

4 AUGUST 2010

TOWN BOARD MEETING
CARMEL FIREHOUSE
CARMEL, N.Y.

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 4th day of August 2010 at 7:06 p.m. at the Carmel Firehouse, Gleneida Avenue and Vink Drive, Carmel, 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.

**ANNUAL COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)
PRESENTATION - FISCAL YEAR 2009**

The Town of Carmel's Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2009 was presented to the Town Board and summarized by independent auditors Dominick Consolo and Nicholas DeSantis from Bennett Kielson Storch DeSantis, the Government Services Division of O'Connor Davies Munns & Dobbins, LLP. Mr. Consolo and Mr. DeSantis responded to questions posed by the Town Board and public in attendance.

**HIGHWAY DEPARTMENT - CAPITAL EQUIPMENT BID AWARDED - HEAVY DUTY
SINGLE-AXLE CAB AND CHASSIS - MID HUDSON MACK, INC. - \$110,181.20**

AMENDED 8/18/10

WHEREAS the Town Board of the Town of Carmel has previously authorized the solicitation of bids for the purchase of Highway Department Equipment in form of a Heavy Duty Single-Axle Cab and Chassis; and

WHEREAS said bids were received and opened by Town Clerk Ann Garris, who has prepared and forwarded a bid opening memo to the Town Board dated July 20, 2010, a copy of which is on file in the Town Clerk's Office;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the aforesaid bid for the purchase of a Heavy Duty Single Axle 47,120 GVW Cab and Chassis to Mid Hudson Mack, Inc., Montgomery, NY, the lowest responsible bidder who met specifications at a bid price of \$110,181.20; and

BE IT FURTHER RESOLVED that the Town Highway Superintendent, Michael Simone, is hereby authorized to execute any documentation necessary to effect the aforesaid purchase.

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>

**HIGHWAY DEPARTMENT - COMBINATION TRUCK BODY AND MATERIAL
SPREADER - BIDS REJECTED AND ADVERTISEMENT FOR RE-BID AUTHORIZED**

WHEREAS the Town Board of the Town of Carmel has previously authorized the solicitation of bids for the purchase of Highway Department equipment in form of a Combination Truck Body and Material Spreader; and

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(Cont.)

WHEREAS said bids were received and opened by Town Clerk Ann Garris, who has prepared and forwarded a bid opening memo to the Town Board dated July 20, 2010, a copy of which is on file in the Town Clerk's Office,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby rejects all bids received in connection therewith; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Clerk to re-advertise for bids for the purchase of the aforesaid Combination Truck Body and Material Spreader; and

BE IT FURTHER RESOLVED that the Highway Superintendent 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>

DOWNTOWN MAHOPAC BEAUTIFICATION PROJECT IMPROVEMENTS
DESIGNATED CAPITAL PROJECT - GOOD NEIGHBOR FUNDS APPROPRIATED

RESOLVED that the Town Board hereby amends its existing Capital Projects List to include proposed improvements at Downtown Mahopac Beautification Project; and

BE IT FURTHER RESOLVED that the Deputy Comptroller is hereby authorized to establish and fund a Capital Project Fund in connection with the aforesaid project

BE IT FURTHER RESOLVED that the Office of the Town Comptroller is hereby authorized to appropriate the sum of \$200,000 (Two Hundred Thousand Dollars) from the Good Neighbor Payment Fund as provided by the New York City Department of Environmental Protection to fund the aforesaid project; and

BE IT FURTHER RESOLVED that the Office of the Town Comptroller is hereby authorized to appropriate the sum of \$100,000 (One Hundred Thousand Dollars) received from the New York State Department of Transportation Multi-Modal Grant to fund the aforesaid project; and

BE IT FURTHER RESOLVED that the Office of the Town Comptroller is hereby authorized to make any other and further budget modifications necessary to effect the aforesaid designations.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman DiCarlo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Ravallo	<u> </u>	<u> </u>	Abstain
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 detailed the source of funding for the Downtown Mahopac Beautification Project proposed improvements.

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**PROPOSAL ACCEPTED FOR INSTALLATION OF PEDESTRIAN CROSSWALKS -
DOWNTOWN MAHOPAC - PHILLIPS & COMPANY GENERAL CONTRACTING,
INC. - NOT TO EXCEED \$11,764.00**

WHEREAS, Robert Vara, Engineering Projects Coordinator has solicited proposals for the installation of pedestrian crosswalks in downtown Mahopac, in connection with grant funding awarded by NYSDOT, and has done so in accordance with the Town of Carmel procurement policy;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, accepts the proposal of Phillips & Company General Contracting, Inc., Putnam Valley, NY for the installation of said crosswalks, at a total lump sum cost not to exceed \$11,764.00; and

BE IT FURTHER RESOLVED that the project shall be funded from the NYSDOT Multi-Modal#4 Grant funds; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates and bonds as required by the proposal and in form as approved by the Town Counsel, the Supervisor is authorized to sign all necessary documents to accept said proposal as well as any NYSDOT permit applications required in connection therewith.

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>

**CARMEL WATER DISTRICT #12 - PROPOSAL FOR SECTIONAL WELL HYDRO
FRACTURING ACCEPTED - BEE & JAY PLUMBING - NOT TO EXCEED \$7,450.00**

WHEREAS the Town Board of the Town of Carmel has previously declared a Water Emergency pursuant to Town Code Section 151-22 with respect to all water districts within the Town of Carmel; and

WHEREAS, in accordance with the aforesaid declaration of Water Emergency, the Town of Carmel Engineering Department has solicited proposals for sectional well hydro fracturing within Carmel Water District #12; and

WHEREAS John Folchetti, Engineering Consultant for the Town of Carmel has recommended the awarding of the acceptance of the proposal of Bee & Jay Plumbing, Mahopac, NY to perform the aforesaid hydro fracturing on well #2 in Carmel Water District #12; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel acting as Commissioners of Carmel Water District #12, hereby accepts the proposal and contract for the aforementioned improvements to Bee & Jay Plumbing, Mahopac, NY at an aggregate price not to exceed \$7,450.00; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates as required by the proposal and approved by the Town Counsel, the Supervisor is authorized to sign all necessary documents necessary to accept said proposal.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

(Cont.)

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

Discussion was held among members of the Town Board regarding the hydro fracturing in Carmel Water District #12 and the previously declared Water Emergency.

SYCAMORE DOG PARK RULES AMENDED - MEMBERSHIP APPLICATION FORM ADOPTED

BE IT RESOLVED that the Town Board of the Town of Carmel hereby adopts the membership application form for Sycamore Dog Park in form as attached hereto and made a part hereof.

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>



TOWN OF CARMEL RECREATION AND PARKS DEPARTMENT

SYCAMORE PARK • MAHOPAC, NEW YORK 10541

JAMES R. GILCHRIST, CPRP, DIRECTOR

TELEPHONE: (845) 628-7888

FAX: (845) 628-2820

E-MAIL: carmelrecreation@ci.carmel.ny.us

WEBPAGE: www.ci.carmel.ny.us

SYCAMORE BARK PARK MEMBERSHIP FORM

Dog Owner's Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: (Home) _____ (Cell) _____

E-Mail Address: _____

(Cont.)

Dog #1: Dog's Name: _____; Breed: _____; Male/Female
NYS License # _____; Spayed/Neutered _____
Proof of Rabies Vaccine: _____ Weight of Dog: _____

Dog #2: Dog's Name: _____; Breed: _____; Male/Female
NYS License # _____; Spayed/Neutered _____
Proof of Rabies Vaccine: _____ Weight of Dog: _____

Dog #3: Dog's Name: _____; Breed: _____; Male/Female
NYS License # _____; Spayed/Neutered _____
Proof of Rabies Vaccine: _____ Weight of Dog: _____

FEE PAID (check one): _____ Resident w/ Current Resident ID Card - \$25.00 per family per year
(Maximum of 3 Dogs) _____ Non-Resident - \$75.00 per family per year

TAG ID #: _____

I have received, read, agree to, and will abide by all of the Bark Park Rules.

Signature: _____ Date: _____

Name (PLEASE PRINT): _____

"Town Unity Through Recreation"

**LAKE MAHOPAC PARK DISTRICT - PROPOSALS FOR PURCHASE OF
EQUIPMENT FOR MARINE PATROL BOAT AND WAVE RUNNER - ACCEPTED**

WHEREAS the Advisory Board of the Lake Mahopac Park District has recommended the acceptance of proposals for the purchase of various equipment for the police marine unit and wave runner;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as commissioners of the Lake Mahopac Park District, hereby accepts the following proposals:

Vendor/ Item	Quantity	Unit Cost	Total Cost
Boaters' Land Marine/ Buoy Labels	7	\$30.99	\$216.93
Boaters' Land Marine/ Sur-Mark Buoys	5	\$193.99	\$969.95
Optics Planet, Inc/ Yukon Night Vision Device	1	\$328.95	\$328.95
Optics Planet, Inc/ Steiner Military Marine Binoculars	1	\$217.65	\$217.65
Air-Head/ Towing Harness	1	\$29.99	\$29.99

Resolution

Offered by: Councilman Ravallo

Seconded by: Councilman DiCarlo

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(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>

Councilman Ravallo noted that the Lake Mahopac Park District is providing the funding for the purchase of the materials.

Supervisor Schmitt acknowledged the Lake Mahopac Park District for their various contributions throughout the years.

SOUND AMPLIFICATION PERMIT AND PARK RENTAL PERMIT FEES WAIVED IN REFERENCE TO THE APPLICATION OF THE CHAMBER OF COMMERCE COMMUNITY STREET FESTIVAL AND MERCHANT SHOWCASE - 10/3/10

RESOLVED that the Town Board of the Town of Carmel hereby waives the fees regarding the application of The Greater Mahopac-Carmel Chamber of Commerce, seeking a park rental permit and sound amplification permit for their Community Street Festival and Merchant Showcase event at Chamber Park on October 3, 2010.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

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

CASSE PARK DISTRICT - HIRING OF TEMPORARY SUMMER HELP AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Casse Park District, upon the recommendation of the Lake Casse 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>
Robert D. Harrington	Lifeguard	\$12.00

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Ravallo

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

Supervisor Schmitt commended the lifeguards at Lake Casse.

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NOTICE REQUIREMENT OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR D.P.M. LTD (THE LANTERN GRILL) - WAIVED

WHEREAS, D.P.M. Ltd., 728 Route Six, Mahopac, NY 10541, has advised that it intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Section 64-2(a) ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of D.P.M. Ltd., for a liquor license at the premises at 728 Route Six, Mahopac, NY; and

BE IT FURTHER RESOLVED that the Town Clerk is authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

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>

SOUND AMPLIFICATION PERMIT - FEE WAIVED IN REFERENCE TO THE APPLICATION OF MAHOPAC SPORTS ASSOCIATION, INC. - 7/31/10

RESOLVED that the Town Board of the Town of Carmel hereby waives the fee regarding the application of Mahopac Sports Association, Inc. seeking a sound amplification permit for their fundraiser at Mahopac High School on July 31, 2010.

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 Lombardi spoke regarding the festivities at the Mahopac Sports Association fundraiser held on July 31st. He acknowledged the efforts of the organizers and sponsors of the event.

SOUND AMPLIFICATION PERMIT FEE WAIVED - LAKE SECOR PROPERTY OWNERS AND THE LAKE SECOR PARK DISTRICT BATTLE OF THE BANDS EVENT - 9/10/10 (RAIN DATE 9/11/10)

RESOLVED that the Town Board of the Town of Carmel hereby waives the fee regarding the application of the Lake Secor Property Owners and the Lake Secor Park District Advisory Committee, seeking a sound amplification permit for the Battle of the Bands event scheduled for September 10, 2010, rain date September 11, 2010.

(Cont.)

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 talked about the activities at the recent Water Carnival held at Lake Secor.

PUBLIC COMMENTS

Peter Creegan asked to address a statement made at the previous meeting by Councilman Ravallo in opposition of New York State’s Contractors Apprenticeship Program. Mr. Creegan maintained that participation in the program provides financial savings and he spoke regarding the benefits of the program to the youth and returning veterans in the community.

Councilman Ravallo explained that he voted against the apprenticeship program because he felt that the program would increase the cost of construction contracts to constituents. He held discussion with Mr. Creegan regarding the issue.

Jerry Ravnitzky expressed his concern about the difficulty that many returning veterans are experiencing integrating back into the community.

David Gagliardi confirmed with Councilman Ravallo that he abstained from voting on the Resolution Designating Capital Project and Appropriating Good Neighborhood Funds because of his employment with the New York City Department of Environmental Protection.

Mr. Gagliardi asked what a wave runner is.

Supervisor Schmitt explained that it was a personal watercraft.

Michael Kennedy cited support of Mr. Creegan’s earlier comments. He then inquired about crosswalks in Mahopac.

Supervisor Schmitt explained the Town’s plans for new crosswalks in downtown Mahopac.

Judy Ravnitzky announced that Curves of Mahopac will be accepting donations of school supplies throughout the month of August on behalf of Putnam Community Action Program.

Lori Kemp spoke regarding the hazardous conditions for pedestrians along Seminary Hill Road to Church Street in the hamlet of Carmel and the need for sidewalks in the area.

Supervisor Schmitt explained that he was recently advised that Putnam County has appropriated funds and is currently in the engineering phase of a project to extend the sidewalks along Seminary Hill Road.

TOWN BOARD MEMBER COMMENTS

No member of the Town Board commented at this time.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman DiCarlo, seconded by Councilmen Lombardi and Ravallo, with all Town Board members present and in agreement, the meeting was adjourned at 8:30 p.m. to Executive Session to discuss a matter of litigation.

Respectfully submitted,

Ann Garris, Town Clerk