

**KENNETH SCHMITT**  
Town Supervisor

**TOWN OF CARMEL**  
**TOWN HALL**

**ANN SPOFFORD**  
Town Clerk

**SUZANNE MC DONOUGH**  
Town Councilwoman  
Deputy Supervisor

60 McAlpin Avenue  
Mahopac, New York 10541  
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**KATHLEEN KRAUS**  
Receiver of Taxes

**MICHAEL A. BARILE**  
Town Councilman  
**JOHN D. LUPINACCI**  
Town Councilman  
**JONATHAN SCHNEIDER**  
Town Councilman

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

**TOWN BOARD VOTING MEETING**  
**Wednesday, April 18, 2018 7:00 pm**

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**Pledge of Allegiance – Moment of Silence**

**6:00PM EXECUTIVE SESSION:**

1. Personnel – Candidate Interviews for Recreation Committee and Board of Assessment Review

**Public Hearing #1:** On a Proposed Local Law Amending Chapter 52 of the Code of the Town of Carmel, entitled, "Bingo"

- 1A. Consider Resolution Determining SEQRA Review
- 1B. Consider Motion to Enact Law

**Town Board Voting Meeting:**

- Accept Town Board Minutes March 28, 2018
  - 1. Tabled Res: Authorizing Amendments and Adopting Town of Carmel Employee Handbook
  - 2. Res: Authorizing Attendance at Seminar
  - 3. Res: Authorizing Attendance at Seminar
  - 4. Res: Authorizing Awarding of Bids for Miscellaneous Highway Department Materials and Services
  - 5. Res: Authorizing Rejection of Bids and Authorizing Advertising for Bids
  - 6. Res: Releasing Bond
  - 7. Res: Authorizing Submission of Grant Disbursement Agreement to New York State Dormitory State and Municipal Facilities Program Project ID# 8930
  - 8. Res: Authorizing Payment for Emergency Repairs Carmel Water District #2
  - 9. Res: Authorizing Payment to East of Hudson Watershed Corporation
  - 10. Res: Renaming Town Road
  - 11. Res: Re-scheduling of Public Hearing in Regards to Chapter 140 of the Town Code of the Town of Carmel entitled, "Towing and Storage" (May 23, 2018)
  - **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**

**Executive Session:**

1. Personnel – Candidate Interview for Board of Assessment Review
2. Police - Personnel
3. Mahopac Volunteer Fire Department – Contractual

## 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, April 18, 2018 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 52 of the Code of the Town of Carmel, entitled "Bingo" as follows:

TOWN OF CARMEL  
PROPOSED LOCAL LAW # \_\_\_\_\_ OF THE YEAR 2018  
A LOCAL LAW AMENDING CHAPTER 52 OF THE TOWN CODE  
OF THE TOWN OF CARMEL, ENTITLED "BINGO"

### **SECTION 1**

This Local Law shall be known as Amendments to Chapter 52 entitled "Bingo."

### **SECTION 2**

Chapter 52 of the Town Code of the Town of Carmel, specifically §52-6 is hereby amended to read as follows:

#### **§ 52-6. Prizes**

A. Single prizes. No prize in any single game of bingo shall exceed the sum or value of the amount set forth in General Municipal Law section 479 (5).

B. Series of prizes. No series of prizes on any one bingo occasion shall aggregate more than the sum or value of the amount set forth in General Municipal Law section 479 (6).

### **SECTION 3 HOME RULE**

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

### **SECTION 4 SEVERABILITY**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### **SECTION 5 Effective Date**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

## RESOLUTION #1-A

### RESOLUTION MAKING SEQR DETERMINATION IN REGARD TO THE PROPOSED LOCAL LAW #        OF THE YEAR 2018 ENACTING CHAPTER 52 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED “BINGO”

RESOLVED that the Town Board of the Town of Carmel hereby determines that, the proposed local law #       , enacting Chapter 52 of the Code of the Town of Carmel, entitled, “Bingo”, is a Type II action under SEQR, NYCRR Section 617.5 and no further review is necessary.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #1

### RESOLUTION AUTHORIZING AMENDMENTS AND ADOPTING TOWN OF CARMEL EMPLOYEE HANDBOOK

RESOLVED THAT the Town Board of the Town of Carmel hereby authorizes amendments and adoption of the Town of Carmel Employee Handbook in form as filed in the Office of the Town Supervisor.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #2

### RESOLUTION AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Lake Mahopac Park District Advisory Committee members Jay Crawford and Edward Barnett to attend the 2018 New York State Federation of Lakes Annual Conference being held May 3, 2018 through May 5, 2018 in Lake George, NY; 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>
Michael Barile	_____	_____
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____

## RESOLUTION #3

### RESOLUTION AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Highway Superintendent Michael Simone to attend the 2018 Cornell University Local Roads Program Highway School being held on June 3, 2018 through June 5, 2018 in Ithaca, NY; 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>
Michael Barile	_____	_____
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____

