

**TOWN BOARD MEETING  
TOWN HALL, MAHOPAC, N.Y.**

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on Tuesday, the 11<sup>th</sup> day of February 2014 at 7:46 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough and Supervisor Schmitt. Councilman Lombardi was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

Supervisor Schmitt apologized for the late commencement of the meeting. He stated that he and Councilman Lupinacci had just returned from a meeting with the Putnam County Legislature's Protective Services Committee at the Putnam County Office Building in regard to the funding of the Putnam County Emergency Response Team (ERT).

Councilman Lupinacci explained that although the Town Board supports the Putnam County ERT, a dialog has been started with the Putnam County Legislature to ensure that the Town of Carmel taxpayers do not continue to bear more than their fair share of the expenses in connection therewith. A brief discussion ensued.

**PUBLIC HEARING HELD - 2014 CONTRACTS FOR FIRE PROTECTION AND  
AMBULANCE SERVICES**

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town's official newspapers:



With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:53 p.m. Eight (8) people were in attendance.

Supervisor Schmitt explained that the Public Hearing was postponed from February 5, 2014 and rescheduled because of a snowstorm that occurred on that day.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lupinacci, seconded by Councilman Schneider, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:54 p.m.

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**MINUTES OF TOWN BOARD MEETINGS HELD ON 1/8/14 AND 1/15/14 - ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lupinacci, seconded by Councilman Schneider, with all members of the Town Board present voting “aye”, the minutes of the Town Board meetings held on January 8<sup>th</sup> and January 15<sup>th</sup> 2014 were accepted as submitted by the Town Clerk.

**HIGHWAY SUPERINTENDENT MICHAEL SIMONE - ATTENDANCE AT SEMINAR AUTHORIZED - 3/4/14 AND 3/5/14**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Highway Superintendent Michael Simone to attend the 2014 Grassroots Advocacy Campaign Program offered by the New York State County Highway Superintendents Association on March 4, 2014 and March 5, 2014; 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: Councilman Schneider  
Seconded by: Councilman Lupinacci

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

**ST. MICHAEL’S TERRACE STORMWATER RETROFIT - CHANGE ORDER #1 TO CONTRACT NO. C218 WITH EARTH ALTERATIONS, LLC - AUTHORIZED**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Earth Alterations, LLC; and

WHEREAS, the Office of the Town Engineer has recommended that the Town Board approve Change Order No. 1 to the aforesaid contract, in order to extend the permitted construction time for the contract and which will not result in an additive or deductive change to the overall contract price;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Change Order #1 to the aforementioned contract, in form as attached hereto and made a part hereof.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilwoman McDonough

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

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(Cont.)

Richard J. Franzetti, 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

CHANGE ORDER No. 1

PROJECT: C218 – St. Michael's Terrace MS4 Retrofit

DATE OF ISSUANCE: January 21, 2014

OWNER: TOWN OF CARMEL

CONTRACTOR: Earth Alterations, LLC

ENGINEER: Town of Carmel Engineering Department

PROJECT NO: C218

You are hereby directed to make the following changes in the Contract Documents.

Description: Increase contract time by 60 calendar days. No net increase in contract dollar value. Original Notice to Proceed was issued on December 19, 2013. The work was to be completed on or before February 2, 2014. The new proposed completion date is April 3, 2014

Purpose of Change Order: To provide extra time to complete the contract scope of work.

Attachments: (List documents supporting change)  
NONE

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIME:
Original Contract Price	Original Contract Time
\$ <u>45,500.00</u>	\$ <u>45</u> days or date
Previous Change Orders No. <u>1</u> to No. <u>--</u>	Net change from previous Change Orders
\$ <u>0.00</u>	<u>- 0 -</u> days
Contract Price prior to this Change Order	Contract Time Prior to this Change Order
\$ <u>45,500.00</u>	<u>45</u> days or date
Net Increase (decrease) of this Change Order	Net Increase (decrease) of this Change Order
\$ <u>0.00</u>	<u>60 days from issuance of Change Order # 1</u> days
Contract Price including this Change Order	Contract Time including this Change Order
\$ <u>0.00</u>	<u>105</u> days or date

