

TOWN BOARD SPECIAL 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 24th day of February 2016 at 7:16 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 the Town Board had met at 6:00 p.m. in Executive Session with Town Clerk Ann Spofford to discuss a matter of personnel. In addition, Councilman Schneider led a discussion with regard to a contractual retention matter in connection with the Town-wide revaluation project.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL, CHAPTER 147, THEREOF, ENTITLED "VEHICLE AND TRAFFIC" - KINGS RIDGE ROAD

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

<p><u>NOTICE OF PUBLIC HEARING</u></p> <p>NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, February 24, 2016 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Town Code of the Town of Carmel, entitled "Vehicle and Traffic" as follows:</p> <p>TOWN OF CARMEL PROPOSED LOCAL LAW # _____ OF THE YEAR 2016</p> <p>A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL, CHAPTER 147, THEREOF, ENTITLED "VEHICLE AND TRAFFIC."</p> <p>BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:</p> <p>SECTION 1 Chapter 147 of the Code of the Town of Carmel, Section 147-51. Schedule X, Parking Prohibited at All Times is hereby amended by the addition of the following:</p>	<p>NAME OF STREET Kings Ridge Road</p> <p>SIDE N/A</p> <p>LOCATION Entire Circumference of Cul-de-sac</p> <p>SECTION 2 - HOME RULE Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.</p> <p>SECTION 3 - SEVERABILITY If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall</p>	<p>have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.</p> <p>SECTION 4 - EFFECTIVE DATE This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.</p> <p>At said Public Hearing, all interested persons shall be heard on the subject 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.</p> <p><i>By Order of the Town Board of the Town of Carmel</i> Ann Spofford, Town Clerk</p>
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With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:20 p.m. Twenty (20) people were in attendance.

Supervisor Schmitt explained that the Local Law is being considered because the cul-de-sac on Kings Ridge Road does not allow for a school bus to navigate safely when vehicles are parked along it. In addition, the parking prohibition will benefit the Highway Department’s snowplow drivers and the fire department.

Paul Gonzalez, Kings Ridge Road resident stated that his house is one of the four in the cul-de-sac and that for years he called the Police Department during the winter with regard to cars parking in front of one of the houses with nothing being done about it. Mr. Gonzalez commented that in the past his children were picked up by the school bus in front of their house and now they are picked up at the end of the road. However, instead of enforcing the current law in effect which prohibits parking on the street during the winter months, another law is proposed which will disallow parking anytime. He stated that this would be a problem for him when he has guests.

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Mr. Gonzalez inquired how many other cul-de-sacs in the Town have this parking restriction.

Supervisor Schmitt stated that that winter parking restrictions only apply from November 15th through April 15th and that the issue still remains outside this time period.

Terry Gonzalez stated that no school busses travel on the road.

Supervisor Schmitt questioned whether or not that was because of the issue with the cul-de-sac.

Councilman Schneider noted that in the past, the school busses did pick up the students who lived along Kings Ridge Road. For the school busses to return to their route as well as to allow for snow plows and first responders to get through, the Local Law must be adopted. He stated with regard to other cul-de-sacs, that last year the Town Board enacted similar legislation because of an issue in another neighborhood.

Mrs. Gonzalez asked where her visitors would park if the legislation was adopted.

Supervisor Schmitt pointed out the parking prohibition only applies to the cul-de-sac. Guests can park on the shoulder of the road up to the circle.

Mr. Gonzalez asked if they could work with the Town with regard to the placement of the signs.

Supervisor Schmitt advised Mr. Gonzalez to contact Michael Simone, Highway Superintendent because an employee in his department will be installing the signs.

Councilman Lombardi stated that the similar legislation enacted by the Town Board applied to the cul-de-sac at the end of Red Mills Road. He suggested to Mr. Gonzalez that he view the location of those signs.

Councilman Lupinacci pointed out that the signs may appear different because there is only one house on that cul-de-sac.

Jennifer Scarangella, Kings Ridge Road resident stated that the proposed Local Law impacts her family as well as the ten others that signed the petition asking for the no parking signs. She stated that there are many children who live on the ridge and that the topography of the land does not lend itself to them walking in a dangerous intersection. Ms. Scarangella reiterated the safety concerns with regard to emergency vehicles and concluded that the issue impacts too many families not to have the legislation go through.

