

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

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TOWN BOARD VOTING MEETING
Wednesday, March 5, 2014 7:00pm

Pledge of Allegiance – Moment of Silence

Town Board Voting Meeting:

1. Res: Re-Granting Open Development Status to the KX2 Associates, LLC
Wixon Pond Estates Subdivision – TM#53.20-1-19
 2. Res: Accepting Proposal for Easement Clearing Services – Carmel
Sewer District #2 St. Michaels Brook
 3. Res: Making Provisional Appointment of Police Chief
- **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. Personnel – Board Vacancies

#1

RESOLUTION GRANTING OPEN DEVELOPMENT STATUS TO THE KX2 ASSOCIATES, LLC WIXON POND ESTATES SUBDIVISION - TM# 53.20-1-19

WHEREAS the Town of Carmel Planning Board has received an application from KX2 Associates, LLC for a five (5) lot subdivision in which all five 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 #53.20-1-19, is located off of Wixon Pond Road, has an approximate area of 34.95 acres and is located in an R Residential Zoning District, and

WHEREAS the proposed subdivision is shown on a plan prepared by Putnam Engineering, PLLC, Kohn Architecture and Architectural Visions PLLC, entitled: "5 Lot Subdivision For Wixon Pond Estates", dated January 26, 2007, last revised December 2, 2011; 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 five (5) 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 previously 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 #1, #2, #3, #4 and #5 in the proposed KX2 Associates, LLC "5 Lot Subdivision For Wixon Pond Estates" subject to the following terms and conditions:

1. The open development area shall consist of Lots #1, #2, #3, #4 and #5 in the proposed KX2 Associates, LLC subdivision as shown on a plan prepared by Putnam Engineering, PLLC, Kohn Architecture and Architectural Visions PLLC, entitled: "5 Lot Subdivision For Wixon Pond Estates", dated January 26, 2007, last revised December 2, 2011;
2. The maximum number of lots to be established in said open development area shall be five (5). The maximum number of dwelling units to be

established in said open development area shall be five (5) single family residence. 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 February 15, 2012."
8. The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots.

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	_____	_____

#2

RESOLUTION ACCEPTING PROPOSAL FOR EASEMENT CLEARING SERVICES – CARMEL SEWER DISTRICT #2 ST. MICHAELS BROOK

RESOLVED that the Town Board of the Town of Carmel, hereby authorizes the acceptance of the proposal of Coviello Landscaping, Carmel, NY dated February 12, 2014 to provide easement clearing services in the St. Michael's Brook sewer easement within Carmel Sewer District #2 at a cost not to exceed \$14,000.00 (Fourteen Thousand Dollars); 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 acceptance of the aforesaid 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	_____	_____

#3

RESOLUTION MAKING PROVISIONAL APPOINTMENT CHIEF OF POLICE

BE IT RESOLVED, on March 5, 2014, the Town Board of the Town of Carmel hereby appoints Lt. Michael Cazzari as Acting Chief of Police on a provisional basis in accordance with the New York State Civil Service Law and applicable State and Local Civil Service Rules and Regulations.

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	_____	_____