

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 26th 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 Lupinacci, Councilwoman McDonough and Supervisor Schmitt. Councilman Schneider and Councilman Lombardi were absent.

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

Supervisor Schmitt expressed his condolences to the family of 12 year old Sean Callahan who passed away after a long battle with cancer and he spoke of Sean's accomplishments including his involvement in the Relay for Life fundraiser.

**PUBLIC HEARING HELD – INCREASE AND IMPROVEMENT OF THE FACILITIES
OF CARMEL SEWER DISTRICT #1**

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

Legal Notice

NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN that the Town Board
of the Town of Carmel,
Putnam County, New York,
will meet at the Town Hall,
60 McAlpin Avenue, in
Mahopac, New York, on
August 26, 2015, at 7:00
o'clock P.M., Prevailing
Time, for the purpose of
conducting a public hearing
upon a certain map, plan
and report, including an
estimate of cost, in relation
to the proposed increase and
improvement of the facilities
of Carmel Sewer District No.
1, in said Town, consisting
of the reconstruction of
sewer lines for infiltration
and inflow remediation,
including incidental
improvements and expenses
in connection therewith, at
a maximum estimated cost
of \$1,112,310.
Said capital project has
been determined to be a
Type II Action pursuant to
the regulations of the New
York State Department of

Environmental Conservation
promulgated pursuant to the
State Environmental Quality
Review Act ("SEQRA"), the
implementation of which as
proposed, said regulations
provide will not result in any
significant environmental
effects.

At said public hearing
said Town Board will hear
all persons interested in the
subject matter thereof. The
Town Board will make every
effort to assure that the
Public Hearing is accessible
to persons with disabilities.
Anyone requiring special
assistance and/or reasonable
accommodations should
contact the Town Clerk.

Dated: Mahopac,
New York
August 13, 2015
BY ORDER OF
THE TOWN BOARD
OF THE
TOWN OF CARMEL
ANN SPOFFORD,
TOWN CLERK

With no one objecting to the Notice of Public Hearing as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:20 p.m. Approximately ten (10) people were in attendance.

Jim McCabe asked how the town planned on billing multi-family dwellings and he wanted to know if there would be a difference in how a ten family residence as opposed to a one or two family residence would be billed.

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Gregory Folchetti, Legal Counsel noted that as this is a capital project each property will be assigned a capital unit value upon which the taxes would be based. He stated that any parcel with access to the sewer main line would be charged using a calculated unit value. A parcel that is not benefited could apply to have their units reduced to zero and therefore would not be charged.

Mr. Folchetti explained that New York State Department of Environmental Conservation (NYSDEC) has notified the Town that excessive flows have resulted in bypasses at the Carmel Sewer District #1 Plant resulting in the flow not being treated in accordance with influent standards. Consequently, NYSDEC has violated the Town of Carmel and New York City Department of Environmental Protection.

Mr. McCabe inquired about what expenses are covered by the taxes collected for the sewer district.

Gregory Folchetti, Legal Counsel explained that it covers capital cost and operations and maintenance of the system. He pointed out that the Town owns the collection system and that certain improvements need to be done to the pipes to limit or eliminate the infiltration or inflow of the groundwater into the pipes in addition to the sewage flow. He stated that during the winter thaw the plant has taken in excess flow due to the ground water and surface water getting into the plant.

Mr. McCabe asked if this information is logged in and tracked. He stated that they were told when the sewer district expanded that it had adequate capacity for anything. He questioned if the sewer plant is maintained and operated by New York City.

Gregory Folchetti, Legal Counsel stated that the information is in the Inflow and Infiltration Report on file with the Town Clerk's Office. He then pointed out the chart showing the plant capacity, actual amounts and the normal average daily flow which runs about 65% of capacity. He noted that during March and April it was well over 100% of capacity at about 300,000 gallons per day. He further explained that while the plant is maintained and operated by New York City the collection system is maintained, operated and owned by the Town of Carmel.

Mr. McCabe inquired as to who controls who is allowed to hook up to the sewer district.

Gregory Folchetti, Legal Counsel stated that the Town does and noted that every connection requires a permit.

John Folchetti, Town Consulting Engineer pointed out that the issue is not the new connections it is the waste water. He reported that the average was 170,000 gallons per day but has increased to spikes of between 600,000 and one million gallons due to the run off. He reported that the lines along Route Six and Route 6N date back to 1939. He explained that the age of the sewer system has caused damage to the pipes and manholes which has contributed to the problem. He noted that there is a technique for lining the pipes to seal breaks, holes and cracks. He reiterated that the extension to the sewer district or extra connections has nothing to do with the problem, that it is the deteriorated condition of the pipes and manholes that is the problem.

John Folchetti, Town Consulting Engineer further stated that any illicit connections would be cut off.

Mr. McCabe inquired as to when will the cost be known.

Supervisor Schmitt responded that the Comptroller's Office will be calculating the cost.

Gregory Folchetti, Legal Counsel explained that the borrowing authorization being considered next week is for 1.12 million dollars which is an estimate of the cost. He stated that it will be going out to bid and will hopefully be less than that.

John Fochetti, Town Consulting Engineer explained that based on the cost estimate, if the bond is for twenty years the cost would be \$247 per year and if it is for thirty years is would be \$193 per year.

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Gregory Folchetti, Legal Counsel added that the Town of Carmel has received a Notice of Violation from NYSDEC which dates back to April. If the Town doesn't comply with the directive we could potentially be subject to administrative fines of \$37,500 per day.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lupinacci, seconded by Councilwoman McDonough, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:40 p.m. to a scheduled Work Session.

Respectfully submitted,

Phyllis Bourges, Deputy Town Clerk