

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 the 19th day of August 2015 at 7:15 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, Councilman Lombardi and Supervisor Schmitt.

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 announced that prior to the commencement of the Voting Meeting, the Town Board met in Executive Session to discuss a matter of personnel.

MINUTES OF TOWN BOARD MEETING HELD ON 7/22/15 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Schneider, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on July 22nd, 2015 were accepted as submitted by the Town Clerk.

CARMEL WATER DISTRICTS #1, #4, #5, #6, #7, #8, #9, #10, #13 AND #14 - ENTRY INTO AGREEMENT FOR OPERATION AND MAINTENANCE SERVICES AUTHORIZED - BEE & JAY WATER SYSTEMS PLUMBING & MECHANICAL

RESOLVED, that the Town Board of the Town of Carmel, Acting as Commissioners of Carmel Water Districts #1, #4, #5, #6, #7, #8, #9, #10, #13 and #14 hereby authorizes the entry into a contract for operations and maintenance services for the aforesaid water districts distribution systems and treatment plants, etc., with Bee & Jay Water Systems Plumbing & Mechanical, Mahopac, NY, said contract on file in the Office of the Town Supervisor with a commencement date of January 1, 2016; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to execute the aforesaid contract and any other documentation necessary and required to effectuate this authorization on the terms contained herein.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi, Councilman Lupinacci,
Councilwoman McDonough and Supervisor Schmitt

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CARMEL SEWER DISTRICT #2 - EMERGENCY EXPENDITURE OF MONIES FROM REPAIR RESERVE FUND AUTHORIZED - NOT TO EXCEED \$62,171.25

WHEREAS, the Town of Carmel has a Repair Reserve Fund for Carmel Sewer District #2 established pursuant to GML 6d, and,

WHEREAS, in cases of emergency, monies in such 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 Town Comptroller’s Officer that monies in the fund be used to pay for the cost of emergency repairs;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town Carmel authorizes the appropriation of monies from the Repair Reserve Fund not to exceed \$62,171.25 for emergency repair expenditures in 2015; and

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BE IT FURTHER RESOLVED, that not less than one-half of the monies so expended be repaid in fiscal year 2016 and total amount shall be repaid in full not later than the last day of fiscal year 2017.

Resolution

Offered by: Councilman Lombardi
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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

ATTENDANCE AT NEW YORK STATE RETIREMENT SYSTEM EMPLOYER EDUCATION SEMINAR AUTHORIZED - ACCOUNT CLERK EILEEN BRENNAN - 9/3/15

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Account Clerk Eileen Brennan to attend the New York State Retirement System Employer Education Seminar on September 3, 2015 in Eastchester, NY; 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 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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

RESOLUTION FROM 3/4/09 AMENDED REQUIRING CONTRACTORS TO UTILIZE APPRENTICESHIP PROGRAM **AMENDED 8/15/18**

WHEREAS the New York State Legislature has previously declared it public policy of the State of New York to develop sound apprenticeship training standards and to encourage labor and industry to participate in such programs; and

WHEREAS, §816-b of the New York State Labor Law authorizes local government to require contractors and subcontractors on public construction projects to provide apprenticeship training programs; and

WHEREAS, such apprenticeship programs are a valuable tool to provide training opportunities for young persons skilled in the construction trades and to assist such persons in future professional endeavors; and

WHEREAS, it is deemed to be in the best interests of the Town of Carmel to afford opportunities for training in the appropriate building trades on public construction contracts, as defined in §816-b of the New York State Labor Law, which are bid and awarded by the Town of Carmel and which are greater than or equal to \$1,000,000 (One Million Dollars) in contract price; and

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NOW, THEREFORE, BE IT RESOLVED that it is hereby declared to be the policy of the Town of Carmel to require contractors and subcontractors on construction contracts, as defined in §816-b of the New York State Labor Law, which are bid and awarded by the Town of Carmel and which are greater than or equal to \$1,000,000 (One Million Dollars) in contract price, to have in place agreements providing apprenticeship training programs approved by the Commissioner of the New York State Department of Labor for the scope and type of work proposed; and

BE IT FURTHER RESOLVED that said agreements providing the aforementioned apprenticeship training programs be required to conform in all respects to the procedures and requirements set forth in §816-b of the New York State Labor Law.

Resolution

Offered by: Councilwoman McDonough
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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CARMEL AMBULANCE DISTRICT NO. 1 - 2014 ANNUAL REPORT ACCEPTED

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Carmel Ambulance District No. 1 hereby accepts the 2014 Annual Report prepared by Penflex, Inc. on behalf of the Carmel Volunteer Ambulance District No. 1 dated July 7, 2015.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt thanked the members of the Carmel Volunteer Ambulance Corps for their service to Town of Carmel residents.

CARMEL FIRE PROTECTION DISTRICTS #1, #2 & #3 - 2014 ANNUAL REPORT ACCEPTED

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Carmel Fire Protection District # 1, 2 & 3 hereby accepts the 2014 Annual Report prepared by Penflex, Inc. on behalf of the Mahopac Falls Volunteer Fire Department, Inc. dated July 7, 2015, Mahopac Volunteer Fire Department, Inc. dated July 7, 2015, Carmel Volunteer Fire Department, Inc. dated July 7, 2015.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

(Cont.)

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt thanked the members of the Mahopac Falls Volunteer Fire Department, the Mahopac Volunteer Fire Department and the Carmel Fire Department for their service to Town of Carmel residents.

RESOLUTION FROM 10/7/98 AMENDED - CREATION OF LAKE SECOR PARK DISTRICT ADVISORY BOARD

WHEREAS, the Town Board of the Town of Carmel, by resolution dated October 7, 1998, created the Lake Secor Park District Advisory Board; and

WHEREAS, the Lake Secor Park District Advisory Board was initially established thereunder to consist of nine (9) members, all of whom serve at the pleasure of the Town of Carmel Town Board; and

WHEREAS, the Town Board of the Town of Carmel has received a request from the residents of the Lake Secor Park District to expand the referenced Advisory Board to a total of eleven (11) members; and

WHEREAS, the Town Board of the Town of Carmel has conducted due deliberation thereon.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby amends the prior resolution dated October 7, 1998 and revises and amends the constitution of the Lake Secor Park District Advisory Board so that same consists of a total of eleven (11) members, each of whom serves in said capacity at the pleasure of the Town of Carmel Town Board.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

PUBLIC COMMENTS - AGENDA ITEMS

Michael Barile expressed his resounding support for the awarding of a long-term contract to Bee & Jay Water Systems Plumbing & Mechanical.

Mr. Barile questioned the amendment to the policy of the Town of Carmel to require contractors and subcontractors on construction contracts to have agreements in place providing apprenticeship training programs.

Supervisor Schmitt explained that the threshold for the policy participation has been increased from \$100,000.00 to \$1 million.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

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PUBLIC COMMENTS - OPEN FORUM

Mr. Barile inquired about the protocol for a resident to request a matter be included on a Town Board meeting agenda.

Councilman Lupinacci indicated that in addition to the Supervisor, the matter can be brought forth to any member of the Town Board.

Mr. Barile inquired if a Town of Carmel employee is responsible for the maintenance of the Town Hall building or if it is contracted out.

Supervisor Schmitt replied that one full-time and one part-time employee maintains the Town Hall.

Mr. Barile noted his dissatisfaction with the appearance of the building.

Jose Ojeda expressed his frustration with the deplorable condition of his neighboring properties at 305 Rockledge Road, 315 Rockledge Road and 66 Orchard Road in Lake Secor. Mr. Ojeda stated that the properties are subjects of foreclosure proceedings. In addition to negatively impacting property values in the area, he stated that they are a safety hazard to both children and adults. Mr. Ojeda spoke regarding his past communications with the Town to have the situation improved.

At the conclusion of discussion held with regard to the matter, Supervisor Schmitt assured Mr. Ojeda that he would address his complaint with Michael Carnazza, Director of Code Enforcement/Building Inspector in an effort to remedy the issue.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Schneider announced that the Carmel Fire Department will be hosting their 100th Anniversary Parade on August 22, 2015. Activities commence at 2:00 p.m. and the celebration will conclude with a fireworks display at 9:00 p.m.

Supervisor Schmitt announced that the Italian American Club of Mahopac is sponsoring their annual Evening in the Piazza on August 22, 2015 at the Mahopac Chamber Park from 5:00 p.m. to 10:00 p.m.

Supervisor Schmitt reminded residents that the hours of operation for the recycling container for the disposal of electronic waste located at 48 McAlpin Avenue are from 10:00 a.m. to 2:00 p.m. on Saturdays. Residents should not drop off items after hours or they may be charged with littering. A complete list of acceptable and non-acceptable electronics is available on the Town of Carmel's website at www.carmelny.org.

Councilman Lombardi encouraged residents to utilize the secure drop-off box located in the Carmel Police Department for the disposal of unused prescription drugs.

Supervisor Schmitt spoke regarding the importance of the proper disposal of unused prescription medications.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Schneider, with all Town Board members present and in agreement, the meeting was adjourned at 7:46 p.m. to Executive Session to discuss a matter of personnel.

Respectfully submitted,

Ann Spofford, Town Clerk