With no one present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:29 p.m.

SEQR DETERMINATION OF SIGNIFICANCE - PROPOSED LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL, CHAPTER 147, THEREOF, ENTITLED "VEHICLE AND TRAFFIC" - KINGS RIDGE ROAD - TYPE II ACTION

RESOLVED that the Town Board of the Town of Carmel hereby determines that, proposed Local Law #1 of 2016 concerning amendments to Town of Carmel Town Code Chapter 147 entitled "Vehicle and Traffic" is a Type II action under SEQR and no further review is necessary.

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(Cont.)

Resolution
Offered by: Councilman Lupinacci
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>

LOCAL LAW #1 OF THE YEAR 2016 - A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL, CHAPTER 147, THEREOF, ENTITLED "VEHICLE AND TRAFFIC" - KINGS RIDGE ROAD - ADOPTED AS NOTICED AND PUBLISHED

BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:

SECTION 1 Chapter 147 of the Code of the Town of Carmel, Section 147-51. Schedule X, Parking Prohibited at All Times is hereby amended by the addition of the following:

Name of Street	Side	Location
Kings Ridge Road	N/A	Entire Circumference of Cul-de-sac

SECTION 2 - HOME RULE
Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town’s discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 3 - SEVERABILITY
If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 4 - Effective Date
This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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>

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PUBLIC HEARING HELD - CARMEL SEWER DISTRICT #7 - INCREASE AND IMPROVEMENT IN THE FACILITIES - REPLACEMENT OF THE ROOF AT THE TREATMENT PLANT - MAXIMUM ESTIMATED COST OF \$203,872.00

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet in the Town Hall, 60 McAlpin Ave., Mahopac, New York, on February 24, 2016, 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. 7, in said Town, being the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$203,872.

This project has been determined to be a Type II Action under the regulations promulgated under the State Environmental Quality Review Act ("SEQRA") and SEQRA compliance materials, are available for inspection at the Office of the Town Clerk where they may be inspected during normal business hours.

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, February 11, 2016.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK
Ann Spofford
Town Clerk

With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:33 p.m. Twenty (20) people were in attendance.

Supervisor Schmitt explained that a snow load on the roof of the Carmel Sewer District #7 treatment plant caused it to collapse and that a claim has been submitted to the Town’s insurance carrier, the New York Municipal Insurance Reciprocal (NYMIR). Although the full cost of the roof replacement must be borrowed at this time, when a settlement is reached with NYMIR, the monies will be applied toward the amount borrowed. The cost to replace the roof will be borne solely by the taxpayers in Carmel Sewer District #7.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:35 p.m. to the scheduled Work Session.

At 8:29 p.m. Supervisor Kenneth Schmitt resumed the Special Meeting.

POLICE OFFICER APPOINTED - GARY PIETROPAOLO - EFFECTIVE - 3/2/16

RESOLVED that the Town Board of the Town of Carmel hereby appoints Gary Pietropaolo of Fishkill, NY as a police officer for the Town of Carmel, effective March 2, 2016 at the transfer rate of \$55,033.36 per year subject to the provisions of Civil Service Law and the Putnam County Civil Service Rules and Regulations.

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

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(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 administered an oath of office to Gary Pietropaolo and the Town Board members expressed congratulatory wishes to the new police officer.

CARMEL SEWER DISTRICTS - PROPOSAL ACCEPTED FOR FINANCIAL DEVELOPMENT SERVICES - ENDEAVOR MUNICIPAL DEVELOPMENT, INC. - NOT TO EXCEED \$12,000 ANNUALLY

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of the various Sewer Districts within the Town of Carmel, hereby accepts the proposal of Endeavor Municipal Development, Inc., Germantown, NY for the provision of financial development services for Town of Carmel Sewer Districts for year 2016 at a cost not to exceed \$12,000 annually, in accordance the proposal dated January 28, 2016, a copy of which is on file in the Office of the Town Supervisor; and
BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of these proposals upon the terms authorized herein.

Resolution
Offered by: Councilman Lombardi
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>

Supervisor Schmitt explained that this resolution as well as the following resolution authorizes financial development services to facilitate grant funding and low interest rates for infrastructure improvements in the water and sewer districts within the Town. The expense has been budgeted for in 2016.

CARMEL WATER DISTRICTS - PROPOSAL ACCEPTED FOR FINANCIAL DEVELOPMENT SERVICES - ENDEAVOR MUNICIPAL DEVELOPMENT, INC. - NOT TO EXCEED \$12,000 ANNUALLY

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of the various Water Districts within the Town of Carmel, hereby accepts the proposal of Endeavor Municipal Development, Inc., Germantown, NY for the provision of financial development services for Town of Carmel Water Districts for year 2016 at a cost not to exceed \$12,000 annually, in accordance the proposal dated January 28, 2016, a copy of which is on file in the Office of the Town Supervisor; and
BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of these proposals upon the terms authorized herein.

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Resolution
Offered by: Councilman Lupinacci
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>

PROPOSAL ACCEPTED FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH THE TOWN OF CARMEL AND ITS CONTRACTS WITH VARIOUS NOT-FOR-PROFIT CONTRACTORS - PINSKY LAW GROUP - \$230.00 PER HOUR

RESOLVED THAT the Town Board of the Town of Carmel, hereby accepts the proposal of the Pinsky Law Group, Syracuse, NY for the provision of special counsel and legal services in connection with the Town of Carmel and its contracts with various Not-for-Profit contractors, at an approved hourly rate of \$230.00 per hour; and
BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of these proposals upon the terms authorized herein.

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>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 INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF FACILITIES OF CARMEL SEWER DISTRICT #7 IN THE TOWN OF CARMEL

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Carmel Sewer District No. 7, in the Town of Carmel, Putnam County, New York, consisting of the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$203,872 and
WHEREAS, at a meeting of said Town Board duly called and held on February 3, 2016, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Carmel Sewer District No. 7 in said Town at a maximum estimated cost of \$203,872, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mahopac, New York, in said Town, on February 24, 2016, at 7:00 o'clock P.M., Prevailing Time; and
WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and
WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

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(Cont.)

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Carmel Sewer District No. 7, in the Town of Carmel, Putnam County, New York, consisting of the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$203,872.

Section 2. This Order shall take effect immediately.

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>

CARMEL SEWER DISTRICT #7 - ISSUANCE OF \$203,872 BONDS OF THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES - OFFERED AS PARAPHRASED AND PREFILED - AUTHORIZED

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Carmel Sewer District No. 7, in the Town of Carmel, Putnam County, New York, at a maximum estimated cost of \$203,872; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to 6NYCRR 617.5(c)(2), the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as such will not have any significant adverse effects on the environment; 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. For the specific object or purpose of paying the cost of the increase and improvement of Carmel Sewer District No. 7, in the Town of Carmel, Putnam County, New York, consisting of the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$203,872 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$203,872, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$203,872 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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Section 4. 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. To the extent not paid from monies raised from said Carmel Sewer District No. 7 in the manner provided by law, 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 5. 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 serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, 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 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial 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 serial 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 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. 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.

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Section 11. 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 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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>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 1/20/16 AMENDED - BID AWARDED FOR POLICE DEPARTMENT UNIFORMS - NEW ENGLAND UNIFORM

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for Police Department uniforms for the Town of Carmel Police Department in fiscal year 2016, and

WHEREAS such bids were received and opened on December 15, 2015; and

WHEREAS Chief of Police Michael Cazzari has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for Police Department uniforms to New England Uniform, 356 Main Street, Danbury, CT, the lowest responsible bidder who met specifications, at the following bid prices:

- Flying Cross Gore-Tex Public Safety Jacket: \$219.00 each;
- Flying Cross Single Breasted Dress Coat: \$205.00 each;
- Summer Cap 8 point: \$24.00 each;
- Winter Cap 8 point: \$29.00 each;
- Rain Coat: \$159.00 each;
- Summer Shirt: \$51.49 each
- Winter Shirt \$56.89 each;
- Pants Flying Cross Wool Blend \$84.49 each;
- Vertex Tactical Pants \$37.00 each;
- Short Sleeve Vertex Polo \$56.74 each;
- Long Sleeve Vertex Polo \$59.43 each

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>

CHIEF OF POLICE - HEALTH CARE INSURANCE CONTRIBUTION SET FOR 2016

RESOLVED, that pursuant to Section 806 of the Town of Carmel Employee Handbook, the Town Board of the Town of Carmel hereby establishes the following health care insurance contributions for certain managerial and non-union employees for fiscal year 2016, effective immediately:

Employee Health Care Contribution

<u>Position/Title</u>	<u>Percentage of Premium</u>
Chief of Police	20% (Twenty Percent)

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>

ENTRY INTO CONTRACTS FOR VARIOUS SERVICES AUTHORIZED - FISCAL YEAR 2016

WHEREAS appropriations have been made in the 2016 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and
WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to enter into and execute, on behalf of the Town, contracts with the following contractors for the services indicated in an amount not to exceed that set forth below:

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$753,460.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,200,000.00
Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3 Carmel Fire District	\$ 530,000.00
Carmel Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance Dist. #1	\$110,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance Dist. #1	\$12,800.00
Putnam County Society For Protection of Cruelty to Animals, Inc.	Animal Cruelty Prevention Services	\$5,000.00
Putnam County Humane Society, Inc.	Dog Shelter Services & Dog Control Services	\$50,635.00
Reed Memorial Library	Library Services	\$25,000.00

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(Cont.)

Mahopac Library	Library Services	\$50,000.00
County of Putnam	Outreach Worker	\$5,000.00

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi and 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>	Abstain
Suzanne McDonough	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Prior to his vote, Councilman Schneider stated that although he understands the reasoning behind including all of the contracts on one resolution, he would prefer that the items be separated out. With regard to the Mahopac Volunteer Fire Department, he stated that changes were made to their previous contract and internal remedies within the fire department have been put in place. Councilman Schneider stated ninety to ninety-five percent of the Town Board’s requested changes were made and based on that, although not an ideal contract, it does include safeguards and improves public transparency.

Councilman Lupinacci qualified his abstention stating that with the exception of the Mahopac Volunteer Fire Department, he would have voted in favor of all of the contracts.

Councilman Lombardi stated that his first priority is the safety of the public and that approving these contracts goes a long way towards doing that. It also goes a long way toward establishing trust between the fire department and the community. He acknowledged the fire department for opening their books and agreeing to do more than ever before with regard to transparency. Councilman Lombardi concluded that the contract is a good template.

Councilman Lupinacci clarified that his abstention was not directed at the Mahopac Volunteer Fire Department, the members nor their directors. He indicated that because questions remain regarding the ongoing criminal investigation of possible embezzlement, he sought 100 percent of the Town Board’s requested changes to be applied. Councilman Lupinacci considered the contract good but thought that more could have been done to protect the taxpayers.

Councilwoman McDonough stated that she voted for the contract because she believed that it was the right thing to do.

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.

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TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Supervisor Schmitt announced that the Recreation and Parks Department will be holding their annual Egg Hunt on March 12, 2016 (bad weather date March 13, 2016) at 12:00 p.m. sharp at the Mahopac Middle School/High School practice fields for children through 2nd grade. The Mahopac Rotary Club will be serving lunch from 11:00 a.m. to 12:00 p.m.

Supervisor Schmitt announced that the New York State Department of Environmental Conservation Hunter Education Course is being offered on March 12, 2016 from 8:30 a.m. to 4:00 p.m. at the Sycamore Park Main Building. This course covers firearms safety, hunting techniques and responsible, ethical hunting practices. Further information may be obtained by calling the Recreation and Parks Department at (845) 628-7888.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough and Councilman Lupinacci, with all Town Board members present and in agreement, the Special Meeting was adjourned at 9:01 p.m. to Executive Session for a discussion lead by Councilman Lupinacci in connection with a personnel matter as well as for litigation updates from Gregory Folchetti, Legal Counsel.

Respectfully submitted,

Ann Spofford, Town Clerk