

6 JANUARY 2010

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

The 2010 Organizational Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 6th day of January 2010 at 7:00 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Ravallo, Councilman Lombardi, Councilwoman McDonough, Councilman DiCarlo, and Supervisor Schmitt.

Prior to the start of official business, the Pledge of Allegiance to the Flag was observed and a moment of silence was held for those serving in the United States Armed Forces.

SEATING ORDER OF THE TOWN BOARD MEMBERS SET

RESOLVED that the Town Board Members will be seated as follows (left to right): facing the dais: Frank Lombardi, Anthony Di Carlo, Kenneth Schmitt, Robert Ravallo and Suzanne McDonough.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

ROLL CALL VOTING ORDER OF TOWN BOARD MEMBERS SET

RESOLVED that the Roll Call Voting Order of the Town Board shall be as follows:

Robert Ravallo
Frank Lombardi
Suzanne McDonough
Anthony DiCarlo
Kenneth Schmitt

Resolution

Offered by: Councilman DiCarlo
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**DATES, TIME AND LOCATION OF TOWN BOARD MEETINGS ESTABLISHED -
AMENDED 1/20/10**

RESOLVED that all regular meetings of the Town Board of the Town of Carmel shall be held on the first and third Wednesdays of each month, commencing Wednesday, January 6, 2010, at the Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM with the exception of the regular meetings on March 17, 2010 and August 4, 2010 which shall be held at 7:00 PM in the hamlet of Carmel at the Carmel Firehouse, Vink Drive, Carmel, NY;

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

BE IT FURTHER RESOLVED that all work sessions of the Town Board of the Town of Carmel shall be held on the second and fourth Wednesdays of each month commencing Wednesday, January 13, 2010, with the exception of the month of November when a work session will be held on the fourth Tuesday, November 23, 2010 instead of the fourth Wednesday, November 24, 2010 and the month of December when no meeting shall be held on the fourth and fifth Wednesday. All work sessions shall be held at the Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

SIGNING OF CONTRACT FOR TOWN COUNSEL LEGAL SERVICES AUTHORIZED
- GREGORY FOLCHETTI OF COSTELLO & FOLCHETTI, LLP – AMENDED 1/5/11

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign a two (2) year Contract with Gregory Folchetti of Costello & Folchetti, LLP, 1875 Route Six, Carmel, New York 10512, for legal services as Town Counsel, said contract to commence 1/1/2010 and expire 12/31/2011 in form as on file with the Town Board.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

SIGNING OF CONTRACT FOR DISTRICT LEGAL SERVICES AUTHORIZED -
GREGORY FOLCHETTI OF COSTELLO & FOLCHETTI, LLP

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign a two (2) year Contract with Gregory Folchetti of Costello & Folchetti, LLP, 1875 Route Six, Carmel, New York 10512, for legal services as Districts Counsel, said contract to commence 1/1/2010 and expire 12/31/2011 in form as on file with the Town Board.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**SIGNING OF CONTRACT FOR MISCELLANEOUS LEGAL SERVICES
AUTHORIZED - CURTISS & LEIBELL, PC FOR LEGAL SERVICES TO THE ZONING
BOARD OF APPEALS AND AS TOWN PROSECUTOR, JOSEPH CHARBONNEAU,
ESQ. FOR LEGAL SERVICES TO THE PLANNING BOARD, ENVIRONMENTAL
CONSERVATION BOARD, ARCHITECTURAL REVIEW BOARD AND ETHICS
BOARD, AND AS TOWN PROSECUTOR – AMENDED 1/5/11**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign a two (2) year Agreement with Curtiss & Leibell, PC, 20 Church Street, Carmel, New York 10512, for legal services to the Zoning Board of Appeals, and as Town Prosecutor, and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign a two (2) year Agreement with Joseph Charbonneau, Esq. of 1441 Route 22, Brewster, New York 10509 for legal services to the Planning Board, Environmental Conservation Board, Architectural Review Board and Ethics Board, and as Town Prosecutor, said contract to commence 1/1/2010 and expire 12/31/2011 in form as on file with the Town Board.

Resolution

Offered by: Councilman DiCarlo
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

RULES OF ORDER FOR SET TOWN BOARD MEETINGS

RESOLVED that the Rules of Order for Town Board Meetings shall be Roberts' Rules of Order Newly Revised.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DESIGNATION OF DEPUTY SUPERVISOR ACKNOWLEDGED - COUNCILMAN ANTHONY DICARLO

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the designation by Supervisor Schmitt of Councilman Anthony DiCarlo as Deputy Supervisor.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Ravallo	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Anthony DiCarlo	<u> </u>	<u> </u>	Abstain
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt expressed his appreciation to Councilman Ravallo for serving as his deputy throughout his first term of office. He stated that for his second term, he wanted to provide the opportunity for someone else to serve in this capacity and thanked Councilman DiCarlo for agreeing to do so.

TOWN BOARD APPOINTED AS POLICE COMMISSIONERS

RESOLVED that the Town Board of the Town of Carmel hereby appoints all members of the Town Board to serve as the Board of Police Commissioners.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DESIGNATION OF DEPUTY HIGHWAY SUPERINTENDENT ACKNOWLEDGED - ROBERT ERICKSON

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the designation by Highway Superintendent Michael Simone of Robert Erickson as Deputy Highway Superintendent.

Resolution
Offered by: Councilman DiCarlo
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DEPUTY COMPTROLLER REAPPOINTED - MARY ANN MAXWELL

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Mary Ann Maxwell as Deputy Comptroller at the salary contained in the 2010 Budget

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DESIGNATION OF DEPUTY RECEIVER OF TAXES ACKNOWLEDGED - R. GENINE HEISER

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the designation by Receiver of Taxes, Kathleen Kraus of R. Genine Heiser as Deputy Receiver of Taxes.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DESIGNATION OF DEPUTY TOWN CLERKS ACKNOWLEDGED - PHYLLIS BOURGES AND BARBARA GEOCOS

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the designation by Town Clerk Ann Garris of Phyllis Bourges as First Deputy Town Clerk and Barbara Geocos as Second Deputy Town Clerk at the salaries contained in the 2010 Budget.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**APPOINTMENT OF CONFIDENTIAL SECRETARY TO TOWN SUPERVISOR
ACKNOWLEDGED - ANNE PASQUERELLO**

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the appointment by Supervisor Kenneth Schmitt of Anne Pasquerello as Confidential Secretary to the Supervisor, effective as of January 1, 2010, at the salary contained in the 2010 Budget.

Resolution

Offered by: Councilman DiCarlo
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

APPOINTMENT MADE AS ASSISTANT TO TOWN BOARD - ANNE PASQUERELLO

RESOLVED that the Town Board of the Town of Carmel hereby appoints Anne Pasquerello as Assistant to the Town Board, effective as of January 1, 2010, at the salary contained in the 2010 Budget.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilmen DiCarlo and Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CHAIRMAN OF THE PLANNING BOARD REAPPOINTED - HAROLD GARY

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Harold Gary as Chairman of the Planning Board for the year 2010.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilmen Ravallo and Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CHAIRMAN OF THE ZONING BOARD OF APPEALS REAPPOINTED - MARK FRASER

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Mark Fraser as Chairman of the Zoning Board of Appeals for the year 2010.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

OFFICIAL NEWSPAPERS OF THE TOWN DESIGNATED

RESOLVED that the Town Board of the Town of Carmel designates the Putnam County Courier and the Putnam County Press as the official newspapers of the Town of Carmel for the year 2010; and

BE IT FURTHER RESOLVED that, in those situations where the Town is required by law to publish in a daily newspaper, the Journal News is hereby designated as the daily newspaper in which publication shall be made.

Resolution

Offered by: Councilman DiCarlo
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

OFFICIAL DEPOSITORIES DESIGNATED

RESOLVED that the Town Board of the Town of Carmel hereby designates any commercial bank authorized to do business in the State of New York as an official depository for Town of Carmel funds and investments provided all deposits are properly collateralized in accordance with New York State law and hereby authorizes the Town Supervisor to deposit funds in any authorized depository for fiscal year 2010 in order to obtain the maximum rate of interest on said deposits.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

INSURANCE AGENT DESIGNATED - THE SPAIN AGENCY

RESOLVED that the Town Board of the Town of Carmel hereby appoints the Spain Agency, 625 Route Six, Mahopac, New York as Insurance Agents and Brokers of Record for the Town of Carmel for the year 2010.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

PETTY CASH FUNDS FOR FISCAL YEAR 2010 ESTABLISHED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the establishment of Petty Cash Funds in the following departments at the following amounts for fiscal year 2010:

Supervisor \$200	Town Clerk \$200
Receiver of Taxes \$500	Building Dept. \$100
Assessor \$100	Police Chief \$200
Justice Court \$100	Bldg. Maintenance \$100
Comptroller \$100	Recreation \$200
Supt. of Highways \$200	Central Services \$200
Engineering \$100	

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

MILEAGE RATE SET FOR FISCAL YEAR 2010

RESOLVED that the Town Board of the Town of Carmel hereby establishes the mileage reimbursement rate for 2010 at the IRS rate for 2010.

Resolution

Offered by: Councilman DiCarlo
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

6 JANUARY 2010
ORGANIZATIONAL MEETING

ATTENDANCE OF OFFICERS AND EMPLOYEES TO ATTEND THE 2010 ASSOCIATION OF TOWNS CONFERENCE - AUTHORIZED

WHEREAS the Annual Meeting and Training School of the Association of Towns is to be held in New York, NY from February 14th through the 17th, 2010; and

WHEREAS in the past, the information and training available at said meeting and the seminars conducted thereat have proved to be helpful to Town Officers and employees in the performance of their duties and it is in the best interest of the Town of Carmel to have certain of its officers and employees attend such meeting and training schools;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the following officers and employees of the Town to attend the Association of Towns Conference in New York, NY and that the reasonable and necessary expenses of said persons be reimbursed by the Town upon audit and approval by the Town Comptroller:

Name	Title	Number of Nights
Kenneth Schmitt	Supervisor	2
Anthony DiCarlo	Councilman	2
Suzanne McDonough	Councilwoman	2
Frank Lombardi	Councilman	2
Ann Garris	Town Clerk	2
Kathleen Kraus	Receiver of Taxes	2
Paul Jonke	Assessor	2
Mary Ann Maxwell	Deputy Comptroller	2
Joseph Spofford	Town Justice	2
Thomas Jacobellis	Town Justice	2
Patricia Genna	Court Clerk	2
Ann Petricig	Account Clerk	2
Marie Paprocki	Clerk to Justice	2
Lisa Laquidara	Clerk to Justice	2
Thomas Carey	Financial Consultant	1

BE IT FURTHER RESOLVED that the entire Town Board of the Town of Carmel is also authorized to attend the Association of Towns Conference in New York, NY and that their reasonable and necessary expenses be reimbursed by the Town upon audit and approval by the Comptroller's Office.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt spoke about the importance of the attendance of Town officers and employees at this conference.

TOWN OF CARMEL DELEGATES DESIGNATED FOR 2010 ASSOCIATION OF TOWNS ANNUAL BUSINESS SESSION

RESOLVED that Kenneth Schmitt is hereby designated as the voting delegate and Anthony DiCarlo is hereby designated as the alternate voting delegate of the Town of Carmel to the 2010 Annual Business Session of the Association of Towns of the State of New York to be held in New York City from February 14th through the 17th, 2010 and are hereby authorized to cast the vote of the Town of Carmel pursuant to Section 6 of Article III of the Constitution and By-Laws of said Association.

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

HIGHWAY DEPARTMENT - RATES SET FOR 2010 TEMPORARY HELP

RESOLVED that the Town Board of the Town of Carmel hereby sets the following rates for Highway Department temporary help for fiscal year 2010:

Private Plowers (minimum 2500 Series Truck/1 Ton Truck with plow) - \$60.00/hour
Drivers (Labor only in Town trucks) - \$30.00/hour

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

COUNCIL MEMBERS AS LIAISONS TO SPECIAL COMMITTEES DESIGNATED

BE IT RESOLVED that the Town Board of the Town of Carmel hereby designates the following Town Council Members as liaisons for the following purposes:

Councilman Anthony DiCarlo – Liaison to Lake Secor, Lake Casse, Teakettle Spout Lake Park District Advisory Boards and Zoning Compliance Committee

Councilman Frank Lombardi – Liaison to Police Department and Recreation Advisory Committee

Councilwoman Suzanne McDonough – Liaison to Lake Secor, Lake Casse, Teakettle Spout Lake Park District Advisory Boards, Recreation Advisory Committee and Cable TV Advisory Committee

Councilman Robert Ravallo – Liaison to Police Department, Administrative Boards which include Planning, Zoning, Environmental Conservation, Architectural Review and Ethics Boards, Special Legal Counsel and Lake Mahopac Park District Advisory Board

Resolution
Offered by: Councilman DiCarlo
Seconded by: Councilman Ravallo

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

PUBLIC HEARING SCHEDULED FOR 1/27/10 - CONTRACTS FOR FIRE PROTECTION AND AMBULANCE SERVICES

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2010, to be held on the 27th day of January, 2010 at the Town Hall, 60 McAlpin Avenue, Mahopac, NY at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 644,000.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,497,529.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$460,000.00
Carmel Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$210,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$11,700.00

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish a notice of the Public Hearing in the official newspapers of the Town and to post a notice of said hearing on the bulletin board of the Town, said notices to be published and posted a minimum of ten days prior to the Public Hearing.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CONTRACT FOR FINANCIAL CONSULTING SERVICES AUTHORIZED - THOMAS J. CAREY MUNICIPAL FINANCIAL CONSULTING – AMENDED 1/5/11

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign a two (2) year Contract with Thomas J. Carey Municipal Financial Consulting, Mahopac, NY, for financial consulting services, said contract to commence 1/1/2010 and expire 12/31/2011 in form as on file with the Town Board.

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt stated that the annual consulting fee included in the Contract with Thomas J. Carey Municipal Financial Consulting is \$64,000.00 for twenty (20) hours of service per week.

PROPOSAL ACCEPTED FOR ENGINEERING CONSULTING SERVICES - JOHN KARELL, JR.

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of John Karell, Jr., PE of Patterson, NY, dated October 1, 2009, for the provision of engineering consulting services, commencing January 1, 2010 in accordance with the provisions of the proposal which is attached hereto and made a part hereof.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

AGREEMENT

THIS AGREEMENT, made this 1st day of November, 2009, by and between the TOWN OF CARMEL, with offices at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 (hereinafter referred to as the "TOWN"), and JOHN KARELL, Jr., P.E., whose address is Cushman Road, Patterson, NY (hereinafter referred to as "KARELL").

WITNESSETH:

WHEREAS, the TOWN desires to secure the services of an licensed professional engineer to provide consulting engineering services to the TOWN; and;

WHEREAS, KARELL is an experienced engineer properly licensed by the State of New York and is willing to be retained as consulting engineer for the TOWN;

NOW THEREFORE IT IS AGREED:

SECTION I - EMPLOYMENT

KARELL is hereby retained to provide consulting engineering services to the Town in form, scope and detail as outlined in the proposal for engineering services attached hereto as Exhibit "A".

SECTION II - COMPENSATION

For basic services to be performed hereunder, TOWN agrees to pay KARELL a fixed weekly fee of One Thousand Three Hundred no/hundredths (\$1,300.00) dollars payable in advance on the first of each month. TOWN shall have the right to increase compensation due under this contract by resolution of the Town Board duly passed without a written amendment to this contract.

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

SECTION III - EXPENSES

It is understood and agreed that any reasonable expenses incurred by KARELL in connection with the duties contemplated in this agreement will either be paid directly by the TOWN or if advanced by KARELL will be reimbursed by the TOWN upon review and audit of vouchers submitted by KARELL for such reimbursement.

SECTION IV - INDEMNIFICATION

TOWN agrees to indemnify KARELL and hold KARELL harmless from any and all judgments, losses, costs and expenses and the like, including attorney's fees incurred by reasons of the action or omission of KARELL or his agents, servants or employees, in connection with KARELL's provision of services under this agreement except for intentional negligence. Nonetheless, KARELL agrees to maintain professional malpractice insurance at all times during this agreement in a minimum amount of One Million and no/hundredths (\$1,000,000.00) dollars.

SECTION V- TERM

The terms of this agreement shall commence on November 1, 2009 and may be terminated by resolution of the Town Board upon no less than thirty (30) days written notice to KARELL.

SECTION VI- RENEWAL

This contract shall be subject to renewal and/or extension by mutual written agreement of the parties.

SECTION VII- KARELL NOT AN EMPLOYEE

It is further understood and agreed by the TOWN that KARELL shall serve in the capacity of an independent contractor. KARELL agrees not to hold himself out as an officer or employee of the TOWN nor shall he make any claim against the TOWN as an officer or employee thereof for such benefits as Workers Compensation coverage, Unemployment Insurance benefits, Social Security coverage or Retirement Membership or Credit or any other benefits accruing to said officers or employees of the TOWN. Nothing contained herein shall be deemed to prohibit the TOWN from providing said benefits if it is legally permissible and if the TOWN elects to do so.

TOWN OF CARMEL

By: 

KENNETH SCHMITT

SUPERVISOR

JOHN KARELL, JR.

By: 

JOHN KARELL, JR.



The Redeker Brokerage, Inc.

INSURANCE

111 BROADWAY, SUITE 1404
NEW YORK, NEW YORK 10006-1901
PHONE: (212) 693-1550
FAX: (212) 406-0924
WEBSITE: www.ae-insurance.com

WARREN REDEKER
DENNIS MACKIN

November 30, 2009

Mr. John Karrell, Jr.
JOHN KARRELL, JR.
121 Cushman Road
Patterson, NY 12563

Re: *A/E Professional Liability Insurance*

Dear John:

6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

This will confirm that the captioned coverage has been bound on behalf of your firm subject to the following terms and conditions:

Policy No. & Company	-	RDPO001551 / RLI
Term	-	One (1) year
Effective Date	-	11/30/2009 to 11/30/2010
Annual Per Claim Limit	-	\$1,000,000 each claim
Annual Aggregate Limit	-	\$1,000,000 aggregate
Self-Insured Retention	-	\$2,500 each claim
Retroactive Coverage	-	11/30/2009
Expanded Pollution	-	Pollution Incident Liability Included
Annual Premium	-	\$2,628

In order to finance the premium, please sign and date the enclosed finance agreement and return this form in its entirety (ALL 3 PAGES) to our office along with your check in the amount of \$660.60. This represents the initial payment and should be made payable to The Redeker Brokerage, Inc.

The initial payment is payable upon receipt. You will then have nine (9) monthly installments of \$224.56, the first of which will come due 12/30/2009.

Our invoice #12651 for the initial payment is enclosed.

The Redeker Brokerage, Inc. is pleased to have the opportunity to be of service to you. Should you have any questions, please do not hesitate to contact our office.

Sincerely,


Warren Redeker

WR:ss

Encl.

INSURANCE SERVICES FOR ARCHITECTS & CONSULTING ENGINEERS

John Karell, Jr. P.E.
Town Engineer

CONFIDENTIAL



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

orig: Engineer Consultant Rep
cc: Supervisor ✓
10/2/09

October 1, 2009

TO: Kenneth Schmitt, Supervisor

FROM: John Karell, Jr., P.E., Town Engineer

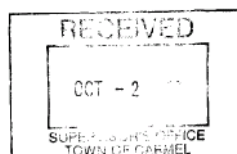
RE: Consultant Agreement

☒ Executive Work Session 10/1/09
☐ Agenda

In accordance with your request please be advised as follows relative to my proposal for future employment with the Town as a consultant:

1. I will continue to perform all the duties that I am presently performing for the Town as a full time Town Engineer. I will report to Town Hall several days a week and/or as necessary pursuant to direction from the Supervisor. I will attend Planning and Town Board meetings as necessary as I have done in the past.
2. I will not take employment in my private engineering practice from anyone who submits work to the Town of Carmel Planning Board or Town Board or works for the Town of Carmel.
3. Compensation requested is \$1,300 per week regardless of the number of hours actually worked, ie. I will not seek additional compensation beyond the requested amount.
4. I will adjust my days and time in the office with Rob's time off in order to assure to the extent reasonably possible that one of us will be in the office at all times. In addition, I will formally meet with Rob on a weekly basis to discuss activities, projects, work schedules, etc.

I truly appreciate the opportunity to continue to serve the Town of Carmel in the capacity of Town Engineer.



6 JANUARY 2010
ORGANIZATIONAL MEETING

(Cont.)

Supervisor Schmitt stated that the former Town Engineer's services are being retained temporarily on a consulting basis until the Town Board appoints a new Town Engineer.

PUBLIC COMMENTS

Marc Pekowsky offered his congratulations to the newly elected Town Council members.

Fred Lambert suggested that in an effort to save money, the Town officials and employees attending the Association of Towns Conference forgo overnight stays at hotels in New York City.

Supervisor Schmitt explained that the seminars commence early in the morning and conclude late in the evening.

Mr. Lambert suggested that the officials and employees stagger their attendance at the conference and report back to each other.

Supervisor Schmitt stated that the attendees have the option of commuting. In the past, however, the Town has always authorized overnight accommodations for this conference.

Mr. Lambert questioned the status of Councilwoman McDonough's employment at the Town of Carmel Department of Recreation and Parks.

Councilwoman McDonough indicated that she had resigned from her position as of the end of December.

David Gagliardi also expressed congratulations to the new members of the Town Board. Mr. Gagliardi inquired about the costs associated with various resolutions, noting that certain resolutions read at the meeting contained the monies involved, while others did not. He commented that he did not oppose the attendance of employees at the conference, but feels the monies spent should be included in the Town record.

Supervisor Schmitt stated that when the expense vouchers are submitted for the conference, he would make it a point to provide the information to the public at a future meeting. Supervisor Schmitt then called upon Mr. Folchetti to assist him in responding to Mr. Gagliardi's inquiry regarding the costs associated with various resolutions.

Mr. Folchetti indicated that the compensation for Town Counsel is \$90,000.00 per year and \$35,000.00 per year for Districts Counsel. Miscellaneous legal services are typically billed by the hour at \$125.00 per hour for board work and \$175.00 per hour for litigation related work.

Supervisor Schmitt stated that the Deputy Comptroller's annual salary for 2010 is \$67,400.00. The position of Confidential Secretary to the Supervisor is combined with Assistant to the Town Board at an annual salary of \$64,000.00.

Mr. Gagliardi inquired about the Resolution Designating Official Depositories.

Councilman Ravallo stated that the Town Board designated any commercial bank authorized to do business in New York State.

Mr. Gagliardi recognized that naming "any" bank allows for flexibility and will permit the Town to obtain the maximum rate of interest. Mr. Gagliardi reiterated that he was not objecting to monies being spent by the Town, but feels the amount should be included in the public record.

6 JANUARY 2010
ORGANIZATIONAL MEETING

TOWN BOARD MEMBER COMMENTS

Supervisor Schmitt invited the public to join him, along with Thomas Manko, Mahopac Central School District Superintendent on Thursday, January 21, 2010 from 7:00 p.m. to 8:30 p.m. at the Lakeview Elementary School auditorium for "The Hope Forum", a roundtable discussion to raise awareness and find solutions to the recent trend of serious vehicle accidents, as well as, alcohol related tragedies that have involved the youth in the community over the past few years. Discussion ensued regarding the initiative, in addition to issues relating to it.

Supervisor Schmitt announced that the Town of Carmel is seeking interested persons to fill vacancies on the Planning Board, the Zoning Board of Appeals, the Architectural Review Board, and the Environmental Conservation Board. Applicants should submit a letter of interest and resume to the Town Supervisor's office by January 15, 2010.

Councilman Lombardi reflected on whether or not there remains a need for certain boards in addition to whether or not the terms of office for certain boards should be modified. He recommended that the Town Board review the issue.

Supervisor Schmitt stated that he would include the matter on an upcoming Work Session agenda.

PUBLIC COMMENTS CONTINUED

Marc Pekowsky expressed support of Councilman Lombardi's aforesaid recommendation and suggested that the Town Board look into rescheduling the various board meetings so that the times and days do not conflict with one another.

TOWN BOARD MEMBER COMMENTS

Councilman DiCarlo stated that the next meeting of the Zoning Compliance Committee meeting will be held on Tuesday, January 26, 2010. He further stated that at the next Work Session, upon the suggestion of the Committee, there will be a discussion held regarding the pros and cons of a town-wide garbage district.

Councilman Lombardi addressed the need for certain businesses along the Route 6 corridor to improve their appearance. He held a brief discussion with Councilman DiCarlo regarding the matter.

Supervisor Schmitt announced that the next meeting of the Town Board will be a Work Session held on January 13, 2010 at 7:00 p.m.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman DiCarlo, seconded by Councilman Ravallo, with all members present and in agreement, the meeting was adjourned at 8:10 p.m. to Executive Session with Mary Ann Maxwell, Deputy Comptroller and Eileen Brennan, Principal Account Clerk, to discuss reporting regulations for the New York State Retirement System for elected and appointed officials.

Respectfully submitted,

Ann Garris, Town Clerk