

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

FRANK D. LOMBARDI
Town Councilman
Deputy Supervisor

60 McAlpin Avenue
Mahopac, New York 10541

KATHLEEN KRAUS
Receiver of Taxes

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

Tel. (845) 628-1500 • Fax (845) 628-6836
www.carmelny.org

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

TOWN BOARD VOTING MEETING
Wednesday, August 9, 2017 7:00pm

Pledge of Allegiance – Moment of Silence

6:30pm - Executive Session:

1. Supervisor Schmitt, Councilman Schneider – Contractual

Town Board Voting Meeting:

- Accept Town Board Minutes June 28 and July 19, 2017
 - 1. Res: Authorizing Budget Modification #2017/04
 - 2. Res: In Support of Sewer Feasibility and Facilities Study Route 6 Corridor
 - 3. Res: Accepting Proposal and Authorizing Purchase of Hot In-Place Asphalt Scarification Town of Carmel Highway Department
 - 4. Res: Approve Application for Education Stipend of Police Officer Erin Macom
 - 5. Res: Accepting Proposal oil Spill Remediation Carmel Sewer District #2
 - 6. Res: Authorizing Payment of Compensatory Time – Town of Carmel Highway Department
 - 7. Res: Authorizing Encumbrance and Expenditure of Funds for Sycamore Park Improvements
 - 8. Res: Authorizing Encumbrance and Expenditure of Funds for Airport Park Improvements
 - 9. Res: Authorizing Settlement of Litigation
 - **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. Councilman Jonathan Schneider – contractual/personnel

RESOLUTION #1

RESOLUTION AUTHORIZING BUDGET MODIFICATIONS

WHEREAS the Town Comptroller has reviewed the proposed Final Budget Modifications for the period ending June 30, 2017 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule 2017/04;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending June 30, 2017 as shown itemized on schedule 2017/04 which is attached hereto, 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
BUDGET REVISIONS JUNE 2017 - #2017/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.1410.0019	TOWN CLERK OTHER COMPENSATION	5,000.00	
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS		5,000.00
		- TRANSFER FOR HEALTH INSURANCE BUYOUT		
2	100.1440.0011	ENGINEERING STAFF	3,225.00	
	100.1010.0016	TOWN BOARD RESERVE COMPENSATION		3,225.00
		- TRANSFER FOR STAFF PROMOTION SALARY EXPENSE		
3	100.5132.0040	HIGHWAY GARAGE CONTRACTUAL EXPENSES	7,750.00	
	100.5010.0080	HIGHWAY ADMIN EMPLOYEE BENEFITS		7,750.00
		- TRANSFER FOR HIGHWAY GARAGE CONTRACTUAL EXPENSES		
HIGHWAY FUND				
4	500.5110.0019	GENERAL REPAIR COMPENSATED ABSENCES	40,828.00	
	500.5010.9877	FUND BALANCE FOR COMPENSATED ABSENCES	*	40,828.00
		- PROVIDE FOR RETIREMENT PAYOUT OF ACCRUED TIME		
5	500.5130.0040	MACHINERY REPAIR EXPENSES	10,171.00	
	500.5010.9909	APPROPRIATED FUND BALANCE	*	10,171.00
		- PROVIDE FOR THE PURCHASE OF A TRANSFER CASE WHICH WAS A PRIOR YEAR EXPENSE		
CARMEL FIRE PROTECTION DISTRICT # 1				
6	301.3410.0048	OTHER EXPENDITURES	200.00	
	301.3410.0049	SERVICES OTHER DEPARTMENTS/GOVERNMENTS		200.00
		- TRANSFER TO COVER COST TO PAY POLL WORKERS FOR SPECIAL LOSAP ELECTION		
LAKE CASSE PARK DISTRICT				
7	401.7140.0041	SUPPLIES & MATERIALS	2,000.00	
	401.7140.0054	CAPITAL EXPENDITURES	1,000.00	
	401.7140.0099	REPAIR RESERVE FUND		3,000.00
		- TRANSFER FOR PURCHASE OF AIR CONDITIONING UNITS AT CLUBHOUSE		
		AS AUTHORIZED BY RESOLUTION		
LAKE MAHOPAC PARK DISTRICT				
8	402.7110.0040	CONTRACTUAL EXPENSES	6,000.00	
	402.7110.0099	REPAIR RESERVE FUND		6,000.00
		- TRANSFER FOR THE PURCHASE OF CARP WHICH WERE RELEASED INTO LAKE MAHOPAC		
		PER AUTHORIZING RESOLUTION		
MAHOPAC LIGHTING DISTRICT - STREET LIGHTING				
9	751.5182.0040	CONTRACTUAL EXPENSES	200.00	
	751.5182.0048	OTHER EXPENSES		200.00
		- TRANSFER FOR ELECTRICAL REPAIRS TO POST LIGHTS ON ROUTE 6		
DRAINAGE CAPITAL PROJECT				
10	900.1989.0012	PROJECT OVERTIME EXPENSE	15,000.00	
	900.1989.0040	CONTRACTUAL EXPENDITURES	170,000.00	
	900.1989.0048	OTHER PROJECT EXPENDITURES	10,000.00	
	900.1989.0080	FICA/MED EXPENSE	5,000.00	
	900.1989.5710	PROCEEDS OF BORROWING	*	200,000.00
		- RECORD 2017 CAPITAL AUTHORIZATION		
CAPITAL FUND - TECHNOLOGY				
11	903.1989.0099	TRANSFER TO OTHER FUNDS	16,488.19	
	903.1989.0020	EQUIPMENT		11,806.26
	903.1989.0046	SPECIAL CONSULTING SERVICES		1,306.71
	903.1989.0048	OTHER PROJECT EXPENSES		3,375.22
		- TRANSFER TO CLOSE CAPITAL PROJECT		

