

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 Tuesday the 19<sup>th</sup> day of September 2017 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 and Supervisor Schmitt. Councilman Lombardi was absent.

The Pledge of Allegiance to the Flag was observed 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 9/6/17- ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Schneider, seconded by Councilman Lupinacci, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on September 6<sup>th</sup> 2017 were accepted as submitted by the Town Clerk.

**PROPOSAL ACCEPTED FOR MUNICIPAL PARKING PLANNING SERVICES AND STUDY - WALKER PARKING CONSULTANTS - NOT TO EXCEED \$24,000.00**

RESOLVED THAT the Town Board of the Town of Carmel, hereby accepts the proposal of Walker Parking Consultants, New York, NY for the performance of a study concerning the provision of municipal parking in the downtown Mahopac area, in accordance with the proposal of September 8, 2017 and at a cost not to exceed \$24,000.00; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: Councilman Schneider  
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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>          </u>	<u>          </u>	Abstain

Prior to the offering of the resolution by Councilman Schneider, Supervisor Schmitt offered a motion to table the resolution so that the matter could be researched and discussed further. No second was offered. Therefore Supervisor Schmitt moved forward with the consideration of the resolution.

At the conclusion of the roll call vote, Supervisor Schmitt explained that his abstention was not due to his lack of support of the proposal, only that he was not ready to award it at this time.

**NOTICE REQUIREMENT WAIVED - SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE - M&M IZABELLA, LLC DBA AESOPS FABLE**

WHEREAS, the representatives and/or proprietors of M&M Izabella, LLC, dba Aesops Fable, 825 South Lake Boulevard, Mahopac, NY have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

19 SEPTEMBER 2017  
TOWN BOARD MEETING

(Cont.)

WHEREAS, the notice required by Article 5 of the Alcohol Beverage Control 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 Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

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

Resolution

Offered by: Councilman Lupinacci

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>          </u>	<u>          </u> Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>

**LAKE CASSE PARK DISTRICT - MAILING OF 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 of the September 2017 newsletter as prepared by the Lake Casse Park District Committee to all properties within the district and further directs that the cost thereof be charged as a district expense.

Resolution

Offered by: Councilwoman McDonough

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>          </u>	<u>          </u> Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>

**LAKE MAHOPAC PARK DISTRICT - MAILING OF NEWSLETTER AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Mahopac Park District, hereby authorizes the mailing of the 2017 newsletter as prepared by the Lake Mahopac Park District Advisory Committee to all properties within the district and further directs that the cost thereof be charged as a district expense.

Resolution

Offered by: Councilman Schneider

Seconded by: Councilman Lupinacci

19 SEPTEMBER 2017  
TOWN BOARD MEETING

(Cont.)

<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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**HIGHWAY DEPARTMENT - EXTENSION OF CONTRACT FOR WASTE WOOD PROCESSING AUTHORIZED - TRI-STATE FORESTRY, INC.**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the extension of the contract for waste wood processing with Tri-State Forestry, Inc., as previously authorized by the Town Board by resolution passed on December 17, 2014, said extension being at the terms and conditions contained therein through and including December 17, 2017.

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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**HIGHWAY DEPARTMENT - CONTRACT AWARDED FOR PURCHASE OF BULK ROAD SALT - MORTON SALT, INC.**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the award of bid contract for purchase of bulk road salt for the Town of Carmel Highway Department for the period commencing retroactive to September 1, 2016 through August 31, 2018 to Morton Salt, Inc., Chicago, IL under Putnam County Office of Purchasing Contract No. PC67022 at the price of \$82.48 per ton.

Resolution  
Offered by: Councilwoman McDonough  
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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**HIGHWAY DEPARTMENT - MICROSURFACING SERVICES CONTRACT AWARDED - GORMAN BROTHERS, INC.**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the awarding of contract for Town of Carmel Microsurfacing Services on Town Roads to Gorman Brothers, Inc., Albany, NY for the period of April 1, 2016 through March 31, 2018 under Putnam County Contract #PC67365.

19 SEPTEMBER 2017  
TOWN BOARD MEETING

(Cont.)

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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**POLICE DEPARTMENT - APPLICATION FOR EDUCATIONAL STIPEND  
APPROVED - P.O. BRIAN DETZ**

RESOLVED that the Town Board of the Town of Carmel hereby approves the payment of Education Stipend for P.O. Brian Detz (Bachelor of Business Administration at College of Westchester) in the sum of \$900.

Resolution  
Offered by: Councilman Lupinacci  
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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

Councilman Lupinacci noted that the payment of the education stipend is a provision of the PBA contract.

**ATTENDANCE AT NEW YORK STATE ASSESSOR’S CONFERENCE AUTHORIZED  
- GLENN DROESE, ASSESSOR - 10/1/17 THROUGH 10/4/17**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Assessor, Glenn Droese, to attend the New York State Assessor’s Conference offered by the New York State Assessors Association, in Lake Placid, NY, on October 1, 2017 through October 4, 2017; 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: Councilwoman McDonough  
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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

19 SEPTEMBER 2017  
TOWN BOARD MEETING

**ATTENDANCE AT LOWER HUDSON COALITION OF CONSERVATION DISTRICTS  
CONFERENCE AUTHORIZED - RICHARD J. FRANZETTI, P.E., TOWN ENGINEER,**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Engineer Richard J. Franzetti, P.E. to attend the Southeast NY Stormwater Conference offered by the Lower Hudson Coalition of Conservation Districts in Beacon, NY, on October 18, 2017; 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 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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

**BID AWARDED FOR PURCHASE AND MAINTENANCE OF A 2017 FORD  
EXPLORER VEHICLE - PARK FORD - NOT TO EXCEED \$39,411.00**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for the purchase and maintenance of a 2017 Ford Explorer vehicle in addition to the Town vehicle fleet; and

WHEREAS such bids were received and opened on September 7, 2017; and

WHEREAS Town Engineer Richard J. Franzetti, P.E. has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for one (1) 2017 Ford Explorer XLT 4WD vehicle to Park Ford, Mahopac, NY at a cost not to exceed \$39,411.00.

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>          </u>	<u>          </u>	Absent
Kenneth Schmitt	<u>X</u>	<u>          </u>	

Councilman Lupinacci indicated that the funds are available at present to effectuate the purchase of the vehicle.

**MUNICIPAL SEWAGE SYSTEM ASSET MANAGEMENT (MSSAM) PILOT  
PROGRAM CHARTERING DOCUMENT - ADOPTED**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby adopts the Municipal Sewage System Asset Management Pilot Program Document dated August 2017, as prepared by the New York State Environmental Facilities Corporation, a copy of which is on file in the Office of the Town Supervisor.

## Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Schneider

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

**LONG POND ROAD IMPROVEMENT DISTRICT ROADWAY RECONSTRUCTION**  
**PROJECT - CONTRACT NO. C238 - CHANGE ORDER #2 AUTHORIZED**

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Landscape Unlimited, Inc.; and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has recommended that the Town Board approve Change Order #2 to the aforesaid contract;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Change Order #2 to the aforementioned contract, resulting in an overall increase to contract price in the amount of \$19,910.00, in form as attached hereto and made a part hereof.

## Resolution

Offered by: Councilman Schneider  
Seconded by: Councilman Lupinacci

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

## CHANGE ORDER

No. 2

LONG POND ROAD DEDICATON - C238

**DATE OF ISSUANCE****EFFECTIVE DATE**

OWNER	Town of Carmel
-------	----------------

**OWNER's Contractor No. C238**

**CONTRACTOR:** Landscape Unlimited.

**ENGINEER:** Carmel Engineering Department

**You are directed to make the following modifications:**

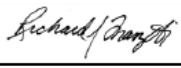
**Description:**

**Reason for Change Order:** The bid quantity for asphalt pavement (Bid Item 2A1) was 2300 tons, to be purchased from the Town supplier at prices awarded under Town Highway Department bid by Town Board resolution on April 19, 2017. Installation of asphalt pavement commenced on June 22, 2017 and concluded on June 26, 2017. During that period 127 truckloads of asphalt were purchased at the Peckham plants located in Carmel & Bedford, delivered to the jobsite and installed by the contractor. The total volume of asphalt purchased was 2513.46 tons, as reflected in the trip tickets contained in the project record.

**Attachments:**

19 SEPTEMBER 2017  
TOWN BOARD MEETING

(Cont.)

<b>CHANGE IN CONTRACT PRICE:</b> Original Contract Price  \$847,395.00	<b>CHANGE IN CONTRACT TIMES:</b> Original Contract Times  Substantial Completion: _____ Ready for final payment: _____	
Net changes from previous Change Orders No. 1 \$16,000.00 \$ _____	Net change from previous Change Orders No. to No. _____ _____ days	
Contract Price prior to this Change Order  \$ 863,395.00	Contract Times prior to this Change Order  Substantial Completion: _____ Ready for final payment: _____	
Net Increase (decrease) of this Change Order \$ 19,910.00 \$ _____	Net Increase (decrease) of this Change Order _____ days	
Contract Price with all approved Change Orders \$ 883,305.00 _____	Contract Times with all approved Change Orders  Substantial Completion: _____ Ready for final payment: _____ days or dates	
RECOMMENDED:	ACCEPTED:	APPROVED:
By:  Engineer (Authorized Signature)	By: _____ Contractor (Authorized Signature)	By: _____ Owner (Authorized Signature)
Date: 09-08-17	Date: _____	Date: _____

**RESOLUTION ACCEPTING PROPOSAL FOR ENGINEERING SERVICES - CARMEL WATER DISTRICT #9 - TABLED**

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #9, hereby accepts the proposal of J. Robert Folchetti Associates, LLC of Brewster, NY for the services required in connection with the construction and performance of Carmel Water District #9 distribution system upgrades, including survey design, permitting, bid assistance and construction administration services in accordance with the proposal of August 28, 2017 and at a cost not to exceed \$160,500.00; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

**MOTION TO TABLE**

Offered by: Supervisor Schmitt  
Seconded by: Councilman Lupinacci and Councilman Schneider

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

Supervisor Schmitt stated the resolution is being tabled until after the Town Engineer and the Engineering Consultant present the matter at a Work Session.

19 SEPTEMBER 2017  
TOWN BOARD MEETING

**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**

Supervisor Schmitt reminded residents that Town water meter readings are due by September 30, 2017. Readings may be entered through the Town's website, mailed via water meter postcard or called in to the Comptroller's Office. He went on to explain that the Town is in the process of purchasing and installing radio read meters in the Town's water districts which would eliminate the need for residents to submit their readings.

Councilman Lupinacci announced the "Guns & Hoses" golf outing to be held on October 2, 2017 at the Mahopac Golf Club.

Councilman Schneider announced that the Greater Mahopac-Carmel Chamber of Commerce will be hosting their annual street festival in downtown Mahopac on October 1, 2017. The event is held in conjunction with the Italian American Club of Mahopac's Columbus Day Parade.

Supervisor Schmitt announced that the Town Board will meet next at their Work Session to be held on September 27, 2017.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilwoman McDonough and Councilman Lupinacci, with all Town Board members present in agreement, the meeting was adjourned at 7:31 p.m. to Executive Session with the Town Assessor Glenn Droese, Director of Parks and Recreation James Gilchrist as well as Police Chief Michael Cazzari regarding personnel in connection with the 2018 Budget.

Respectfully submitted,

Ann Spofford, Town Clerk