

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

FRANK D. LOMBARDI
Town Councilman
Deputy Supervisor

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Mahopac, New York 10541
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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 18, 2017 7:00pm

Pledge of Allegiance – Moment of Silence

Town Board Voting Meeting:

- Accept Town Board Minutes December 21, 2016
- 1. Amended Resolution Reappointing Town of Carmel Interim Wetlands Inspector
- 2. Res: Authorizing Award of Bid – Town of Carmel Highway Department
- 3. Res: Accepting Proposal for Special Counsel Services
- 4. Res: Authorizing Execution of State Environmental Quality Review Determination Dormitory Authority of State of New York Grant
- 5. Res: Making Appointment to the Town of Carmel Recreation and Parks Advisory Committee
- 6. Res: Making Appointment to the Town of Carmel Recreation and Parks Advisory Committee
- 7. Res: Accepting Proposal for Improvements to Sycamore Park Main Building
- 8. Res: Releasing Bond TM# 87.7-1-7 Willow Wood Gun Club
- 9. Res: Authorizing Substitution of Collateral in Connection with Tower/Structure Removal Bond TM# 76.5-1-5 Nextel Tower
- 10. Res: Declaring Certain Equipment Obsolete and Authorizing Disposal
- 11. Res: Authorizing Generator Brown Out Pump Evaluations
- 12. Res: Making Negative Determination Under NY State Environmental Quality Review ("SEQR") in Regard to Town of Carmel Park and Athletic Complex at Airport Park
- **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. Councilwoman Suzi McDonough – Personnel

Resolution #1

RESOLUTION REAPPOINTING TOWN OF CARMEL INTERIM WETLANDS INSPECTOR

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Richard Franzetti, PE as Interim Wetlands Inspector for the year 2017 at a stipend to be determined by the Town Board.

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	_____	_____

Resolution #2

RESOLUTION AUTHORIZING AWARD OF BID TOWN OF CARMEL HIGHWAY DEPARTMENT

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for the supply of washed sand to the Town of Carmel Highway Department for 2017; and

WHEREAS such bids were received and opened on December 28, 2016, and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of Michael Simone, Town of Carmel Highway Superintendent, to award the bid to Red Wing Properties, Stormville, NY, the low responsible bidder meeting specifications at a cost of \$15.50 per ton F.O.B. and \$20.50 per ton delivered;

BE IT FURTHER RESOLVED that 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: _____

Seconded by: _____

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

Resolution #3

RESOLUTION ACCEPTING PROPOSAL FOR SPECIAL COUNSEL SERVICES

RESOLVED THAT the Town Board of the Town of Carmel, hereby accepts the proposal of the Pinsky Law Group, Syracuse, NY for the provision of special counsel and legal services in connection with the Town of Carmel and its contracts with various Not-for-Profit contractors, said proposal to be in form as is currently on file in the Office of the Town Supervisor, and at an aggregate annual rate not to exceed \$20,000 (Twenty Thousand Dollars); and

BE IT FURTHER RESOLVED, that the cost of said services shall be apportioned accordingly to the Fire Protection Districts, Ambulance Districts, etc. for which said services shall be provided; 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	_____	_____

Resolution #4

RESOLUTION AUTHORIZING EXECUTION OF STATE ENVIRONMENTAL QUALITY REVIEW DETERMINATION DORMITORY AUTHORITY OF STATE OF NEW YORK GRANT

Resolved, that upon the recommendation and determination of Town Engineer Richard J. Franzetti, P.E., Town Supervisor Kenneth Schmitt is hereby authorized to execute the State Environmental Quality Review Type II Action determination with respect to the Dormitory Authority of the State of New York ("DASNY") State and Municipal Facilities Capital Program ("SAM") Grant Program, said determination to be in form and content as currently on file in the Office of the Town Supervisor.

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	_____	_____

Resolution #5

RESOLUTION MAKING APPOINTMENT TO THE TOWN OF CARMEL RECREATION AND PARKS ADVISORY COMMITTEE

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints David Furfaro to the Town of Carmel Recreation and Parks Advisory Committee for a term retroactive to January 1, 2017 and expiring December 31, 2019.

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	_____	_____

Resolution #6

RESOLUTION MAKING APPOINTMENT TO THE TOWN OF CARMEL RECREATION AND PARKS ADVISORY COMMITTEE

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Joyce Picone to the Town of Carmel Recreation and Parks Advisory Committee for a term retroactive to January 1, 2017 and expiring December 31, 2019.

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	_____	_____

Resolution #7

RESOLUTION ACCEPTING PROPOSAL FOR IMPROVEMENTS TO SYCAMORE PARK MAIN BUILDING

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Director of Recreation and Parks James Gilchrist, hereby authorizes the acceptance of the proposal of Michael Leuzzi Painting, Mahopac, NY to perform the improvements to the Sycamore Park main building as specified in the memorandum to the Town Board on January 6, 2017 at a cost not to exceed \$6,200.00;

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.

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	_____	_____

Resolution #8

RESOLUTION RELEASING BOND - TM #87.7-1-7 WILLOW WOOD GUN CLUB

WHEREAS application has been made by Willow Wood Gun Club c/o Country Logging Complete Forest Management for the total release of a bond posted in accordance with the Freshwater Wetlands Law of the Town of Carmel for Tax Map #87.7-1-7, 551 Union Valley Road, Mahopac, 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 Environmental Conservation Board,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the bond posted for Tax Map #87.7-1-7, Walden Savings Bank Check # 100083103 in the amount of \$10,000.00.

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	_____	_____

Resolution #9

RESOLUTION AUTHORIZING SUBSTITUTION OF COLLATERAL IN CONNECTION WITH TOWER/STRUCTURE REMOVAL BOND TM # 76.5-1-5 – NEXTEL TOWER

WHEREAS a Tower/Structure removal bond in the amount of \$30,000 was previously posted by Nextel of New York in accordance with the Land Subdivision and/or Zoning Regulations for Tax Map #76.5-1-5 with respect to the Nextel Tower at 55 McAlpin Avenue, Mahopac, NY; and

WHEREAS Nextel of New York has submitted a new Tower/Structure removal bond in the amount of \$30,000 issued by Travelers Casualty and Surety Company, (bond No. BLB8869942) in form and content which has been approved by the Planning Board attorney; and

WHEREAS Nextel of New York has requested that the referenced Travelers Casualty and Surety Company Bond BLB8869942 be substituted as collateral for the prior bond previously posted by Nextel of New York; and

WHEREAS the Planning Board of the Town of Carmel has approved the proposed substitution;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the substitution of the Travelers Casualty and Surety Company Bond BLB8869942 in the amount of \$30,000 as collateral by Nextel of New York; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the previous bond designated as Travelers Casualty and Surety Company Bond # 104728133 which was previously posted by Nextel of New York for the referenced site; and

BE IT FURTHER RESOLVED that substitution of collateral shall be deemed complete upon the filing of said Travelers Casualty and Surety Company Bond BLB8869942 in the office of the Town Clerk Ann Spofford.

Resolution

Offered by: _____

Seconded by: _____

Roll Call Vote:

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

Resolution #10

RESOLUTION DECLARING CERTAIN EQUIPMENT OBSOLETE AND AUTHORIZING DISPOSAL

RESOLVED that, upon the recommendation of Town Supervisor Kenneth Schmitt, the Town Board of the Town of Carmel hereby declares 75 (seventy-five) Vodavi Triad telephone units and two (2) Vodavi Triad console units that were replaced pursuant to the previously authorized Town of Carmel telephone system upgrade project to be obsolete and authorizes their disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