## RESOLUTION #4

### RESOLUTION AUTHORIZING THE AWARDING OF BIDS FOR MISCELLANEOUS HIGHWAY DEPARTMENT MATERIALS AND SERVICES

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for various highway materials and services for the Town Highway Department, and

WHEREAS such bids were received and opened and Highway Superintendent Michael Simone has recommended the awarding of the bids (after equalizing all FOB bids based on distance to the Town Highway Department yard),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby awards the bids for the purchase of various highway materials and services to the lowest responsible bidders who met specifications at the unit prices and material types as contained in the memo of Michael Simone, dated April 6, 2018, a copy of which is on file in the office of the Town Clerk for calendar year 2018.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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



## **RESOLUTION #5**

### **RESOLUTION AUTHORIZING REJECTION OF BIDS AND AUTHORIZING ADVERTISEMENT FOR BIDS**

WHEREAS, the Town Board of the Town of Carmel authorized the advertisement for bids for spring materials and supplies at the request Town of Carmel Town Highway Superintendent Michael Simone;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby rejects and bids and competitive pricing submitted for the aforesaid materials and supplies with respect to waste wood processing services; and

BE IT FURTHER RESOLVED that Town Highway Superintendent Michael Simone is hereby authorized to advertise for bids for waste wood processing services for 2018; and

BE IT FURTHER RESOLVED that upon finalization and completion of bid specifications, the Town Highway Superintendent is to furnish detailed specifications for the above to the Town Clerk Ann Spofford which are to be used in conjunction with the Town's general bid conditions and specifications.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #6

### RESOLUTION RELEASING BOND

WHEREAS applications have been made by Mr. Conrad Bley for the total release of a bond posted in accordance with Chapter 131 and/or Chapter 156 of the Town Code regarding the property known and designated as Town of Carmel Tax Map #65.12-1-22 located at 50 Crafts Road; and

WHEREAS said applications have been reviewed by the Planning Board and The Office of the Town Engineer, both of which have recommended the release of said bonds;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the bonds referenced herein specifically Mahopac National Bank Account # 021110476 in the amount of \$3,000.00.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #7

### RESOLUTION AUTHORIZING SUBMISSION OF GRANT DISBURSEMENT AGREEMENT TO NEW YORK STATE DORMITORY STATE AND MUNICIPAL FACILITIES PROGRAM PROJECT ID #8930

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the Grant Disbursement Application for New York State Municipal Facilities Program Project ID # 8930 for Sycamore Park Tennis and Basketball Court Renovations, in form as on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt and Director of Recreation and Parks James R. Gilchrist are hereby authorizes to execute the Grant Disbursement Application in accordance with the provisions thereof.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #8

### RESOLUTION AUTHORIZING PAYMENT FOR EMERGENCY REPAIRS TOWN OF CARMEL WATER DISTRICT #2

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, PE, hereby authorizes payment to Ed Kuck Excavating, Carmel, NY the sum of \$8,129.50 for services rendered in connection with repair of a water line leak Church Street and Seminary Hill Road in the Carmel Water District #2 Distribution System in accordance with the invoice dated March 23, 2018.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #9

### RESOLUTION AUTHORIZING PAYMENT TO EAST OF HUDSON WATERSHED CORPORATION

Resolved, that upon the recommendation and determination of Town Engineer Richard J. Franzetti, P.E., the Town Board of the Town of Carmel hereby authorizes payment of the sum of \$15,024.76 to the East of Hudson Watershed Corporation (EOHWC) for operation and maintenance related to the 2017 Town of Carmel's overall phosphorus reduction requirements, as well as in accordance with the Operations and Maintenance Policy for EOHWC previously adopted by the Carmel Town Board and the invoice from EOHWC dated November 8, 2017.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #10

### RESOLUTION RENAMING TOWN ROAD

WHEREAS the Town Board of the Town of Carmel, by resolution duly passed on November 15, 2017 and amended April 4, 2018, has accepted for dedication, the traveled way within the Town of Carmel which is currently known and designated as "Alan Road";

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby renames and re-designates the traveled way currently known as "Alan Road" located in the Kirkwood Estates Subdivision to hereafter be known and designated as "Sprucetop Drive", effective immediately; and

BE IT FURTHER RESOLVED, that Town Clerk Ann Spofford and Town of Carmel Highway Superintendent Michael Simone are hereby requested and/or directed to modify Town of Carmel road inventory records to reflect the road name change authorized herein by the Town Board, including but not limited to the road inventory records submitted annually to the New York State Department of Transportation.

#### Resolution

Offered by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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

## RESOLUTION #11

### 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 on Wednesday May 23, 2018 at 7:00 p.m., or as soon thereafter that evening as possible, on a proposed Local Law enacting Chapter 140 of the Code of the Town of Carmel, entitled "Towing and Storage"; 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>
Michael Barile	_____	_____
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Kenneth Schmitt	_____	_____