

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 16<sup>th</sup> day of September 2015 at 7:10 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt. Councilman Lupinacci 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 announced that Councilman Lupinacci is currently at a Putnam County committee meeting in Carmel. He also announced that prior to the commencement of the Voting Meeting, the Town Board met at 6:00 p.m. in Executive Session to discuss a matter of personnel.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 8/5/15, 8/19/15 AND 8/26/15 - ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all members of the Town Board present voting “aye”, the minutes of the Town Board meetings held on August 5<sup>th</sup>, August 19<sup>th</sup> and August 26<sup>th</sup> 2015 were accepted as submitted by the Town Clerk.

**MAHOPAC VOLUNTEER FIRE DEPARTMENT - ADDITION TO THE ACTIVE LIST AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the addition of the following name to the active list of the Mahopac Volunteer Fire Department:

Lauren Icken

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>          </u>	<u>          </u>	Absent
Suzanne McDonough	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Kenneth Schmitt	<u>X</u>	<u>          </u>	

Supervisor Schmitt expressed best wishes to the new member of the Mahopac Volunteer Fire Department.

**BOND REDUCTION AUTHORIZED - JORDANO / GERVASI SUBDIVISION - TM #63.-1-16**

WHEREAS application has been made by John Jordano and Michelle Gervasi for reduction of a bond posted in accordance with the Land Subdivision and/or Zoning Regulations for the Jordano Subdivision on Bullet Hole Road Tax Map #63.1-1-16; and

WHEREAS said application had been reviewed by the Town Engineer Richard J. Franzetti, P.E. and a reduction of the bond has been recommended and approved by the Planning Board;

NOW therefore be it resolved that the Town Board of the Town of Carmel hereby authorizes the reduction of the aforementioned bond posted for the aforesaid Jordano Subdivision, from its original amount of \$48,300 to a reduced amount of \$22,000.

SEPTEMBER 16, 2015  
TOWN BOARD MEETING

(Cont.)

Resolution  
Offered by: Councilman Lombardi  
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>          </u>	<u>          </u>	Absent
Suzanne McDonough	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**BOND RELEASE AND SUBSTITUTION OF COLLATERAL AUTHORIZED - RPK PRECISION HOMES INC. - TM #55.14-1-5.1 - 5.5 AND 55.10-1-23 - 25**

WHEREAS application has been made by the RPK Precision Homes, Inc. for the total Land Subdivision and/or Zoning Regulations for Tax Map #55.14-1-5.1 through 5.5 and 55.10-1-23 through 25 with respect to the RPK Precision Homes, Site Plan, Seminary Hill Road Town of Carmel; and

WHEREAS said application has been reviewed by the Town Engineer Richard J. Franzetti, P.E. and release of the bond and substitution of new collateral has been recommended and approved by the Town Engineer and the Town of Carmel Planning Board,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of Mahopac National Bank Letter of Credit #200310 in the amount of \$150,000 and substitution of Mahopac National Bank Letter of Credit #530001611 in the amount of \$773,000.

Resolution  
Offered by: Councilwoman McDonough  
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>          </u>	<u>          </u>	Absent
Suzanne McDonough	<u>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Kenneth Schmitt	<u>X</u>	<u>          </u>	

Supervisor Schmitt explained that the applicant amended the scope of their project from a single family residential subdivision to senior housing units.

Gregory Folchetti further explained that because the site work has changed, the bond amount has changed.

**ATTENDANCE AT SEMINAR AUTHORIZED - TOWN ENGINEER RICHARD J. FRANZETTI, P.E. - 10/15/15**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Engineer Richard J. Franzetti, P.E. to attend the Southeast New York Stormwater Conference sponsored by the Lower Hudson Coalition of Conservation Districts in Beacon, NY on October 15, 2015; and

BE IT FURTHER RESOLVED that the cost of registration and other necessary expenses be advanced or reimbursed by the Town Comptroller's Office upon audit and approval.