RECOMMENDED:  
By [Signature]  
Engineer

APPROVED:  
By \_\_\_\_\_  
Owner

ACCEPTED:  
By \_\_\_\_\_  
Contractor

**DEPARTMENT OF RECREATION AND PARKS - FEE WAIVED IN REFERENCE TO THE APPLICATION OF THE CYSTIC FIBROSIS FOUNDATION FOR A PARK RENTAL FEE - "FREEZIN FOR A REASON" - 3/29/14**

RESOLVED that the Town Board of the Town of Carmel hereby waives the fee regarding the application of the Cystic Fibrosis Foundation which seeks a park rental permit for its "Freezin for a Reason" event to be held March 29, 2014 at Sycamore Park.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

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

**DEPARTMENT OF RECREATION AND PARKS - RENEWAL OF LICENSING AGREEMENT WITH ASCAP FOR 2014 - AUTHORIZED**

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RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the License Agreement with ASCAP for public performances of copyrighted music for the year 2014 at an annual rate of \$330.00; and

BE IT FURTHER RESOLVED that James Gilchrist, Director of Recreation and Parks, is hereby authorized to sign any necessary documents and/or reports concerning said renewal on behalf of the Town of Carmel.

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilwoman McDonough

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

**DEPARTMENT OF RECREATION AND PARKS - ADVERTISING FOR BIDS FOR 2014 SUMMER BUS TRANSPORTATION PROGRAM - AUTHORIZED**

RESOLVED that, pursuant to the request of the Director of Recreation and Parks, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for bus transportation for the Town of Carmel Recreation and Parks 2014 Summer Camp Program; and

BE IT FURTHER RESOLVED that the Director of Recreation and Parks is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilwoman McDonough

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

**DEPARTMENT OF RECREATION AND PARKS - ADVERTISING FOR BIDS FOR 2014 LANDSCAPING AND GRASS-CUTTING SERVICES FOR VARIOUS TOWN OF CARMEL PARK FACILITIES - AUTHORIZED**

RESOLVED that, pursuant to the request of James R. Gilchrist, Director of Recreation and Parks, Town Clerk Ann Spofford is hereby authorized to advertise for bids for landscaping and grass-cutting services for various Town of Carmel Park facilities for 2014; and

BE IT FURTHER RESOLVED that the Director of Recreation and Parks is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

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

**DEPARTMENT OF RECREATION AND PARKS - 2014 SEASONAL/TEMPORARY  
AND PART-TIME WORKERS WAGE RATES - ESTABLISHED**

RESOLVED that the Town Board of the Town of Carmel hereby sets the Seasonal/Temporary Full-Time Workers compensation rates for 2014 for the Recreation and Parks Department as follows:

<u>POSITION AND/OR TITLE</u>	<u>AVERAGE HOURLY RATE BASED UPON SEASON</u>
Day Camp Counselors	\$6.00 to \$10.00
Day Camp Leadership Staff - (EMTs, Camp Coordinator, Leaders, Assistant Leaders)	\$10.00 to \$18.25
Seasonal Maintenance	\$8.00 to \$10.50
Lifeguards	\$8.25 to \$13.00
Waterfront Director/Assistant Director/WSI	\$14.50 to \$16.50
Part-Time Recreation Staff (Instructors, Office Staff, Maintenance)	\$10.00 to \$18.50

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilman Lupinacci and Councilwoman McDonough

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

**CARMEL SEWER DISTRICT #2 - COMMENCEMENT OF LITIGATION AGAINST  
SIEMENS CORPORATION, SIEMENS WATER TECHNOLOGIES CORP., AND  
EVOQUA WATER TECHNOLOGIES, LLC - AUTHORIZED**

RESOLVED, the Town Board of The Town of Carmel, acting as Commissioners of Carmel Sewer District #2, hereby authorizes Town Counsel Gregory L. Folchetti to commence proceedings in the Supreme Court, Putnam County against Siemens Corporation, Siemens Water Technologies Corp., and Evoqua Water Technologies, LLC regarding various warranty claims for microfiltration systems purchased for the Carmel Sewer District #2 Wastewater Treatment Plant; and

BE IT FURTHER RESOLVED that said legal services are hereby approved at a rate of \$175.00 per hour.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilman Schneider

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

**PUBLIC COMMENTS - AGENDA ITEMS**

No member of the public wished to comment at this time.

**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

No member of the Town Board wished to comment at this time.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Lupinacci, seconded by Councilman Schneider, with all Town Board members present in agreement, the meeting was adjourned at 8:02 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk