

5 MAY 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 5th day of May 2010 at 7:20 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.

MINUTES OF TOWN BOARD MEETINGS HELD ON 3/24/10 AND 4/7/10 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman DiCarlo, seconded by Councilman Lombardi, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meetings held on March 24th and April 7th, 2010 were accepted as submitted by the Town Clerk.

SEQR REVIEW - PROPOSED LOCAL LAW ENACTING CHAPTER 96, ENTITLED “DUMPSTERS, GARBAGE CONTAINERS & TRASH ENCLOSURES” OF THE TOWN CODE OF THE TOWN OF CARMEL

Gregory Folchetti, Legal Counsel, reviewed the following Short Environmental Assessment Form with the Town Board.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

#2

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)	
1. APPLICANT/SPONSOR Town of Carmel	2. PROJECT NAME Illegal Dumping, Trash Enclosure Local law
3. PROJECT LOCATION: Municipality Town of Carmel County Putnam	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Town-wide.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Adoption of a local law to restrict and regulate the dumping, disposal and accumulation of various wastes and to require that all dumpsters be screened and located in proper areas.	
7. AMOUNT OF LAND AFFECTED: Initially Town-wide acres Ultimately Town-wide acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

(Cont.)

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Kenneth Schmitt, Supervisor	Date: May, 2010
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

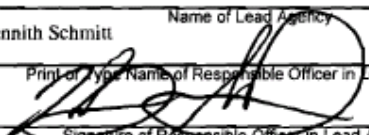


PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly: No	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: No	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If Yes, explain briefly:
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.	
Town of Carmel Town Board	May, 2010
Kennith Schmitt	Supervisor
	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)



5 MAY 2010
TOWN BOARD MEETING

SEQR DETERMINATION OF SIGNIFICANCE - PROPOSED LOCAL LAW ENACTING CHAPTER 96, ENTITLED "DUMPSTERS, GARBAGE CONTAINERS & TRASH ENCLOSURES" OF THE TOWN CODE OF THE TOWN OF CARMEL - NEGATIVE DECLARATION

WHEREAS, the Town Board of the Town of Carmel is considering enacting a local law to restrict and regulate the dumping, disposal and accumulation of various wastes and to require that all dumpsters be screened and located in proper areas; and

WHEREAS, this local law has been developed to promote the health, safety and general welfare of the persons and property of the Town of Carmel; and

WHEREAS, the project is defined as an Unlisted Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilmen DiCarlo and 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>

SEQR

617.21
Appendix F
**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Project Number

Date May 5, 2010

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Carmel, Town Board as lead agency, has determined that the proposed action described below will not have a significant effect on the environmental and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Illegal Dumping and Trash Enclosure Local Law.

SEQR Status:

Type I ☐ Unlisted ☒

Conditioned Negative Declaration:

Yes ☐

No ☒

(Cont.)

Description of Action:

The proposed action involves enacting a local law to restrict and regulate the dumping, disposal and accumulation of various wastes and to require that all dumpsters be screened and located in proper areas.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Carmel, Putnam County

SEQR Negative Declaration

Page 2

REASONS SUPPORTING THIS DETERMINATION:

The action involves enacting a local law to restrict and regulate the dumping, disposal and accumulation of various wastes and to require that all dumpsters be screened and located in proper areas. The law will specifically prohibit dumping, disposing, burying, burning or littering of garbage, rubbish or litter; sludge; toxic materials; construction and demolition debris, while allowing for recycling and composting where appropriate. The law also requires the utilization of, and strictly regulates the placement, size, height and screening of dumpsters. This local law has been prepared to protect the environment and aesthetic appearance of the Town of Carmel.

As a result, it can be concluded that the proposed action will not result in any significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: Kenneth Schmitt, Supervisor
Address: Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541
Telephone Number: 845-628-1500

For Type I Actions and Conditioned Negative declarations, a Copy of the Notice sent to:

Commissioner, Dep't of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-0001
NYSDEC Region 3, 21 South Putt Corners Road, New Paltz, NY 12561
Supervisor, Town of Carmel, Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541

LOCAL LAW #2 of 2010 - CHAPTER 96, ENTITLED "DUMPSTERS, GARBAGE CONTAINERS & TRASH ENCLOSURES" OF THE TOWN CODE OF THE TOWN OF CARMEL - ADOPTED AS NOTICED, PUBLISHED AND PRE-FILED

LOCAL LAW #2 OF THE YEAR 2010

CHAPTER 96. DUMPSTERS, GARBAGE CONTAINERS, TRASH ENCLOSURES

GENERAL REFERENCES

§ 96-1. Legislative intent and title.

This chapter is adopted in view of the increase in illegal dumping of garbage, rubbish, refuse and other offensive materials. It is the intent of the Town Board of the Town of Carmel to restrict and regulate, in a manner consistent with the interest of the residents of the Town of Carmel, the dumping, disposal and accumulation of various wastes and to require that all dumpster(s) be screened and located in proper locations in order to promote the health, safety and general welfare of the persons and property within the Town of Carmel. This chapter shall be known as the "Illegal Dumping/Trash Enclosure Local Law of the Town of Carmel."

§ 96-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

COMPOST

To heap or pile matter capable of decay, including but not limited to grass cuttings, leaves, brush, decaying foods or paper products, for use as fertilizer.

CLOTHING BIN CONTAINER

A exterior container which is placed for the purpose of obtaining, collection, soliciting the donation of, or the storage of used items, including used clothes, furniture and personalty.

CONSTRUCTION AND DEMOLITION DEBRIS

Any matter that is defined as construction and demolition debris in 6 NYCRR Part 360.

DUMPSTER

A bulk storage container for garbage as defined herein, and other waste materials that can be hauled directly to the point of disposal or emptied into a large compactor-type truck or other conveyance for disposal.

GARBAGE

Includes, but is not limited to:

- A. Food waste of all kinds.
- B. Used food containers or parts thereof, whether metal, paper, wood, glass, plastic or synthetics.
- C. Paper materials used in food packaging.
- D. Dead animals or parts thereof
- E. Any other matter which shall be capable of fermentation or decay except:
 - (1) Lumber as defined herein; and
 - (2) Composted garbage used as fertilizer upon farms or gardens.

LITTER

Any waste matter capable or incapable of fermentation or decay, which is not contained in a waste receptacle, garbage can or dumpster.

(Cont.)

LUMBER

Includes but is not limited to:

- A. Wood of growing trees sawed or split into boards or planks.
- B. Wood pallets.
- C. Wood used in packing and/or shipping.

RUBBISH

- A. Combustible paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, tires, plastics, Styrofoam and synthetics, wood furniture and bedding, dunnage and all other material subject to burning.
- B. Noncombustible metal, tin cans, metal furniture, glass, crockery and minerals, ashes, cinders and pottery.

SLUDGE

Solids removed during the treatment of:

- A. Domestic or sanitary sewage.
- B. Stormwaters.
- C. Industrial wastewater.
- D. Any combination of the above.

SOLID WASTE

Any matter that is defined as solid waste by 6 NYCRR Part 360.

TOXIC MATERIALS

Materials listed or defined as hazardous by either of the following:

- A. New York State Department of Environmental Conservation; or
- B. United States Environmental Protection Agency.

§ 96-3. Prohibitions and restrictions.

A. Dumping, disposing, burying, burning or littering of any of the following on any public or private lands in the town is prohibited:

(1) Garbage, rubbish or litter, subject to the following:

(a) The storage of garbage or rubbish that is awaiting collection and removal in a durable container in a manner which, in the opinion and discretion of the Director of Codes Enforcement of the Town of Carmel, does not impair the public health or safety shall not be deemed to be prohibited by this section.

(b) The owner of a one family residence or farm may compost on the property comprising said residence or farm matter capable of decay (as defined in § 93-2 above) generated from that residence or farm to be used as a fertilizer, so long as the disposal and composting is done in a nuisance-free manner which does not impair the public health, safety or general welfare.

(c) The disposal on areas within the property boundaries of a family residence or farm of animal carcasses or parts thereof generated from that family residence or farm shall not be deemed prohibited by this section so long as the same shall be disposed of pursuant to the applicable provisions of New York State's Agriculture and Markets Law.

(2) Sludge; however, the disposal of sludge in accordance with the regulations of the State Department of Environmental Conservation shall not be deemed to be prohibited by this section.

(3) Toxic materials.

(4) Solid waste; however, the disposal of solid waste at a disposal facility authorized and licensed in accordance with regulations set forth in 6 NYCRR Part 360 shall not be deemed to be prohibited by this section.

(Cont.)

(5) Construction and demolition debris, subject to the following: The storage of construction and demolition debris that is awaiting collection and removal in a manner which in the opinion and discretion of the Director of Codes Enforcement of the Town of Carmel, does not impair the public health or safety shall not be deemed to be prohibited by this section; provided, however, that said debris is removed from the site within 45 days from the issuance of a building demolition permit.

B. Dumping, disposing or burying of lumber in the town is prohibited, except:

(1) Lumber awaiting use in any construction project stored in a manner, which does not impair the public health or safety.

(2) This section shall not be deemed to prevent the storage of untreated lumber intended for the use as firewood so long as the same shall not be stored in or near any highway or town road right-of-way, or at or near any intersection in such a manner as to obstruct or impair the line of sight for vehicular or pedestrian traffic. No storage of firewood shall be allowed in the front yard of any residential dwelling.

C. Placement of dumpsters is restricted as follows:

(1) A dumpster shall be located within a residential community as placed upon the final plans of approval for the development of the community, or as otherwise approved by the Town Planning Board.

(2) No dumpster shall be located in or on a public right-of-way.

(3) No dumpster shall be located in areas regularly used or as previously approved by the Town Planning Board as designated parking spaces for commercial or business uses, without the Planning Board's approval.

(4) Garbage and other waste material must be completely contained within the dumpster. No accumulation of garbage or other materials, such as litter, rubbish or waste, will be permitted outside the confines of the dumpster, nor will it be permitted to accumulate so that the dumpster cover cannot be firmly closed.

(5) All dumpsters shall be kept in good repair, be structurally sound, leakproof and easily opened and closed. Dumpsters shall be painted as necessary to prevent the showing of rust and deterioration and be so constructed as to stand firmly upright.

(6) All dumpsters shall have the name of the company or individual owning such dumpster clearly printed on either the front or the back of such dumpster.

(7) All dumpsters shall be screened as follows:

With a minimum six-foot fence, slatted or solid, either Black, Brown or Hunter-Green: or

With a minimum six-foot tall living fence, of such density that the dumpster cannot be seen through the living fence. Said living fence must be of evergreen trees and maintained year round: or

With a minimum six-foot tall wall, made of brick, stone, or other masonry.

(8) The dumpster enclosure shall be not more than four feet larger than the dumpster to be enclosed within.

(9) No signage is permitted on the enclosure.

(10) The trash enclosure shall not be used for any other use but the enclosure of the dumpster.

D. Unlawful acts. It shall be unlawful for any person to dispose of residential waste, ashes, junk goods, recyclable materials, by means of the following:

(1) Placing the above-stated materials at the pickup area of another residence, business or public park.

(2) Placing the above-stated materials in the containers belonging to the place of business or residence of another or the containers of a public park or street.

(3) Disposing of any of the above-stated materials other than through the town or private hauler provided by the owner or resident.

(4) Disposing of recyclable materials being collected under the town or county recycling program with other residential waste or garbage.

(Cont.)

- (5) For any nonresident of the Town of Carmel, whether it be person and/or corporation, to deposit any junk goods, recyclable materials, garbage or wastes at any site in Carmel, including but not limited to the pickup area of another resident, business or public park, in containers belonging to a place of business or residence of another or in containers of a public park, except for food and beverage waste personally generated in the use of public parks or eating establishments.

E. Clothing Bin Containers

- (1) No clothing bins shall be placed within the Town of Carmel on any public or private properties.

F. Existing Dumpsters.

- (1) All properties within the Town of Carmel must be in compliance with this local law within 12 months of the adoption of this local law. If within the 12 month period compliance is not achieved, the Property Compliance officer, Police officer, or any other official charged with enforcement of this code shall issue a violation to the property owner, tenant, or both and seek fines as described in 96-4 of this code.

§ 96-4. Penalties for offenses; enforcement.

- A. Any person, firm or corporation who or which shall violate or fail to comply with any of the provisions of this chapter shall, upon conviction, be sentenced to pay a fine of not less than **\$250 nor more than \$1,000** for each offense, and in default of payment of such fine, be imprisoned for a term not exceeding fifteen days. Each day of violation constitutes a separate offense.

- B. This chapter may be enforced by the Police Department and/or the Code Enforcement Office of the Town of Carmel.

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>

2010 USER FEE SCHEDULE ADOPTED

RESOLVED that the Town Board of the Town of Carmel hereby adopts, effective immediately, the Town of Carmel User Fee Schedule for Fiscal Year 2010 as attached hereto 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 USER SERVICE FEES --
FISCAL YEAR 2010

FEE DESCRIPTION	2010 FEES	
TOWN CLERK'S OFFICE		
Certification:		
Registrar's Certification (Birth/Death)	10.00	
Town Clerks Certification (Marriage/Other)	10.00	
Genealogy Fee Schedule:		
1 - 3 years -	\$22.00	
4 - 10 years -	\$42.00	
11 - 20 years -	\$62.00	
21 - 30 years -	\$82.00	
31 - 40 years -	\$102.00	
41 - 50 years -	\$122.00	
51 - 60 years -	\$142.00	
61 - 70 years -	\$162.00	
Copies:		
Copies of Town Ordinance or Other Documents - Per Page	0.25	
Facsimile/Fax - Per Page	2.00	
Map (Zoning, Election, Other) - Black & White/Color	10.00/15.00	
Miscellaneous Ordinance-Full Text	-	
Licenses:		
Auctioneering License - Annual	300.00	
Auctioneering License - One Day	150.00	
Dog License Local Surcharge	5.00	
Garbage Carting License	1,500.00	
Marriage License	40.00	
Peddling License - 3 Months	500.00	
Miscellaneous:		
Cemetery Grave Marker - Each	100.00	
Dog Pick-Up	50.00	
Dog Shelter Fee - First Impoundment	10.00+	+ 10.00 Next 24 Hours
Second Impoundment - within one year	20.00+	+ 10.00 Next 24 Hours
Third or Subsequent Impoundment	30.00+	+ 10.00 Next 24 Hours
Electronic Records - Computer Use - Per Hour	-	
Personal Use - Per Hour	-	
"CD" - Each	0.62	
Petition to Amend Zoning Ordinance	1,500.00	
Permits:		
Canvassing/Soliciting Permit - 3 Months	350.00	
Public Assembly Permit - Each Event	200.00	
Shooting Contest Permit - Each Event	25.00	
Sound Amplification Permit Commercial - 1 Day/30 Days	100.00/500.00	
Sound Amplification Permit Residential - 1 Day/30 Days	50.00/300.00	
Town Code:		
Annual Town Code Book Supplement	75.00	
Code Book	300.00	
Freshwater Wetlands Chapter Pamphlet	35.00	
Street Specifications	10.00	
Subdivision of Land Ordinance Pamphlet	35.00	
Vehicle and Traffic Chapter Pamphlet	25.00	
Zoning Chapter Pamphlet	35.00	
POLICE DEPARTMENT		
Accident Report - Business	0.25	per page
Accident Report - Personal	0.25	per page
Finger Printing Service - Non Residents - Per Person	35.00	
Photograph	20.00	per photo
Police Special Escort Service - Per Hour	-	
Special Event or Special Services - Per Hour	-	
ALARM ORDINANCE		
Alarm Permit - 1 Year - Residential & Commercial	25.00	
One False Alarm	-	
Two False Alarms	-	
Three False Alarms	25.00	
Four False Alarms	50.00	
Five False Alarms	100.00	
Each After Five False Alarms	200.00	
HIGHWAY DEPARTMENT		
Driveway Bond - "Refundable"	750.00	
Driveway Permit - Includes two Inspections	215.00	
Road Opening Bond - "Refundable" - Entire Road	1,000.00	
Road Opening Bond - "Refundable" - Half Road	500.00	
Road Opening Permit	215.00	