TOWN OF CARMEL
BUDGET REVISIONS JUNE 2017 - #2017/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
HIGHWAY RESURFACING CAPITAL PROJECT				
12	950.5112.0012	PROJECT OVERTIME	25,000.00	
	950.5112.0045	CONTRACTED PAVING SERVICES	700,000.00	
	950.5112.0048	OTHER PROJECT EXPENDITURES	20,000.00	
	950.5112.0082	FICA/MED EXPENSE	5,000.00	
	950.5112.5710	PROCEEDS OF BORROWING	*	750,000.00
		- RECORD 2017 CAPITAL AUTHORIZATION		
CAPITAL FUND - HIGHWAY SPECIAL IMPROVEMENTS				
13	952.5112.0099	TRANSFER TO OTHER FUNDS	2,511.39	
	952.5112.0040	CONTRACTUAL EXPENSES		2,488.50
	952.5112.0048	OTHER PROJECT EXPENSES		22.89
		- TRANSFER TO CLOSE CAPITAL PROJECT		
CAPITAL FUND - WATER DISTRICT #8 CONTRACTUAL EXPENSES				
14	968.8310.0099	TRANSFER TO DEBT SERVICE	3,905.60	
	968.8310.0048	OTHER PROJECT EXPENSES		3,905.60
		- TRANSFER TO CLOSE CAPITAL PROJECT		

RESOLUTION #2

RESOLUTION IN SUPPORT OF SEWER FEASIBILITY AND FACILITIES STUDY ROUTE SIX CORRIDOR

RESOLVED, that the Town Board of the Town of Carmel, upon presentation by Deputy Putnam County Executive Bruce Walker, hereby declares its support for the proposed feasibility and facilities study to be commissioned by the County of Putnam for the purposes of determining the possibility of providing sanitary sewer collection system for the Route Six corridor in Mahopac west of Clark Place and continuing to the border of Mahopac; and

BE IT FURTHER RESOLVED, that the Town Board shall designate various Town employees from the Offices of the Town Engineer, Town Comptroller and Town Assessor to coordinate with and provide input to the County of Putnam in connection with the scope and parameters of said study as well as all district-related matters and proposed capital improvements resulting from said study; and

BE IT FURTHER RESOLVED, that all final determinations regarding scope and parameters of said study as pertains to the Town of Carmel shall be made by the Town Board of the Town of Carmel based upon input and recommendations from all individuals and departments as designated above; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be transmitted to Chairwoman of the Putnam County Legislature Ginny Nacerino.

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 #3

RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING PURCHASE OF HOT IN-PLACE ASPHALT SCARIFICATION TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes purchase of Hot In-Place Recycling Heater Scarification of Existing Asphalt Pavement for the period of December 1, 2016 through November 30, 2017 from Highway Rehabilitation Corp., Brewster, NY under Putnam County Bid No. RFB-54-15.

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 APPROVING APPLICATION FOR EDUCATION STIPEND OF POLICE OFFICER ERIN MACOM

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Michael Cazzari, hereby approves the application for education stipend of Police Officer Erin Macom for City University of New York at John Jay College and authorizes payment of \$900 to Officer Macom.

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 ACCEPTING PROPOSAL OIL SPILL REMEDIATION CARMEL SEWER DISTRICT #2

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E. hereby accepts the proposal of Dutchess Environmental Construction, Mahopac NY dated June 23, 2017 for oil spill remediation services at Putnam Plaza Pump Station in Carmel Sewer District #2 at a cost not to exceed \$18,946.00; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign all necessary documents to accept said 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 #6

RESOLUTION AUTHORIZING PAYMENT OF ACCRUED SICK TIME TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby authorizes payment of seventy days of accrued sick time to Town of Carmel employee #1500 at a daily rate of \$387.93 for a total of \$16,293.10.

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 #7

RESOLUTION AUTHORIZING ENCUMBRANCE AND EXPENDITURE OF FUNDS FOR SYCAMORE PARK IMPROVEMENTS

RESOLVED that, in addition to any and all funds and expenditures previously authorized in connection with the conversion of tennis courts to basketball courts at Sycamore Park (NYS Dormitory Authority "SAM" grant Project I.D. #8930) the Town Board of the Town of Carmel hereby authorizes the additional expenditure of up to an amount of \$29,151 for the construction of said improvements; and

BE IT FURTHER RESOLVED that the authorization contained herein shall be deemed to be for the purposes of funding the designated project in accordance with the terms and conditions of New York State Dormitory Authority Grant (SAM #8930);

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to forward any necessary documentation and correspondence to the New York State Dormitory Authority and/or to make any and all budget transfers or modifications necessary in connection with this authorization.

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 #8

RESOLUTION AUTHORIZING ENCUMBRANCE AND EXPENDITURE OF FUNDS FOR AIRPORT PARK IMPROVEMENTS

RESOLVED that, in addition to any and all funds and expenditures previously authorized in connection with the proposed improvements at Airport Park (NYS Dormitory Authority "SAM" grant Project I.D. #7316) the Town Board of the Town of Carmel hereby authorizes the additional expenditure of up to in an amount up to \$369,845; from Town of Carmel funds, including but not limited to the Parkland Trust Fund for the construction of said improvements; and

BE IT FURTHER RESOLVED that the authorization contained herein shall be deemed to be for the purposes of funding the designated project in accordance with the terms and conditions of New York State Dormitory Authority Grant (SAM #7316);

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to forward any necessary documentation and correspondence to the New York State Dormitory Authority and/or to make any and all budget transfers or modifications necessary in connection with this authorization.

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 SETTLEMENT OF LITIGATION

WHEREAS, there is currently pending in the United States District Court, Southern District of New York under Case No. 17-CV-00680, a lawsuit entitled "Victoria Harris vs. The Town of Carmel; and

WHEREAS a proposed settlement of the litigation has been negotiated by counsel Michael Longo of Lydecker Diaz, LLP who has recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as detailed in the stipulation of settlement currently on file in the office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign, on behalf of the Town of Carmel, said stipulation of settlement.

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	_____	_____