

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

KATHLEEN KRAUS
Receiver of Taxes

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

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

TOWN BOARD VOTING MEETING
Wednesday, October 17, 2018, 2018 7:00pm

Pledge of Allegiance – Moment of Silence

6:00 pm Executive Session:

1. Michael Simone, Highway Superintendent –Budget F/Y 2019- Personnel

Town Board Voting Meeting:

- Accept, Town Board Minutes, September 19, 2018
1. Res: Adopting the (Amended) Tentative Budget as the Preliminary Budget
 2. Res: Authorizing the Scheduling of Public Hearing in Connection with the Preliminary Budget (November 7, 2018)
 3. Res: Authorizing Re-Scheduling of Public Hearing on a Proposed Local Law Amending Chapter 89 of the Code of the Town of Carmel, entitled “Freshwater Wetlands” (November 28, 2018)
 4. Res: Authorizing Re-Scheduling of Public Hearing on a Proposed Local Law Amending Chapter 111 of the Code of the Town of Carmel, entitled “Peddling and Soliciting” (November 28, 2018)
 5. Res: Authorizing the Scheduling of Pubic Hearing on the Fire Protection Contracts and Ambulance District Contracts (November 7, 2018)
 6. Res: Appointing Special Counsel
 7. Res: Authorizing Advertising for Bid
 8. Res: Accepting Proposal and Authorizing Entry into Agreement for False Alarm Billing Services
 9. Res: Authorizing Entry into Contracts with Penflex, Inc. for Service Award Program Administration
 10. Res: Authorizing Attendance at Seminar
 11. Res: Accepting Proposal for Architectural Design Consultant – Town of Carmel Planning Board
 12. Res: Authorizing Entry into Agreement for Operation and Maintenance of Stormwater Retrofit Facilities
 13. Res: Authorizing Payment for Repairs within Carmel Water Districts

14. Res: Authorizing Request for Proposals – Lake Casse and Teakettle Lake Dams
15. Res: Making Reappointment to the Environmental Conservation Board of the Town of Carmel

- **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 Speaker for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

Executive Session:

1. Budget F/Y 2019- Personnel

RESOLUTION #1

**RESOLUTION ADOPTING THE (AMENDED)
TENTATIVE BUDGET AS THE PRELIMINARY BUDGET**

RESOLVED that the Town Board of the Town of Carmel hereby adopts the Town Supervisor's Tentative Budget, (as amended on the attached schedule), as the Preliminary Budget for fiscal year 2019.

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 THE SCHEDULING OF PUBLIC HEARING IN CONNECTION WITH PRELIMINARY BUDGET

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing in regard to the Preliminary Budget for fiscal year 2019 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Protection Districts, Garbage District and Lighting Districts; and

BE IT FURTHER RESOLVED that said Public Hearing shall be held on the 7th day of November, 2018 at Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM or as soon thereafter that evening as possible, at which all interested persons shall be heard; and

BE IT FURTHER RESOLVED that the proposed salaries of the following officials for fiscal year 2019 shall be advertised, as required by Section 108 of the Town Law of the State of New York, as follows in said notice:

Town Supervisor \$124,800.00
Town Council Members \$21,000.00
Town Clerk \$95,160.00
Town Highway Superintendent \$128,960.00

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and directed to publish the Notice of said Public Hearing in the official newspapers of the Town a minimum of five (5) days prior to November 7, 2018, and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Carmel is hereby authorized and directed to post the Notice of said Public Hearing on the Town Bulletin Board a minimum of five (5) days prior to November 7, 2018; and

BE IT FURTHER RESOLVED that a copy of the preliminary budget be available at the Office of the Town Clerk where it may be inspected by any interested person during office hours.

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 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 November 28, 2018 at 7:00 p.m., or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 89 of the Code of the Town of Carmel, entitled "Freshwater Wetlands"; 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	___	___

RESOLUTION #4

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 November 28, 2018 at 7:00 p.m., or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 111 of the Code of the Town of Carmel, entitled "Peddling and Soliciting"; 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	___	___

RESOLUTION #5

RESOLUTION AUTHORIZING THE SCHEDULING OF PUBLIC HEARING

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2019, to be held on the 7th day of November, 2018 at the Town Hall, 60 McAlpin Avenue, Mahopac, NY at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

Contractor		Services Not to Exceed
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 794,000.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,225,000.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$ 803,500.00
Carmel Volunteer Ambulance Corps	Ambulance Service Carmel Ambulance District #1	\$ 150,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services Carmel Ambulance District #1	\$ 12,900.00

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish a notice of the Public Hearing in the official newspapers of the Town and to post a notice of said hearing on the bulletin board of the Town, said notices to be published and posted a minimum of ten days prior to the 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	___	___

RESOLUTION #6

RESOLUTION APPOINTING SPECIAL COUNSEL

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the appointment of Andrew A. Rubin, 1133 Westchester Avenue, White Plains, NY as special counsel for Councilman John D. Lupinacci at an hourly rate of \$450.00; and

BE IT FURTHER RESOLVED, that reimbursement to Councilman Lupinacci in the sum of \$400.00 for consultation fees is hereby authorized.

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 ADVERTISEMENT FOR BID

RESOLVED that, pursuant to the request of Town Comptroller Mary Ann Maxwell and Assistant to Town Board Anne Pasquerello, the Town Board hereby authorizes Town Clerk Ann Spofford to advertise for bids in connection with the proposed purchase two (2) new servers for Town of Carmel IT equipment, facilities and services; and

BE IT FURTHER RESOLVED that the detailed specifications are to be furnished for the above to Town Clerk Ann Spofford 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 #8

RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING ENTRY INTO AGREEMENT FOR FALSE ALARM BILLING SERVICES

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Comptroller Mary Ann Maxwell and Town of Carmel Police Sergeant Laura Smith, authorizes entry into agreement with A1 Business Solutions, Bedford Hills, NY for the provision of false alarm billing services at an initial upfront cost of \$3,980.00 and a monthly charge thereafter of \$175.00;

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all budget transfers or modifications necessary to fund the services authorized herein.

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 ENTRY INTO CONTRACTS WITH PENFLEX INC. FOR SERVICE AWARD PROGRAM ADMINISTRATION

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of Carmel Fire Protection Districts #1and #2, hereby authorizes entry into Service Award Program Service Agreements with Penflex Inc., of Latham, NY for administration services for the Fire Protection District Service Award Programs for 2018-19 as contained within its September 2018 proposal which is attached hereto and made a part hereof, at estimated costs of \$6,600.00 for Fire Protection District #1; and \$7,200.00 for Fire Protection District #2; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation required to effect this authorization on the terms set forth herein.

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 AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Payroll Clerk, Barbara Alosco to attend the New York State and Local Retirement System Employer Education Seminar being held on October 26, 2018 in Pomona, 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 #11

**RESOLUTION ACCEPTING PROPOSAL ARCHITECTURAL DESIGN CONSULTANT
TOWN OF CARMEL PLANNING BOARD**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes acceptance of the proposal of Warshauer, Mellusi, Warshauer Architects, PC for the performance of Architectural Consulting Services to the Town of Carmel Planning Board upon the terms set forth within the proposal September 25, 2018, a copy of which is on file in the Town Supervisor’s Office; 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 this proposal upon the terms authorized herein.

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 #12

RESOLUTION AUTHORIZING ENTRY INTO AGREEMENT FOR OPERATION AND MAINTENANCE OF STORMWATER RETROFIT FACILITIES

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes entry into an agreement with the East of Hudson Watershed Corporation and the County of Putnam for the Operation and Maintenance of Stormwater Retrofit Facilities, said Agreement to be in general 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>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #13

**RESOLUTION AUTHORIZING PAYMENT FOR REPAIRS
WITHIN CARMEL WATER DISTRICTS**

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #12, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes payment to Ed Kuck Excavating, Carmel, NY the sum of \$6,838.72 for goods and services rendered in connection with repairs performed at Tommy Court within Carmel Water District #12 in accordance with the invoices dated September 17, 2018; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water Districts #10 and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes payment to Ed Kuck Excavating, Carmel, NY the sum of \$6,004.00 hydrant flushing on Senior Avenue within Carmel Water District #10 in accordance with the invoice dated September 28, 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 #14

RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS LAKE CASSE AND TEAKETTLE LAKE DAMS

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Lake Casse Park District and Lake Teakettle Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes circulation of a request for proposals for development of bid documents and specifications to address maintenance issues raised in Engineering Assessments for the Lake Casse Dam, Lake Teakettle Dam and Upper Lake Teakettle Dam; and

BE IT FURTHER RESOLVED Town Board of the Town of Carmel, acting as Commissioners of Lake Casse Park District and Lake Teakettle Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes circulation of a request for proposals for development of bid documents and specifications to address structural and geotechnical deficiencies in Lake Casse Dam, Lake Teakettle Dam and Upper Lake Teakettle Dam.

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 #15

RESOLUTION MAKING REAPPOINTMENT TO THE ENVIRONMENTAL CONSERVATION BOARD OF THE TOWN OF CARMEL

WHEREAS the term of Edward Barnett on the Environmental Conservation Board of the Town of Carmel expired on June 13, 2018 and the Town Board wishes to reappoint him to a new term,

NOW, THEREFORE, BE IT RESOLVED that Edward Barnett is hereby re-appointed to the Town of Carmel Environmental Conservation Board for a three year term commencing retroactive to June 14, 2018 and expiring on June 13, 2021.

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	___	___