8, AND #14 - TOWN WIDE WATER STORAGE REHABILITATION AND CONSTRUCTION BID AWARDED - CONTRACT C268 - AROLD CONSTRUCTION COMPANY, INC. - CONTRACT PRICE OF \$2,624,850

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for The Town-Wide Water Storage Rehabilitation and Construction Project, Contract C268; and

WHEREAS, said project involves new water tank construction for Carmel Water District No. 2 and ancillary site improvements; water tank rehabilitation tanks in Carmel Water District No. 3 and Carmel Water District No. 8; pump station upgrades in Carmel Water District No. 8; and new water tank construction and ancillary site improvements in Carmel Water District No. 14; and

WHEREAS, such bids were received and opened on June 30, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the various water districts within the Town of Carmel, and upon the recommendation of Design Engineer Weston & Sampson, hereby awards said contract to Arold Construction Company, Inc., Kingston, NY, the low responsible bidder meeting specifications at the unit costs contained within the aforesaid bid and at an estimated overall contract price of \$2,624,850; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and performance and labor and materials bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute the contract documents pursuant to this authorization.

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

PUBLIC COMMENTS - AGENDA ITEMS

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

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TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 7:30 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk