

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 1<sup>st</sup> day of November 2017 at 7:11 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. A moment of silence was held to honor those serving in the United States Armed Forces.

**PUBLIC HEARING - PROPOSED LOCAL LAW AMENDING §156-76 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "WIRELESS TELECOMMUNICATION EQUIPMENT AND DEVICES" - HELD OPEN**

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town’s official newspapers:

<div style="text-align: center;"><u>LEGAL NOTICE</u></div> <p>NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, November 1, 2017 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending §156-76 of the Town Code of the Town of Carmel, entitled "Wireless Telecommunication Equipment and Devices". Copies of the full text of said law are available at the Town Clerk's office in</p>	<p>Town Hall during normal business hours as well as posted on the Town of Carmel's website at <a href="http://www.carmelny.org">www.carmelny.org</a>. At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk. By Order of the Town Board of the Town of Carmel Ann Spofford, Town Clerk</p>
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With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:13 p.m. Nine (9) people were in attendance.

Joan Lefurgy stated that she is extremely opposed to a cell tower proposed to be constructed three feet from her commercial building/residential apartments located at 950 Route 6 in Mahopac.

Councilman Lupinacci explained to Ms. Lefurgy that the purpose of the proposed Local Law is to regulate these devices and that projects that are underway would be an issue to address with the Planning Board.

Ms. Lefurgy commented that she was not provided notification with regard to the proposed cell tower. Ms. Lefurgy further commented that she has conducted a great deal of research which indicates the negative health effects associated with them.

Councilman Lupinacci asked Ms. Lefurgy if she would like to discuss her research with the Town Board at this time or voice her concern exclusively on the proposed project.

Ms. Lefurgy stated that the amount of radio frequency (RF) waves will be extremely high due to the proposed tower's close proximity to her property. She acknowledged that towers are profitable for business owners however, commented that this location is not a good placement for one.

Supervisor Schmitt pointed out that the Town Board is being proactive as there are currently no regulations in place with regard to wireless telecommunication equipment.

Ms. Lefurgy expressed her concern as a realtor that the construction of these devices negatively impacts the surrounding area's property values.

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Bill Lefurgy indicated to Supervisor Schmitt that he would address the matter with him at a future time.

Jean Hopper inquired if there will be a halt on the cell towers currently under construction until the matter is decided.

Councilman Lombardi clarified that the project that Ms. Lefurgy has been referencing is currently an application before the Planning Board and is not under construction at this time.

Legal Counsel Gregory Folchetti explained that in the absence of the Local Law, there is still a site plan requirement for that particular use. Mr. Folchetti indicated that if the Town Board enacts the Local Law, any application that is submitted will require site plan approval and in addition, will be subject to the provisions of the Local Law. He stated that current pending applications are not subject to the Local Law yet to be enacted.

Ms. Lefurgy commented that any project that is not constructed should be subject to the Local Law.

Councilman Lombardi suggested to Ms. Lefurgy that she contact the Planning Department for the date and time that the Planning Board will address this particular project.

Ms. Lefurgy stated that she did and she was told that the matter will be on an agenda sometime in December.

Councilman Lombardi suggested that Ms. Lefurgy may call the Supervisor's office or call back Rose Trombetta in the Planning Department for the exact date and time of the meeting that the Planning Board will address this.

Ms. Lefurgy stated that she did not want this to slip through the cracks without her knowing about it. She further stated that she was told by the attorney for Verizon that the project will be going forward and that no one could stop it.

Supervisor Schmitt advised her not to believe everything she hears. He explained that the Planning Board has to review the application and it must be approved.

Ms. Lefurgy reiterated her extreme opposition to the placement of the proposed cell tower and commented that the property owner could find a better spot for it.

Councilman Lombardi inquired if there will be a notice posted on the property in connection with the application.

Councilwoman McDonough stated that a sign is posted already.

Mr. Folchetti explained that presumably there will be a Public Hearing held on the site plan as well as the project's SEQR. He stated that Ms. Lefurgy's comments should be addressed to the Planning Board at that time.

Judie Mirra inquired what is in place that deems where these towers can be built.

Councilman Schneider stated that there is presently nothing in place.

Ms. Mirra questioned how a tower would be permitted to be constructed so close to a building.

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Councilman Schneider stated that the project's application would need to be reviewed before commenting. He noted that it appears though that this application may be for an antenna rather than a tower as two have already been installed along Route 6 that have caused a great amount of public feedback. Councilman Schneider indicated that based upon conversations with consultants in connection with the matter, it did not seem likely that a project would be pushed through quickly.

Councilwoman McDonough pointed out that the proposed Local Law is the result of the concerns of residents with regard to the amount of new devices being constructed throughout the Town.

Mr. Folchetti explained that when the Public Hearing is closed, a SEQR determination must be conducted. At that time, the Town Board may enact the Local Law which becomes effective when it is filed in Albany.

Ms. Mirra commented that many residents have concerns about the issue.

Councilman Schneider stated that although we would all prefer that no new towers be permitted, a recent study calls for increased towers and antennas because of area dead spots which present a public safety threat as they might make it impossible for someone to reach police, fire or ambulance services.

Ms. Lefurgy commented that there is no lack of service on Route 6 and that this is a question of health and safety.

Supervisor Schmitt explained that the proposed Local Law is comprehensive as well as stringent. It is the result of the extensive research of Town of Carmel Planner Pat Cleary in collaboration with the Town Board, the Engineering Department and Legal Counsel.

Supervisor Schmitt addressed the possibility of holding the Public Hearing open. Councilwoman McDonough requested that it not be kept opened for too long. At the conclusion of discussion held in connection with the matter, Councilman Schneider recommended that the Public Hearing remain open for one week.

At 7:36 p.m., with no one else present wishing to be heard on the subject of the Public Hearing, Councilman Lupinacci motioned for the Public Hearing to remain open until November 8, 2017. The motion was seconded by Councilman Schneider. All members of the Town Board voted in agreement.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 10/4/17 AND 10/18/17 -  
ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lupinacci, seconded by Councilman Schneider, with all members of the Town Board present and voting "aye", the minutes of the Town Board meetings held on October 4<sup>th</sup> and October 18<sup>th</sup> 2017 were accepted as submitted by the Town Clerk.

**PUBLIC HEARING RESCHEDULED TO 11/21/17 - PROPOSED LOCAL LAW  
AMENDING CHAPTER 137 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED  
"TAXATION"**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the rescheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Tuesday November 21, 2017 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 137 of the Code of the Town of Carmel, entitled "Taxation"; and

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(Cont.)

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

Resolution

Offered by: Councilman 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>

Supervisor Schmitt explained that the purpose of the proposed Local Law is to extend the property tax exemption for Cold War veterans in the Town of Carmel.

Councilman Schneider added that residents with any questions with regard to eligibility should contact the Town Assessor.

**PUBLIC HEARING SCHEDULED FOR 12/6/17 TO HEAR OBJECTIONS TO ASSESSMENT ROLLS FOR THE OPERATION AND MAINTENANCE OF THE IMPROVEMENTS OF THE GARBAGE, SEWER AND WATER DISTRICTS FOR FISCAL YEAR 2018**

WHEREAS the Town of Carmel hereby has completed its assessment rolls for the operation and maintenance of the improvements serving Carmel Sewer Districts #1, #2, #3, #4, #5, #6, #7 and #8 and extensions thereto as well as Carmel Water Districts #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #12, #13, and #14 and extensions thereto as well as The Town of Carmel Garbage District of said Town for fiscal year 2018; and

WHEREAS said assessment rolls have been filed with Ann Spofford, Town Clerk of the Town of Carmel;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby schedules a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541 on Wednesday December 6, 2017 at 7:00 PM or as soon thereafter that evening as possible for the purpose of considering any objections which may be made to said assessment rolls.

Resolution

Offered by: Councilman Lombardi  
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>

**HIGHWAY DEPARTMENT - BIDS AWARDED FOR SAND, GUIDERAIL AND WINTER MIX - OFFERED AS PRE-FILED**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for washed sand, winter mix and guide rail, and

WHEREAS Highway Superintendent Michael Simone has recommended the awarding of the bids as set forth hereafter,

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for the foregoing materials to the lowest responsible bidders who met specifications (after adjustment for mileage in the case of FOB plant bids) for 2018 as follows:

GALVANIZED GUIDE RAIL	CHEMUNG SUPPLY CORP.
CORTEN GUIDE RAIL	PO Box 527
TIMBER GUIDE RAIL	ELMIRA, NY 14902
(FURNISHED/INSTALLED)	
WINTER MIX	PACKAGE PAVEMENT CO, INC.
	STORMVILLE, NY 12582
WASHED SAND	RED WING PROPERTIES
	P.O. Box 408
	STORMVILLE, NY 12582

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>

**POLICE DEPARTMENT - ADVERTISING FOR BIDS AUTHORIZED - 2018**  
**PURCHASE OF POLICE UNIFORMS**

RESOLVED that, pursuant to the request of Michael Cazzari, Town of Carmel Chief of Police, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the purchase of Police uniforms for the Town of Carmel Police Department for calendar year 2018; and

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

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

**POLICE DEPARTMENT - ADVERTISING FOR BIDS AUTHORIZED - 2018 DRY**  
**CLEANING OF POLICE UNIFORMS**

RESOLVED that, pursuant to the request of Michael Cazzari, Town of Carmel Chief of Police, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the cleaning of Police uniforms for the Town of Carmel Police Department for calendar year 2018; and

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

Offered by:	<u>Councilman Schneider</u>
Seconded by:	<u>Councilman Lombardi</u>
(Cont.)	

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

WHEREAS applications have been made by Putnam County Savings Bank for the total release of a bond posted in accordance with Chapter 131 and/or Chapter 156 of the Town Code regarding the property known and designated as Town of Carmel Tax Map 86.11 -1-1 located at 150 Route 6 Mahopac; and

WHEREAS said applications have been reviewed by the Planning Board and The Office of the Town Engineer, both of which have recommended the release of said bonds:

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the bond referenced herein specifically Aegis Security Insurance Company, Bond No. B10027637 in the amount of \$350,000.00.

Offered by: Councilman Lombardi  
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	X	
Kenneth Schmitt	X	

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Fire Inspector Joseph Wilichoski to attend the New York State Building Standards and Codes Training Seminar, offered by the New York State Department of State on November 28 through November 30 in Latham, 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.

Offered by: Councilman Lupinacci  
Seconded by: Councilwoman McDonough

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<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>

**CARMEL WATER DISTRICT #8 - EMERGENCY REPAIRS AUTHORIZED - BEE & JAY PLUMBING, INC. - \$10,810.00 AND KUCK EXCAVATING, INC. - \$6,532.50**

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #8, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes payment for emergency repairs performed by Bee & Jay Plumbing, Inc. on or about September 20, 2017 at a cost of \$10,810.00 and in accordance with the invoice dated October 10, 2017; and

BE IT FURTHER RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #8, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes payment for emergency repairs performed by Kuck Excavating, Inc. on or about September 20, 2017 at a cost of \$6,532.50 and in accordance with the invoice dated October 15, 2017; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to 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: 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>

**SETTLEMENT OF LITIGATION AUTHORIZED - “MAHOPAC GOLF CLUB VS. THE TOWN OF CARMEL, TOWN BOARD OF THE TOWN OF CARMEL, AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CARMEL” - TAX MAP NOS. 65.-1-1, 65.13-1-4 AND 65.9-1-13**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 1354/2015, 1092//2016 and 500493/2017 certain lawsuits entitled “Mahopac Golf Club vs. The Town of Carmel, Town Board of The Town of Carmel, and The Board of Assessment Review of The Town of Carmel” in regard to the assessment of certain real property known and designated as, Town of Carmel Tax Map Nos. 65.-1-1, 65.13-1-4 and 65.9-1-13 on the 2015, 2016 and 2017 tax rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and Special Counsel Richard Blancato, who have recommended approval of the proposed settlement in accordance with the correspondence from Special Counsel dated September 29, 2017 attached hereto and made part hereof;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation and any other open litigation concerning the assessment of the aforesaid real property as recommended; and

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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

Offered by: Councilman Schneider  
Seconded by: Councilman Lombardi

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

Blancato Law Offices, P.C.  
65 South Broadway  
Suite 101  
Tarrytown, New York 10591

Tel. (914) 332-5723  
Fax (914) 332-5725

E-Mail rblancato@aol.com

September 29, 2017

Glenn Droese, Assessor  
Town of Carmel  
60 McAlpin Avenue  
Mahopac, New York 10541

Re: Mahopac Golf Club v. Town of Carmel  
Bl. 65/1/1; 65.13/1/4; and 65.9/1/13

Dear Glenn:

The Mahopac Golf Club had proceedings open for the 2015, 2016 and 2017 years. After doing an inspection of the premises with our appraiser, Sterling Appraisals, it became apparent that the facility was becoming rundown and dated. In addition, golf clubs are in a severe decline in most of the country. Mahopac Golf is no exception. Our appraisal was not much higher than petitioner's appraisal. We were able to negotiate total settlement numbers slightly higher than our own appraisal, as follows:


Year	Reduced From	Reduced To	Reduction
2015	\$3,590,500.	\$2,210,000.	\$1,380,500.
2016	3,590,500.	2,175,500.	1,414,500.
2017	5,549,700.	3,702,100.	1,847,600.

While the reductions are large, I believe that we would do worse at a trial. I recommend that the settlement be approved. There is no interest on the refunds, provided they are paid within sixty (60) days after being served with the Judgment with Notice of Entry.

Very truly yours,

  
Richard T. Blancato

Approved:

  
Glenn Droese, Assessor

Supervisor Schmitt stated that the Town's aggregate portion of the settlement is about \$29,000.00 and that funds have been set aside in a certiorari line in the Budget to cover such costs.



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**BID AWARDED FOR ACQUISITION AND INSTALLATION OF TWO HEWLETT  
PACKARD G-10 SERVERS - SULLIVAN DATA MANAGEMENT, INC. - NOT TO  
EXCEED \$37,159.40**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for acquisition and installation of 2 (two) Hewlett Packard G-10 Server units and appurtenances for the Town of Carmel IT operations; and

WHEREAS such bids were received and opened on October 25, 2017 and a copy of the bid memorandum is on file with Ann Spofford, Town of Carmel Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, hereby awards the bids for the acquisition and installation of 2 (two) Hewlett Packard G-10 Server units together with appurtenances including software and UPS equipment for the Town of Carmel IT operations to Sullivan Data Management, Inc., Yorktown Heights, NY the lowest responsible bidder who met specifications at a cost not to exceed \$37,159.40; and

BE IT FURTHER RESOLVED that Town of Carmel Supervisor Kenneth Schmitt is hereby authorized to sign any documentation necessary to effectuate this authorization on the terms set forth herein; and

BE IT FURTHER RESOLVED that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget modifications and/or transfers to fund the acquisition and installation authorized herein.

Resolution

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

**RELINQUISHMENT AND SURRENDER OF EASEMENT INTERESTS AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the relinquishment and surrender of all easement and real property interests previously conveyed to the Town of Carmel in the instrument recorded in the Putnam County Clerk's Office at Liber 760 page 284 and recorded therein on or about April 30, 1979; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any instrument in recordable form effecting the relinquishment and surrender of the easement interests referenced herein.

Resolution

Offered by: Councilman Lupinacci  
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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**ROUTE SIX CORRIDOR SANITARY SEWER COLLECTION SYSTEM FEASIBILITY  
AND FACILITIES STUDY - DISCUSSION HELD**

Prior to opening the floor for public comments on agenda items as scheduled, Councilman Lupinacci addressed the possibility of offering a motion to rescind a resolution adopted on August 9, 2017 in support of a proposed feasibility and facilities study to be commissioned by the County of Putnam for the purpose of determining the possibility of providing a sanitary sewer collection system for the Route 6 corridor in Mahopac, west of Clark Place and continuing to the border of Mahopac with the sewage being sent to Heritage Hills in Somers.

Councilman Lupinacci expressed his frustration that although being assured by former Deputy Putnam County Executive Bruce Walker that the Town would be greatly involved in the scope and parameters of the study, to date no one's input from the Town has been sought, and only through correspondence received from the engineering vendor in connection with the project indicating that they are close to completion did the Town Board obtain any information on its scope.

Councilman Lupinacci stated that he supports the concept of the sewer district. However, he stressed how it is important for the Town Board to have a say in regard to any proposed capital improvements. Councilman Lupinacci emphasized the need for better communication between the involved government agencies.

At the conclusion of the discussion held in connection with the matter it was decided by the Town Board that rather than rescinding the resolution at this time, a strongly worded letter voicing their concerns would be conveyed by Legal Counsel to Putnam County.

**PUBLIC COMMENTS - AGENDA ITEMS**

Michael Barile inquired who will maintain the unfinished road now that the bond posted by Putnam County Savings Bank has been released.

Supervisor Schmitt replied that the property owner will be required to maintain the road.

Mr. Folchetti added that the bond return refers to the site work only.

Mr. Barile inquired about the relinquished and surrendered easement interest.

Mr. Folchetti stated that it is an easement concerning the Mahopac dam, and the enforcement and litigation matters that have been ongoing for the better part of a year.

Mr. Barile asked if the Town's relinquishment of the easement is the reason why Lake Mahopac has not been lowered.

Supervisor Schmitt stated that the Town has not opened the valve to lower Lake Mahopac.

Mr. Barile asked who has opened the valve for the past fifteen years.

Councilman Lupinacci stated that it was the Town of Carmel and members of the Lake Mahopac Park District.

Mr. Barile asked why the easement interest was relinquished.

Mr. Folchetti indicated that this was a step that the Town Board decided to take to protect its rights in connection with the enforcement and litigation proceedings.

Mr. Barile commented that he did not foresee the aforementioned proposed sewer collection system ever happening.

Mr. Barile inquired why the personnel discussion with Richard Franzetti, P.E., Town Engineer will be held in Executive Session.

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Supervisor Schmitt indicated that the discussion will be held with respect to a particular employee.

Mr. Barile inquired why the contractual discussion with Edye McCarthy will be held in Executive Session.

Mr. Folchetti stated that it related to matters leading to the appointment or retention of a particular person or organization, therefore it is appropriate for the discussion to be held in Executive Session if the Town Board so chooses.

Jennifer Maher stated that the only dialog that she has ever heard in connection with the sewer line potentially being extended down Route 6 has come from Putnam County. She encouraged the Town Board to keep the lines of communication open and leave the politics out of it. Discussion ensued.

**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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

**PUBLIC COMMENTS - OPEN FORUM**

Ms. Maher referenced the recent issuance of parking tickets by Carmel police officers to business owners and their employees along Route 6N. Ms. Maher acknowledged that there is a two hour parking limit sign posted, however noted that enforcement has been sporadic. She went on to emphasize the need for short term and long term parking solutions in the downtown area. Discussion was held.

Ms. Maher asked that the Town Board address the homeless individuals living in downtown Mahopac.

Councilwoman McDonough indicated that the Police Department has been addressing the problem. A brief discussion followed.

Mr. Barile inquired about the status of the Route 6N sidewalk project.

Supervisor Schmitt indicated that the project was on hold.

Mr. Barile addressed the Town Board's recent discussion regarding the potential purchase of property on Swan Cove. He pointed out that the owner of the property is seeking to sell it to the Town for the creation of a park, not for a parking structure. Mr. Barile then inquired why the Town is requiring 120 days for due diligence.

Mr. Folchetti explained that the scope of the project being considered involves the potential acquisition of that parcel and three to four other parcels that are contiguous to it or adjacent to it, so the negotiation and the appraisal of the initial parcel has to be dovetailed with the acquisition of the other parcels which require Board approval being that they are owned by Tompkins Bank. He further explained that there is some engineering investigation to be done. A large part of the parcels are in a FEMA flood zone so there is an initial inquiry to do on potential permitting. Also, there is a potential for doing a soil study through boring to make sure that even though it is the surface lot, it is appropriate for bearing the kind of weight being considered if it is a full scale lot.

Mr. Barile stated that he did not want to see the Town lose this piece of property and that 120 days for due diligence is excessive. Discussion was held.

**1 NOVEMBER 2017  
TOWN BOARD MEETING**

(Cont.)

Mr. Barile addressed the upcoming local election and commented that whoever is elected to the Town Board should be included in any Town business that pertains to the future. A discussion followed.

**TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Councilwoman McDonough announced that spaces are still available at the Annual Veterans' Thanksgiving Dinner to be held on November 18, 2017 at the Putnam County Golf Course. Interested veterans, as well as volunteers, should contact Councilwoman McDonough for further information.

Supervisor Schmitt announced that Harvestfest 2017 has been rescheduled to November 5<sup>th</sup> from 12:00 p.m. to 3:00 p.m. at Sycamore Park. It will feature pony rides, a petting zoo, vendors, a trick-or-treat parade, and more. Interested vendors should contact the Recreation and Parks Department for further information.

Councilman Lupinacci announced that the Town Hall offices will be closed on November 10, 2017 in observance of Veterans Day.

Supervisor Schmitt announced that Public Hearings in connection with both the 2018 Annual Budget and the fire protection services contracts will be held on November 8, 2017 commencing at 7:00 p.m. He encouraged residents to attend and voice their comments.

Councilman Lombardi announced that the Town of Carmel's joint Thanksgiving food drive with the Mahopac Middle School has begun. Donations will be accepted at the Town Hall and the Mahopac Middle School.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 8:42 p.m. to Executive Session to discuss a matter of personnel with the Town Engineer Richard Franzetti, P.E., as well as with Edye McCarthy to discuss a contractual matter in connection with the cyclical assessment as part of the town-wide revaluation.

Respectfully submitted,

Ann Spofford, Town Clerk