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	___	___

Resolution #11

RESOLUTION AUTHORIZING GENERATOR BROWN OUT PUMP EVALUATIONS

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Engineer Richard J. Franzetti, P.E., and acting as Commissioners of the various Water Districts and Sewer Districts of the Town of Carmel, hereby accepts the proposal of MagPro Industries, Carmel, NY to perform generator brown out pump evaluations within the various water and sewer districts of the Town of Carmel at an overall cost not to exceed \$7,400.00; and

BE IT FURTHER RESOLVED that the proportionate costs of said services shall be allocated to the cost of the services as incurred in each respective water and sewer district within the Town of Carmel; and

BE IT FURTHER RESOLVED, that Town Comptroller MaryAnn Maxwell is hereby authorized to make any necessary budget transfers or modifications necessary to fund the authorization set forth 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	_____	_____

Resolution #12

RESOLUTION MAKING NEGATIVE DETERMINATION UNDER NY STATE ENVIRONMENTAL QUALITY REVIEW ("SEQR") IN REGARD TO TOWN OF CARMEL PARK AND ATHLETIC COMPLEX AT AIRPORT PARK

WHEREAS the Town Board of the Town of Carmel has reviewed the full environmental assessment form attachments prepared and submitted by Town Engineering Consultant Insite Engineering Surveying & Landscape Architecture, P.C. in regard to the proposed improvements to be performed and constructed in connection with the proposed establishment and construction of a Park and Athletic Complex at Airport Park, Hill Street in the Town of Carmel (the "Project"); and

WHEREAS, as a result of its review, the Town Board has determined the Project is Type I under SEQR; and

WHEREAS, in the accordance with the provisions of 6NYCRR Part 617, the Town Board of the Town of Carmel did previously declare its intent to act as Lead Agency for the SEQRA Review of The Project, and

WHEREAS, the aforesaid Notice of Intention to Act as Lead Agency, was circulated to all involved agencies; and

WHEREAS, all involved agencies were given opportunity to comment on said Declaration, and the Town Board of the Town of Carmel and its Engineering Consultant have reviewed and addressed all comments made by involved agencies in connection with the Project; and

WHEREAS the Town Board has reviewed the Full Environmental Assessment form and assessed the projected impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, hereby determines that, based on the information contained in the Full EAF and their analysis thereof, the proposed Project will not result in any significant adverse environmental impacts under the SEQR regulations and hereby adopts a Negative Declaration in regard to the proposed action; and

BE IT FURTHER RESOLVED that the Town Clerk Ann Spofford is hereby directed to circulate this determination, along with the Environmental Assessment Form and associated documentation, to all Involved Agencies

Resolution

Offered by: _____

Seconded by: _____

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

SEQR

617.21

Appendix F

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number _____

Date December 14, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Carmel, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environmental and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Park and Athletic Complex at Airport Park

SEQR Status:

Type I ☒ Unlisted ☐

Conditioned Negative Declaration: Yes ☐ No ☒

Description of Action:

The proposed action involves a lease parcel across the properties from Putnam County to the Town of Carmel to build a Town Park facility on the site. A large portion of the site was formerly used as an airfield with a gravel road gaining access to the airfield from Hill Street. The location of the airfield is currently a maintained grass area used for soccer fields by the Town of Carmel. The eastern portion of the site was previously utilized as a working farm, as it is currently overgrown brush and pasture. The subject parcel is proposed to be developed as a Town Park. The project has been proposed to meet a community need for a recreation area within the Carmel hamlet. The proposed Town Park will consist of five (5) multipurpose I soccer fields, a playground I picnic area, future building, grandstands, and associated gravel parking.

SEQR Negative Declaration

Page 2

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Hill Street Mahopac, NY

REASONS SUPPORTING THIS DETERMINATION:

The purpose of the action is to protect and enhance the public health and welfare of the residents of the Town of Carmel by providing for a community recreation center to be utilized by the residents of the Town of Carmel. Upon review of the Full EAF and the input and conclusions of the consulting engineer, involved agencies and Town of Carmel staff, it can be concluded that the proposed action will not result in any significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Kenneth Schmitt, Supervisor