

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

AGENDA
TOWN BOARD WORK SESSION/SPECIAL VOTING MEETING
Wednesday, July 10, 2013 7:00pm

Pledge of Allegiance – Moment of Silence

Town Board Work Session:

1. James Gilchrist, Director – Recreation and Parks Report Update, Including Parking Lot at Sycamore Park
2. Ronald Gainer, PE, Town Engineer – Consider Advertise for Bid for MS4 Drainage Project – St. Michael's Terrace
3. Ronald Gainer, PE, Town Engineer – Consider Emergency Repair – CWD#2 – Water Tank Level Operational Controls

Special Voting Meeting:

1. Res: Authorizing, Subject to Permissive Referendum, Reconstruction of the Highway Garage in and for the Town of Carmel, Putnam County, New York, at a Maximum Estimated Cost of \$250,000 and Authorizing the Issuance of \$250,000 Bonds of Said Town to Pay the Cost Thereof
2. Amended Resolution Scheduling Public Hearing
3. Amended Resolution Scheduling Public Hearing
4. Amended Resolution Re-Scheduling Public Hearing
5. Consider Resolution Authorizing Acceptance of Proposal Carmel Water District #2 Lindy Drive Water Storage Tank
 - **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

Pasquerello, Anne

#2

From: Gainer, Ron
Sent: Friday, July 05, 2013 10:57 AM
To: Schmitt, Kenneth; suzi mcdonough; Suzi McDonough; Lombardi, Frank; John Lupinacci; Jonathan Schneider (jnschneider@insite-eng.com)
Cc: g.felton@insite-eng.com; Simone, Mike; Pasquerello, Anne
Subject: St Michael's Terrace MS4 drainage project

Per the email below, the design of the St Michael's Terrace MS4 ("Year 2") drainage project is now complete, and. At this point, the Town Board needs to formally authorize the release of the project for competitive bid.

I would propose the following Bid Dates:

- Notice of Bid Advertisement - July 18, 2013
- Bid Opening - August 8, 2013

☒ Work Session 7/10/13
☐ Agenda _____

Pls place the matter on your upcoming agenda so that this delayed 2011 project may be completed this year.

Ron Gainer

From: Rich Williams [<mailto:RWilliams@insite-eng.com>]
To: Gainer, Ron
Cc: Jeffrey Contelmo
Subject: St. Michaels Terrace

Ron,

The bid documents for St. Michaels are just about ready to go. We are performing the final in-house QA/QC review. I need a contract number from you. We also have to discuss the dates the bids will be due, and the date of the pre-bid meeting. Ideally we would like to set up to perform the work in August. Please call to discuss when you have a moment.

Thanks,
Rich

Richard D. Williams, Jr., P.E.
Senior Project Engineer, Associate



3 Garrett Place (845) 225-9690
Carmel, New York 10512 Fax: (845) 225-9717
Email: rwilliams@insite-eng.com
Visit us at: www.insite-eng.com

This email is intended for the sole use of the addressee(s). Any attached file(s) have been issued for convenience only and at the specific request of the client or their agent. It is specifically understood that any attached file(s) are not certified by Insite Engineering, Surveying, and Landscape Architecture, P.C. (Insite). No use or reproduction of the information provided is permitted without the written consent of Insite.

Ronald J. Gainer, PE, Town Engineer
TOWN OF CARMEL
60 McAlpin Avenue
Mahopac, NY 10541
(845) 628-2087; fax (845) 628-7085
email: rg@ci.carmel.ny.us

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Pasquerello, Anne

From: Gainer, Ron
Sent: Tuesday, July 02, 2013 4:22 PM
To: Schmitt, Kenneth; Lombardi, Frank; suzi mcdonough; Suzi McDonough; John Lupinacci; Jonathan Schneider (jon@ci.carmel.ny.us)
Cc: Maxwell, Mary Ann; yfolchett@ci.carmel.ny.us; Pasquerello, Anne
Subject: CWD #2 - Water Treatment Plant Controls
Attachments: 07-02-13 memo and attachment.pdf

The Water System Contract Operator (ST) has just advised that our electronic communications with the Lindy Drive Storage Tank has failed, and there are no additional functioning units available to make the communications system operate. This issue is described in detail in the attached memorandum.

Due to the critical nature of these controls, I am requesting that the Town Board declare this as an emergency, so that Wayne Martin (who services our communications equipment) can be authorized to immediately replace all communications equipment between the Water Treatment Plant, the Gleneida Lake raw water pump station and all storage tanks with a modern, state of the art network so that they all will once again function normally. It had been planned to accomplish this work in the 2014 budget year; however, the recent failure of the Lindy Drive equipment makes it urgent to perform this work now.

Ronald J. Gainer, PE, Town Engineer
TOWN OF CARMEL
60 McAlpin Avenue
Mahopac, NY 10541
(845) 628-2087; fax (845) 628-7085
email: rg@ci.carmel.ny.us

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Ronald J. Gainer, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

TO:	Carmel Town Board	DATE:	July 2, 2013
FROM:	Ronald J. Gainer, PE, Town Engineer	RE:	Carmel Water District # 2 - Water Treatment Plant & Water Tank Level Operational Controls
cc:	Mary Ann Maxwell, Comptroller Greg Folchetti, Esq.		

The Water System Contract Operator (ST) has just advised that our electronic communications with the Lindy Drive Storage Tank has failed, and there are no additional functioning units available to make the communications system operate. Currently the Lake Gleneida raw water pump station has the only operating communications unit. Wayne Martin (who services our communications equipment) has supplied a quotation (attached; totaling \$13,201.40) to replace all communications networks between the Water Treatment Plant, the raw water pump station and all storage tanks.

The current risks involved in not having communications with the Lindy Drive Tank are:

- No water level indication at Lindy Drive Tank during high demand periods.
 - ST is still able to monitor overall system pressures at the Water Treatment Plant, which gives a "general" indication of all tank approximate levels. But, by the time reduced system pressures are apparent, the water system would be in a difficult position to respond quickly to re-fill system storage. That is intensified by additional water usage during this hot spell.
- Only currently operational communications unit is at Lake Gleneida raw water pump station
 - If this unit fails, there is no back-up; water system would need to be run manually.

ST had obtained pricing for the replacement of the complete communications system earlier this year, with the expectation of budgeting this work for implementation next year. However this recent failure puts the water system in a "near emergency" situation, which needs to be addressed immediately.

I hereby request that the Town Board formally declare this as an "emergency", and authorize Wayne Martin to schedule this communications system replacement as outlined in the attached proposal without delay. Failure to act immediately could adversely affect system operations, and also carries the potential for increased overtime costs to run the Water Treatment Facility manually if the raw water pump station communications were to fail.

It is requested that you immediately please this on your next available Town Board meeting, to discuss and hopefully authorize. If you have any questions, please advise.

ATTACHMENTS:

1. Wayne Martin proposal

Wayne Martin Enterprise

448 Manville Rd. Rear Bldg.

Pleasantville, NY 10570

Phone (914) 424-9328

Fax (914) 769-6756

Estimate

DATE	ESTIMATE NO.
2/6/2013	441

NAME / ADDRESS
Engineering Dept. Town of Carmel Town Hall Mcalpin Ave. Mahopac, N.Y. 10541 Attn: Mike Batz

ITEM	DESCRIPTION	QTY	COST	TOTAL
	REPLACE WATER #2 RADIO COMMUNICATIONS NETWORK FROM FILTER PLANT TO WATER STORAGE TANKS AND RAW WATER PUMP STATION WITH NEW ETHERNET SUPPORTED WIRELESS SYSTEM.			
FGR-115RE	900 MHz 115 KBAUD SPREAD SPECTRUM ETHERNET WIRELESS TRANSCEIVER WITH ENCLOSURE. 24 VDC POWERED.	5	1,968.75	9,843.75
EAN0900YA	900 MHz 10 dB Yagi Directional Antenna	4	165.00	660.00
EAN0906WB	900 MHz 6dB 65" OMNIDIRECTIONAL FIBERGLASS ANTENNA WITH HEAVY DUTY MOUNTING BRACKET.	1	240.00	240.00
ASC0254NN	25 FOOT LMR-400 COAXIAL CABLE WITH N TYPE MALE RF CONNECTOR.	5	141.53	707.65
Service Hr.	PROGRAM, INSTALL AND TEST THE ABOVE WIRELESS SYSTEM.	14	125.00	1,750.00
		Total	\$13,201.40	

Pasquerello, Anne

From: Gfolchetti <[REDACTED]>
Sent: Tuesday, July 02, 2013 12:22 PM
To: Gainer, Ron
Cc: Schmitt, Kenneth; Pasquerello, Anne
Subject: Re: lindy tank

Ron. Appears to be an emergency situation which exempts any procurement or gml requirements but should be addresses by board resolution. I am copying supervisor on this but suggest you prepare a memo to board with your recommendations. It can be put on next meeting in that circumstance.

Thanks.

Gregory L. Folchetti
Costello & Folchetti, LLP
1875 Route Six/P.O. Box 1200
Carmel, NY 10512
845-225-1900
845-228-4228 Facsimile
Sent from my iPhone

On Jul 2, 2013, at 9:18 AM, "Gainer, Ron" <rg@ci.carmel.ny.us> wrote:

Pls see the email string below. Per Mary Ann's direction, I'm seeking your guidance on how this must be authorized.

Thanks.

Ron Gainer

From: Maxwell, Mary Ann
Sent: Wednesday, June 26, 2013 6:42 PM
To: Gainer, Ron
Subject: RE: lindy tank

I believe it needs a resolution authorizing emergency work, but you might want to follow up with Legal Counsel.....

From: Gainer, Ron
Sent: Tuesday, June 25, 2013 9:33 AM
To: Maxwell, Mary Ann
Subject: FW: lindy tank

This has become an emergency. Can I authorize this immediately, or does it need a TB reso?

Ron Gainer

From: Sagnis, Joe [<mailto:JSagnis@stes.com>]
Sent: Tuesday, June 25, 2013 9:08 AM

To: Gainer, Ron
Cc: Tocci, Edward; Batz, Michael; Vara, Rob
Subject: RE: lindy tank

Ron,

Communications with Lindy tank has failed and there are no more functioning units to make the communications system work. Currently the Lake Pit has the only operating communication unit. Wayne Martin has supplied an Estimate, \$13,201.40 to replace this communications network (please see page 2 of attached proposal).

The current risks involved are:

- No level indication at Lindy tank during a high demand period.
 - We can monitor over all system pressure at the Water Plant which gives an indication of all tank approximate levels but by the time pressure gets low, we will be in a deficit production situation. That is intensified by additional water usage during this hot spell.
- Only operational communications unit is at Lake Pit Pump Station
 - If this unit fails, there is no back up and system would need to be run manually.

This puts us in a near emergency situation which has a high potential for failure of the Water Plant to operate and needs to be addressed immediately. I request permission to immediately contact Wayne Martin and schedule the communications system replacement as outlined in the attached Estimate. Failure to act immediately could result in reduction of system overall storage level and potential overtime to run the Water Plant manually if the Lake Pit communications fail.

Joseph Sagnis
Area Manager
Severn Trent Env Svcs
2 Renwick Street
Newburgh NY, 12550
845-565-6182 -Office
845-565-8440 - Fax
jsagnis@stes.com
Cell 914-490-3046

From: Tocci, Edward
Sent: Tuesday, June 25, 2013 07:58
To: Sagnis, Joe; Batz, Michael
Subject: lindy tank

I was called out last night Lindy Tank low high storage alarm. The telemetry is out I tried to reset but was not successful.
This means we only have the telemetry at the lake pit if that fails we have nothing we can not even take radio from Lindy any more.

Special Voting Meeting:

1. Res: Authorizing, Subject to Permissive Referendum, Reconstruction of the Highway Garage in and for the Town of Carmel, Putnam County, New York, at a Maximum Estimated Cost of \$250,000 and Authorizing the Issuance of \$250,000 Bonds of Said Town to Pay the Cost Thereof
2. Amended Resolution Scheduling Public Hearing
3. Amended Resolution Scheduling Public Hearing
4. Amended Resolution Re-Scheduling Public Hearing
5. Consider Resolution Authorizing Acceptance of Proposal Carmel Water District #2 Lindy Drive Water Storage Tank

#1

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, RECONSTRUCTION OF THE HIGHWAY GARAGE IN AND FOR THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$250,000, AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action requiring no further review and/or action, have been performed; 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 reconstruction of the Highway Garage at 55 McAlpin Avenue in Carmel, New York, in and for the Town of Carmel, Putnam County, New York, including replacement of the existing lift equipment and remediation of the site thereof, together with incidental improvements and expenses in connection therewith, 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 hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. OHSUSA:754072240.1

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) 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 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 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 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	_____	_____

#2

AMENDED RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, August 7, 2013 at 7:00 pm or as soon thereafter that evening as possible on a Local Law amending the Code of the Town of Carmel, Chapter 156 thereof, entitled "Zoning" and Chapter 131 thereof, entitled "Subdivision of Land"; and

BE IT FURTHER RESOLVED that the Town Clerk 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>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#3

AMENDED RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, August 7, 2013 at 7:00 pm or as soon thereafter that evening as possible on a Local Law amending the Code of the Town of Carmel, Chapter 156 thereof, entitled "Zoning"; and

BE IT FURTHER RESOLVED that the Town Clerk 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>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#4

AMENDED 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 the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, August 7, 2013 at 7:00 p.m. or as soon thereafter that evening as possible to consider the adoption of a proposed local law amending the Town of Carmel Town Code and adding Chapter 95-a, thereto entitled "Hydraulic Fracturing"; and

BE IT FURTHER RESOLVED that the Town Clerk 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>
Jonathan Schneider	_____	_____
John Lupinacci	_____	_____
Suzanne McDonough	_____	_____
Frank Lombardi	_____	_____
Kenneth Schmitt	_____	_____

#5

RESOLUTION AUTHORIZING ACCEPTANCE OF PROPOSAL CARMEL WATER DISTRICT #2 LINDY DRIVE WATER STORAGE TANK

WHEREAS the Town Board of the Town of Carmel has been advised by Town Engineer Ronald J. Gainer, P.E. and Carmel Water District #2 Severn Trent Environmental Services there has been an electronic communications system failure with the Lindy Drive Water Storage Tank; and

WHEREAS, the Town Board of the Town of Carmel has been further advised by the Town Engineer that an emergency exists with respect to the need to replace the electronic communications system that would preclude the ability to comply with the Town of Carmel's Procurement Policy and/or General Municipal Law bidding requirements;

NOW THEREFORE BE IT RESOLVED, that the Town of Carmel Town Board, acting as Commissioners of Carmel Water District #2 hereby adopts the recommendations of the Town Engineer and determines that an emergency exists with respect to the need to replace failed electronic communications system at the Lindy Drive Water Storage Tank in Carmel Water District #2 pump referenced herein that would preclude the ability to comply with the Town of Carmel's Procurement Policy and/or General Municipal Law bidding requirements; and

BE IT FURTHER RESOLVED; that the Town Board of the Town of Carmel hereby accepts the proposal of Wayne Martin Enterprises, Pleasantville, NY replace the electronic communications system at the Lindy Drive Water Storage Tank in Carmel Water District #2 in accordance with the proposal attached herein and made a part hereof, at a cost not to exceed \$13,201.40; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all documentation necessary to accept said proposal on the terms and conditions set forth therein.

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	_____	_____

Wayne Martin Enterprise

448 Manville Rd. Rear Bldg.

Pleasantville, NY 10570

Phone (914) 424-9328

Fax (914) 769-6756

Estimate

DATE	ESTIMATE NO.
2/6/2013	441

NAME / ADDRESS
Engineering Dept. Town of Carmel Town Hall Mealpin Ave. Mahopac, N.Y. 10541 Att: Mike Batz

ITEM	DESCRIPTION	QTY	COST	TOTAL
FGR-115RE	REPLACE WATER #2 RADIO COMMUNICATIONS NETWORK FROM FILTER PLANT TO WATER STORAGE TANKS AND RAW WATER PUMP STATION WITH NEW ETHERNET SUPPORTED WIRELESS SYSTEM. 900 MHz 115 KBAUD SPREAD SPECTRUM ETHERNET WIRELESS TRANSCEIVER WITH ENCLOSURE. 24 VDC POWERED.	5	1,968.75	9,843.75
EAN0900YA	900 MHz 10 dB Yagi Directional Antenna	4	165.00	660.00
EAN0906WB	900 MHz 6dB 65" OMNIDIRECTIONAL FIBERGLASS ANTENNA WITH HEAVY DUTY MOUNTING BRACKET.	1	240.00	240.00
ASC0254NN	25 FOOT LMR-400 COAXIAL CABLE WITH N TYPE MALE RF CONNECTOR.	5	141.53	707.65
Service Hr.	PROGRAM, INSTALL AND TEST THE ABOVE WIRELESS SYSTEM.	14	125.00	1,750.00
		Total	\$13,201.40	