### 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 20<sup>th</sup> day of April 2016 at 7:10 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt. Councilman Lupinacci was absent.

The Pledge of Allegiance to the Flag was led by Joseph Trombetta from Boy Scouts of America Troop 1 prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

# MINUTES OF TOWN BOARD MEETING HELD ON 4/6/16 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all members of the Town Board present voting "aye", the minutes of the Town Board meeting held on April 6<sup>th</sup> 2016 were accepted as submitted by the Town Clerk.

# POLICE DEPARTMENT - PROBATIONARY PROMOTIONAL APPOINTMENT OF SERGEANT MADE - STEPHEN MCCABE

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Police Department hereby appoints Stephen McCabe to the position of Sergeant, effective immediately, on a promotional probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

# Resolution

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

Roll Call Vote	YES	NO	
Jonathan Schneider	Х		
John Lupinacci			Absent
Suzanne McDonough	Х		
Frank Lombardi	Х		
Kenneth Schmitt	Х		

Supervisor Schmitt commended Stephen McCabe for his dedicated service with the Town of Carmel Police Department. Supervisor Schmitt administered his oath of office and the members of the Town Board congratulated him on his promotion to the rank of Sergeant.

# POLICE DEPARTMENT - PROBATIONARY APPOINTMENT OF ACCOUNT CLERK II MADE - MARIA ROSE BIERBAUM

RESOLVED that the Town Board of the Town of Carmel hereby appoints Maria Rose Bierbaum to the position of Account Clerk II in the Town of Carmel Police Department, effective April 18, 2016, at a CSEA Group 4 Step 1 salary level on a probationary basis and subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution				
Offered by:	Councilm			
Seconded by:	Councilw	oman McD	onough	
Roll Call Vote		YES	NO	
Jonathan Schn	eider	<u>X</u>		
John Lupinacci				Absent
Suzanne McDo	onough	Х		
Frank Lombard	li	<u> </u>		
Kenneth Schm	itt	X		

#### (Cont.)

Supervisor Schmitt congratulated Ms. Bierbaum in attendance, and wished her success in her new position.

# PLANNING BOARD APPOINTMENT MADE - RAYMOND COTÉ - COMMENCING 4/20/16 AND EXPIRING 12/31/22

RESOLVED that the Town Board of the Town of Carmel hereby appoints Raymond Coté to the Town of Carmel Planning Board commencing immediately and expiring on December 31, 2022.

Resolution				
Offered by:	Councilw	oman McD	onough	
Seconded by:	Councilm	an Schneid	der	
_		_	_	
<u>Roll Call Vote</u>		YES	NO	
Jonathan Schneider		Х		
John Lupinacci				Absent
Suzanne McDo	nough	Х		
Frank Lombardi		X		
Kenneth Schmi	tt	Х		

Supervisor Schmitt explained that Raymond Coté previously served on the Planning Board and had requested to be reappointed.

Councilman Lombardi conveyed Councilman Lupinacci's support of Mr. Coté's reappointment.

### HIGHWAY DEPARTMENT - REPAIRS TO EQUIPMENT (ELGIN VACALL UNIT ON TRUCK #57) AUTHORIZED - PHILIP J. ORTIZ MFG. CORP. - NOT TO EXCEED \$7,946.25

RESOLVED, that the Town Board of the Town of Carmel, upon the request and recommendation of Town of Carmel Highway Superintendent Michael Simone hereby authorizes the performance of repairs to the Elgin VacAll Unit on Truck #57 by Philip J. Ortiz Mfg. Corp., Hopewell Jct, NY in the amount not to exceed \$7,946.25 in accordance with the proposal dated April 5, 2016.

<u>Resolution</u>				
Offered by:	Councilm			
Seconded by:	Councilm	an Lomba	rdi	
Roll Call Vote		YES	NO	
Jonathan Schn	eider	Х		
John Lupinacci				Absent
Suzanne McDo	nough	Х		
Frank Lombard	i	Х		
Kenneth Schmi	tt	Х		

### HIGHWAY DEPARTMENT - REPAIRS TO EQUIPMENT (ELGIN VACALL UNIT ON TRUCK #58) AUTHORIZED - LONG ISLAND SANITATION EQUIPMENT - NOT TO EXCEED \$10,340.61

RESOLVED, that the Town Board of the Town of Carmel, upon the request and recommendation of Town of Carmel Highway Superintendent Michael Simone hereby authorizes the performance of repairs to the Elgin VacAll Unit on Truck #58 by Long Island Sanitation Equipment, Farmingdale, NY in the amount not to exceed \$10,340.61 in accordance with the proposal dated March 31, 2016.

# 20 APRIL 2016 TOWN BOARD MEETING

(Cont.)

<u>Resolution</u>				
Offered by:	Counciln			
Seconded by:	Councilw	voman McDo	onough	
Roll Call Vote		YES	NO	
Jonathan Schneider		X		
John Lupinacci				Absent
Suzanne McDonough		X		
Frank Lombardi		X		
Kenneth Schmi	tt	X		
				•

#### HIGHWAY DEPARTMENT - BIDS AWARDED FOR MISCELLANEOUS MATERIALS AND SERVICES - OFFERED AS PRE-FILED AND PARAPHRASED

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for various highway materials and services for the Town Highway Department, and

WHEREAS such bids were received and opened and Highway Superintendent Michael Simone has recommended the awarding of the bids (after equalizing all FOB bids based on distance to the Town Highway Department yard),

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby awards the bids for the purchase of various highway materials and services to the lowest responsible bidders who met specifications as follows:

CRUSHED GRAVEL 1 ½" F.O.B. PLANT 1 ½" DELIVERED 3/4" F.O.B. PLANT 3/4" DELIVERED 3/8" F.O.B. PLANT 3/8" DELIVERED 1/4" F.O.B. PLANT 1/4" DELIVERED

GRANULAR BASE-F.O.B. ITEM 4

<u>GRANULAR BASE – DELIVERED</u> ITEM 4 PUTNAM MATERIALS CORP. ROUTE 311 PATTERSON, NY 12563

PUTNAM MATERIALS CORP. RTE 311 PATTERSON, NY

THALLE INDUSTRIES 172 ROUTE 9 FISHKILL, NY 12524

THALLE INDUSTRIES 172 ROUTE 9 FISHKILL, NY 12524

PUTNAM MATERIALS CORP. RTE 311 PATTERSON, NY

RUN OF BANK GRAVEL FOB& DELIVERED

ROAD OILS, CUTBACKS ETC. PENETRATION ASPHALT CATIONIC EMULSIFIED ASPHALT

BITUMINOUS CONCRETE - FOB TOP COURSE TYPE 6F3 TOP COURSE TYPE 7F3 BINDER COURSE TYPE 3 CURB MIX NICHOLAS F. DOMAIN SAND & GRAVEL 2441 ROUTE 22 DOVER PLAINS, NY 12522

PECKHAM MATERIALS CORP. 20 HAARLEM AVENUE WHITE PLAINS, NY 10603

PECKHAM MATERIALS CORP. CARMEL PLANT, ROUTE 6 CARMEL, NY 10512

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#### 20 APRIL 2016 TOWN BOARD MEETING

#### (Cont.)

BITUMINOUS CONCRETE -IN PLACE TYPE3 BINDER COURSE IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 6F3 TOP COURSE IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 7F3 TOP COURSE IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 9.5 MM SUPERPAVE TOP F3 IN-PLACE WITH TACK COAT IN-PLACE WITH KEYS IN-PLACE

TYPE 12.5 MM SUPERPAVE TOP F3 IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 19.0 MM SUPERPAVE BINDER IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 25.0 MM SUPERPAVE BINDER IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 37.5 MM SUPERPAVE BASE IN-PLACE WITH TACK COAT IN-PLACE IN-PLACE WITH KEYS

TYPE 6.3 POLYMER MODIFIED TOP IN-PLACE WITH TACK COAT IN-PLACE WITH KEYS

TYPE 1 BASE WARM MIX IN-PLACE WITH TACK COAT IN-PLACE WITH KEYS IN-PLACE

TYPE 3 BINDER WARM MIX IN-PLACE WITH TACK COAT IN-PLACE WITH KEYS IN-PLACE

TYPE 6F TOP WARM MIX IN-PLACE IN PLACE WITH TACK COAT IN PLACE WITH KEYS

ALUMINUM CULVERT PIPE - DELIVERED PLAIN & PERFORATED ALL SIZES

ALUMINUM CULVERT PIPE -F.O.B. PLAIN & PERFORATED ALL SIZES KECT CONSTRUCTION ROUTE 22 PATTERSON, NY 12563

CLOVE EXCAVATORS, INC. 9 BARNES DRIVE POUGHKEEPSIE, NY 12603

CLOVE EXCAVATORS, INC. 9 BARNES DRIVE POUGHKEEPSIE, NY 12603

CLOVE EXCAVATORS, INC. 9 BARNES DRIVE POUGHKEEPSIE, NY 12603

CLOVE EXCAVATORS, INC. 9 BARNES DRIVE POUGHKEEPSIE, NY 12603

KECT CONSTURCTION CORP. ROUTE 22 PATTERSON, NY 12563

KECT CONSTURCTION CORP. ROUTE 22 PATTERSON, NY 12563

KECT CONSTURCTION CORP. ROUTE 22 PATTERSON, NY 12563

KECT CONSTRUCTION ROUTE 22 PATTERSON, NY 12563

CHEMUNG SUPPLY CORP. ELMIRA, NY

EXPANDED SUPPLY PRODUCTS, INC. 3330 ROUTE 9 COLD SPRING, NY 10516

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#### 20 APRIL 2016 TOWN BOARD MEETING

#### (Cont.)

STEEL CULVERT PIPE - DELIVERED PLAIN & PERFORATED ALL SIZES

STEEL CULVERT PIPE -F.O.B. **PLAIN & PERFORATED** ALL SIZES

POLYETHYLENE DRAINAGE PIPE DELIVERED PLAIN & PERFORATED ALL SIZES & TYPES **ELBOWS & TEES CORRUGATED & SMOOTH** 

POLYETHYLENE DRAINAGE PIPE F.O.B. PLAIN & PERFORATED ALL SIZES & TYPES **ELBOWS & TEES CORRUGATED & SMOOTH** 

**CATCH BASIN SUMPS & TOPS PICKUP & DELIVERED** 24"x 24" x 24" 36" x 24" x 24" **FLAT TYPE TOPS** 3 3/8" x 24" x 24"

**CATCH BASIN SUMPS & TOPS** PICKUP & DELIVERED 36" x 30" x 30" 30" x 30" x 48" 48" x 30" x 48" FLAT TYPE TOPS 4" x 30" x 30" 5" x 30" x 48" CURB BACK 6 <sup>1</sup>/<sub>2</sub>" x 30" x 48"

**CATCH BASIN SUMPS & TOPS PICKUP & DELIVERED** 36" x 56" x 45" 48" x 56" x 45" FLAT TYPE TOPS 8" x 56" x 45" **CURB BACK** 12" x 56" x 45"

**Resolution** 

Offered by:	Councilwoman McDonough			
Seconded by:	Councilr	-		
Roll Call Vote		YES	NO	_
Jonathan Schneider		X		_
John Lupinacci				Absent
Suzanne McDonough		X		-
Frank Lombard	li	X		-
Kenneth Schmi	itt	X		-

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CHEMUNG SUPPLY CORP. ELMIRA, NY

EXPANDED SUPPLY PRODUCTS, INC. 3330 ROUTE 9 COLD SPRING, NY 10516

CHEMUNG SUPPLY ELMIRA, NY

**CARMEL WINWATER WORKS** CARMEL, NY

EXPANDED SUPPLY PRODUCTS, INC. 3330 ROUTE 9 COLD SPRING, NY 10516

CHEMUNG SUPPLY ELMIRA, NY

**CARMEL WINWATER WORKS** CARMEL, NY

EXPANDED SUPPLY PRODUCTS, INC. 3330 ROUTE 9 COLD SPRING, NY 10516

MID HUDSON CONCRETE CORP. 3504 ROUTE 9 COLD SPRING, NY 10516

CARMEL WINWATER WORKS CO. CARMEL, NY

**M&M PRECAST CORPORATION** DANBURY, CT

### DEPARTMENT OF RECREATION AND PARKS - AWARD OF BID AUTHORIZED -BUS TRANSPORTATION 2016 SUMMER CAMP PROGRAM - ROYAL COACH LINES

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for bus transportation for the 2016 summer camp program administered by the Town of Carmel Department of Recreation and Parks, as requested by Director of Parks and Recreation, James R. Gilchrist, and

WHEREAS such bids were received and opened on March 15, 2016 and a bid opening memo is on file with Town Clerk Ann Spofford, and

NOW THEREFORE BE IT RESOLVED that upon the recommendation of James R. Gilchrist, the Town Board hereby awards the aforesaid bid to Royal Coach Lines, Yonkers, NY, the low responsible bidder meeting specifications for all bus trips scheduled by the Recreation and Parks Department for Summer 2016,

BE IT FURTHER RESOLVED that upon review of insurance certificates in form acceptable to Town Counsel, Kenneth Schmitt, Town Supervisor is hereby authorized to execute any other and further documentation necessary to accept such bid and contract for said services.

**Resolution** 

	<b>.</b>	<u> </u>			
Offered by:	Councilm	Councilman Schneider			
Seconded by:	Councilm	Councilman Lombardi			
Roll Call Vote		YES	NO		
Jonathan Schneider		Х			
John Lupinacci				Absent	
Suzanne McDonough		Х			
Frank Lombardi		Х			
Kenneth Schmi	tt	Х			

Supervisor Schmitt stated that James Gilchrist, Director of Recreation and Parks, visited Royal Coach Lines and found the facility as well as the bus fleet, to be in excellent condition.

# ENTRY INTO INTERMUNICIPAL AGREEMENT WITH COUNTY OF PUTNAM FOR ELECTRICAL INSPECTION SERVICES - AUTHORIZED

WHEREAS the Town of Carmel and the County of Putnam wish to enter into an Intermunicipal agreement pursuant to the provisions of Article 5-G of the New York General Municipal Law for the purposes of the administration of electrical inspections by the County of Putnam, its agents and/or contractors within the Town of Carmel for the term commencing immediately and continuing through December 31, 2020; and

WHEREAS a copy of said proposed Intermunicipal Agreement is on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to enter into and execute, on behalf of the Town, the Intermunicipal Agreement with the County of Putnam in form and substance as is currently on file in the Office of the Town Supervisor and to transmit such executed agreement(s) to the County of Putnam thereafter for countersignature.

**Resolution** 

Councilman Lombardi			
Councilwoman McDonough			
YES	NO		
Х			
		Absent	
Х			
Х			
Х			
	woman McD YES X X	woman McDonough    YES  NO    X	

### SETTLEMENT OF LITIGATION AUTHORIZED - "RICH PAT, LLC VS. THE TOWN OF CARMEL" - TAX ASSESSMENTS FOR THE PROPERTY KNOWN AND DESIGNATED TAX MAP NO. 75.20-2-5

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 1741/2013, 1234/2014 and 1526/2015, certain lawsuits entitled "Rich Pat, LLC vs. The Town of Carmel" regarding the tax assessments for the property known and designated Town of Carmel Tax Map No. 75.20-2-5; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glen Droese, Town Assessor, and special counsel Richard Blancato, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that Special Counsel Richard Blancato is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

**Resolution** 

Frank Lombardi Kenneth Schmitt

Offered by:	Council	Councilwoman McDonough			
Seconded by:	Council				
<u>Roll Call Vote</u> Jonathan Schn	aidar	YES X	NO		
John Lupinacci				Absent	
Suzanne McDo	onough	X			

# BUILDING DEPARTMENT AND ASSESSOR'S OFFICE - PURCHASE OF COPIERS AUTHORIZED - (2) RICOH CONFIGURABLE PTO COPIER/SCANNER MODELS -NOT TO EXCEED \$5,156.00

WHEREAS, the Town Board had previously authorized the solicitation of proposals for the replacement of copying and scanning machinery equipment in the Town of Carmel Building Department and Assessor's office; and

WHEREAS, said proposal has been received and reviewed by the Office of the Town Comptroller and input has been solicited and received from the Town of Carmel's Internet Technology Consultant, Sullivan Data Management;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the purchase of two (2) Ricoh Configurable PTO Copier/Scanner Models at a cost not to exceed \$5,156.00;

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to sign all necessary documents to purchase said equipment at the terms and conditions set forth herein; and

BE IT FURTHER RESOLVED that the Town Comptroller MaryAnn Maxwell is hereby authorized to make any and all necessary budget revisions to effect the aforesaid lease transactions.

# THE WEEK OF MAY 2<sup>nd</sup> THROUGH MAY 8<sup>th</sup> 2016 DESIGNATED AS TOWN OF CARMEL COMMUNITY CLEAN-UP AND CODE COMPLIANCE WEEK

RESOLVED that the Town Board of the Town of Carmel hereby declares the week of May 2<sup>nd</sup> through May 8<sup>th</sup> 2016 as "Community Clean-up and Code Compliance Week" in the Town of Carmel and

BE IT FURTHER RESOLVED THAT the Town Board hereby urges all citizens of the Town to utilize those weeks to engage in clean-up activities which will help to fulfill the common goal of all the citizens of the Town to live in a community that is litter and clutter free and

BE IT FURTHER RESOLVED the Town Board hereby further urges all citizens of the Town to also utilize those weeks to engage in an effort to promote and demonstrate compliance with the provisions of the Town of Carmel Town Code, specifically with those chapters entitled "Garbage, Rubbish and Refuse" (Chapter 95); "Noise" (Chapter 104); "Property Maintenance" (Chapter 114); "Vehicles, Abandoned or Junked" (Chapter 145) and "Zoning" (Chapter 156).

Councilm	nan Lombai	di	
Councilw	/oman McD	onough	
	YES	NO	
Jonathan Schneider			
			Absent
nough	X		
i	X		
tt	X		
	Councilw	Councilwoman McD eider <u>YES</u> nough <u>X</u> i X	eider <u>X</u> nough <u>X</u> i <u>X</u>

# PUBLIC COMMENTS - AGENDA ITEMS

No member of the public wished to comment at this time.

### **TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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

### **PUBLIC COMMENTS - OPEN FORUM**

No member of the public wished to comment at this time.

### **TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Councilwoman McDonough announced that the Town of Carmel Recreation and Parks Department will be hosting its 1<sup>st</sup> annual community tag sale at Sycamore Park on April 23, 2016 from 8:00 a.m. to 2:00 p.m. Spaces are still available for rent. Further information can be obtained on the Recreation and Parks Department's website or by calling their office.

Councilwoman McDonough announced that Richard Duffy of Boy Scouts of America Troop 271 will be hosting a buffet dinner fundraiser in connection with his proposed Eagle Scout project on May 19, 2016 at the American Legion Hall in Mahopac.

Councilman Schneider announced that the Putnam County Household Hazardous Waste Collection Day will be held on May 7, 2016 at Fahnestock Park in Kent. A complete list of acceptable and unacceptable items as well as information about waste disposal options is available on Putnam County's website or obtained through the Putnam County Department of Health.

(Cont.)

Councilman Lombardi announced that the Town of Carmel Recreation and Parks Department is hosting a Battle of the Bands at Sycamore Park on May 14, 2016 from 3:00 p.m. to 7:00 p.m. Performers must be between the ages of 15 - 20 years old. Further information can be obtained on the Recreation and Parks Department's website or by calling their office.

Supervisor Schmitt announced that hydrant flushing for Carmel Water Districts #2, #3 and #12 has begun. Further information and a schedule of dates for each road are available on the Town of Carmel website or the government cable television channels.

Supervisor Schmitt announced that the Town Board Work Session scheduled for April 27, 2016 will be held at 7:00 p.m. at the Carmel Fire House on Vink Drive.

Supervisor Schmitt reminded residents that April, 2016 is Teen Driver Safety Awareness Month.

Supervisor Schmitt reiterated that in an effort to improve the quality of life for residents, the Town of Carmel is sponsoring a roadside litter cleanup and compliance week. From May 2<sup>nd</sup> through May 8<sup>th</sup> 2016, volunteers are urged to pick up roadside litter and leave the bags on the shoulder of the road for pick up by the Highway Department. Free orange bags are available at the Highway Department.

# ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all Town Board members present in agreement, the meeting was adjourned at 7:45 p.m. to Executive Session with Town Assessor Glenn Droese in regard to a contractual and personnel matter.

Respectfully submitted,

Ann Spofford, Town Clerk