(Cont.)

TOWN OF CARMEL USER SERVICE FEES --
FISCAL YEAR 2010

FEE DESCRIPTION	2010 FEES	
RECYCLING DEPARTMENT		*Fees to be reviewed if Facility Plan is reopened*
Annual Access Permit - All Vehicles up to 3/4 Ton Truck		
Annual Access Permit - 3/4 Ton Truck		
Home Pick-Up - Air Conditioner		
Home Pick-Up - Refrigerator & Freezer		
Home Pick-Up Service		
Home Pick-Up Service - Each Additional Item		
Trash Dumping Fee - 1/4 Ton Truck, Van or Suburban		
Trash Dumping Fee - 1/2 Ton Truck		
Trash Dumping Fee - 3/4 Ton Truck		
Trash Dumping Fee - 1 Ton Truck		
Trash Dumping Fee - Cars		
Trash Dumping Fee - Cars - Contained Trunk Load		
Trash Dumping Fee - Small Wagon		
Trash Dumping Fee - Large Wagon		
Trash Dumping Overload Fee - 1/4 Ton Truck, Van or Suburban		
Trash Dumping Overload Fee - 1/2 Ton Truck		
Trash Dumping Overload Fee - 3/4 Ton Truck		
Trash Dumping Overload Fee - Small Wagon		
Trash Dumping Overload Fee - Large Wagon		
Truck Tire Dumping Fee - Without Rim - Each		
Truck Tire Dumping Fee - With Rim - Each		
Vehicle Tire Dumping Fee - Without Rim - Each		
Vehicle Tire Dumping Fee - With Rim - Each		
PARKS & RECREATION DEPARTMENT		
Camp:		
Camp Late Fee	50.00	
Playground Camp	375.00	
Primary Camp [9:30 AM to 2:30 PM]	425.00	Extended Day = + \$160.00
Classes/Lessons:		
Additional Swimming Lessons	60.00	
Adult Classes	\$65.00 - \$320.00	
AED - Automated Externally Defibrillation	-	
Community Water Safety	-	
CPR Review	60.00	
Head Lifeguard	-	
Lifeguard Training Aid/Safety	\$350.00	Non-Resident \$450.00
Waterfront Module, CPR-FPR	-	
Pre School Classes	\$16.00 - \$175.00	
RTE - Responding to Emergencies	210.00	
Special Tennis, Aerobics, or Other Lessons	Cost	
Swimming Lessons Including Permit	130.00	
Tennis Lessons - 6 One Hour Sessions	110.00	
Waterfront Module	-	
Facilities Rental:		
Ballfield Rental - 2 Hour Limit	\$50.00/\$100.00 w/lights	
Boat Rental Fee	4.00 - 7.00	
Civic Building Rental/Pavilion	200.00	+Supervisor Hourly Rate
Crane Road Park Concession Fee	No longer applicable	
Group Picnic	150.00	
Private Building Rental	300.00	+Supervisor Hourly Rate
Sycamore Park Concession [Seasonal]	2,200.00	
ID/Permits:		
Adult Swimming Permit	90.00	
Daily Adult Beach Fee	8.00	
Daily Adult Guest Beach Fee	10.00	
Daily Youth Beach Fee	7.00	
Daily Youth Guest Beach Fee	9.00	
Family Swimming Permit	175.00	
Family Tennis Permit	70.00	
Identification Card	6.00	
Senior Citizen Identification Card	No charge	
Nanny Identification Card	10.00	
Nanny Swim Permit	100.00	
Individual Tennis Permit	45.00	
Tennis Guest Fee	6.00	
Youth Swimming Permit	70.00	

(Cont.)

TOWN OF CARMEL USER SERVICE FEES --
FISCAL YEAR 2010

FEE DESCRIPTION	2010 FEES	
BUILDING & CODES DEPARTMENT		
Accessory Apartment Permit	400.00	
Bed & Breakfast Special Application	400.00	
Building Permits -- Flat Rate PLUS Estimated Cost of Construction	50.00	Flat Rate PLUS
Estimated Cost of Construction -- Calculated as:	10.00	per \$1,000 Calculated Estimated Cost
Residential -- New construction	100.00	per sq. ft.
Residential -- Finish existing space to living space	20.00	per sq. ft.
Commercial	150.00	per sq. ft.
Commercial - Garage	75.00 - 80.00	per sq. ft.
Decks	35.00	per sq. ft.
Garage	75.00	per sq. ft.
Shed	25.00	per sq. ft.
Certificates of Compliance	80.00/150.00	Residential/Commercial
Certificates of Occupancy	80.00/150.00	Residential/Commercial
Excavation or Fill Permit for the first 2,000 cubic yards	200.00	Plus \$100 for each additional 1,000 CY
Inspection Fee for Clearance of Title Search Violation	50.00	Each Inspection
Mother/Daughter Permit	200.00	
Plumbing Permit Per Fixture	15.00 each	\$75.00 minimum fee
Plumbing/ Air Conditioning Inspection		
Re-Inspection Fee When Inspection Requested but Job Not Ready	50.00	Paid in Advance of 2nd Inspection
Sign Permit	150.00	
Swimming Pool Permit - Above Ground	150.00	
Swimming Pool Permit - In Ground	300.00	
Title Search	75.00/150.00	Residential/Commercial + \$100 per store
	100.00/200.00	Residential/ Commercial
Outdoor Dining Annual Fee	100.00	Annual Fee
Outdoor Dining (fee per 10 or more seats)	+ 50.00/up to 10 seats	An add'l \$50.00 for 11 or more seats
Fire Inspection: Multifamily / Commercial	150.00 / 100.00	
ARCHITECTURAL REVIEW BOARD		
New Commercial Structure Review	225.00	
Modification to Existing Commercial Structure Review	150.00	
Other Structure or Sign Review	50.00	
Single Family Residential Structure Review	100.00	
Two or More Family Residential Structure Review	100.00	Plus 50.00 each Additional Unit over two
ENVIRONMENTAL CONSERVATION REVIEW BOARD		
Application Withdrawal	50.00	
Letter of Permission (in lieu of application)	75.00	
Major Interagency Review - Over 5 Acres - Per Acre or Part Thereof	40.00	Total Wetland Include. 100' Control Area
Minor Interagency Review - Up to 5 Acres - Per Acre or Part Thereof	50.00	Total Wetland Include. 100' Control Area
Private Consultation/Conference with Wetland Inspector Per Hour	100.00	
Public Hearing	150.00	
SEQR - DEIS	1%	of Bond
Site Plan Inspection - Single Lot - Per Acre or Part Thereof	300.00	Total Wetland Include. 100' Control Area
Subdivision Plan Inspection - Per Acre or Part Thereof	300.00	Total Wetland Include. 100' Control Area
Tree Cutting - Up to 25 Acres	300.00	
Tree Cutting - Over 25 Acres	400.00	+ 50.00 Acre
Wetland Application - Up to Two (2) Acres	150.00	
Wetland Application - Over Two (2) Acres	200.00	+ 75.00 Acre
Inspection of Equipment/Wetlands for Health Dept Permit	75.00	
ZONING BOARD OF APPEALS		
280A Exemption	400.00	
Accessory Apartment Application	250.00	
Application Withdrawal	100.00	
Area Variance Application	200.00	
Bed and Breakfast Special Permit Application	400.00	
Interpretation of Ordinance	400.00	
Use Variance Application	400.00	
Computer address labels for variance mailing	25.00	
PLANNING SUBDIVISION FEES:		
Sketch fee	200.00	One time fee
Preliminary Fees		
Major Subdivision	3,000.00	Plus \$600 per lot
Minor Subdivision	2,500.00	Plus \$600 per lot
Final Fees:		
Amendment to Final Plat	1,500.00	
Major Subdivision	1,500.00	Plus \$300 per lot
Minor Subdivision	1,500.00	Plus \$300 per lot
Re-grant of Final Approval	1,500.00	(Does not include SEQR fees)
Extension of final approval	1,000.00	

**TOWN OF CARMEL USER SERVICE FEES –
FISCAL YEAR 2010**

User Fee Schedule 2009

**TOWN OF CARMEL USER SERVICE FEES --
FISCAL YEAR 2010**

5

Supervisor Schmitt explained the amendment made to the outdoor dining annual fee and the addition of a fee for the extension of a site plan approval.

LAKE SECOR PARK DISTRICT ADVISORY COMMITTEE APPOINTMENT MADE - ROBIN DRAKE SAHINOVIC

RESOLVED that the Town Board of the Town of Carmel hereby appoints Robin Drake Sahinovic to the Lake Secor Park District Advisory Committee commencing 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>

LAKE SECOR PARK DISTRICT - HIRING OF TEMPORARY SUMMER HELP AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Secor Park District, upon the recommendation of the Lake Secor Park District Advisory Board, hereby authorizes the hiring of the following as temporary summer help subject to submission of necessary certifications to the Director of Recreation and Parks and subject to obtaining of working papers, if required by law:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
Caitlin Perrotta	Head Lifeguard	\$12.75
Jamie Savitzky	Lifeguard	\$10.50
Deirdre Hickey	Lifeguard	\$10.50
Nicholas Lopilato	Junior Lifeguard	\$9.50
Christopher Gray	Junior Lifeguard	\$9.50
Dillion Savitzky	Junior Lifeguard	\$9.50
Katie Tegeder	Lifeguard	\$9.50

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>

Councilwoman McDonough explained that the lifeguards' salaries differed because they are based on seniority.

DEPARTMENT OF RECREATION AND PARKS - ADVERTISING FOR BIDS FOR THE 2010 SUMMER CAMP PROGRAM AUTHORIZED

RESOLVED that, pursuant to the request of the Director of Recreation and Parks, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for bus transportation for the Town of Carmel Recreation and Parks 2010 Summer Camp Program; and

(Cont.)

BE IT FURTHER RESOLVED that the Director of Recreation and Parks is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

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>

DEPARTMENT OF RECREATION AND PARKS - PROPOSAL FOR OPERATION OF SYCAMORE PARK CONCESSION STAND ACCEPTED - CARMEL BAGEL DELI...LICIOUS

WHEREAS the Director Of Recreation and Parks, James R. Gilchrist, has forwarded a memo to the Town Board, dated April 22, 2010 recommending that, after solicitation and submission of competitive proposals, the concession agreement of Carmel Bagel Deli...Licious of Carmel, NY to operate the Sycamore Park concession stand be renewed;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the concession agreement with Carmel Bagel Deli...Licious of Carmel, NY, to operate the concession stand at Sycamore Park for the period March 21, 2010 to March 20, 2011 at an annual fee of \$2,800.00; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form as approved by the Town Counsel, the Town Supervisor is authorized to sign the Concession Agreement, in form as attached hereto.

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>

CONCESSION AGREEMENT
(example)

THIS LICENSE AGREEMENT, entered into this _____ day of _____, 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 _____, having an address at _____ (herein "VENDOR").

WHEREAS, Sycamore Park, including the concession facility located thereat, is a town park facility under the jurisdiction and control of the Town of Carmel (hereinafter, the "Park"); and

5 MAY 2010
TOWN BOARD MEETING

(Cont.)

WHEREAS, VENDOR has requested a license from the Town of Carmel to operate a concession stand/snack bar at the Park for the 2010/2011 season (_____, 2010 to _____, 2011), which will be open to the public during hours of Park operation; and

WHEREAS, the Town Board of 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 agree as follows:

1. LICENSE: The Town hereby gives and grants to VENDOR, and VENDOR hereby accepts from the Town, a revocable license to operate a concession stand/snack bar at the Park, in a location specifically designated by the Director of Recreation and Parks for such use, and no other area of Park, during hours of Park operation.
2. TERM: This agreement shall commence on _____, 2010 and shall terminate on _____, 2011.
3. TERMINATION: The Town may terminate this Agreement by delivery, by mail, or personal service, to VENDOR 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.
4. FEES AND COMPENSATION: In consideration for the granting of said license, VENDOR will pay the Town of Carmel a fee of \$_____ of which \$__ (1st half) is to be paid at contract signing and the remaining \$__ (2nd half) to be paid on _____, 2010. It is understood that the fee charged takes into consideration the collateral and intangible benefit derived by the Town and its residents by the operation of a concession stand/snack bar at the Park.
5. HEALTH DEPARTMENT PERMIT: VENDOR must obtain any and all permits required by the New York State Department of Health and Putnam County Department of Health.

-
6. INDEMNIFICATION: It is expressly understood that the Town of Carmel will assume no responsibility for or in relation to the operation of the concession stand/snack bar at the Park. VENDOR agrees to protect, defend, indemnify and save harmless the Town, its officers, employees and agents from any and all suits, actions or causes of action of every name and description brought against the Town for or on account of any injuries or damage received or sustained by any party or parties by or from the negligence of VENDOR, its officers, members or agents. VENDOR 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 related thereto, even if it (claims, etc.) is groundless, false or fraudulent.
 7. INSURANCE: VENDOR shall take out and maintain during the life of this agreement such public liability and property damage insurance as shall protect the Town and VENDOR 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 one million dollars (\$1,000,000.00) for bodily injury and property damage claims, public liability insurance, blanket contractual liability, and broad form property damage liability. The Town shall be named as an additional insured on all such policies.
 8. LITTER AND DEBRIS: VENDOR, its officers and agents, agree that the concession stand/snack bar and surrounding outside area shall at all times be kept free from litter and debris, and that at the end of each day, VENDOR will ensure that all litter and debris generated thereby will be cleaned up and placed in trash receptacles.
-

(Cont.)

9. DAMAGE: VENDOR agrees to reimburse the Town for any and all damages or injury to any real property or personal property of the Town that may arise, directly or indirectly, from the negligence, acts or omissions of VENDOR, its officers and/or agents.
10. NATURE OF LICENSE: The Revocable license granted herein is not a conveyance of real property, is not intended to grant or convey to VENDOR the exclusive use of the concession stand/snack bar, and is granted subject to the rights of the Town and the public, which the Town hereby reserves, to use and enjoy the Park in any manner that does not unreasonably interfere with the right herein granted to VENDOR. VENDOR, its officers, members and agents, shall make every reasonable effort not to interfere with the use of the Park facilities, not reserved to VENDOR under this license, by the general public.
11. ENTIRE AGREEMENT: This agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It 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.
12. CONTROLLING LAW: This Agreement shall be construed and enforced in accordance with the laws of the State of New York. Any and all disputes and/or legal actions or proceedings arising out of this agreement shall be venued in Putnam County, New York.
13. COUNTERPART ORIGINALS: This Agreement is executed in two (2) counterpart originals, each of which shall constitute an original and all of which, when taken together, shall constitute one Agreement.

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

TOWN OF CARMEL	(VENDOR)
_____ Date _____	_____ Date _____
(Signature)	(Signature)
Kenneth Schmitt Town Supervisor	By: _____, Owner

Councilman DiCarlo acknowledged James Gilchrist, Director of Recreation and Parks for arranging the provision of additional healthy alternatives on the concession stand/snack bar menu.

PUBLIC HEARING SCHEDULED FOR 6/2/10 ON A PROPOSED LOCAL LAW AMENDING CHAPTER 125 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “SMOKING”

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, June 2, 2010 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law Amending Chapter 125 of the Town Code of the Town of Carmel, as follows:

TOWN OF CARMEL
PROPOSED LOCAL LAW # _____ OF THE YEAR 2010

A LOCAL LAW AMENDING CHAPTER 125 OF THE TOWN CODE
OF THE TOWN OF CARMEL, ENTITLED “SMOKING”

SECTION 1. Chapter 125 of the Town Code of the Town of Carmel, Section is hereby amended to read as follows:

(Cont.)

§125-1 Purpose.

The purpose of this article is to prohibit smoking at all Town of Carmel Parks and their facilities, as well as on the public beaches owned or operated by the Town of Carmel, and/or any of the Town of Carmel Park Districts and their facilities. The Town Board hereby finds that a potential health hazard exists from allowing smoking on said beaches both from smoke and from the debris created by discarded cigarettes and other smoking materials.

§ 125-2 Smoking Prohibited.

The smoking or carrying of lighted cigarettes and other smoking materials, including but not limited to cigars, pipes and the like, at all Town of Carmel Parks and their facilities, as well as on the public beaches owned or operated by the Town of Carmel, and/or any of the Town of Carmel Park Districts and their facilities is hereby prohibited.

§ 125-3 Penalties and Enforcement.

- A. Any person convicted of a violation of this Chapter shall be guilty of a violation and punished by a fine of not more than \$100 for each offense.
- B. The Town of Carmel Police Department, or any other agency, officer or employee designated by the Town Board by resolution shall be charged with the enforcement of this article.

SECTION 2. This Local Law shall take effect immediately in accordance with the law.

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

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>

FEE WAIVED IN REFERENCE TO THE APPLICATION OF THE AMERICAN CANCER SOCIETY FOR A SOUND AMPLIFICATION PERMIT - 6/5/10 AND 6/6/10

RESOLVED that the Town Board of the Town of Carmel hereby waives the permit fee regarding the application of The American Cancer Society for a sound amplification permit for the Relay for Life event June 5 and June 6, 2010 at the Mahopac High School.

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>

FEE WAIVED IN REFERENCE TO THE APPLICATION OF THE PUTNAM COMMUNITY ACTION PROGRAM FOR A SOUND AMPLIFICATION PERMIT - 6/25/10

RESOLVED that the Town Board of the Town of Carmel hereby waives the permit fee in reference to the application of The Putnam Community Action Program for a sound amplification permit for its 6th Annual Motorcycle Run for H.O.P.E. scheduled for July 25, 2010 at Sycamore Park.

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>

ATTENDANCE AT CONFERENCE AUTHORIZED - SUPERINTENDENT OF HIGHWAYS MICHAEL SIMONE - 6/7/10 THROUGH 6/9/10

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Superintendent of Highways Michael Simone to attend the Association of Towns 2010 Highway School from June 7, 2010 through June 9, 2010 in Ithaca, NY; and

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

Resolution

Offered by: Councilman 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>

Supervisor Schmitt believed the budgeted cost for the conference to be approximately \$375.00.

PAYMENT OF COMPENSATORY TIME AUTHORIZED - EMPLOYEE #1266 - \$7100.70 FOR YEAR 2009

RESOLVED that the Town Board of the Town of Carmel hereby authorizes payment of compensatory time to Employee #1266 in the amount of \$7100.70 for year 2009; and

BE IT FURTHER RESOLVED that the Town Comptroller's Office is hereby authorized to make any budget transfers or modifications necessary to effect the foregoing.

Resolution

Offered by: Councilwoman McDonough
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>

Supervisor Schmitt stated that the funds for the aforementioned payment were budgeted in the compensated absences line and discussion regarding the matter ensued.

REVISED EMPIRE ZONE MAPS - RICHARD WILLIAMS AUTHORIZED TO SIGN OFF ON AND/OR CERTIFY ACCURACY

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Richard Williams, Town Planner of the Town of Patterson, NY to sign off on and/or certify the accuracy of the Empire Zone maps reflecting the Empire Zone boundary amendments set forth in Putnam County Legislature Resolution #32 of 2010 and as ratified by the Town Board of the Town of Carmel by resolution March 17, 2010.

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>

Councilman Ravallo provided an update regarding the Empire Zone.

BOARD OF ASSESSMENT REVIEW APPOINTMENT MADE - PATRICK BROPHY - RETROACTIVE TO 10/1/09 AND EXPIRING 9/30/12 **AMENDED 5/19/10**

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Patrick Brophy to the Town of Carmel Board of Assessment Review for a term commencing retroactive to October 1, 2009 and expiring September 30, 2012.

Resolution

Offered by: Councilman DiCarlo
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>

ZONING BOARD OF APPEALS APPOINTMENT MADE - ROGER GARCIA - COMMENCING 5/5/10 AND EXPIRING 12/31/14

RESOLVED that the Town Board of the Town of Carmel hereby appoints Roger Garcia to the Town of Carmel Board of Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2014.

(Cont.)

Resolution

Offered by: Councilman Ravallo
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>

Supervisor Schmitt acknowledged Mr. Garcia present at the meeting. Councilman Lombardi and Councilman Ravallo spoke regarding his outstanding qualifications.

Supervisor Schmitt thanked former Zoning Board of Appeals member Richard Favicchia for his service to the Town.

PLANNING BOARD APPOINTMENT MADE - JAMES MEYER - RETROACTIVE TO 1/1/10 AND EXPIRING 12/31/16

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints James Meyer to the Town of Carmel Planning Board for a term commencing retroactive to January 1, 2010 and expiring December 31, 2016.

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>

Supervisor Schmitt congratulated Mr. Meyer on his re-appointment.

PLANNING BOARD APPOINTMENT MADE - RAYMOND COTE - COMMENCING 5/5/10 AND EXPIRING 12/31/12

RESOLVED that the Town Board of the Town of Carmel hereby appoints Raymond Cote to the Town of Carmel Board of Planning Board for a term commencing immediately and expiring December 31, 2012.

Resolution

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

Councilman Lombardi spoke regarding Mr. Cote’s exceptional credentials and Supervisor Schmitt acknowledged Mr. Cote, present at the meeting.

ENVIRONMENTAL CONSERVATION BOARD APPOINTMENT MADE - ED BARNETT - RETROACTIVE TO 6/14/09 AND EXPIRING 6/13/12

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Ed Barnett to the Town of Carmel Environmental Conservation Board for a term commencing retroactive to June 14, 2009 and expiring June 13, 2012.

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>

Councilman Ravallo spoke regarding Mr. Barnett's years of dedicated service to the Town.

RECREATION AND PARKS ADVISORY COMMITTEE RE-APPOINTMENT MADE - ROBERT BUCKLEY - RETROACTIVE TO 1/1/10 AND EXPIRING 12/31/12

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Robert Buckley to the Town of Carmel Recreation and Parks Advisory Committee for a term commencing retroactive to January 1, 2010 and expiring December 31, 2012.

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>

RECREATION AND PARKS ADVISORY COMMITTEE RE-APPOINTMENT MADE - KENNETH FORAN - RETROACTIVE TO 1/1/10 AND EXPIRING 12/31/12

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Kenneth Foran to the Town of Carmel Recreation and Parks Advisory Committee for a term commencing retroactive to January 1, 2010 and expiring December 31, 2012.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilmen DiCarlo and 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>

Supervisor Schmitt and Councilman Lombardi expressed their appreciation to all of the individuals appointed to serve on the various boards, as well as to those who submitted letters of interest and resumes.

PUBLIC COMMENTS

Jerry Ravnitzky inquired about the site plan approval fees included in the User Fee Schedule.

Gregory Folchetti, Legal Counsel explained the application fees and went on to clarify that the fee added to the User Fee Schedule pertained to the extension of an existing approval. A brief discussion followed.

Mr. Ravnitzky spoke in support of the proposed Local Law to prohibit smoking at all Town of Carmel Parks and their facilities, as well as on the public beaches owned or operated by the Town of Carmel.

Supervisor Schmitt explained the amendment made to the User Fee Schedule in regard to outdoor dining.

Michael Barile expressed his appreciation to the Town Board for enacting the Illegal Dumping/Trash Enclosure Local Law of the Town of Carmel and asked how it will be enforced.

Councilman DiCarlo explained that a letter will be sent to the owners of the commercial properties with regard to compliance and discussion was held regarding the enforcement of the Local Law.

TOWN BOARD MEMBER COMMENTS

Supervisor Schmitt acknowledged the Greater Mahopac-Carmel Chamber of Commerce for their annual Shop Putnam Business and Home Expo held earlier in the day.

Supervisor Schmitt praised the efforts of the children who participated in the Youth Art Awards.

Supervisor Schmitt announced that in an effort to keep prescription drugs out of the possession of the youth in the community, as well as to preserve the water supply of New York, the Putnam County Department of Health along with other Putnam County agencies, will sponsor a "Medication Take Back Day" in order to provide a safe means of disposal for expired or unused medications on May 12th from 9:00 a.m. to 1:00 p.m. at the William Koehler Memorial Senior Center. A brief discussion regarding the matter ensued.

Supervisor Schmitt announced that the Mahopac Middle School will be holding "Mahopac-A-Palooza", a community celebration and health fair on May 12th from 4:00 p.m. to 7:00 p.m.

Supervisor Schmitt announced that the Mahopac Public Library will provide free passes to its resident members for use at various area museums.

Supervisor Schmitt spoke regarding the next Hope Forum, an initiative to raise awareness and find solutions to the recent trend of serious vehicle accidents and alcohol related tragedies that have involved the youth in the community. Hope Forum II will be held on May 25th from 7:00 p.m. to 8:30 p.m. at the Fulmar Road Elementary School.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman DiCarlo, seconded by Councilman Ravallo, with all Town Board members present and in agreement, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Ann Garris, Town Clerk