Resolution  
Offered by: Councilman Schneider  
Seconded by: Councilman Lombardi

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Jonathan Schneider	<u>X</u>	<u>          </u>	
John Lupinacci	<u>          </u>	<u>          </u>	Absent
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 THE REPAIR RESERVE FUND AUTHORIZED - NOT TO EXCEED \$59,062.69**

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 Office 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 of Carmel authorizes the appropriation of monies from the Repair Reserve Fund not to exceed \$59,062.69 for emergency repair expenditures in 2015.

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

Resolution

Offered by: Councilman Lombardi  
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>          </u>	<u>          </u>	Absent
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 VS. SIEMENS CORPORATION, SIEMENS WATER TECHNOLOGIES CORP., EVOQUA WATER TECHNOLOGIES, LLC,” - DISCONTINUANCE OF LITIGATION AUTHORIZED**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 225/2014 a certain lawsuit entitled “CARMEL SEWER DISTRICT #2, vs. SIEMENS CORPORATION, SIEMENS WATER TECHNOLOGIES CORP., EVOQUA WATER TECHNOLOGIES, LLC,” in regard to the performance of the existing microfiltration membrane units located at the Carmel Sewer District #2 Wastewater Treatment Plant; and

WHEREAS a pilot study was sponsored and funded by the City of New York Department of Environmental Protection (NYCDEP) regarding the potential replacement of the existing microfiltration membrane units (MMU’s) , said replacement to also be funded by NYCDEP through its capital replacement agreement with the New York State Department of Environmental Facilities (NYSEFC); and

WHEREAS, authorized NYCDEP representatives have confirmed that the results of the referenced pilot study were satisfactory and that the existing MMUs at the Carmel Sewer District #2 Wastewater Treatment Plant will in fact be replaced and such replacement will be funded by NYCDEP through its capital replacement agreement with NYSEFC;

SEPTEMBER 16, 2015  
TOWN BOARD MEETING

(Cont.)

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the discontinuance of the aforementioned litigation; and

BE IT FURTHER RESOLVED that Town Counsel Gregory L. Folchetti is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of discontinuance to be filed with the Putnam County Supreme Court in the referenced action.

Resolution

Offered by: Councilwoman McDonough  
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>          </u>	<u>          </u>	Absent
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**

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.

**PUBLIC COMMENTS - OPEN FORUM**

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

**TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Councilman Schneider announced that Town of Carmel water meter readings are due by September 30, 2015. Readings may be entered through the Town’s website, mailed or called in to the Comptroller’s Office.

Councilman Lombardi announced that the Town of Carmel Recreation and Parks Department will be presenting a Fitness Fair on September 19, 2015 from 12:00 p.m. to 4:00 p.m. at Sycamore Park. The Fitness Fair is the Town’s first event where local businesses can come together to provide services and products towards the community’s health and fitness.

Councilman Lombardi reminded residents that a water emergency continues to exist in Carmel Water District #12 and the use of water for nonessential purposes is prohibited.

Councilwoman McDonough announced that registration has begun for the Town of Carmel Recreation and Parks Department 2015 fall classes. Information on all classes and forms are available on their website.

Councilwoman McDonough announced that there will be a Town of Carmel Recreation and Parks Advisory Committee meeting with no formal agenda on October 1, 2015 at 7:30 p.m. at Sycamore Park to obtain views from the community on ways to improve Recreation Department programs.

Supervisor Schmitt provided highlights from the Reed Memorial Library’s latest newsletter. He announced that their Annual Budget Vote and Trustee Election will be held on October 5, 2015 at the Carmel Firehouse from 12:00 p.m. to 8:00 p.m. for registered voters in the Reed Memorial Public Library District (the Town of Carmel which is not in the Mahopac School District).

**SEPTEMBER 16, 2015  
TOWN BOARD MEETING**

(Cont.)

Supervisor Schmitt announced that the Town Board is rescheduling their Work Session for September 23, 2015 to September 30, 2015 at 7:00 p.m. at the Carmel Town Hall. Supervisor Schmitt will be presenting his 2016 Tentative Budget.

Councilman Lombardi extended warm wishes to members of the Jewish community observing Rosh Hashanah, the Jewish New Year.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lombardi, with all Town Board members present in agreement, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk