

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

FRANK D. LOMBARDI
Town Councilman
Deputy Supervisor

60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 • Fax (845) 628-6836
www.carmelny.org

KATHLEEN KRAUS
Receiver of Taxes

JOHN D. LUPINACCI
Town Councilman
SUZANNE MC DONOUGH
Town Councilwoman
JONATHAN SCHNEIDER
Town Councilman

MICHAEL SIMONE
Superintendent of Highways
Tel. (845) 628-7474

TOWN BOARD VOTING MEETING
Wednesday, January 20, 2016 7:00pm

Pledge of Allegiance – Moment of Silence

PUBLIC HEARING #1: On a Proposed Local Law Enacting Chapter 44 of the Town Code of the Town of Carmel entitled, "Parades, Events and Street Closings"

1. Res: Authorizing Rescheduling of Public Hearing
2. Accept Town Board Minutes November 4th and 18th, December 2nd and 16th 2015
3. Res: Authorizing Deletion to the Active List of the Mahopac Volunteer Fire Department
4. Res: Releasing Bond TM # 55.6-1-51 Gleneida Realty, Inc. (\$278,000)
5. Res: Declaring Certain Equipment Obsolete and Authorizing Disposal
6. Res: Authorizing Equipment Purchase Town of Carmel Highway Department
7. Res: Authorizing Payment for Equipment Repair Town of Carmel Highway Department
8. Res: Authorizing Equipment Purchase Town of Carmel Highway Department
9. Res: Authorizing Renewal of Licensing Agreement with American Society of Composers, Authors and Publishers (ASCAP)
10. Res: Authorizing Submission of Application for Grant Funding/Program Annual Assessment – Town of Carmel Department of Recreation and Parks
11. Res: Authorizing Submission of Application to Certify Compliance with New York State Office of Children & Family Services – Town of Carmel Department of Recreation and Parks
12. Res: Authorizing Submission of Application for Grant Funding/Program Annual Assessment – Town of Carmel Police Department
13. Res: Authorizing Awarding of Bid for Dry Cleaning of Police Department Uniforms
14. Res: Authorizing Awarding of Bid for Police Department Uniforms
15. Res: Waiving the Notice of Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for La Casa Borghetti, Inc.db a "Las Casa Borghetti"
16. Res: Granting Open Development Status to Wixon Pond Estates Subdivision TM#53.20-1-19
17. Res: Accepting Proposal for Landfill Monitoring Services

18. Res: Authorizing Attendance at Seminar

19. Res: Authorizing Out of District Water Connection – Carmel Water District #3 - Jennick Realty TM 74.11-1-21

20. Res: Authorizing Equipment Purchase and Installation – Carmel Sewer District #2 Wastewater Treatment Plant

- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**

Open Forum:

- **Public Comments on New Town Related Business (Three (3) Minutes Maximum per Speaker for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, January 20, 2016 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law enacting Chapter 44 of the Town Code of the Town of Carmel,, entitled "Parades, Events and Street Closings" as follows:

**TOWN OF CARMEL
PROPOSED LOCAL LAW # _____ OF THE YEAR 2016
CHAPTER 44**

PARADES, EVENTS AND STREET CLOSINGS

44-1 Title.

This chapter shall be cited as the "Parades, Events and Street Closings"

44-2 Purpose.

The Town Board, in order to promote proper government and ensure the proper protection, order, conduct, safety, health, welfare and well-being of persons and property within the Town of Carmel, Putnam County, New York, finds that it is in the public interest to enact this chapter. This chapter shall regulate parades, events and street closings within the Town of Carmel, Putnam County, New York.

44-3 Definitions and word usage.

- A. Word usage. Words used in the present tense include the future; the singular number includes the plural. "Shall is mandatory, and "may" is permissive.
- B. Definitions. For the purpose of this chapter, the terms used herein are defined as follows:

CHIEF OF POLICE - The Chief of Police of the Town of Carmel.

PARADE - Any parade, march, procession or demonstration of any kind or any similar display, in or upon any street, park or other public place in the Town of Carmel.

EVENT - Any formal event, assembly or gathering other than a parade in or upon any street, park or other public place in the Town of Carmel.

PARADE /EVENT PERMIT - A permit as required by this article.

PERSON - Any person, firm, partnership, association, corporation, company or organization of any kind.

TOWN - Town of Carmel.

TOWN BOARD - The duly constitutional legislative body of the Town of Carmel.

44-4 Definitions and word usage.

A. No person shall engage in, participate in, aid, form or start any parade or event unless a parade / event permit shall have been obtained from the Chief of Police or his designee.

B. Exceptions. This article shall not apply to:

- (1) Funeral processions;
- (2) Wedding processions ;
- (3) Students going to and from school, classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;

44-5 Application.

A. A person seeking issuance of a parade or event permit shall file an application with the Chief of Police or his designee on forms provided by the Chief of Police or his designee.

B. **Contents.** The application for a parade or event permit shall set forth the following information:

- (1) The name, address and telephone number of the person or persons seeking to conduct such parade or event.
- (2) If the parade or event is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization.
- (3) The name, address and telephone number of the person who will be the Parade or Event Chairman and who will be responsible for its conduct.
- (4) The date when the parade or event is to be conducted.
- (5) The route to be traveled, the starting point and the termination point if it is a parade and the fixed location or locations if it is an event without any procession.
- (6) The approximate number of persons, animals and vehicles which will constitute such parade or event, including the type of animals and the description of the participating vehicles.

- (7) The hours when such parade or event will start and terminate.
- (8) A statement as to whether a parade or event will occupy all or only a portion of width of the streets proposed to be utilized or traversed.
- (9) The location by streets or physical address of any assembly or staging areas for such parade or event to include proposed parking areas. Applicant must specify what traffic detour devices or barricades may be necessary for event.
- (10) The time at which units or persons involved in the parade or event will begin to assemble or stage at any such assembly or staging area.
- (11) If the parade or event is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Chief of Police or his designee a communication, in writing, from the person proposing to hold the parade or event authorizing the applicant to apply for the permit on his or her behalf.
- (12) An agreement and affirmation that the persons or organization applying for the permit will prepay the applicable costs and fees for the event as determined by the parade / permit fee schedule (See 44-13).

44-6 Standards for issuance.

The Chief of Police or his designee shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- A. The conduct of the parade or event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route or location.
- B. The conduct of the parade or event will not require the diversion of so great a number of police officers of the town to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the town.
- C. The concentration of persons, animals and vehicles at assembly or staging areas of the parade or event and the conduct thereof will not unduly interfere with proper fire and police protection of or ambulance services to areas contiguous to such assembly or staging areas and the town in general.

- D. The conduct of such parade or event will not interfere with the movement of fire-fighting equipment en route to a fire or normal ambulance service.
- E. The parade or event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- F. The parade or event is not designed to be held purely for private profit.
- G. The pre-paid fees for the proposed parade or event as set forth in article (44-13) has been received in full by the Town Clerk of the Town of Carmel.

44-7 Time limit for decision; denial.

The Chief of Police or his designee shall act upon the permit within 30 days of its receipt. If the Chief of Police or his designee disapproves the application, notice thereof, including the reasons for the denial shall be promptly given to the applicant.

44-8 Alternative Permit.

The Chief of Police or his designee, in denying an application for a parade or event permit, shall be empowered to authorize the conduct of the parade or event on a date, at a time, location or over a route different from that named by the applicant, if so requested by the applicant.

44-9 Appeal from denial of permit.

Any applicant denied a parade or event permit by the Chief of Police or his designee may appeal, in writing, to the Town Board within 10 days of the denial. The time to so appeal may be extended, at the discretion of the Town Board. The applicant, upon appeal, shall be entitled to argue its case before the Town Board. The Town Board is hereby empowered to affirm, modify or reverse the decision of the Chief of Police or his designee. The Town Board may attach any conditions to a permit, should it determine the permit should be granted.

44-10 Contents of permit.

Each parade / event permit shall state the following information.

- A. The starting time and estimated time of termination.

- B. The portions of the streets to be traversed and the areas or locations to be occupied by the parade or event.
- C. The maximum length in the case of a parade in miles or fractions thereof.
- D. Other Town services requested or required.
- E. Fire and or EMS requested or required.
- F. Such other information as the Chief of Police or his designee shall find necessary for the enforcement of this article.

44-11 Duties and Obligations of Parade or Event Permittee / Participants.

- A. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws.
- B. Possession of permit. The Parade or event Chairman or other person heading or leading such activity shall carry the parade or event permit upon his or her person during the duration of the parade or event.
- C. No parade participant may throw candy or any other item to Parade spectators. Any entry with participants throwing items will be removed from the Parade by the applicant/director and/or the Police Dept. Walkers may hand items to spectators only and there will be no exceptions to this rule.
- D. No one shall be permitted to board or exit from a float once the parade has commenced.
- E. Drivers of any and all vehicles in the parade areas must possess a valid driver's license and be at least 18 years of age. Drivers must remain seated in the driver's seat for the duration of the parade and no vehicles will be left unattended.
- F. All pets in the Parade must be kept on leashes and held by someone strong enough to manage them. Animals participating in the Parade must be kept under control. If you cannot control your animal or its presence presents any safety issue, please leave the Parade area with your animal rather than risk a problem.
- G. Entries involving animals of any kind must provide their own clean-up, or "pooper scooper" immediately following their entry.

- H. Participants on bicycles, scooters, skates, skateboards, etc. must wear a helmet and proper safety equipment.
- I. Floats must have proper safety chains to connect the float to the tow vehicle.
- J. Support vehicles for marching units will not be allowed in the parade.
- K. All vehicular entries shall proceed at a safe and appropriate speed. shall maintain a safe distance from spectators and shall not weave from side to side. They will obey all applicable NYS Vehicle and Traffic Laws during the Parade or Event.
- L. Parade units and floats that stop along the parade route due to mechanical malfunctions must be removed from the parade route as to not impede, obstruct or delay parade participants.
- M. All participants, in consideration of participation in this event, agree to indemnify, hold harmless and release the Town of Carmel, its agents and employees, from any and all liability from any injury or damage which may arise out of or in any way be connected with participation in the Parade or Event.
- N. Any street vendor proposed to be part of the Parade / Event must first obtain the applicable permit(s) from the Town of Carmel Clerks Office pursuant to Town Code section 111 (Peddling and Soliciting) before offering any items for sale during the duration of the Parade or Event.

44-12 Interference with parade or event; parking on route or location.

- A. Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any parade or event or with any person, vehicle or animal participating or used in a parade or event during the course of an event.
- B. Driving through parades. No driver of a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
- C. Parking on parade route. The Chief of Police or his designee shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of a route of a parade or event. The Chief of Police may post signs to such

effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

44-13 Fee schedule for parades and events.

The Town Board of the Town of Carmel shall annually establish a fee schedule for parades and events to mitigate the increasing costs associated with the public safety assets required to host these events. The fee schedule shall be broken down into three categories (1, 2 and 3) respectively, each reflecting staffing hours associated with hosting proposed events. The Town Board reserves the right to waive or modify the fee schedule at their discretion, and may seek the input and recommendations of the Chief of Police with respect to same.

- A. Category (1) A major parade or event requiring 50 or more staffing hours.
- B. Category (2) A secondary parade or event requiring 25 or more staffing hours.
- C. Category (3) A minor event requiring less than 25 staffing hours.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

#1

RESOLUTION AUTHORIZING RE-SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re- scheduling of a Public Hearing at Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 from Wednesday, January 20, 2016 to Wednesday, February 17, 2016 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law enacting Chapter 15 of the Code of the Town of Carmel, entitled "Employment Fingerprint Inquiries"; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and instructed to publish and post the necessary notices in the official newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#3

RESOLUTION AUTHORIZING DELETION FROM THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER FIRE DEPARTMENT

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:

Lauren Icken, Carmel, NY

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#4

RESOLUTION RELEASING BOND - TM #55.6-1-51 GLENEIDA REALTY, INC.

WHEREAS application has been made by Gleneida Realty, Inc. for the total release of a site plan bond posted in accordance with the Land Subdivision and/or Zoning Regulations of the Town of Carmel for Tax Map #55.6-1-51, 1819 Route Six, Carmel NY; and

WHEREAS said application has been reviewed by the Town Engineer, Richard J. Franzetti, P.E. and release of the bond has been recommended and approved by the Town Engineer, and the Town of Carmel Planning Board,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the site plan bond posted for Tax Map #55.6-1-51, The Guarantee Company of North America USA Bond # 76090137 in the amount of \$278,000.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

YES

NO

Jonathan Schneider

John Lupinacci

Suzanne McDonough

Frank Lombardi

Kenneth Schmitt

#5

RESOLUTION DECLARING CERTAIN EQUIPMENT OBSOLETE AND AUTHORIZING DISPOSAL

RESOLVED that, upon the recommendation of Michael Simone Highway Superintendent for the Town of Carmel, the Town Board of the Town of Carmel hereby declares the following equipment to be obsolete and hereby authorizes its disposal in accordance with Town Law, including but not limited to disposal pursuant to Town Law §64(2-a):

- Dell Inspiron 1100 Computer Serial #35528046445
- Dell Inspiron 1100 Computer Serial #2876311405
- Gateway Solo Computer Serial # 022128386
- Toshiba Tecra A7 Serial #56126037Q
- IBM Correcting Selectric III Serial # 4779694
- IBM Correcting Selectric III Serial # 6705-116157142

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

YES

NO

Jonathan Schneider

John Lupinacci

Suzanne McDonough

Frank Lombardi

Kenneth Schmitt

#6

RESOLUTION AUTHORIZING EQUIPMENT PURCHASE TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the purchase of a Fisher 2.5 yard Poly-Electric Sander from Hudson River Truck and Trailer, Poughkeepsie, NY, in accordance with the proposal dated December 21, 2015, and at a cost not to exceed \$5,325.00.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

YES

NO

Jonathan Schneider

John Lupinacci

Suzanne McDonough

Frank Lombardi

Kenneth Schmitt

#7

RESOLUTION AUTHORIZING PAYMENT FOR EQUIPMENT REPAIR TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the payment to Ben Funk, Inc. Hudson, NY in the amount of \$9,963.65 for repairs performed to Town of Carmel Highway Department Equipment in accordance with the invoice dated December 24, 2015.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

YES

NO

Jonathan Schneider

John Lupinacci

Suzanne McDonough

Frank Lombardi

Kenneth Schmitt

#8

RESOLUTION AUTHORIZING EQUIPMENT PURCHASE TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the purchase of Plow Blade materials from Chemung Supply Corp., Elmira, NY under Orange County Bid Contract #RFB-OC059-15 in accordance with the proposal dated January 12, 2016, and at a cost not to exceed \$20,389.00.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

YES

NO

Jonathan Schneider

John Lupinacci

Suzanne McDonough

Frank Lombardi

Kenneth Schmitt

#9

RESOLUTION AUTHORIZING RENEWAL OF LICENSING AGREEMENT WITH ASCAP

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the License Agreement with ASCAP for public performances of copyrighted music for the year 2016 at an annual rate of \$336.00; and

BE IT FURTHER RESOLVED that the James Gilchrist, Director of Recreation and Parks, is hereby authorized to sign any necessary documents and/or reports concerning said renewal on behalf of the Town of Carmel.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#10

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION FOR GRANT FUNDING/PROGRAM ANNUAL ASSESSMENT DEPARTMENT OF RECREATION AND PARKS

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2015 Program Annual Assessment to the New York State Office of Children and Family Services for Recreation Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#11

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO CERTIFY COMPLIANCE WITH NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2016 Notice of Application to Certify Compliance with New York State Office of Children and Family Services for year 2016 in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES
INDIVIDUAL PROGRAM APPLICATION
Program Information

Program Title: Carmel Recreation		CYDS ID# (For County Use Only)		Program Year: 2016	
FUNDING INFORMATION					
Funding Category: <input checked="" type="checkbox"/> Youth Development Funding <input type="checkbox"/> RHYA-Part I <input type="checkbox"/> RHYA-Part II				County: PUTNAM	
FUND AMOUNTS					
Total Program Amount: \$58,457.46			OCFS Funds Requested: \$ 4,233		
Amount Allocated			60% State Aid [RHYA Programs ONLY]		% Tax Match
			% Agency Cash:		% In Kind
AGENCY INFORMATION:					
This Agency is: <input type="checkbox"/> Private, Not for Profit <input checked="" type="checkbox"/> Public <input type="checkbox"/> Religious Corporations			Federal ID #: 14-6002109		Charities Reg. #:
Agency Website:			Implementing Agency: Town of Carmel		
Mailing Address: 60 McAlpin Avenue					
Address Line 2:					
City: Carmel Mahopac			State: NY		Zip Code: 10541
EXECUTIVE DIRECTOR FOR AGENCY					
Last Name: Schmitt			First Name: Kenneth		
Title: Town Supervisor			Phone Number: 845-628-1500		Extension:
Fax Number: 845-628-6836			E-Mail: ks@ci.carmel.ny.us		
CONTACT PERSON FOR AGENCY:					
Last Name: Gilchrist			First Name: James R.		
Title: Director of Recreation			Phone Number: 845-628-7888		Extension:
Fax Number: 845-628-2820			E-Mail: jrg@ci.carmel.ny.us		
PERIOD OF ACTUAL PROGRAM OPERATION:					
FROM: 1/1/16		TO: 12/31/16		HOURS OF OPERATION:	
FROM: 9:00 a.m.		TO: 5:00 p.m.			
<input checked="" type="checkbox"/> Daily <input type="checkbox"/> Other (Explain) 24 hours/day					

X

EXECUTIVE DIRECTORY/BOARD CHAIRPERSON SIGNATURE

Disclaimer: Please note that submission of these forms to the County Youth Bureau does NOT guarantee funding will be allocated to your program.

☐ Changes have been submitted on the electronic OCFS-5001, 5002, 5003.

#12

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION FOR GRANT FUNDING/PROGRAM ANNUAL ASSESSMENT TOWN OF CARMEL POLICE DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2016 Program Annual Assessment to the New York State Office of Children and Family Services for Youth Bureau Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#13

RESOLUTION AWARDING BID FOR DRY CLEANING OF POLICE DEPARTMENT UNIFORMS

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for dry cleaning of Police Department uniforms for the Town of Carmel Police Department in fiscal year 2016, and

WHEREAS such bids were received and opened on December 15, 2015; and

WHEREAS Chief of Police Michael Cazzari has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the dry cleaning of Police Department uniforms to Touch of Class Dry Cleaning, 1862 Route Six Carmel, the lowest responsible bidder who met specifications.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#14

RESOLUTION AWARDING BID FOR POLICE DEPARTMENT UNIFORMS

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for Police Department uniforms for the Town of Carmel Police Department in fiscal year 2016, and

WHEREAS such bids were received and opened on December 15, 2015; and

WHEREAS Chief of Police Michael Cazzari has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for Police Department uniforms to New England Uniform, 356 Main Street, Danbury, CT, the lowest responsible bidder who met specifications, at the following bid prices:

- Flying Cross Gore-Tex Public Safety Jacket: \$225.00 each;
- Flying Cross Single Breasted Dress Coat: \$225.00 each;
- Summer Cap 8 point: \$28.00 each;
- Winter Cap 8 point: \$28.00 each;
- Rain Coat: \$90.00 each;
- Summer Shirt: \$48.00 each
- Winter Shirt \$65.00 each;
- Pants Flying Cross Wool Blend \$85.00 each;
- Vertx Tactical Pants \$49.00 each;
- Short Sleeve Vertx Polo \$47.00 each;
- Long Sleeve Vertx Polo \$50.00 each

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Frank Lombardi	___	___
Kenneth Schmitt	___	___

#15

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR LA CASA BORGHETTI, INC. dba "LA CASA BORGHETTI"

WHEREAS, the representatives and/or proprietors of La Casa Borghetti, Inc., dba "La Casa Borghetti" 62 Gleneida Avenue, Carmel, NY, 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 ABC 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: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Frank Lombardi	___	___
Kenneth Schmitt	___	___

#16

RESOLUTION GRANTING OPEN DEVELOPMENT STATUS TO THE KX2 ASSOCIATES, LLC WIXON POND ESTATES SUBDIVISION - TM# 53.20-1-19

WHEREAS the Town of Carmel Planning Board has received an application from KX2 Associates, LLC for a five (5) lot subdivision in which all five lots will not have access to an improved street with a right-of-way width of at least 50 feet; and

WHEREAS the subject parcel, designated as Tax Map #53.20-1-19, is located off of Wixon Pond Road, has an approximate area of 34.95 acres and is located in an R Residential Zoning District, and

WHEREAS the proposed subdivision is shown on a plan prepared by Putnam Engineering, PLLC, and Architectural Visions PLLC, entitled: "Preliminary Subdivision Plat Prepared For Wixon Pond Estates", dated May 11, 2007, last revised April 22, 2014; and

WHEREAS the applicant has represented it is the owner and/or an authorized agent of the record owner and has agreed, on behalf of the owner, to a lot count of five (5) lots in the open development area and to a total of no more than five (5) lots in the entire subdivision and to the establishment of a limitation on any future subdivision of the property as a term and condition of open development; and

WHEREAS the Town of Carmel Planning Board has previously recommended granting of open development to the aforementioned subdivision;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby grants open development status to Lots #1, #2, #3, #4 and #5 in the proposed Putnam Engineering, PLLC, and Architectural Visions PLLC "Preliminary Subdivision Plat Prepared For Wixon Pond Estates" subject to the following terms and conditions:

1. The open development area shall consist of Lots #1, #2, #3, #4 and #5 in the proposed subdivision as shown on a plan prepared by Putnam Engineering, PLLC, and Architectural Visions PLLC, entitled: "Preliminary Subdivision Plat Prepared For Wixon Pond Estates", dated May 11, 2007, last revised April 22, 2014;

2. The maximum number of lots to be established in said open development area shall be five (5). The maximum number of dwelling units to be established in said open development area shall be five (5) single family residence. The maximum number of lots to be established in said subdivision shall be five (5). The maximum number of dwelling units to be established in said subdivision shall be five (5) single family residences.
3. No further subdivision of Lots #1, #2, #3, #4 and #5 shall be permitted.
4. The following notes shall be placed on the map in reference to all lots in the subdivision:
 - a. Lot owners are advised that, according to current school district regulations, school buses will not travel the access driveway servicing the lots in the subdivision.
 - b. The access driveway servicing the subdivision is a private driveway and shall remain so forever. All maintenance and repair including snow plowing is the responsibility of the property owners of the Lots in the subdivision.
 - c. No further subdivision of any lot in the subdivision is permitted.
5. An Easement and Maintenance Agreement for the access driveway in form satisfactory to the Town Counsel shall be filed simultaneously with the final subdivision plat in the Putnam County Clerk's Office.
6. This Open Development Resolution shall expire two (2) years from the date of enactment if the final subdivision plat has not been approved and signed by the Planning Board and filed in the Putnam County Clerk's Office within that time.
7. The foregoing notes #1 through #5 shall be included on the final subdivision plat and this resolution shall be referenced by date and subject matter in the notes on the final subdivision plat as follows:

"Lots #1, #2, #3, #4 and #5 of this subdivision are subject to the terms, conditions and limitations contained in an Open

Development Resolution of the Town Board of the Town of
Carmel enacted January 20, 2016."

8. The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#17

RESOLUTION ACCEPTING PROPOSAL LANDFILL MONITORING SERVICES

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby authorizes the acceptance of the proposal of Zion Environmental, LLC, Middletown, NY, for Landfill Monitoring Services in and for the Town of Carmel Landfill at an annual cost not to exceed \$8,200 in accordance with the terms of the proposal submitted January 13, 2016; 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 these proposals upon the terms authorized herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#18

RESOLUTION AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Engineer Richard J. Franzetti, P.E. to attend the seminar offered by the New York State Department of Environmental Conservation for Federal Emergency Management Act Levee Training in Pleasant Valley, NY, on March 9, 2016; and

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

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#19

RESOLUTION AUTHORIZING OUT OF DISTRICT WATER CONNECTION CARMEL WATER DISTRICT #3 JENNICK REALTY TM# 74.11-1-21

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #3, upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the connection to the Carmel Water District #3 Water Supply for Jennick Realty, Tax Map #74.1-1-21 subject to the following terms and conditions;

- Entry into an out of district user agreement in form acceptable to Town Counsel;
- Payment of back capital charges currently in the amount of \$21,044.94 to Carmel Water District #3;
- Payment of application fees and meter fees;
- Issuance of permit from Town of Carmel Engineering Department;
- Issuance of all permits from any regulatory agencies having jurisdiction.

BE IT FURTHER RESOLVED that upon the satisfaction of all conditions set forth herein, Town Supervisor Kenneth Schmitt is hereby authorized to sign the final approved out-of-district user agreement, as well as any other and further documentation necessary to effect the authorization contained herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#20

RESOLUTION AUTHORIZING EQUIPMENT PURCHASE AND INSTALLATION CARMEL SEWER DISTRICT #2 WASTEWATER TREATMENT PLANT

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation and request of Town of Carmel Town Engineer, Richard J. Franzetti, P.E., hereby authorizes the purchase of a Variable Frequency Drive for one of the process aeration blowers at the Carmel Sewer District #2 Wastewater Treatment Plant, from Mid-Island Electric, Newburgh NY, under NYS Contract # PC67232 at a cost not to exceed \$7,142.85 in accordance with the proposal dated January 7, 2016; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation and request of Town of Carmel Town Engineer, Richard J. Franzetti, P.E., hereby authorizes the installation of said equipment by Owens Electric, Mahopac, NY at a cost not to exceed \$1,760.00; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, the work and installation authorized herein may commence.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

	<u>YES</u>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____