

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 4th day of May, 2016 at 7:12 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi 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 especially Navy Seal, Charles Keating who was recently killed in Iraq.

MINUTES OF TOWN BOARD MEETING HELD ON APRIL 20, 2016 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on April 20, 2016 were accepted as submitted by the Town Clerk.

HIGHWAY DEPARTMENT – PURCHASE OF HOT IN-PLACE RECYCLING HEATER SCARIFICATION OF EXISTING ASPHALT PAVEMENT SERVICES FROM HIGHWAY REHABILITATION CORP., BREWSTER, NY – AUTHORIZED

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the purchase of Hot in-place Recycling Heater Scarification of Existing Asphalt Pavement services from Highway Rehabilitation Corp., Brewster, NY in accordance with Putnam County Bid RFB54-15 for a period commencing immediately and concluding November 30, 2016.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

HIGHWAY DEPARTMENT – PURCHASE OF TWO (2) 2017 MACK GRANITE GU712 CHASSIS WITH DUMP BODY AND PLOW EQUIPMENT FROM BEAM MACK SALES AND SERVICE, E. SYRACUSE, NY – AUTHORIZED

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, and pursuant to 2016 Capital Equipment purchase authorization for the Town of Carmel Highway Department, hereby authorizes the purchase of two (2) 2017 Mack Granite GU712 Chassis with Dump Body and Plow Equipment, in accordance with Onondaga Contract #7823 from Beam Mack Sales and Service, E. Syracuse, NY at a cost not to exceed \$243,073.23 per unit; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder on the terms authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all budget modifications necessary to effectuate the purchase authorized hereunder.

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Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schneider

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

ASSESSOR'S OFFICE – SCOTT MCMILLAN AND CHRISTOPHER PALEO TO ATTEND ASSESSMENT ADMINISTRATION AND DATA COLLECTION COURSES ON APRIL 28, 2016 AND MAY 3, 2016 IN WHITE PLAINS, NY - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Scott McMillan and Christopher Paleo of the Office of the Town Assessor to attend the Assessment Administration and Data Collection courses offered by the New York State Office of Real Property Services on April 28, 2016 and May 3, 2016 in White Plains, NY; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

REFUND OF ZONING BOARD OF APPEALS APPLICATION FEE TO JONATHAN SCHNEIDER FOR TM# 64.15- 1-37 - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the refund of the application fee submitted to the Zoning Board of Appeals for in the amount of \$450.00 to Jonathan Schneider for TM# 64.15-1- 37.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Supervisor Schmitt

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Jonathan Schneider	<u> </u>	<u> </u>	Abstain
John Lupinacci	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Prior to the offering of the resolution Councilman Schneider recused himself and left the bench. He returned after the roll call vote.

REQUEST FOR PROPOSALS FOR PURCHASE AND INSTALLATION OF NEW TELEPHONE SYSTEM - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Assistant to Town Board, Anne Pasquerello and the Town of Carmel IT Consultant, Glenn Sullivan of Sullivan Data, to request proposals for the purchase and installation of a new telephone system for Town of Carmel Town Hall, Town of Carmel Police Department, Town of Carmel Highway Department and Town of Carmel Department for Recreation and Parks.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

LAKE CASSE PARK DISTRICT – MAILING OF QUARTERLY NEWSLETTER - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Casse Park District, hereby authorizes the mailing to all properties within the district of the quarterly newsletter prepared by the Lake Casse Park District Committee and that the cost thereof be charged as a district expense.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

LAKE SECOR PARK DISTRICT – MAILING OF QUARTERLY NEWSLETTER - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Secor Park District, hereby authorizes the mailing to all properties within the district of the quarterly newsletter prepared by the Lake Secor Park District Committee and that the cost thereof be charged as a district expense.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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LAKE SECOR PARK DISTRICT – RATES SET FOR LIFEGUARDS IN 2016

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Secor Park District, hereby sets the following rates for Lifeguards in 2016.

POSITION	MAXIMUM RATE OF PAY
Head Lifeguard	\$20.00/hr
Lifeguard	\$14.50/hr
Lifeguard – Two Years	\$12.00/hr
Junior Lifeguard	\$10.00/hr

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

RECREATION AND PARKS DEPARTMENT – PROPOSAL OF ELAVON OF ATLANTA, GEORGIA TO PROVIDE CREDIT CARD PROCESSING SERVICES UTILIZING THE CAPTUREPOINT COMMUNITYPASS SYSTEM - ACCEPTED

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Director of Recreation and Parks James R. Gilchrist, hereby accepts the proposal of Elavon, of Atlanta, GA, in conjunction with Tompkins Mahopac Bank, to provide credit card processing services utilizing the Capturepoint Communitypass system in accordance with the terms and conditions of the proposal dated April 19, 2016; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder on the terms authorized herein

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

RECREATION AND PARKS DEPARTMENT – PURCHASE OF PAVERS FOR CAMARDA PARK FROM MAHOPAC BUILDING MATERIALS, MAHOPAC, NY - AUTHORIZED

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Director of Recreation and Parks James R. Gilchrist, hereby authorizes the purchase of pavers for Camarda Park from Mahopac Building Materials, Mahopac, NY at a cost not exceed \$7,471.00; and

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BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder on the terms authorized herein; and

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schneider and Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt explained that the pavers were for the new building and the area around it at Camarda Park. He noted that volunteers from Carmel Sports Association were involved with the work there and thanked them for their participation.

LAKE SECOR PARK DISTRICT – PURCHASE OF PLAYSET FROM BEST IN BACKYARDS, MAHOPAC, NY - AUTHORIZED

RESOLVED, that the Town Board of the Town of Carmel, acting as commissioners of the Lake Secor Park District, and upon the recommendation of Director of Recreation and Parks James R. Gilchrist, hereby authorizes the purchase of a playset for the Lake Secor Park District from Best in Backyards, Mahopac, NY at a cost not to exceed \$4,998.00; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt his hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder on the terms authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all budget modifications necessary to effectuate the purchase authorized hereunder.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

TOWN OF CARMEL PROCUREMENT POLICY AMENDED

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby amends the Procurement Policy which is attached hereto and made a part of hereof and designates the Town Comptroller’s Office to distribute the policy to all department heads; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby designates the responsible purchasing agents and titles as set forth within the aforesaid policy.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt explained that they may be amending the policy again at a future date.

TOWN OF CARMEL

PROCUREMENT POLICY AND PROCEDURES

(Revised December 2015)

The following sets forth the policies and procedures of the Town of Carmel to meet the requirements of General Municipal Law, (GML) Sections 103 and 104.

PURPOSE

Goods and services which are required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, and to guard against favoritism, improvidence, extravagance, fraud and corruption. The Purchasing Policy confirms the commitment of The Town of Carmel to ensure that its purchases of goods and services are made legally, fairly, prudently, competently, and at the lowest possible cost offered by responsible vendors. This Purchasing Policy, General Municipal Law Sections 103 and 104, and the State Comptroller's Financial Management Guide subsection 8, provide guidance to those involved in the purchasing process. The Town of Carmel adopts the following Purchasing Policy statements in accordance with Section 104b of the General Municipal Law (GML).

I. ANALYZE THE PROPOSED PROCUREMENT/PURCHASE

Generally, the official(s) responsible for making the particular procurement will make the initial determination of whether competitive bidding is required as follows:

- Determine whether it is expected that over the course of the fiscal year, the Town will spend in excess of the competitive bidding thresholds for the same or similar items or services.
- Determine whether an item is available under State or County contract.
- For legal issues regarding the applicability of competitive bidding requirements, verify with the Town Legal Counsel, as appropriate
- In the case of an emergency, determine that the statutory criteria are met (see GML, §102[4])
- In the case of a lease, determine that a document is a true lease and not an installment purchase contract
- In the case of a sole source, determine that the item is required in the public interest, has no reasonable equivalent and is in fact available only from one source.
- In the case of a combination of professional services and a purchase, determine whether the professional service is the predominate part of the transaction and is inextricably integrated with the purchase.

CATEGORIES OF PROCUREMENTS/PURCHASING

This chart identifies the procurement/purchasing categories subject to the Competitive Bidding Requirements of Section 103 GML or the Town Procurement Policy required by Section 104-b GML and where further information can be found.

Procurement Category	Subject to Competitive Bidding (§103)	Procurement Policy (§104-b)	Reference Law
Purchase and Public Works Contracts:			
1. Purchase Contract – Above \$20,000	X		103 GML
2. Purchase Contract – Below \$20,000		X	104 GML
3. Contract for Public Work – Above \$35,000	X		103 GML
4. Contract for Public Work – Below \$35,000		X	104 GML
Procurement Exempt from GML §103 and §104-b			
5. Agencies for Blind or Severely Handicapped, etc.		X	175-b SFL
6. Correctional Institutions		X	184 CL
7. State Contract		X	104 GML
8. County Contract		X	103(3) GML
Procurement Exempt from GML §103 and 104b			
9. Emergencies (See section below)		X	103(4) GML
10. Sole Source (See section below)		X	103(4) GML
11. Professional Services		X	103(4) GML
12. True Leases		X	103(4) GML
13. Insurance		X	103(4) GML
14. Second-Hand Equipment from Another Government		X	103(6) GML

Statutory Exceptions from These Policies and Procedures. Exceptions include procurements made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veteran’s workshops), and Correction Law, Section 186 (articles manufactured in correctional institutions).

EMERGENCIES. There are three basic statutory criteria to be met within this exception. These are

- (1) the situation arises out of an accident or other unforeseen occurrence or condition;
- (2) the circumstance affects public building, public property or the life, health, safety or property of the political subdivision’s residents; and
- (3) the situation requires immediate action which cannot await competitive bidding.

Sole Source. With this exception, the town employee should document the unique benefits of the item as compared to other items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace.

In addition, the responsible town employee must document that, there is no possibility of competition for the procurement and there is a sole source provider.

II. METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENTS

The Town Board of the Town of Carmel requires that the method to be used for seeking competition depends on the amount and type of procurement listed in the following chart.

TYPE AND AMOUNT OF PROCUREMENT	VERBAL QUOTES		WRITTEN QUOTES AUTHORIZING RESOLUTION REQUIRED	OFFICIAL RFPS	EXCEPT EXEMPT
	0	3	3		
Purchase Contracts Below \$20,000					
200 – 999	X				
1,000 – 4,999		X			
5,000 – 9,999			X		
10,000 – 19,999				X	
Public Work Contracts Below \$35,000					
Under 1,000	X				
1,000 – 4,999		X			
5,000 – 19,999			X		
* 20,000 – 34,999				X	
Emergencies					X
Insurance					X
Professional Services				X	X
True Leases					X
Second-Hand Equipment from other Govts.					X
Sole Source Providers					X

* NOTES: THE TOWN WILL CONTINUE TO MONITOR PUBLIC WORK CONTRACTS FOR COMPETITIVE PRICING IN THE BID CATEGORY \$20,000 – \$34,999; FOR EXEMPTIONS, OFFICIAL REQUESTS FOR PROPOSALS (RFP’S) ARE STILL ENCOURAGED.

General Municipal Law, Section 104-b, subdivision 2, paragraph (b) requires that alternative proposals for goods and services be secured by the responsible employee by use of written requests for proposals, written quotations, verbal quotations or any other methods which further the objectives of Section 104-b.

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III. DOCUMENT ACTIONS TAKEN

With respect to any Purchase Contract or Public Works Contract requiring verbal or written quotes pursuant to this policy, all quotes received must be submitted to the Comptroller's Office for review prior to any purchase or commencement of any public work.

Any purchase or public works contract \$4,999.00 or below in value, as well as certain purchase contracts and/or public works contracts for Highway Department, may be authorized for payment by General Resolution of the Town Board upon Audit and Review by the Town Comptroller.

Documentation of actions taken shall include board resolutions, memoranda, written quotes, telephone logs for verbal quotes, requests for proposals, contracts and other appropriate forms of documentation.

Distinguish between contracts for public works and purchase contracts. In general, purchase contracts involve the acquisition of commodities, materials, supplies or equipment, while contracts for public work

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involve services, labor or construction. Each procurement must be reviewed on a case-by-case basis and a determination made as to what kind of contract is involved.

For other items not subject to competitive bidding, such as professional services, emergencies, purchases under State or County contracts or procurements from sole sources, documentation could include a memo to the files which details why the procurement is not subject to competitive bidding and include:

- a description of the facts giving rise to an emergency and a statement of how the situation meets the statutory criteria
- a description of the particular professional services and a statement of what general criteria apply
- copies of state or county contracts
- opinions of the municipal attorney
- a description of sole source items and how such determinations were made.

Verbal Quotations. The responsible employee should record at a minimum: date, item or service desired, price quoted, name of vendor, name of vendor's representative.

Written or Fax Quotations. Vendors should provide at a minimum: date, description of item or details of service to be provided, price quoted, name of contact.

Requests for Proposals. Public notice and a minimum number of professionals are contacted directly asking for the submission of written proposals. A request for proposals and evaluation of proposals should consider price plus other factors like experience, staffing and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the Town.

NOTE:* TOWN LEGAL COUNSEL SHOULD REVIEW RFPS AND CONTRACTS TO BE EXECUTED WITH THE FIRM SELECTED.

IV. PROCUREMENT FROM OTHER THAN LOWEST RESPONSIBLE DOLLAR OFFERED

Whenever any contract is awarded to other than the lowest responsible vendor or contractor there must be justification and documentation of the reason why the purchase is in the best interest of the Town and otherwise furthers the purposes of Section 104-b.

For example, if a vendor submitting the lowest proposal has a history of not making deliveries on time or of delivering goods of inferior quality, such facts might be justification for taking other than the lower offer, but such decision must be documented with facts.

V. GOVERNING BOARD EXCEPTIONS

The Town Board sets forth the following circumstance where types of procurements for which it would not be in the best interests of the Town to solicit alternative proposals or quotations:

- emergencies where time is a crucial factor
- procurements for which there is no possibility of competition (sole source items)
- very small procurements for which solicitations of competition would not be cost effective.

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VI. INPUT FROM OFFICERS INVOLVED IN PROCUREMENT

Comments concerning the policies and procedures shall be solicited from officers of the Town of Carmel therein involved in the procurement process from time to time, to be used in amending the policy when circumstances warrant changes.

VII. UPDATING THE POLICIES AND PROCEDURES

The Town Board shall annually review these policies and procedures. The Comptroller's Office shall be responsible for conducting an annual review of the Procurement Policy and for evaluation of the internal control structure established to ensure compliance with the procurement policy.

VIII. UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to fully comply with the provisions of General Municipal Law Section 104-b shall not be grounds to avoid action taken or give rise to a cause of action against the Town of Carmel or any officer or employee thereof.

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IX. RESPONSIBLE PURCHASING AGENTS – NAMES AND TITLES

Pursuant to Chapter 402 of the Laws of 2007, effective January 1, 2016, as required under Section 104 of the NYS General Municipal Law, the Town is including the names of the municipal officials responsible for purchasing decisions, as follows:

<u>Position Title</u>	<u>Position Incumbent</u>
Town Supervisor	Kenneth Schmitt
Town Board	Frank Lombardi
Town Board	Suzanne McDonough
Town Board	John Lupinacci
Town Board	Jonathan Schneider
Town Justice	Joseph Spofford
Town Justice	Thomas Jacobellis
Court Clerk	Patricia Genna
Comptroller	Mary Ann Maxwell
Town Assessor	Glenn Droese
Town Clerk	Ann Spofford
Deputy Town Clerk	Phyllis Bourges
Receiver of Taxes	Kathleen Kraus
Deputy Receiver of Taxes	Gary Kiernan
Town Civil Engineer	Richard Franzetti
Town Engineering Project Coordinator	Robert Vara
Principal Clerk	Eileen Brennan
Highway Superintendent	Michael Simone
Deputy Highway Superintendent	Robert Erickson
Chief of Police	Michael Cazzari
Lieutenant	Brian Karst
<u>Lieutenant</u>	<u>John Dearman</u>
Codes Enforcer	Michael Camazza
Director of Parks and Recreation	James Gilchrist

X. REIMBURSEMENT FOR EXPENSES \$15.00 OR LESS

From time to time a department head or employee attends a town business function or makes a minor purchase for which they lost a receipt, did not receive a receipt or forgot to obtain a receipt. Documentation representing what was paid for, how much was paid for it, that it was for town business, and the signature of the claimant verifying such will be acceptable in lieu of a receipt. The town reserves the right to reject such claim if claims lacking receipts become more frequent, or if it becomes known that receipts are readily available. Original receipts should be attached to claims for reimbursement whenever possible: regardless of the dollar amount.

STANDARD WORKDAY AND REPORTING FOR FIRE INSPECTOR, SENIOR OFFICE ASSISTANT, HEALTH OFFICER, GATE GUARD AND TOWN ENGINEER ESTABLISHED

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby establishes the following as standard workdays for Fire Inspector, Senior Office Assistant, Health Officer, Gate Guard and Town Engineer, and will report the employees to the New York State and Local Employees’ Retirement System based on the time keeping system records or their record of activities maintained and submitted by these employees to the Town Clerk as submitted on the attached “Standard Work Day and Reporting Resolution for Employees” form RS 2418 from the New York State and Local Retirement System.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

Standard Work Day
Resolution for Employees*
RS 2418
(Rev. 7/11)

BE IT RESOLVED, that the Town of Carmel, Location code 30088, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Gate Guard	6.00
Health Officer	8.00
Fire Inspector	8.00
Senior Office Assistant	8.00
Town Engineer	8.00

On this _____ day of _____, 20____

(Signature of clerk) Date enacted: _____

I, _____, clerk of the governing board of the _____
(Name of Employer)
of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
Set my hand and the seal of the

(Name of Employer)



*To be used for all employees. Please list Elected and Appointed Officials on the form (RS2417-A) Standard Workday and Reporting Resolution for Elected and Appointed Officials.

See Instructions for Completing Form on Back

SEQR REVIEW IN REGARDS TO THE IMPROVEMENTS TO BE PERFORMED IN THE LONG POND ROAD IMPROVEMENT DISTRICT

Gregory Folchetti, Legal Counsel, along with the Town Board, reviewed the following State Environmental Quality Review Short Environmental Assessment Form:

***Short Environmental Assessment Form
Part 1 - Project Information***

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information
Town of Carmel, New York
Name of Action or Project: Long Pond Road Improvement District Roadway Reconstruction Project
Project Location (describe, and attach a location map): See Figures 1 and 2 (attached) for project site location.
Brief Description of Proposed Action: See attached project description.

**MAY 4, 2016
TOWN BOARD MEETING**

Name of Applicant or Sponsor: Town of Carmel, New York		Telephone: 845-628-1500	
Address: 80 McAlpin Avenue		E-Mail: ks@ci.carmel.ny.us	
City/PO: Mahopac		State: New York	Zip Code: 10541
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: - NYCDEP Land Occupancy Permit - Coverage under NYSDEC Stormwater General Permit GP-0-15-002		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? 2.82 acres			
b. Total acreage to be physically disturbed? 0.97 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.74 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

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5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Local Wetlands +/- 320 square feet			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
Existing roadside swales and culvert piping will continue to convey stormwater runoff upon completion of roadway reconstruction activities.			

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18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Kennerly Schmitt, Supervisor</u> Date: <u>12/9/2015</u>		
Signature: <u>[Signature]</u>		

Agency Use Only (If applicable)

Project: _____

Date: _____

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Agency Use Only (If applicable)

Project: _____

Date: _____

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<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.
Town of Carmel, New York	
Name of Lead Agency	12/9/15
Kenneth Schmitt	Supervisor
Print or Type the 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)

PRINT FORM

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SEQR DETERMINATION OF SIGNIFICANCE IN REGARDS TO THE IMPROVEMENTS TO BE PERFORMED IN THE LONG POND ROAD IMPROVEMENT DISTRICT – NEGATIVE DECLARATION

WHEREAS the Town Board of the Town of Carmel has reviewed the short form EAF and attachments prepared and submitted by Town Engineering Consultant John E. Folchetti, P.E., in regard to the proposed improvements to be performed and constructed in connection with the establishment and physical improvement of the Long Pond Road Improvement District (the “Project”); and

WHEREAS, as a result of its review, the Town Board has determined the Project is an unlisted action under SEQR; and

WHEREAS, on December 16, 2015, by resolution duly passed at a regularly held meeting of said Board, in the accordance with the provisions of 6NYCRR Part 617, the Town Board of the Town of Carmel did declare its intent to act as Lead Agency for the SEQRA Review in the bidding and construction of the capital improvements of this Unlisted Action, and in this capacity, and

WHEREAS, the aforesaid Notice of Intention to Act as Lead Agency, together with a draft Short Form Environmental Assessment Form was circulated to all involved agencies; and

WHEREAS, all involved agencies were given opportunity to comment on said Declaration, and the Town Board of the Town of Carmel and its Engineering Consultant have reviewed and addressed all comments made by involved agencies in connection with the Project; and

WHEREAS the Town Board has completed Part II of the Environmental Assessment form and assessed the projected impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, hereby determines that, based on the information contained in the Short Form EAF and their analysis thereof, the proposed Project will not result in any significant adverse environmental impacts under the SEQR regulations and hereby adopts a Negative Declaration in regard to the proposed action; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute the Short Form Environmental Assessment Form prepared herein.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schneider

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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

Project Number _____

Date May 4, 2016

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:

Formation of Long Pond Road Improvement District pursuant to §200 of the New York Town Law and construction of physical improvements to certain roadways within the established district.

SEQR Status:

Type I ☐ Unlisted ☒

Conditioned Negative Declaration: Yes ☐ No ☒

Description of Action:

The proposed action involves the formation of a Road/Highway Improvement District within the Long Pond Road area of the Town of Carmel and performance of road improvements and the installation of minor drainage improvements on approximately 7500 linear feet of existing private roads in the proposed district. The purpose of the action is to protect and enhance the public health and welfare of the residents of the Town of Carmel by providing traveled ways for use within the Town which are safer for use and passage as well as in a greater degree of relative compliance to existing Town Road construction specifications.

SEQR Negative Declaration

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

Hillside Drive, Highland Road, Cross Drive, Clearview Road, Rosemarie Lane, Garcia Trail, Birch Hill and Pleasant Road, in the Town of Carmel, Putnam County, New York.

REASONS SUPPORTING THIS DETERMINATION:

The purpose of the action is to protect and enhance the public health and welfare of the residents of the Town of Carmel by providing traveled ways for use within the Town which are safer for use and passage as well as in a greater degree of relative compliance to existing Town Road construction specifications. Capital improvements proposed for said roads are merely improvements to already existing private roads and not the clearing, excavating and construction of new road and/or appurtenances.

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

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.

OPEN FORUM - PUBLIC COMMENTS

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

OPEN FORUM – TOWN BOARD COMMENTS

Councilwoman McDonough announced that the Town of Carmel Recreation and Parks Department 2016 Summer Camp Registration is taking place until May 27, 2016 at Sycamore Park from 9:00 AM to 4:00 PM.

Supervisor Schmitt announced that there will be a "Battle of the Bands" on May 14, 2016 at Sycamore Park from 3:00 PM to 7:00 PM. All bands must be registered to participate.

Supervisor Schmitt also announced that this week is Town of Carmel Clean-up and Compliance week and that orange garbage bags are available from the Highway Department as are pickers and safety vests. He asked residents to please help out with this event to clean-up and beautify the town.

Supervisor Schmitt noted that the Building Inspector and Codes Enforcement Officer will be out removing illegal signs. He reminded everyone that no signs are to be placed in the right of way and that the signs are only allowed on private property with the permission of the owner.

Councilwoman McDonough announced that on May 19, 2016 at 6PM there will be a fundraising event for an Eagle Scout project at the American Legion.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members present and in agreement, the meeting was adjourned at 7:45 p.m. to executive session to discuss three matters of personnel.

Respectfully submitted,

Phyllis Bourges, Deputy Town Clerk