

**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  
Tel. (845) 628-1500 • Fax (845) 628-6836  
[www.carmelny.org](http://www.carmelny.org)

**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, March 19, 2014 7:00pm**

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**Pledge of Allegiance – Moment of Silence**

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**Town Board Voting Meeting:**

1. Accepting Town Board Minutes, February 11, 19 and March 5, 2014
2. Res: Making Appointment to the Town of Carmel Zoning Board of Appeals
3. Res: Making Appointment to the Town of Carmel Environmental Conservation Board
4. Res: Accepting Proposal and Authorizing Entry into Contract for Treatment of Upper and Lower Teakettle Spout Lake
5. Res: Authorizing Acceptance of Proposal and Entry into Contract for Preliminary Site Work for Water Mains – Carmel Water District #9
6. Res: Authorizing Purchase of Emergency Generators Carmel Sewer District #2 and Carmel Sewer District #9
7. Res: Authorizing Emergency Expenditure of Monies from the Carmel Sewer District #8 Repair Reserve Fund
8. Res: Accepting Proposal and Authorizing Entry into Contract for Emergency Generator Maintenance
9. Res: Authorizing Purchase of Vehicle – Department of Recreation and Parks
10. Res: Authorizing Award of Bid for Bus Transportation 2014 Summer Camp Program
11. Res: Accepting Donation of Scoreboards and Authorizing Installation at McDonough Park
12. Waiving Sound Amplification Permit Fee and Park Usage Fee in Reference to the Application of the Mahopac-Carmel Chamber of Commerce

13. Res: In Opposition to Elimination of Corporate Income Tax on Manufacturers not with MTA Region

14. Res: Authorizing Submission of Grant Application to Dormitory Authority of the State of New York – State and Municipal Facilities Program

- **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. Sheriff Donald Smith, Undersheriff Peter Convery – Contractual
2. Personnel

## #2

### RESOLUTION MAKING APPOINTMENT TO TOWN OF CARMEL ZONING BOARD OF APPEALS

RESOLVED that the Town Board of the Town of Carmel hereby appoints William Rossiter to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2017.

#### 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	_____	_____

### #3

#### RESOLUTION MAKING APPOINTMENT TO TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD

RESOLVED that the Town Board of the Town of Carmel hereby appoints Nicholas Fannin to the Town of Carmel Environmental Conservation Board for a term commencing immediately and expiring June 13, 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	_____	_____

## #4

### RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING ENTRY INTO CONTRACT FOR TREATMENT OF UPPER AND LOWER TEAKETTLE SPOUT LAKE

RESOLVED THAT the Town Board of the Town of Carmel, as Commissioners of Teakettle Spout Lake Park District, hereby authorizes the acceptance of the proposal for herbicide treatment services at Upper and Lower Teakettle Spout Lake Casse for the 2014 season with The Pond and Lake Connection, Newtown CT, at a contract price not to exceed \$14,000 including any applicable NYSDEC Permit Fees; and

BE IT FURTHER RESOLVED, that the Town of Carmel shall be provided renewal options within the aforesaid contract for such services in 2015 and 2016 at annual costs of \$13,500 and \$12,500, respectively; 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>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

## #5

### RESOLUTION AUTHORIZING ACCEPTANCE OF PROPOSAL AND ENTRY INTO CONTRACT FOR PRELIMINARY SITE WORK FOR WATER MAINS – CARMEL WATER DISTRICT #9

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has previously solicited proposals for the performance of certain site work within Carmel Water District #9 concerning the repair and/or replacement of Vista Terrace South water mains and the existing hydrotank in that location;

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Carmel, as Commissioners of Carmel Water District #9 hereby authorizes the acceptance of the proposal of Bee and Jay Plumbing & Heating Mechanical Water Systems, Mahopac, NY for such services in form as attached hereto and made a part hereof, at a cost not to exceed \$25,000;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 authorize these services upon the terms and conditions set forth herein.

#### Resolution

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

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

#### Roll Call Vote

#### YES

#### NO

Jonathan Schneider

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John Lupinacci

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Suzanne McDonough

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Frank Lombardi

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Kenneth Schmitt

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PLUMBING & HEATING  
MECHANICAL  
WATER SYSTEMS

719 ROUTE 6  
MAHOPAC, NY 10541  
845 628.3924  
800.965.4702

## PROPOSAL

TO:  
Town of Carmel  
Engineering Department  
60 McAlpin Avenue  
Mahopac, NY 10541  
Attention: John Folchetti

CONTACT:  
Phone 845 628 2087  
Email John.Folchetti@JRFA.com  
Date December 19, 2013

JOB NAME & ADDRESS:  
CWD # 9  
Vista Terrace South  
Mahopac, NY

**SCOPE OF WORK:** We propose to furnish the necessary labor and materials to complete the following:

### HYDROTANK UPGRADES

- Demo concrete floor and excavate trench under frost from tank to Vista Terrace South water mains
- Excavate and locate existing 4", 3" and 2" mains
- Installation of new 6" Dr-14 water main with MJ fittings between both locations
- Schedule system shut down, repipe two 4" Hydrotank inlets in 6" x 4" x 4" flanged pipe and fittings
- Installation of three 6" MJ gates valve and fittings and tie in existing 4" main, 3" main and 2" main at Vista Terrace South
- Abandon two existing mains feeding tank and set up street for main replacement tie-in

Mechanical pipe and fittings L&M: \$15,200.00

Excavation, concrete and restoration: \$ 9,800.00

Pricing valid for 90 days from date of contract

### ACCEPTANCE OF PROPOSAL

The above price specifications are satisfactory and are hereby accepted.

Payment will be made in accordance with the terms outlined above.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(please sign)  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
(please print)

Master Plumber Lic # W.C 556 P.C. 363

Email: [service@beeandjay.com](mailto:service@beeandjay.com)



[www.BEEANDJAY.com](http://www.BEEANDJAY.com)

## **#6**

### **RESOLUTION AUTHORIZING PURCHASE OF EMERGENCY GENERATORS CARMEL SEWER DISTRICT #2 AND CARMEL SEWER DISTRICT #9**

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has previously solicited proposals for the installation of emergency generators for the Kelly Road Pump Station within Carmel Sewer District #2 and the Drewville Road Pump Station in Carmel Sewer District #8; and

WHEREAS, the Town Engineer has advised the Town Board that the need for the purchase and installation of the emergency generators at the aforementioned location is an emergency circumstance, in that the prospective loss of power within the districts without appropriate standby power could result in significant health and safety concerns for the residents of the respective districts;

NOW THEREFORE BE IT RESOLVED THAT the Town Board of the Town of Carmel, hereby determines that the purchase and installation of the emergency generators in Carmel Sewer District #2 and Carmel Sewer District #8 at the locations specified herein is an emergency which exempts said purchase and installation from the competitive bidding requirements of the New York General Municipal Law; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel, Acting as Commissioners of Carmel Sewer District #2 hereby authorizes the purchase and installation of a 30 KW Generator for the Kelly Road Pump Station from Gentech Ltd., New Windsor, NY at a cost not to exceed \$22,990; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel, Acting as Commissioners of Carmel Sewer District #9 hereby authorizes the purchase and installation of a 150KW Generator for the Drewville Road Pump Station from Gentech Ltd., New Windsor, NY at a cost not to exceed \$39,990; 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 purchase and installation upon the terms authorized herein.



Resolution

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

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

Roll Call Vote

YES

NO

Jonathan Schneider

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John Lupinacci

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Suzanne McDonough

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Frank Lombardi

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Kenneth Schmitt

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**RESOLUTION AUTHORIZING EMERGENCY EXPENDITURE OF MONIES  
FROM THE CARMEL SEWER DISTRICT #8 REPAIR RESERVE FUND**

WHEREAS, the Town of Carmel has established a Repair Reserve Fund for Carmel Sewer District #8 pursuant to New York General Municipal law §6-d; and

WHEREAS, in cases of emergency, monies in said Repair Reserve fund may be expended by resolution approved by not less than two-thirds of the members of the governing body; and

WHEREAS, it is recommended by the Office of the Town Comptroller that monies in the aforesaid Repair Reserve Fund be used to pay for the cost of emergency repairs;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as commissioners of Carmel Sewer District #8, hereby authorizes the appropriation of monies from the Carmel Sewer District #8 Repair Reserve Fund in a sum not to exceed \$25,600 for emergency repair expenditures in 2014; and

BE IT FURTHER RESOLVED, that not less than one-half the monies so expended be repaid in fiscal year 2015 and the total amount shall be repaid in full not later than the last day of fiscal year 2016.

BE IT FURTHER RESOLVED that the Office of the Comptroller of the Town of Carmel is hereby authorized to make the necessary budget transfers to accomplish and effect the intent of this resolution.

Resolution

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

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

Roll Call Vote

YES

NO

Jonathan Schneider

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John Lupinacci

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Suzanne McDonough

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Frank Lombardi

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Kenneth Schmitt

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## #8

### RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING ENTRY INTO CONTRACT FOR EMERGENCY GENERATOR MAINTENANCE

RESOLVED THAT the Town Board of the Town of Carmel hereby authorizes the acceptance of the proposal of Gentech, Ltd., New Windsor, NY for the provision of Emergency Generator Maintenance Services at various locations within the Town of Carmel and its various improvement districts within the Town of Carmel for a period of three (3) years at an annual cost not to exceed \$18,000 per year;

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 acceptance of proposal for services 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 AUTHORIZING PURCHASE OF  
VEHICLE – DEPARTMENT OF RECREATION AND PARKS**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Purchase of a 2009 Ford F-350 Super Duty Dump Truck 4x4 with snow plow attachment (VIN # FDWF37R49EB09202) for the Department of Recreation and Parks at a total cost not to exceed \$29,990; and

BE IT FURTHER RESOLVED THAT pursuant to Town Law §64, the 2002 Ford 550 Dump Truck (VIN # 1FDAF57F42EC96040) is hereby authorized to be used as a trade-in vehicle in connection with the purchase of the aforesaid vehicle.

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	_____	_____

## #10

### RESOLUTION AUTHORIZING AWARD OF BID BUS TRANSPORTATION 2014 SUMMER CAMP PROGRAM

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for bus transportation for the 2014 summer camp program administered by the Town of Carmel Department of Recreation and Parks, as requested by Director of Parks and Recreation, James R. Gilchrist, and

WHEREAS such bids were received and opened on March 6, 2014 and a bid opening memo is on file with Town Clerk Ann Spofford, and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of James R. Gilchrist, the Town Board hereby awards the aforesaid bid to Baumann & Sons Buses, Inc., Ronkonkoma, NY, the low responsible bidder meeting specifications for all bus trips scheduled by the Recreation and Parks Department for Summer 2014,

BE IT FURTHER RESOLVED that upon review of insurance certificates in form acceptable to Town Counsel, 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>	<u>NO</u>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

# #11

## RESOLUTION ACCEPTING DONATION OF SCOREBOARDS AND AUTHORIZING INSTALLATION AT MCDONOUGH PARK

RESOLVED that upon the recommendation of James R. Glichrist, Director of Recreation and Parks of the Town of Carmel, The Town Board of the Town of Carmel hereby gratefully accepts the donation of two electronic scoreboards from Mahopac Sports Association for use at McDonough Park; and

BE IT FURTHER RESOLVED that expenditures of up to \$2,000 from the Parkland Trust Fund are hereby authorized for the purchase of electrical supplies and equipment required for the installation of the donated scoreboards; and

BE IT FURTHER RESOLVED, that the installation of the aforesaid scoreboards by Foumen Construction, Mahopac, NY at no cost to the Town of Carmel is hereby authorized; and

BE IT FURTHER RESOLVED, that the installation of all electrical services lines and appurtenances required in connection with this authorization by Light Electric, Mahopac, NY at no cost to the Town of Carmel is hereby authorized; and

BE IT FURTHER RESOLVED, that upon review and comment from the Town of Carmel Engineering Department and the presentation of insurance certificates in form acceptable to Town Counsel, for any and all vendors and/or contractors participating in the installation and construction of the proposed improvements, said improvements are thereafter authorized to be installed.

### 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	_____	_____

## #12

### RESOLUTION WAIVING SOUND AMPLIFICATION PERMIT FEE AND PARK USAGE FEE IN REFERENCE TO THE APPLICATION OF THE MAHOPAC-CARMEL CHAMBER OF COMMERCE

RESOLVED that the Town Board of the Town of Carmel hereby waives the sound amplification permit fee and park usage fee regarding the application of the Mahopac-Carmel Chamber of Commerce for its Chamber Park Fest Event scheduled for May 18, 2014.

#### 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	_____	_____

## #13

### RESOLUTION IN OPPOSITION TO ELIMINATION OF CORPORATE INCOME TAX ON MANUFACTURERS NOT WITH MTA REGION

WHEREAS, the proposed 2014-2015 New York State Budget includes a provision that would eliminate the corporate income tax on manufacturers within all of New York State with the exception of counties in the MTA region, including Putnam County; and

WHEREAS, it is the concern of the Town Board of the Town of Carmel that such a proposal would drive and divert manufacturing entities, their facilities and employees out of the MTA region which includes the Town of Carmel and County of Putnam; and

WHEREAS, the Town Board of the Town of Carmel opposes this proposal as it results in the split of New York State into separate tax zones;

NOW THEREFORE BE RESOLVED, that the Town Board of the Town of Carmel hereby interposes its opposition to this proposed measure and implores the New York State Senate, Assembly and Governor to include the entire State of New York, including Putnam County and the entire MTA region in the elimination of corporate tax on manufacturing entities; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to New York State Senator Greg Ball, Assemblyman Steve Katz and Assemblyman Kieran Michael Lalor.

#### 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	_____	_____



## #14

### RESOLUTION AUTHORIZING SUBMISSION OF GRANT APPLICATION TO DORMITORY AUTHORITY OF THE STATE OF NEW YORK-STATE AND MUNICIPAL FACILITIES PROGRAM

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of a Grant Application to the New York State Dormitory Authority regarding its State and Municipal Facilities Improvement Program for proposed capital improvements to Mahopac Chamber Park and Camarda Park within the Town of Carmel; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

#### 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	_____	_____