

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 14<sup>th</sup> day of March 2018 at 7:08 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough 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.

WINTER STORMS RILEY AND QUINN

Supervisor Schmitt and the Town Board members reflected on the recent nor'easters that delivered heavy snowfall and strong winds and caused widespread power outages, considerable damage, as well as one fatality in Putnam Valley. Supervisor Schmitt acknowledged the many individual volunteers, local officials, emergency responders, nonprofit organizations, businesses, and utility workers for their efforts in the wake of the devastating storms. Supervisor Schmitt expressed his concerns with regard to NYSEG's lack of preparedness and slow response in connection with Winter Storm Riley and Winter Storm Quinn and noted that a hearing is proposed to address the issues with regard to the utility company.

MINUTES OF TOWN BOARD MEETINGS HELD ON 2/14/18 AND 2/21/18 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lupinacci, seconded by Councilwoman McDonough, with all members of the Town Board present and voting "aye", the minutes of the Town Board meetings held on February 14<sup>th</sup> and February 21<sup>st</sup> 2018 were accepted as submitted by the Town Clerk.

2017 FINAL BUDGET MODIFICATIONS - #2017/08 - AUTHORIZED

WHEREAS Town Comptroller MaryAnn Maxwell has reviewed the proposed Final Budget Modifications for the period ending December 31, 2017 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2017/08;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending December 31, 2017, as shown itemized on the schedule #2017/08 attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilman Lupinacci

Roll Call Vote	YES	NO
Michael Barile	X	
Jonathan Schneider	X	
John Lupinacci	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

TOWN OF CARMEL  
BUDGET REVISIONS DECEMBER 2017 - #2017/08

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.1620.0040	BUILDING CONTRACTUAL EXPENSES	2,586.00	
	100.1989.2681	INSURANCE RECOVERY - ASSET	*	2,586.00
		- PROVIDE FOR CLEAN UP OF FIRE EXTINGUISHER DISCHARGE FROM INSURANCE CLAIM		

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2	100.3120.0024	POLICE ACCIDENT REPAIRS		5,968.15	
	100.1989.2681	INSURANCE RECOVERY - ASSET	*	5,968.15	
		- PROVIDE FOR POLICE VEHICLE ENGINE FROM INSURANCE CLAIM			
3	100.1930.0040	CERTIORARI SETTLEMENTS		22,000.00	
	100.1989.9876	RESERVE FOR CERTIORARI SETTLMENTS	*	22,000.00	
		- PROVIDE FOR CERTIORARI SETTLEMENTS			
4	100.1355.0011	ASSESSOR STAFF		5,100.00	
	100.1355.0080	ASSESSOR EMPLOYEE BENEFITS			5,100.00
		- TRANSFER FOR ASSESSOR STAFF EXPENSE			
5	100.1355.0040	ASSESSOR OFFICE EXPENSE		600.00	
	100.1410.0046	TOWN CODES PUBLICATIONS		400.00	
	100.1460.0045	RECORDS STORAGE EXPENSE		100.00	
	100.1620.0012	MAINTENANCE STAFF OVERTIME		200.00	
	100.1620.0042	BUILDING UTILITY EXPENSE		2,000.00	
	100.1640.0020	CENTRAL GARAGE EQUIPMENT		1,200.00	
	100.3620.0012	CODE ENFORCEMENT STAFF OVERTIME		200.00	
	100.3620.0041	CODE ENFORCEMENT ALARM POSTAGE		200.00	
	100.1355.0080	ASSESSOR EMPLOYEE BENEFITS			600.00
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS			400.00
	100.1460.0048	RECORDS MISC EXPENSES			100.00
	100.1620.0013	MAINTENANCE TEMPORARY STAFF			200.00
	100.1620.0041	BUILDING HEATING/FUEL			2,000.00
	100.1640.0080	CENTRAL GARAGE EMPLOYEE RETIREMENT			600.00
	100.1640.0083	CENTRAL GARAGE WORKERS COMP			600.00
	100.3620.0080	CODE ENFORCEMENT EMPLOYEE BENEFITS			400.00
		- TRANSFER FOR MISC EXPENSES WITHIN THE GENERAL FUND			
6	100.1420.0047	CERTIORARI LEGAL SERVICES		17,500.00	
	100.1420.0049	LEGAL MISC EXPENSES		1,600.00	
	100.1420.0041	LITIGATION LEGAL SERVICES			11,600.00
	100.1420.0042	JUSTICE COURT PROSECUTION			7,500.00
		- TRANSFER FOR LEGAL SERVICES			
7	100.8510.0040	PARK BEAUTIFICATION EXPENSES		1,550.00	
	100.1010.0041	TOWN BOARD EXPENSES - S.M.			1,000.00
	100.1010.0043	TOWN BOARD EXPENSES - J.S.			550.00
		- TRANSFER FOR TOWN HALL HOLIDAY DECORATIONS			
8	100.3120.0042	POLICE UTILITIES EXPENSE		1,200.00	
	100.3120.0043	POLICE INSURANCE COVERAGE		3,300.00	
	100.3120.0045	POLICE VEHICLE MAINTENANCE			4,500.00
		- TRANSFER FOR MISC POLICE EXPENSES			
9	100.5132.0044	HIGHWAY GARAGE PROPERTY LEASE		1,800.00	
	100.5132.0040	HIGHWAY GARAGE CONTRACTUAL EXPENSES			1,800.00
		- TRANSFER FOR HIGHWAY GARAGE PROPERTY LEASE			
10	100.7110.0013	PARK MAINTENANCE TEMPORARY STAFF		1,200.00	
	100.7110.0040	PARK CONTRACTUAL EXPENSES		2,500.00	
	100.7110.0041	PARK & MAINTENANCE FUEL		400.00	
	100.7113.0040	CHAMBER PARK CONTRACTUAL EXPENSES		300.00	
	100.7115.0040	AIRPORT PARK CONTRACTUAL EXPENSES		50.00	
	100.7117.0042	CARMADA PARK UTILITIES		100.00	
	100.7020.0080	RECREATION ADMIN EMPLOYEE BENEFITS			4,100.00
	100.7117.0020	CARMADA PARK EQUIPMENT			450.00
		- TRANSFER FOR MISC RECREATION EXPENSES			

TOWN OF CARMEL  
BUDGET REVISIONS DECEMBER 2017 - #2017/08

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<b>HIGHWAY FUND</b>				
11	500.5130.0020	MACHINERY REPAIR TOOLS	500.00	
	500.5130.0040	MACHINERY REPAIR EXPENSES	34,000.00	
	500.5110.0041	GENERAL REPAIR GAS AND FUEL		34,500.00
		- TRANSFER FOR HIGHWAY EXPENSES		
<b>CARMEL AMBULANCE</b>				
12	201.4540.0048	CARMEL AMBULANCE OTHER EXPENDITURES	300.00	
	201.4540.0049	SERVICES FROM OTHER DEPTS/GOVTS		300.00
		- TRANSFER FOR CARMEL AMBULANCE EXPENSES		
<b>CARMEL FIRE PROTECTION DISTRICT #1</b>				
13	301.3410.0048	CARMEL FIRE PROTECTION DISTRICT #1 OTHER EXPENDITURES	100.00	
	301.3410.0049	SERVICES FROM OTHER DEPTS/GOVTS		100.00
		- TRANSFER FOR CARMEL FIRE PROTECTION DISTRICT #1 EXPENSES		
<b>LAKE CASSE PARK DISTRICT</b>				
14	401.7140.0054	CAPITAL EXPENDITURES	2,600.00	
	401.7140.9909	APPROPRIATED FUND BALANCE	*	2,600.00
		- PROVIDE FOR CAPITAL EXPENDITURES		
<b>LAKE SECOR PARK DISTRICT</b>				
15	404.7140.0042	UTILITIES EXPENSE	200.00	
	404.7140.0041	SUPPLIES AND MATERIALS		200.00
		- TRANSFER FOR LAKE SECOR UTILITIES EXPENSE		

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CARMEL WATER DISTRICT #3					
16	603.8310.0046	PURCHASE OF WATER		1,200.00	
	603.8310.0047	EMERGENCY REPAIRS		16,250.00	
	603.8310.0040	CONTRACTUAL EXPENSES			10,000.00
	603.8310.0099	REPAIR RESERVE FUND			7,450.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #14					
17	614.8310.0047	EMERGENCY REPAIRS		2,000.00	
	614.8310.0099	REPAIR RESERVE FUND			2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL SEWER DISTRICT #2					
18	702.8130.0042	UTILITIES EXPENSE		2,000.00	
	702.8130.0049	SERVICES OTHER DEPTS/GOVTS			2,000.00
		- TRANSFER FOR ELECTRICITY EXPENSES			
CARMEL SEWER DISTRICT #4					
19	704.8130.0040	CONTRACTUAL REPAIRS		450.00	
	704.8130.0099	REPAIR RESERVE FUND			450.00
		- TRANSFER FOR CONTRACTUAL REPAIRS			
CARMEL SEWER DISTRICT #1 EXT #3					
20	713.8130.0042	UTILITIES EXPENSE		100.00	
	713.8130.0099	REPAIR RESERVE APPROPRIATION			100.00
		- TRANSFER FOR UTILITIES EXPENSE			
MAHOPAC LIGHTING DISTRICT					
21	751.5182.0048	OTHER EXPENSES		600.00	
	751.5182.0042	UTILITIES EXPENSE			600.00
		- TRANSFER FOR OTHER EXPENSES			

**ENCUMBRANCE OF 2017 FUNDS FOR EXPENDITURES IN 2018 - OFFERED AS PARAPHRASED AND PRE-FILED - AUTHORIZED**

WHEREAS, it is recommended by the Town Comptroller’s Office that 2017 Government Budget Funds be encumbered or reserved for the 2018 Budget Appropriations, based on recent approved Town Board Resolutions and/or specific projects in progress for various purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel authorizes the Town Comptroller's Office to Encumber or Reserve unexpended 2017 Government Fund monies for expenditures in fiscal year 2018 as follows:

<u>Purpose of Encumbrance</u>	<u>Accounts</u>	<u>Maximum</u>	<u>Explanation and/or Comments</u>
<b><u>General Fund</u></b>			
Information Technology	100-1680-0020	9,168.00	Technology Upgrades (Smart TVs)
Data Imaging Equipment	100-1680-0021	45,000.00	Data Imaging Equipment.
Contingency Line	100-1990-0040	94,435.00	Software Conversion Cost
Police Other Equipment	100-3120-0027	25,000.00	Plate Reader/Cameras
Police Other Equipment	100-3120-0027	6,000.00	Rifle Lights
Police Conference Training	100-3120-0047	10,000.00	Police Mandated Training
Park Special Equipment	100-7110-0022	65,215.00	Remaining Parks Video Surveillance
Camarda Park Cont Expense	100-7117-0040	24,000.00	Basketball Court Recoating
Park Capital Improvement s	100-7999-0040	100,000.00	Park Capital Improvements
<b>Total General Fund Encumbrances</b>		<b><u>\$ 378,818.00</u></b>	
<b>Highway Fund</b>	500-5130-0041	<b>\$ 100,000.00</b>	Machinery/Equipment Capital Expense
<b>Mahopac Falls Fire Dept</b>	301-3410-0045	<b>\$ 56,000.00</b>	Dry Hydrant Installation Estimate

(Cont.)

Resolution  
Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u>          </u>
Jonathan Schneider	<u>X</u>	<u>          </u>
John Lupinacci	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
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 March 2018 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: Councilman Lupinacci  
Seconded by: Councilwoman McDonough

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

**LAKE SECOR PARK DISTRICT - APPOINTMENT TO ADVISORY BOARD MADE - JAMES M. DETOMA**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Secor Park District, hereby appoints James M. DeToma to the Town of Carmel Lake Secor Park District Advisory Board commencing immediately and to serve at the pleasure of the Town of Carmel Town Board.

Resolution  
Offered by: Councilman Barile  
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt thanked Mr. DeToma for volunteering to serve on the Lake Secor Park District Advisory Board.

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**LAKE CASSE PARK DISTRICT - PROPOSAL ACCEPTED AND PURCHASE OF  
PARK DISTRICT MATERIALS & EQUIPMENT AUTHORIZED - ULINE.COM - NOT  
TO EXCEED \$7,309.75**

RESOLVED THAT the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Casse Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby accepts the proposal of ULINE.COM and authorizes the purchase of tables, chairs and Park District facility materials and equipment at a cost not to exceed \$7,309.75 and in accordance with and set forth in detail on the proposal dated January 18, 2018; 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>
Michael Barile	<u>X</u>	<u>          </u>
Jonathan Schneider	<u>X</u>	<u>          </u>
John Lupinacci	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**TOWN HALL FACILITY - PAYMENT FOR EMERGENCY REPAIRS AUTHORIZED -  
BEE & JAY PLUMBING - \$6,938.00**

RESOLVED, the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes payment to Bee & Jay Plumbing, Mahopac, NY the sum of \$6,938.00 for goods and services rendered in connection with replacement of the hot water heater at Carmel Town Hall facility, all in accordance with the invoice dated February 7, 2018.

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Lupinacci

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

**CARMEL WATER DISTRICT #2 - WATER TREATMENT PLANT - REQUEST FOR  
PROPOSALS AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the solicitation of proposals for the preparation of a comprehensive facilities and engineering study for the Carmel Water District #2 Water Treatment Plant.

Resolution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough

(Cont.)

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

Councilman Barile noted that he was voting in favor of the resolution because it pertains only to the study and that questions in connection therewith will need to be addressed before the Town proceeds beyond the study.

**RESOLUTION ADOPTED IN SUPPORT OF COMMISSION OF TRAFFIC STUDIES IN THE TOWN OF CARMEL**

WHEREAS, the Town Board of the Town of Carmel has been advised by Lt. John R. Dearman, Jr. that the Putnam County Traffic Safety Board has recommended the investigation, study and remediation of traffic and road conditions within the Town of Carmel, for purposes including but not limited to (i) the installation of certain traffic control devices; (ii) the re-configuration or realignment of roads and/or intersections; (iii) the revision of traffic flow and traffic patterns; and (iv) the imposition of speed limits at various locations within the Town of Carmel; and

WHEREAS, the Town Board is further advised that the New York State Department of Transportation and/or the County of Putnam Department of Highways and Facilities require a resolution of support from the Town of Carmel to process said requests for investigation and study;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby supports the commission of studies by the New York State Department of Transportation and/or the County of Putnam Department of Highways and Facilities for the following purposes and locations:

1. The intersection of U.S. Route Six and Crane Road for consideration of possible installation of a traffic control signal;
2. The area and intersections at Route 6N, Hill Street and Myrtle Avenue for the consideration of possible installation of traffic control signal(s);
3. Proposed imposition of a speed limit not to exceed 35mph on certain portions of Westshore Drive and 45 mph on the remainder of Westshore Drive;
4. Proposed Installation of rumble strips in double-yellow line of Croton Falls Road both east and west of its intersection with McLaughlin Drive.

BE IT FURTHER RESOLVED the Town Supervisor Kenneth Schmitt is hereby authorized to transmit a copy of this resolution to the New York State Department of Transportation and the County of Putnam Department of Highways and Facilities immediately.

Resolution

Offered by: Councilman Barile  
Seconded by: Councilman Lupinacci

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

Councilwoman McDonough recommended that underground wiring be considered for the traffic control signals.

Supervisor Schmitt indicated that he would mention it to the appropriate agency.

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**PUBLIC HEARING SCHEDULED FOR 3/28/18 - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLE AND TRAFFIC"**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday March 28, 2018 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 147 of the Code of the Town of Carmel, entitled "Vehicle and Traffic"; and

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

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilwoman McDonough and Councilman Lupinacci

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

PROPOSED LOCAL LAW #\_\_ OF THE YEAR 2018  
A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL  
CHAPTER 147, THEREOF, ENTITLED "VEHICLE AND TRAFFIC"

BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:

SECTION 1 Chapter 147 of the Code of the Town of Carmel, Section 147-43. Schedule IV, Prohibited Turns at Intersection is hereby amended by the addition of the following:

<b>NAME OF STREET</b>	<b>DIRECTION OF TRAVEL</b>	<b>PROHIBITED TURN</b>	<b>HOURS</b>	<b>AT INTERSECTION OF</b>	<b>VEHICLES PROHIBITED</b>
Hughson Road	North	Left	All	Old Route 6	Over18,000 lbs

SECTION 2 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 3 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 4 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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**POLICE ACCIDENT REPORT PROCESSING - PROPOSAL ACCEPTED AND ENTRY INTO AGREEMENT AUTHORIZED - LEXIS NEXIS COPLOGIC CLAIMS SOLUTIONS, INC.**

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Lt. John R. Dearman, Jr., hereby accepts the proposal of Lexis Nexis Coplogic Claims Solutions, Inc. Alpharetta, GA and authorizes entry into an agreement for the provision of online police accident report access for Town of Carmel Police Department investigations, said agreement in form as filed in the Office of the Chief of Police and Town Supervisor; and

BE IT FURTHER RESOLVED that Chief of Police Michael Cazzari is hereby authorized to sign said agreement on behalf of the Town of Carmel; and

BE IT FURTHER RESOLVED, that the fees charged by the end-users by the Town of Carmel for the services provided in the referenced agreement shall be established annually by resolution of the Town Board; 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>
Michael Barile	<u>X</u>	<u>          </u>
Jonathan Schneider	<u>X</u>	<u>          </u>
John Lupinacci	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

Supervisor Schmitt explained that with the online accident report access, the public will no longer be required to come into the Police Department to obtain an accident report.

**PUBLIC HEARING SCHEDULED FOR 4/18/18 - PROPOSED LOCAL LAW ENACTING CHAPTER 140 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "TOWING AND STORAGE"**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday April 18, 2018 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law enacting Chapter 140 of the Code of the Town of Carmel, entitled "Towing and Storage"; and

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 Lupinacci

Seconded by: Councilwoman McDonough and Councilman Schneider

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



14 MARCH 2018  
TOWN BOARD MEETING

**ENTRY INTO CONTACTS AUTHORIZED - PUTNAM COUNTY SOCIETY FOR PROTECTION OF CRUELTY TO ANIMALS, INC., PUTNAM COUNTY HUMANE SOCIETY, INC., REED MEMORIAL LIBRARY, MAHOPAC PUBLIC LIBRARY, AND COUNTY OF PUTNAM**

WHEREAS appropriations have been made in the 2018 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and  
WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,  
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to enter into and execute, on behalf of the Town, contracts with the following contractors for the services indicated in an amount not to exceed that set forth below:

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
Putnam County Society For Protection of Cruelty to Animals, Inc.	Animal Cruelty Prevention Services	\$7,500.00
Putnam County Humane Society, Inc.	Dog Shelter Services & Dog Control Services	\$50,635.00
Reed Memorial Library	Library Services	\$25,000.00
Mahopac Library	Library Services	\$60,000.00
County of Putnam	Outreach Worker	\$5,000.00

Resolution  
Offered by: Councilman Barile  
Seconded by: Councilman Lupinacci

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

**PURCHASE OF APPROXIMATELY 0.64 ACRES LOCATED AT 628 ROUTE 6 - PUBLIC COMMENT**

Supervisor Schmitt stated that prior to the following three resolutions being offered for action by the Town Board, he would open the floor to public comment in connection therewith because if these resolutions are adopted, the Town will be expending funds to purchase the Swan Cove property in downtown Mahopac for desperately needed parking, and for a passive park for recreational use.

Mickey Farina, Bullet Hole Role, Mahopac, stated that he is concerned with regard to the price of the property and could not see how it is worth \$1 million. He questioned with regard to utilizing the property for parking, how older residents will feel about parking there and then walking into Town. Mr. Farina then questioned the need for another park in the Town as well as the impact that the purchase of property will have on his property taxes.

Supervisor Schmitt stated that based upon the most recent Town-wide revaluation, the property is currently assessed at \$925,000. Discussion regarding the price of the property ensued. Supervisor Schmitt concluded that the cost on individual tax bills would equate to approximately \$17 - \$18 annually for five years.

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 environment and a Draft Environmental Impact Statement will not be prepared.

(Cont.)

**Name of Action:**  
Acquisition of Real Property located at 628 Route Six, Mahopac, NY

**SEQR Status:**  
Type I ☐ Unlisted ☒  
**Conditioned Negative Declaration:** Yes ☐ No ☒

**Description of Action:**  
  
The proposed action involves the acquisition of a parcel of real property for the public purpose of constructing a municipal parking lot and/or utilizing the property as passive parkland.

SEQR Negative Declaration  
Page 2

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)  
  
628 Route Six, Mahopac, NY 10541

**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 acquiring the aforesaid parcel of land for the public purpose of constructing a municipal parking lot and/or utilizing the property as passive parkland. Upon review of the Short Form EAF and the input and conclusions of its consultants, town engineer, and the Town of Carmel staff, 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

*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.

<b>Part 1 - Project and Sponsor Information</b> Town of Carmel New York
<b>Name of Action or Project:</b> Acquisition of real property located at 628 Route Six, Mahopac, NY
<b>Project Location (describe, and attach a location map):</b> 628 Route Six, Mahopac, NY
<b>Brief Description of Proposed Action:</b> Acquiring the aforesaid parcel of land for the public purpose of constructing a municipal parking lot and/or utilizing the property as passive parkland.

(Cont.)

Name of Applicant or Sponsor: Town of Carmel New York		Telephone: 845-628-1500	
		E-Mail:	
Address: 60 McAlpin Avenue			
City/PO: Mahopac		State: NY	Zip Code: 10512
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 <input checked="" type="checkbox"/>	YES <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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ 0.64 acres			
b. Total acreage to be physically disturbed? _____ 0.64 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.64 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 checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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 <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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? 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 <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? _____ b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/> <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES	YES <input type="checkbox"/> <input type="checkbox"/>	

(Cont.)

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"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: _____ Date: _____ Signature: _____		

PRINT FORM

At the direction of Legal Counsel Gregory Folchetti, the resolution was amended to reflect that the action involved a Short Environmental Assessment Form rather than a Full Environmental Form as originally offered by Councilman Schneider.

**PURCHASE OF A PARCEL OF LAND OF APPROXIMATELY 0.64 ACRES  
LOCATED AT 628 ROUTE 6, IN AND FOR THE TOWN OF CARMEL, PUTNAM  
COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,000,000  
AUTHORIZED AND THE ISSUANCE OF \$1,000,000 BONDS OF SAID TOWN TO PAY  
THE COST THEREOF AUTHORIZED**

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse effects on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The purchase of a parcel of land of approximately 0.64 acres located at 628 Route 6 in said Town for use for the construction of a municipal parking lot and/or passive parkland, including incidental expenses in connection therewith, in and for the Town of Carmel, Putnam County, New York, is hereby authorized at a maximum estimated cost of \$1,000,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,000,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not exceed five years.**

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

(Cont.)

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

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

**ATTORNEY-CLIENT PRIVILEGE - RESOLUTION DESIGNATING OFFICIALS AND AUTHORIZING FUNDING OF REAL PROPERTY ACQUISITION**

The Resolution Designating Officials and Authorizing Funding of Real Property Acquisition was offered by Councilman Lupinacci. Councilwoman McDonough indicated that she had a few questions prior to voting and Councilman Lupinacci subsequently withdrew his motion.

Councilwoman McDonough offered a motion to enter into attorney-client privilege to discuss this particular resolution. The motion was seconded by Supervisor Schmitt at 8:02 p.m.

(Cont.)

The Town Board reconvened to their regular meeting at 8:11 p.m. and reconsidered the resolution as follows.

**PURCHASE OF A PARCEL OF LAND OF APPROXIMATELY 0.64 ACRES  
LOCATED AT 628 ROUTE 6 - OFFICIALS DESIGNATED AND FUNDING OF REAL  
PROPERTY ACQUISITION AUTHORIZED**

WHEREAS, the Town Board of the Town of Carmel previously authorized the entry into a contract for the purchase or certain real property located at 628 Route Six, Mahopac, NY 10541; and

RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to and designated to sign any and all documentation required for the Town of Carmel to acquire title to the subject property; and

BE IT FURTHER RESOLVED that Town Comptroller Mary Ann Maxwell is hereby authorized to issue all checks and funding due to Seller in the above transaction for the remainder of the \$1,000,000 purchase price as well as any necessary and related title, title insurance and recording charges incurred in connection with said transaction.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilman Barile

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

**SPECIAL COUNSEL APPOINTED - JOSEPH A. CHARBONNEAU, ESQ. -  
RENEWAL AND/OR EXTENSION OF THE CABLE FRANCHISE AGREEMENT  
BETWEEN THE TOWN OF CARMEL AND COMCAST CABLE**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Joseph A. Charbonneau, Esq., 2 Starr Ridge Road, Brewster, New York 10509, as special counsel for the purpose of negotiation of a renewal and/or extension of the cable franchise agreement between the Town of Carmel and Comcast Cable, said counsel services to be rendered at a rate of \$205.00 per hour.

Resolution

Offered by: Councilman Barile  
Seconded by: Councilman Lupinacci

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

**HIGHWAY DEPARTMENT MISCELLANEOUS MATERIALS - UNOPENED BIDS  
REJECTED AND RE-ADVERTISING FOR BIDS AUTHORIZED**

RESOLVED THAT Town Board of the Town of Carmel hereby rejects all unopened bids previously received and hereby authorizes re-advertisement for bids for the purchase of the following items for fiscal year 2018:

(Cont.)

- Crushed Gravel
- Granular Base (Item 4)
- Run of Bank Gravel
- Bituminous Concrete
- Road Oils, Cut Backs, etc.
- Catch Basins & Sumps with Tops
- Tree Felling & Trimming
- Steel Culvert Drainage Pipe
- Aluminum Culvert Drainage Pipe
- Polyethylene Drainage Pipe
- Waste Wood Processing
- Street Sweeping

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

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilwoman McDonough and Councilman Lupinacci

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

**PUBLIC COMMENTS - AGENDA ITEMS**

Thom Ianniccari from the Greater Mahopac-Carmel Chamber of Commerce inquired if the traffic study recommended by the Putnam County Traffic Safety Board will include traffic lights for Route 6 and Route 6N previously discussed by Councilman Schneider.

Supervisor Schmitt indicated that it did not and discussion ensued.

Mr. Ianniccari expressed his support of the purchase of the property at 628 Route 6. He commented that the business community and their customers will be well served by the project.

Mr. Farina inquired about the other costs involved with the development of the property at 628 Route 6, specifically tearing down the sheds.

Councilman Barile explained that the sheds on the property will be torn down with volunteers that are already lined up and that the only cost to the Town will be the dumping fees.

Mr. Farina urged the Town Board to negotiate the price of the property and keep all associated costs for the project to a minimum. He asked if a garage will be erected on the property for parking.

Supervisor Schmitt stated that there will be no parking structures. Discussion continued.

**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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



**14 MARCH 2018  
TOWN BOARD MEETING**

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 8:20 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk