

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

FRANK D. LOMBARDI
Town Councilman
Deputy Supervisor

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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, April 6, 2016 7:00pm

Pledge of Allegiance – Moment of Silence

Town Board Voting Meeting:

1. Accept Town Board Minutes March 9 & 16, 2016
2. Res: Authorizing Approval and Execution of Agreement for Mahopac Falls Volunteer Fire Department Pursuant to Internal Revenue Code Section 147(f)
3. Res: Accepting Proposal and Authorizing Entry into Contract for Hydro Raking Services Lake Secor
4. Res: Authorizing Attendance at Seminar
5. Res: Authorizing Additions and Deletions to the Active List of the Mahopac Volunteer Fire Department
6. Res: Re-granting Open Development Status to the Dawn Holding Company Subdivision TM #53.-2-28
7. Res: Authorizing Advertise for Bids for Tree Felling and Trimming
8. Res: Authorizing Entry Into Contract Putnam County Department of Real Property Tax Services
9. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for Lake View Bistro, Inc. d/b/a Lake View Bistro
10. Res: Accepting Proposal for Professional Services – Mahopac Volunteer Fire Department Data Review
11. Bond Res: Authorizing, Subject to Permissive Referendum, the Issuance of \$500,000 Bonds of the Town of Carmel, Putnam County, New York, to Pay the Cost of the Road Reconstruction and Resurfacing, throughout and in for Said Town
12. Bond Res: Authorizing, Subject to Permissive Referendum, Construction of Drainage Improvements throughout and in for the Town of Carmel, Putnam County, New York, at a Maximum Estimated Cost of \$200,000 and Authorizing the Issuance of \$200,000 Bonds of Said Town to Pay the Cost Thereof
13. Bond Res: Authorizing, Subject to Permissive Referendum, the Issuance of \$250,000 Bonds of the Town of Carmel, Putnam County, New York, to Pay the Cost of the Purchase of a Dump Truck for Construction and Maintenance Purposes for Said Town
14. Res: Authorizing the Awarding of Bid for the Replacement of Roof – Carmel Sewer District #7 Wastewater Treatment Plant

15. Res: Declaring the Month of April "Teen Driver Safety Awareness Month in Putnam County, NY"
16. Res: Authorizing Acceptance of Proposal Town of Carmel Revaluation Project
17. Res: Accepting Proposal for Insurance
18. Res: Authorizing General and Highway Fund Equity Reserve Balances for Fiscal Year End 2015

- **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**

RES #2

RESOLUTION AUTHORIZING APPROVAL AND EXECUTION OF AGREEMENT FOR MAHOPAC FALLS VOLUNTEER FIRE DEPARTMENT PURSUANT TO INTERNAL REVENUE CODE §147(f)

RESOLVED, that the Town Board of the Town of Carmel, pursuant to §147(f) of the Internal Revenue Code, hereby approves the entry by Mahopac Falls Volunteer Fire Department into an agreement with principal amount thereof not exceeding \$540,048 for the financing of certain equipment consisting of a 2016 Smeal Pumper Tanker for the aforesaid department; and

BE IT FURTHER RESOLVED that this approval shall in no way constitute any financial obligation or involvement in the referenced financing transaction; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to execute the aforesaid approval and agreement instrument in general form and substance as attached hereto and made a part hereof.

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	_____	_____

Section 147(f) Approval and Written Agreement

The undersigned Official of the Town of Carmel, County of Putnam, State of New York (hereinafter referred to as "Municipality") pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the "code"), hereby approves the entering by the Mahopac Falls Volunteer Fire Department of an Agreement in an aggregate principal amount not to exceed \$540,048 to finance equipment consisting of a 2016 Smeal Pumper Tanker which will be located at the fire house of the Mahopac Falls Volunteer Fire Department. **This approval does not in any way constitute any financial involvement or obligation of the Municipality.**

Furthermore, this document acknowledges that for consideration, the receipt and sufficiency of which are hereby acknowledged, the Mahopac Falls Volunteer Fire Department has provided firefighting and other services to the Municipality for many years and the Mahopac Falls Volunteer Fire Department hereby agrees to meet the requirement to continue to provide fire fighting and other services for the Municipality.

Dated as of _____

Mahopac Falls Volunteer Fire Department

Town of Carmel

Randall J. Tompkins

Kenneth Schmitt

President, Board of Directors

Town Supervisor

RES #3

RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING ENTRY INTO CONTRACT FOR HYDRO RAKING SERVICES LAKE SECOR

RESOLVED THAT the Town Board of the Town of Carmel, as Commissioners of Lake Secor Park District, hereby authorizes the acceptance of the proposal of Aquatic Control Technology dba Solitude Lake Management, Shrewsbury, MA, for the provision of hydro raking services at Lake Secor for the years 2016, 2017 and 2018 at an aggregate base cost not to exceed \$5,600.00 annually in accordance with the terms of the proposal dated February 8, 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 the authorization 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	_____	_____

RES #4

RESOLUTION AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Director of Recreation and Parks James R. Gilchrist and Senior Recreation Leader, Nina Kallmeyer to attend the 2016 Playground Equipment Inspection and Maintenance/Managing Recreation Liability & Facility Users seminar offered by the New York Municipal Insurance Reciprocal in Tarrytown, New York on April 12, 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>	NO
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

RES #5

RESOLUTION AUTHORIZING ADDITIONS AND DELETIONS TO THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER DEPARTMENT

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

Chelsea McNulty, Mahopac, NY

Maggie Bacon, Mahopac, NY

BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the deletion of the following names from the active list of the Mahopac Volunteer Fire Department:

Victor Rossi, Mahopac, NY

Louis Butironi, Mahopac, NY

Richard Armistead, Patterson, NY

Roy Stevens, Norfolk, VA

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	___	___

RES #6

RESOLUTION RE-GRANTING OPEN DEVELOPMENT STATUS TO THE DEWN HOLDING COMPANY SUBDIVISION - TM# 53.-2-28

WHEREAS the Town of Carmel Planning Board has received an application from Dawn Holding Company for a five (5) lot subdivision in which four 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.-2-28, is located on Mexico Lane, has an approximate area of 30.35 acres and is located in an R Residential Zoning District, and

WHEREAS the proposed subdivision is shown on a plan prepared by Hudson Engineering & Consulting, P.C., entitled: "5 - Lot Subdivision, Mexico Lane, Town of Carmel, Putnam County, New York, Site Layout Plan", dated 5/31/08 and revised January 23, 2012; 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 four (4) 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 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 #2, #3, #4 and #5 in the proposed Dawn Holding Company Subdivision subject to the following terms and conditions:

1. The open development area shall consist of Lots #2, #3, #4 and #5 in the proposed Dawn Holding Subdivision as shown on a plan prepared by Hudson Engineering & Consulting, P.C., entitled: "5 - Lot Subdivision, Mexico Lane, Town of Carmel, Putnam County, New York, Site Layout Plan", dated 5/31/08.
2. The maximum number of lots to be established in said open development area shall be four (4). The maximum number of dwelling units to be established in said open development area shall be four (4) single family

- residences. 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 April 6, 2016."

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	___	___

RES #7

RESOLUTION AUTHORIZING ADVERTISING FOR BIDS

RESOLVED that, pursuant to the request of the Highway Superintendent, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for tree felling and trimming services for fiscal year 2016; and

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the 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>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

RES #8

RESOLUTION AUTHORIZING ENTRY INTO CONTRACT PUTNAM COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES

WHEREAS appropriations have been made in the 2016 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to enter into and execute, on behalf of the Town, the contract with the Putnam County Department of Real Property Tax Services for preparation of the tentative assessment roll for year 2016 in form as attached hereto and made a part hereof.

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	_____	_____

PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT

AGREEMENT MADE THIS 7th DAY OF MARCH BETWEEN: THE TOWN OF CARMEL REFERRED TO AS THE TOWN AND THE COUNTY OF PUTNAM HAVING ITS PRINCIPAL PLACE OF BUSINESS AT 40 GLENEIDA AVENUE, CARMEL, NEW YORK 10512, HEREINAFTER REFERRED TO AS COUNTY.

THE PARTIES HEREIN AGREE AS FOLLOWS:

- 1) THE COUNTY SHALL PREPARE THE TENTATIVE ASSESSMENT ROLL, FOR THE CALENDAR YEAR OF 2016 AND HAVE IT AVAILABLE ON THE COUNTY WEBSITE TO COMPLY WITH RPTL §1591
- 2) EVERY TRANSFER OF PROPERTY, CHANGE OF ADDRESS, DESCRIPTION OR VALUATION, SPECIAL FRANCHISE, PUBLIC UTILITY, SHALL BE DATA ENTERED BY ASSESSOR OF TOWN OR DESIGNATED STAFF MEMBER.
- 3) AFTER CLOSING OF THE BOOKS ON MARCH 1st, ALL CHANGES SHALL BE ENTERED ON OR BEFORE APRIL 15th BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1st DEADLINE.
- 4) ALL GRIEVANCE CHANGES, CORRECTION OF CLERICAL ERRORS, & UNLAWFUL ENTRIES SHALL BE APPROVED BY THE BOARD OF ASSESSMENT REVIEW AND ENTERED BY THE TOWN INTO THE REAL PROPERTY SYSTEM, BACKED UP AND BROUGHT TO THE REAL PROPERTY TAX SERVICE AGENCY NO LATER THAN JUNE 17th. FOR FINAL ROLL PROCESSING.
- 5) ALL CHANGES FOR THE SCHOOL TAX PROCESSING SHALL BE SUBMITTED BY AUGUST 8TH.
- 6) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE NOVEMBER 14th.
- 7) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY **NOVEMBER 1ST**, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY **NOVEMBER 18TH**.
- 8) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

PRICE FOR THE PREPARATION OF THE FOLLOWING IS \$ 0.50 PER PARCEL:

- 1) TENTATIVE ASSESSMENT ROLL (2 COPIES*) AND ASSOCIATED REPORTS, COA'S
- 2) FINAL ASSESSMENT ROLL (2 COPIES*)
- 3) TAX ROLL (2 COPIES*)
- 4) HARD & SOFT BINDERS FOR ROLLS
- 5) BANK CODE LISTINGS
- 6) APPORTIONMENT OF SPECIAL FRANCHISE
- 7) 1 SET OF TAX BILLS IN ENVELOPES
- 8) RPS 145D1, 155D1 & 160D1 TAX EXTRACTS
- 9) DATA ENTRY FOR PRO-RATAS
- 10) 1 SET TAX MAPS 24" x 36"

UNPAID WATER, SEWER, OR OTHER UNPAIDS WILL BE CHARGED A FEE IN THE AMOUNT OF 50.00 PER HUNDRED IF THE DATA HAS TO BE MANUALLY ENTERED, OR IF TAX MAP NUMBERS PROVIDED IN COMPUTER FORMAT ARE INVALID.

IF ANY ADDITIONAL SPECIAL DISTRICT ROLLS ARE REQUIRED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER PARCEL.

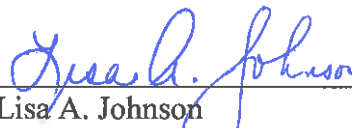
IF ANY INSERTS ARE REQUESTED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER ENVELOPE.

*.02 PER PARCEL WILL BE DEDUCTED IF ONE (1) COPY OF EACH ROLL IS REQUESTED INSTEAD OF TWO (2).

THE TOWN OF CARMEL HEREBY REPRESENTS THAT THE AGREEMENT HEREIN HAS BEEN APPROVED BY RESOLUTION OF THE TOWN BOARD, A COPY OF WHICH IS ANNEXED HERETO AND MADE A PART HEREOF:

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT IN NEW YORK, ON THE DATE HEREIN ABOVE SET FORTH.

READ AND APPROVED BY:

_____ DATE: _____	 DATE: <u>3/7/16</u>
MaryEllen Odell County Executive	Lisa A. Johnson County Director, R.P.T.S.A.

_____ DATE: _____	_____ DATE: _____
William J. Carlin Commissioner of Finance	Jennifer S. Bumgarner County Attorney

_____ DATE: _____	_____ DATE: _____
Adrienne Lotto Risk Manager	Kenneth Schmitt Town Supervisor

RES #9

RESOLUTION WAIVING THE NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR LAKE VIEW BISTRO, INC. DBA LAKE VIEW BISTRO

WHEREAS, the representatives and/or proprietors of Lake View Bistro, Inc., dba Lake View Bistro, 976 South Lake Boulevard, Mahopac, NY 10541, 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	_____	_____

RES #10

RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES MAHOPAC VOLUNTEER FIRE DEPARTMENT DATA REVIEW

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of Pinsky Law Group, Syracuse NY for the provision of review of “hard data” financial submissions from the Mahopac Volunteer Fire Department (MVFD) which are required in connection with the contractual agreement for fire protection services for Carmel Fire Protection District #2 in fiscal year 2016 at an annual aggregate cost not to exceed \$20,000, said proposal and agreement in form and content as on file in the Office of the Town Supervisor; 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 the authorization 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	_____	_____

RES #11

RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE ROAD RECONSTRUCTION AND RESURFACING, THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof; NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Road reconstruction and resurfacing, throughout and in and for the Town of Carmel, Putnam County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$500,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$500,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20© of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on

such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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	_____	_____

RES #12

**RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE
REFERENDUM, CONSTRUCTION OF DRAINAGE IMPROVEMENTS
THROUGHOUT AND IN AND FOR THE TOWN OF CARMEL, PUTNAM
COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$200,000, AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS
OF SAID TOWN TO PAY THE COST THEREOF.**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing;
NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The construction of drainage improvements throughout and in and for the Town of Carmel, Putnam County, New York, together with incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$200,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of

paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by

Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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	_____	_____

RES #13

**A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE
REFERENDUM, THE ISSUANCE OF \$250,000 BONDS OF THE TOWN
OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF
THE PURCHASE OF A DUMP TRUCK FOR CONSTRUCTION AND
MAINTENANCE PURPOSES, FOR SAID TOWN.**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing;
NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The purchase of a dump truck with plow and wing for construction and maintenance purposes, including incidental equipment and expenses, in and for the Town of Carmel, Putnam County, New York, is hereby authorized at a maximum estimated cost of \$250,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$250,000 bonds of said Town is hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE**

REFERENDUM.

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	_____	_____

RES #14

RESOLUTION AUTHORIZING THE AWARDING OF BID REPLACEMENT OF ROOF CARMEL SEWER DISTRICT #7 WASTEWATER TREATMENT PLANT

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the replacement of the existing roof at the Carmel Sewer District #7 Wastewater Treatment Plant; and

WHEREAS such bids were received and opened and Town Engineer Richard J. Franzetti, P.E. has recommended the awarding of the bids as set forth herein;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Carmel Sewer District #7, hereby awards the bid for the replacement of the roof at the Carmel Sewer District #7 Wastewater Treatment Plant to TAM Enterprises, Inc., Goshen, NY, the lowest responsible bidder who met specifications at an aggregate price not to exceed \$203,872.47; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and performance bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute all contracts and related documentation necessary to effectuate the award of said bid on the terms 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	_____	_____

RES #15

RESOLUTION DECLARING APRIL 2016 AS TEEN DRIVER SAFETY AWARENESS MONTH

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout the Country, are the dangers posed from traffic crashes, and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes, and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents, and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving such as texting, and use of alcohol and drugs, and

WHEREAS, in Putnam County we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season, and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organization such as Boy Scouts, Girl Scouts, Junior ROTC programs and the Civil Air Patrol, just to name a few, and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations coming together to provide these educational programs,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel declares April, 2016 as Teen Driver Safety Awareness Month and encourages all levels of government, school districts, law enforcement, churches, synagogues, youth service organizations and all citizens of Putnam County, to support programs that

promote teen driver safety awareness thereby protecting two of our most precious resources, our children and grandchildren.

Resolution

Offered by: _____

Seconded by: _____

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

RES #16

RESOLUTION AUTHORIZING ACCEPTANCE OF PROPOSAL TOWN OF CARMEL REVALUTION PROJECT

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of McCarthy Consulting Svc., Inc., Carmel, New York for the provision of consulting services in connection with the completion of the Town of Carmel Revaluation Project, in accordance with the proposal dated March 23, 2016 and on file in the Office of the Town Supervisor and at an aggregate cost not to exceed \$64,500.00; 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 sign any and all documentation necessary to accept the proposal on 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	_____	_____

RES #17

RESOLUTION ACCEPTING PROPOSAL FOR INSURANCE

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of the Spain Agency, Inc., Mahopac, NY to provide liability insurance to the Town of Carmel for the period of April 1, 2016 through March 31, 2017 in form as attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to sign all necessary documentation required to accept such 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	_____	_____

Premium/Rating Comparison:

The Town's overall premiums for the 4/1/16-17 coverages are increasing approximately 4% (from \$407,316 to \$423,323), which is attributed to the following:

- a. NYMIR has implemented an average overall rate increase of 3.5% in 2016 (subject to individual claims experience and exposure changes). Please keep in mind the prior 8 years of the NYMIR program produced an average rate decrease of approx. 3%
- b. The Town's property claims experience has not been favorable over the past 6 years (approx. 150% loss ratio).
- c. Some exposures have increased since last year (property/equipment values are up approximately 5%).

Line of Business	Insurance Company	Expiring Premium 2015-2016	Renewal Premium 2016-2017
Property	NYMIR	\$47,364.90	\$63,079.50
General Liability	NYMIR	\$97,479.80	\$85,250.00
Boiler & Machinery	NYMIR	\$6,935.50	\$8,252.20
Equipment Floater	NYMIR	\$35,922.00	\$35,470.60
Business Auto	NYMIR	\$56,085.40	\$57,227.50
Public Officials	NYMIR	\$35,706.00	\$38,583.60
Law Enforcement	NYMIR	\$90,805.00	\$94,336.00
Umbrella	NYMIR	\$30,442.32	\$34,592.80
OCPs	NYMIR	\$550.00	\$550.00
Crime	Hartford	\$5,047.00	\$4,973.00
NY Fire Fee		\$208.74	\$277.94
Motor Vehicle Enforcement Fee		\$770.00	\$730.00
Total Premiums:		\$407,316.66	\$423,323.14

RES #18

RESOLUTION AUTHORIZING GENERAL AND HIGHWAY FUND EQUITY RESERVE BALANCES FOR FISCAL YEAR END 2015

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the Town Comptroller Mary Ann Maxwell to establish and/or modify the balances in the Fund Equity Reserves for the General and Highway Funds for Fiscal Year End 2015 as set forth on the schedule attached hereto, which is incorporated herein and made a part hereof.

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	_____	_____

TOWN OF CARMEL

** unaudited **

GENERAL AND HIGHWAY FUND COMBINED FUND EQUITY (YEARS 2010-2015)

DESCRIPTION	2010	2011	2012	2013	2014	2015
GENERAL FUND						
RESERVE FOR PREPAID EXPENSES	263,904	532,604	490,430	514,577	450,029	393,897
RESERVE FOR ENCUMBRANCES	55,110	23,453	65,147	55,713	89,518	118,210
RESERVE FOR COMPENSATED ABS	750,000	600,000	800,000	1,000,000	1,000,000	1,000,000
DESIGNATED FOR TAX CERTIORARI	300,000	300,000	600,000	770,000	770,000	770,000
DESIGNATED FOR RETIREMENT CONTRIBUTIONS	-	-	160,000	200,000	200,000	200,000
DESIGNATED FOR CAPITAL PROJECTS	-	-		200,000	500,000	500,000
DESIGNATED RESERVE VEHICLE PURCHASES				80,000	150,000	150,000
UNRESERVED DESIGNATED EQUITY-FY	300,000	300,000	400,000	400,000	400,000	400,000
UNRESERVED DESIGNATED EQUITY - SUBSEQUENT YEARS BUDGET	850,000	250,000	-	-		-
UNRESERVED UNDESIGNATED EQUITY**	1,044,192	1,078,953	1,127,422	1,227,425	1,532,712	2,172,921
TOTAL GENERAL FUND EQUITY	\$ 3,563,206	\$ 3,085,010	\$ 3,642,999	\$ 4,447,715	\$ 5,092,259	\$ 5,705,028
HIGHWAY FUND						
RESERVE FOR PREPAID EXPENSES	123,027	226,467	85,875	123,500	117,500	112,500
RESERVE FOR ENCUMBRANCES					100,000	150,000
RESERVE FOR COMPENSATED ABSENCES	240,000	215,000	275,000	300,000	300,000	300,000
RESERVE FOR SNOW REMOVAL/ROADS	97,592		250,000	350,000	500,000	450,000
UNRESERVED DESIGNATED EQUITY	88,025	13,884	28,592	37,623	61,719	111,856
UNRESERVED UNDESIGNATED EQUITY	-					
TOTAL HIGHWAY FUND EQUITY	\$ 548,644	\$ 455,351	\$ 639,467	\$ 811,123	\$ 1,079,219	\$ 1,124,356
TOTAL GENERAL & HIGHWAY EQUITY	\$ 4,111,850	\$ 3,540,361	\$ 4,282,466	\$ 5,258,838	\$ 6,171,478	\$ 6,829,384
General Fund Total Annual Revenue	14,425,546	15,234,610	16,247,142	17,414,701	17,994,767	18,272,944
General Fund Total Annual Expenditures	14,900,222	15,712,806	15,688,843	16,609,984	17,350,224	17,635,552
Year End Surplus/Deficit	(474,676)	(478,196)	558,299	804,717	644,543	637,392
* GENERAL FUND UNDESIGNATED RATIO TO TOTAL EXPENDITURES & USES	7.0%	6.9%	7.2%	7.4%	8.8%	12.3%