

3 MARCH 2010

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 3rd day of March 2010 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 Ravallo, Councilman Lombardi, Councilwoman McDonough, Councilman DiCarlo, and Supervisor Schmitt.

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.

**ATTENDANCE AT NEW YORK STATE DEPARTMENT OF HEALTH SEMINAR
AUTHORIZED - DIRECTOR OF CODES ENFORCEMENT MICHAEL G. CARNAZZA**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Director of Codes Enforcement Michael G. Carnazza to attend the “Annual Codes Enforcement Officer Training Seminar” offered by the New York State Building Officials Conference, Westchester Chapter, on March 8, March 9 and March 10, 2010 and authorizes payment of his reasonable and necessary expenses upon audit.

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>

Councilman Lombardi noted the cost of the mandatory seminar to be \$350.00.

BUDGET MODIFICATIONS - #2010-01 - AUTHORIZED

WHEREAS the Deputy Comptroller has reviewed the January 2010 Budget Modifications with the Town Board which are detailed and explained on the attached Budget Revisions Schedule identified as #2010-01;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the January 2010 Budget Modifications/Revisions itemized on Schedule #2010-01 which are attached to this resolution, incorporated herein and made a part hereof.

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>

(Cont.)

TOWN OF CARMEL
BUDGET REVISIONS FOR JANUARY 2010
#2010-01

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
2010-01-01	100-1010-0040	TOWN BOARD CONTRACTUAL EXPENSE	12,600.00	
	100-1010-0046	TOWN BOARD CONSULTING SERVICES	6,542.00	
	100-1010-0046	TOWN BOARD CONSULTING SERVICES	3,200.00	
	100-1110-0020	JUSTICE COURT EQUIPMENT	17,212.00	
	100-1930-0040	CERTIORARI SETTLEMENTS	31,906.00	
	100-1989-9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	71,462.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET		
2010-01-02	100-1010-0040	TOWN BOARD CONTRACTUAL EXPENSE	1,000.00	
	100-1010-0016	TOWN BOARD OTHER RESERVE		1,000.00
		- TRANSFER FOR EMPIRE ZONE AMMENDMENT		
2010-01-03	100-1440-0046	ENGINEERING CONSULTING SERVICES	67,600.00	
	100-1440-0010	TOWN ENGINEER COMPENSATION		67,600.00
		- TRANSFER FOR APPROVED CONTRACT		
2010-01-04	100-1315-0046	FINANCIAL CONSULTING SERVICES	16,000.00	
	100-1989-2210	DISTRICT GOVERNMENT SERVICES	* 16,000.00	
		- RECORD DISTRICT PORTION OF CONTRACT		
CARMEL FIRE PROTECTION DISTRICT #2				
2010-01-05	302-3410-0048	OTHER EXPENDITURES	8,632.00	
	302-3410-9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	* 8,632.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET		
2010-01-06	302-3410-9909	APPROPRIATED FUND BALANCE	*	7,188.00
	302-9025-0090	LOSAP CONTRIBUTION		7,188.00
		- REVISE BUDGET FOR FUND DEFICIT		
LAKE CASSE PARK DISTRICT				
2010-01-07	401-7140-0041	LAKE TREATMENT	3,195.00	
	401-7140-0054	CAPITAL EXPEDITURES		3,195.00
		- TRANSFER FOR LAKE TREATMENT COST		
2010-01-08	401-7140-0054	CAPITAL EXPENDITURES	25,100.00	
	401-7140-9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	* 25,100.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET		
TEAKETTLE SPOUT LAKES PARK DISTRICT				
2010-01-09	403-7140-0041	LAKE TREATMENT	2,050.00	
	403-7140-0040	CONTRACTUAL EXPENSES		2,050.00
		- TRANSFER FOR LAKE TREATMENT COST		
LAKE GLENACOM ROAD DISTRICT				
2010-01-10	501-5112-9909	APPROPRIATED FUND BALANCE	*	1,206.00
	501-5112-0048	OTHER OPERATING EXPENSES		1,206.00
		- REVISE BUDGET FOR PARTIAL FUND DEFICIT		
CARMEL WATER DISTRICT #12				
2010-01-11	612-8310-9909	APPROPRIATED FUND BALANCE	*	8,070.00
	612-8310-0040	CONTRACTUAL REPAIRS		2,070.00
	612-8310-0099	REPAIR RESERVE FUND		6,000.00
		- REVISE BUDGET FOR FUND DEFICIT		

Work Session 2/24/10
Agenda R 3/1/10

TOWN OF CARMEL
BUDGET REVISIONS FOR JANUARY 2010
#2010-01

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #14				
2010-01-12	614-8310-9909	APPROPRIATED FUND BALANCE	*	3,954.00
	614-8310-0042	UTILITIES		454.00
	614-8310-0099	REPAIR RESERVE FUND		3,500.00
		- REVISE BUDGET FOR PARTIAL FUND DEFICIT		

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CARMEL SEWER DISTRICT #4					
2010-01-13	704-8130-0044	ENGINEERING SERVICES		13,100.00	
	704-8130-9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	*	13,100.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET			
CARMEL SEWER DISTRICT #5					
2010-01-14	705-8130-9909	APPROPRIATED FUND BALANCE	*		2,574.00
	705-8130-0048	OTHER OPERATING EXPENSES			74.00
	705-8130-0099	REPAIR RESERVE FUND			2,500.00
		- REVISE BUDGET FOR FUND DEFICIT			
CARMEL SEWER DISTRICT #6					
2010-01-15	706-8130-9909	APPROPRIATED FUND BALANCE	*		530.00
	706-8130-0099	REPAIR RESERVE FUND			530.00
		- REVISE BUDGET FOR FUND DEFICIT			
MAHOPAC LIGHTING DISTRICT					
2010-01-16	751-5182-0048	OTHER EXPENSES		1,405.00	
	751-5182-9909	APPROPRIATED FUND BALANCE ENCUMBRANCES	*	1,405.00	
		- RECORD ENCUMBRANCES FORWARD INCREASING BUDGET			
DRAINAGE IMPROVEMENT CAPITAL FUND					
2010-01-17	900-1989-0099	TRANSFER TO OTHER FUNDS		91,030.28	
	900-1989-9909	PROJECT BALANCE	*	91,030.28	
		- CARRY FORWARD PROJECT BALANCE			
AIRPORT PARK CAPITAL FUND					
2010-01-18	910-7140-0044	PROJECT ENGINEERING		66,648.00	
	910-7140-9909	PROJECT BALANCE	*	66,648.00	
		- CARRY FORWARD PROJECT BALANCE			
CAMARDA PARK CAPITAL FUND					
2010-01-19	911-7140-0020	EQUIPMENT/CAPITAL OUTLAY		30,000.00	
	911-7140-0044	PROJECT ENGINEERING		500.89	
	911-7140-9909	PROJECT BALANCE	*	30,500.89	
		- CARRY FORWARD PROJECT BALANCE			
BALDWIN MEADOWS CAPITAL FUND					
2010-01-20	912-7140-0048	OTHER PROJECT EXPENSES		601.28	
	912-7140-9909	PROJECT BALANCE	*	601.28	
		- CARRY FORWARD PROJECT BALANCE			

TOWN OF CARMEL
BUDGET REVISIONS FOR JANUARY 2010
#2010-01

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
SPECIAL HIGHWAY IMPROVEMENT FUND				
2010-01-21	952-5112-0040	CONTRACTUAL EXPENSES		116,868.64
	952-5112-3589	STATE DOT AID	*	116,868.64
		- CARRY FORWARD PROJECT BALANCE		
CARMEL SEWER DISTRICT #1, EXTENSION #3 CAPITAL FUND				
2010-01-22	971-8130-0099	TRANSFER TO DEBT FUND		359,652.91
	971-8130-9909	PROJECT BALANCE	*	359,652.91
		- CARRY FORWARD PROJECT BALANCE		
CARMEL SEWER DISTRICT #2, EFC UPGRADE PROJECT				
2010-01-23	972-8130-0040	GENERAL EXPENDITURES		43,391.42
	972-8130-0045	CONTRACT IMPROVEMENTS		37,125.00
	972-8130-0044	PROJECT ENGINEER		29,308.14
	972-8130-0048	OTHER EXPENSES		8,397.50
	972-8130-0049	GENERAL GOVERNMENT SERVICES		17,817.43
	972-8130-3990	STATE EFC SEWER AID	*	136,032.49
		- CARRY FORWARD PROJECT BALANCE		
CARMEL SEWER DISTRICT #4, EFC UPGRADE PROJECT				
2010-01-24	974-8130-0120	PROJECT EQUIPMENT		52,990.00
	974-8130-0140	GENERAL EXPENDITURES		39,319.90
	974-8130-0144	PROJECT ENGINEERING		1,892.69
	974-8130-0145	PROJECT CONTRACT		15,750.00
	974-8130-0148	OTHER EXPENDITURES		8,305.00
	974-8130-0149	GENERAL GOVERNMENT SERVICES		17,888.78
	974-8130-3990	STATE EFC SEWER AID	*	136,146.37
		- CARRY FORWARD PROJECT BALANCE		

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CARMEL SEWER DISTRICT #7, EFC UPGRADE PROJECT				
2010-01-25	977-8130-0040	GENERAL EXPENSE		158,170.91
	977-8130-0045	CONTRACTS EXPENDITURES	X	2,516,144.00
	977-8130-0044	PROJECT ENGINEERING		224,834.77
	977-8130-0048	OTHER EXPENSES		9,022.50
	977-8130-0049	GENERAL GOVERNMENT SERVICES		20,972.00
	977-8130-3990	STATE EFC SEWER AID	*	2,929,144.18
		- CARRY FORWARD PROJECT BALANCE		
CARMEL WATER DISTRICT #14, CAPITAL FUND				
2010-01-26	984-8310-0040	CONTRACTUAL EXPENDITURE		137,196.08
	984-8310-9909	PROJECT BALANCE	*	137,196.08
		- CARRY FORWARD PROJECT BALANCE		

PUBLIC HEARING SCHEDULED FOR 3/17/10 - CONSIDER APPROPRIATION OF \$100,000 FROM THE HIGHWAY SNOW AND ICE REMOVAL AND HIGHWAY ROAD REPAIR RESERVE FUND

WHEREAS the Town of Carmel has a Snow and Ice Removal and Highway Repair Reserve Fund established pursuant to NY General Municipal Law §6-f; and

WHEREAS, the Town of Carmel has experienced heavy snow during the period of February 25, 2010 through February 27, 2010, resulting in high labor and material costs; and

WHEREAS, it is intended that monies in the amount of \$100,000 from the aforementioned fund be utilized for these costs;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the setting of a public hearing on the 17th day of March, 2010 at Carmel Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541 at 7:00 p.m. or as soon thereafter that evening as possible on the appropriations referenced herein; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and instructed to publish and post the necessary notices in the official newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: Councilman Ravallo

Seconded by: Councilman DiCarlo

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

CARMEL WATER DISTRICT #1 - REPAIR RESERVE FUND FOR MAJOR REPAIRS AND CAPITAL IMPROVEMENTS OR EQUIPMENT ESTABLISHED

RESOLVED, that pursuant to §6-d of the New York General Municipal Law, as amended, The Town Board of the Town of Carmel, Acting as Commissioners of Carmel Water District #1, does hereby establish a Repair Reserve Fund to finance the cost of major repairs and/or capital improvements or equipment in the aforesaid improvement district; and

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(Cont.)

BE IT FURTHER RESOLVED that Kenneth Schmitt, Supervisor of the Town of Carmel, is hereby directed and authorized to deposit monies of the Repair Reserve Fund established herein in a special bank account designated for the "Repair Reserve Fund for Carmel Water District No. 1" and is authorized to invest, from time to time, monies of this fund pursuant to §6-d of the New York General Municipal Law; and

BE IT FURTHER RESOLVED that no expenditure shall be made from this fund, except upon authorization of the Town Board of the Town of Carmel pursuant to §6-d of the New York General Municipal Law.

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>

CARMEL SEWER DISTRICT #1, EXTENSION #3 - REPAIR RESERVE FUND FOR MAJOR REPAIRS AND CAPITAL IMPROVEMENTS OR EQUIPMENT ESTABLISHED

RESOLVED, that pursuant to §6-d of the New York General Municipal Law, as amended, The Town Board of the Town of Carmel, Acting as Commissioners of Carmel Sewer District #1, Extension #3, does hereby establish a Repair Reserve Fund to finance the cost of major repairs and/or capital improvements or equipment in the aforesaid improvement district; and

BE IT FURTHER RESOLVED that Kenneth Schmitt, Supervisor of the Town of Carmel, is hereby directed and authorized to deposit monies of the Repair Reserve Fund established herein in a special bank account designated for the "Repair Reserve Fund for Carmel Sewer District No. 1, Extension No. 3" and is authorized to invest, from time to time, monies of this fund pursuant to §6-d of the New York General Municipal Law; and

BE IT FURTHER RESOLVED that no expenditure shall be made from this fund, except upon authorization of the Town Board of the Town of Carmel pursuant to §6-d of the New York General Municipal Law.

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>

CARMEL WATER DISTRICT #14 - REPAIR RESERVE FUND FOR MAJOR REPAIRS AND CAPITAL IMPROVEMENTS OR EQUIPMENT ESTABLISHED

RESOLVED, that pursuant to §6-d of the New York General Municipal Law, as amended, The Town Board of the Town of Carmel, Acting as Commissioners of Carmel Water District #14, does hereby establish a Repair Reserve Fund to finance the cost of major repairs and/or capital improvements or equipment in the aforesaid improvement district; and

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TOWN BOARD MEETING**

(Cont.)

BE IT FURTHER RESOLVED that Kenneth Schmitt, Supervisor of the Town of Carmel, is hereby directed and authorized to deposit monies of the Repair Reserve Fund established herein in a special bank account designated for the "Repair Reserve Fund for Carmel Water District No. 14" and is authorized to invest, from time to time, monies of this fund pursuant to §6-d of the New York General Municipal Law; and

BE IT FURTHER RESOLVED that no expenditure shall be made from this fund, except upon authorization of the Town Board of the Town of Carmel pursuant to §6-d of the New York General Municipal Law.

ResolutionOffered by: Councilman DiCarloSeconded 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>

**CARMEL WATER DISTRICT #2 - PUBLIC HEARING SCHEDULED FOR 3/17/10 -
APPROPRIATION/USE OF THE REPAIR RESERVE FUND - MAXIMUM OF
\$15,000.00**

WHEREAS, the Engineering Consultant John Karell, Jr. has forwarded to the Town Board and the Town Comptroller's Office a memorandum detailing the need for hydrant and valve repair and/or replacement on Route 52 and Route 6 in Carmel Water District #2; and

WHEREAS, the Town Board, acting as the Commissioners of Carmel Water District #2, desires to hold a public hearing with respect to the appropriation and use of the repair reserve fund for Carmel Water District #2 for the aforementioned repairs;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by this Town Board, acting as Commissioners of Carmel Water District #2, to consider the appropriation and use of a maximum of \$15,000.00 from the repair reserve fund for Carmel Water District #2 for hydrant and valve repair and/or replacement within Carmel Water District #2 on March 17, 2010 at 7:00 PM or as soon thereafter as possible, at Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

ResolutionOffered by: Councilman RavalloSeconded 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>

**CARMEL SEWER DISTRICT #2 - PUBLIC HEARING SCHEDULED FOR 3/17/10 -
APPROPRIATION/USE OF THE REPAIR RESERVE FUND - MAXIMUM OF
\$10,000.00**

WHEREAS, the Engineering Consultant John Karell, Jr. has forwarded to the Town Board and the Town Comptroller's Office a memorandum detailing the need for hydrant repair and/or replacement with Carmel Sewer District #2, and

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(Cont.)

WHEREAS, the Town Board, acting as the Commissioners of Carmel Sewer District #2, desires to hold a public hearing with respect to the appropriation and use of the repair reserve fund for Carmel Sewer District #2 for the aforesaid repairs;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by this Town Board, acting as Commissioners of Carmel Sewer District #2, to consider the appropriation and use of a maximum of \$10,000.00 from the repair reserve fund for Carmel Sewer District #2 for hydrant repair and/or replacement within Carmel Sewer District #2 on March 17, 2010 at 7:00 PM or as soon thereafter as possible, at Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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>

CARMEL WATER DISTRICT #3 - PUBLIC HEARING SCHEDULED FOR 3/17/10 - APPROPRIATION/USE OF THE REPAIR RESERVE FUND - MAXIMUM OF \$10,000.00

WHEREAS, the Engineering Consultant John Karell, Jr. has forwarded to the Town Board and the Town Comptroller's Office a memorandum detailing the need for hydrant repair and/or replacement within Carmel Water District #3, and

WHEREAS, the Town Board, acting as the Commissioners of Carmel Water District #3, desires to hold a public hearing with respect to the appropriation and use of the repair reserve fund for Carmel Water District #3 for the aforesaid repairs;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by this Town Board, acting as Commissioners of Carmel Water District #3, to consider the appropriation and use of a maximum of \$10,000.00 from the repair reserve fund for Carmel Water District #3 for hydrant repair and/or replacement within Carmel Water District #3 on March 17, 2010 at 7:00 PM or as soon thereafter as possible, at Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

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>

RESOLUTION AUTHORIZING ENTRY INTO LICENSE AGREEMENT - TABLED TO 3/10/10

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes entry into a license agreement with Carmel United Soccer for the use of the meadow at Paul A. Camarda Park in form as attached hereto and made part hereof; and

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(Cont.)

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign the aforesaid agreement and any related documentation in connection therewith.

MOTION TO TABLE TO NEXT MEETING

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

<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>

LICENSE AGREEMENT BETWEEN CARMEL UNITED SOCCER
AND
THE TOWN OF CARMEL

THIS LICENSE AGREEMENT, entered into this 1st day of March 2010, by and between the Town of Carmel, a municipal corporation organized and existing under and by virtue of the laws of the State of New York and with offices at 60 McAlpin Avenue, Mahopac, New York 10541 ("Town") and Carmel United Soccer, with its business address at 11 Collier Drive West, Carmel, New York, 10512 ("Club"); and

WHEREAS, the CLUB has requested a license agreement from the Town of Carmel to use the meadow at Paul A. Camarda Park in the Hamlet of Carmel for soccer games and practices for their travel teams;

WHEREAS, the Town of Carmel has duly authorized such use subject to the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties hereby agree as follows:

FIRST: The TOWN hereby gives and grants to the CLUB the use of the meadow at Paul A. Camarda Park for programs conducted by the CLUB for recreational purposes as follows:

1. Monday through Friday 5:00 p.m. – dusk (April-June, September-November)
2. Sundays in the Spring from 9:00 a.m. – dusk (April-June)
3. Monday through Friday in July 9:00 a.m. – dusk (July)
4. Monday through Friday last two weeks in August 9:00 a.m. - dusk
5. Sundays in the Fall from 1:30 p.m. – dusk (September-November)

In the event the CLUB fails to utilize the meadow during the above times, the TOWN reserves the right to allow others to use said meadow. The CLUB's program shall be conducted by and remain under the direct supervision and control of the CLUB, its contractors, agents, servants, and employees.

SECOND: For the use of said facility, the CLUB agrees to make the following improvements to Paul A. Camarda Park and to perform the following maintenance:

1. Supply and install 700' of 4' high black system chain link fence, 3" outside diameter and gate posts 2 ½" outside diameter line posts; 1 5/8" outside diameter and bottom rail 9 gauge x 2" mesh chain link wire. Schedule #40 pipe framework.
2. Provide new regulation soccer goals.
3. Lay out the fields and maintain the lines.

It is specifically agreed that the improvements contemplated in this article shall become the property of the Town of Carmel upon installation, as well as any other improvements made by the CLUB to Paul A. Camarda Park during the term of this agreement.

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THIRD: This agreement shall be effective for a 4-year period commencing on March 1, 2010, and ending February 28, 2014. This agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties. The Town may terminate this agreement by delivery, by mail or personal service, to the CLUB at its address stated hereinabove a notice of the Town's intention to terminate the said revocable license three (3) days after the delivery of said notice.

FOURTH: The CLUB shall take out and maintain during the life of this agreement such public liability and property damage insurance as shall protect the TOWN and the CLUB from claims from damages for personal injury including accidental death, as well as claims for property damage which may arise from operations under this agreement, and the amounts of such insurance shall be as follows: A single limit policy in the amount of two million dollars (\$2,000,000.00) for bodily injury and property damage claims, public liability insurance, blanket contractual liability, and broad form property damage liability. The Town of Carmel shall be named as an additional insured on all such policies.

FIFTH: The CLUB hereby agrees to protect, defend, indemnify, and save harmless the TOWN, its officers and employees from any and all claims, suits or actions for injury or damage to person(s) or property that may arise by reason of the CLUB's use of this facility. The CLUB further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc. at its sole expense and agrees to bear all costs and expenses relate thereto, even if it (claims, etc.) is groundless, false, or fraudulent. The CLUB, its contractors, agents, servants, employees, patrons and invitees use this facility at their own risk. The CLUB shall be wholly responsible for the supervision, safety, and well-being of all participants at all times.

SIXTH: The parties hereby agree and acknowledge that the Town of Carmel bears no liability or responsibility for the administration, organization of the programs, games, tournaments and activities which the CLUB may organize on the TOWN's facilities pursuant to this license agreement.

IN WITNESS WHEREOF, the parties have executed this agreement in Carmel, New York on the date hereinabove set forth.

TOWN OF CARMEL
By:

Kenneth Schmitt, Town Supervisor

Date: _____

CARMEL UNITED SOCCER
By:



Gene Sepe, Vice President

Date: 2/10/2010

The foregoing resolution was offered by Councilman DiCarlo and seconded by Councilman Ravallo.

Prior to the roll call vote, Councilman Ravallo confirmed that the Town of Carmel may terminate the License Agreement upon three days notice.

Councilwoman McDonough then questioned the amount of days included in the License Agreement in which the Town was granting use of the meadow. She stated that it was her understanding that Carmel United Soccer requested to utilize the park for programs three days per week. Discussion was held regarding the matter at the conclusion of which, Supervisor Schmitt stated that he would contact James Gilchrist, Director of Recreation and Parks for clarification.

DEPARTMENT OF PARKS AND RECREATION AUTHORIZED TO ACCEPT AND PROCESS CAMP KIWI PROGRAM APPLICATIONS

WHEREAS, James Gilchrist, Director of Parks and Recreation of the Town of Carmel has requested that the Town Board of the Town of Carmel authorize the Town of Carmel Recreation Department to accept and process applications for Carmel residents to enroll into Camp Kiwi summer programs extending from Memorial Day through Labor Day in the year 2010;

(Cont.)

NOW THEREFORE BE IT RESOLVED that upon receipt of executed indemnification and hold harmless agreements from Camp Kiwi and its proprietors, as well as insurance certificates, both in form and substance as approved by Town Counsel, the Town Board of the Town of Carmel hereby authorizes the Town of Carmel Department of Parks and Recreation to commence accepting and processing the applications for enrollment into the aforesaid Camp Kiwi summer programs for the year 2010.

Resolution

Offered by: Councilman Ravallo
Seconded by: Councilman DiCarlo and Councilwoman McDonough

<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>

DEPARTMENT OF RECREATION AND PARKS - DISPOSAL OF OBSOLETE EQUIPMENT AUTHORIZED

WHEREAS, the Town Board of the Town of Carmel, hereby previously authorized the declaration of certain equipment maintained by the Recreation Department as obsolete and the disposal of said equipment in accordance with Town Law §64-2a and its sale by sealed public bid;

NOW THEREFORE BE IT RESOLVED that the Town Clerk is hereby authorized and instructed to publish and post notices in the official newspapers of the Town and on the Town bulletin board regarding the time and place for submission and opening of such bids for the following equipment:

- “Bandit” Jet Ski Trailer
- Easylawn Hydro Seeding System Serial No 23297;
- Dell 17” CRT Monitor, Serial No. 8025470 Acquired December 1995;
- Murray Push Mower Serial No. 7428212221BP118;
- Ingersoll Tractor, Serial No. Unknown;
- Ryan Aerator Serial No. 54488749010;
- Craftsman Tractor Serial No. 050339D003434;
- Scag Mower Serial No. 469022;
- Scag Mower Serial No. 4690037

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 directed inquires regarding the aforementioned equipment to James Gilchrist, Director of Recreation and Parks.

3 MARCH 2010
TOWN BOARD MEETING

**THE MAHOPAC CENTRAL SCHOOL DISTRICT V. TAMMY CARD -
COMMENCEMENT OF LITIGATION AUTHORIZED - GREGORY L. FOLCHETTI,
TOWN COUNSEL**

RESOLVED that the Town Board hereby authorizes and directs Gregory L. Folchetti, Town Counsel to the Town of Carmel, to commence necessary proceedings in Supreme Court, Putnam County regarding the subpoena issued to the Town of Carmel Police Department in the administrative matter pending pursuant to Education Law §3020-a known as The Mahopac Central School District v. Tammy Card; and

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the litigation services of Counsel as described herein at the contract rate of \$175.00 per 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>

Supervisor Schmitt called upon Gregory Folchetti, Town Counsel to explain the litigation.

Mr. Folchetti spoke briefly regarding the pending administrative matter and the subpoena issued to the Town of Carmel Police Department.

**ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING
SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #2 - INCREASE &
IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR -
MAXIMUM ESTIMATED COST OF \$96,000**

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 2, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$96,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 2, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #5 - INCREASE & IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR - MAXIMUM ESTIMATED COST OF \$46,000 - OFFERED AS PARAPHRASED AND PRE-FILED

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 5, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$46,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 5, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

**ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING
SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #6 - INCREASE &
IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR -
MAXIMUM ESTIMATED COST OF \$96,000 - OFFERED AS PARAPHRASED AND
PRE-FILED**

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 6, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$96,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 6, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #7 - INCREASE & IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR - MAXIMUM ESTIMATED COST OF \$50,000 - OFFERED AS PARAPHRASED AND PRE-FILED

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 7, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$50,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 7, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #9 - INCREASE & IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR - MAXIMUM ESTIMATED COST OF \$46,000 - OFFERED AS PARAPHRASED AND PRE-FILED

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 9, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$46,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 9, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

**ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL - PUBLIC HEARING
SCHEDULED FOR 3/24/10 - CARMEL WATER DISTRICT #14 - INCREASE &
IMPROVEMENT OF FACILITIES - PURCHASE OF EMERGENCY GENERATOR -
MAXIMUM ESTIMATED COST OF \$46,000 - OFFERED AS PARAPHRASED AND
PRE-FILED**

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has 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 increase and improvement of the facilities of Water District No. 14, in the Town of Carmel, Putnam County, New York, being purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$46,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect no further review need be undertaken pursuant to 6 NYCRR §617.5 *et seq*; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

3 MARCH 2010
TOWN BOARD MEETING

(Cont.)

Section 1. A public hearing will be held at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York, in said Town, on March 24, 2010, at 7:00 o'clock P.M., prevailing time, or as soon thereafter as possible, on the question of the increase and improvement of the facilities of Water District No. 14, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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>

PUBLIC COMMENTS

Jerry Ravnitzky asked in regard to Resolution #11, if by authorizing the Department of Recreation and Parks to accept and process applications for Carmel residents to enroll in Camp Kiwi summer programs, precedence was being established that would lead to similar requests from other private entities interested in entering into agreements with the Town. Discussion was held regarding the matter and it was concluded that each request will be evaluated on a case by case basis.

TOWN BOARD MEMBER COMMENTS

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

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman DiCarlo, seconded by Councilman Lombardi, with all Town Board members present and in agreement, the meeting was adjourned at 8:09 p.m. to Executive Session to interview a candidate for the Planning Board and to interview a candidate for the Zoning Board of Appeals, as well as for a discussion regarding a personnel item.

Respectfully submitted,

Ann Garris, Town Clerk