

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 17th day of October 2012 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 Schneider, Councilman Lupinacci, Councilman Lombardi and Supervisor Schmitt. Councilwoman McDonough was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business and a moment of silence was observed to honor those serving in the United States Armed Forces.

BUDGET MODIFICATIONS #2012-03 - AUTHORIZED

WHEREAS the Town Comptroller has reviewed the third quarter of 2012 proposed Budget Modifications for the period of July 1, 2012 through September 30, 2012 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule identified as #2012-03;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the third quarter 2012 Budget Modifications/Revisions for the period of July 1, 2012 through September 30, 2012 itemized on Schedule #2012-03 which is attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

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

TOWN OF CARMEL
BUDGET REVISIONS FOR QUARTER ENDING 9/30/12 - #2012/03

Work Session 10/10/12

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100-1620-0020	BUILDING EQUIPMENT	14,360.00	
	100-1969-2661	INSURANCE RECOVERY	14,360.00	
		- PROVIDE FOR VIDEO EQUIP REPAIR/REPLACEMENT		
2	100-1969-0040	UNCLASSIFIED EXPENSES	1,700.00	
	100-1969-2705	DONATIONS	1,700.00	
		- PROVIDE FOR 9/11 MEMORIAL EXPENSES		
3	100-7310-0045	YOUTH SELF SUSTAINING EXPENSE	10,000.00	
	100-1969-2050	YOUTH SELF SUSTAINING REVENUE	10,000.00	
		- PROVIDE FOR SELF SUSTAINING PROGRAM EXP		
4	100-8010-0040	ZONING BOARD CONTRACT EXP	600.00	
	100-8020-0040	PLANNING BOARD CONTRACT EXPENSE	400.00	
	100-1969-2115	PLANNING BOARD FEES	1,000.00	
		- PROVIDE FOR CONTRACT EXPENSE		
5	100-1010-0040	TOWN BOARD EXPENSE	255.00	
	100-1010-0043	TOWN BOARD EXPENSE - JS		44.00
	100-1010-0044	TOWN BOARD EXPENSE - FL		211.00
		- TRANSFER FOR GARBAGE CONTRACT EXPENSE		
6	100-1110-0040	JUSTICE COURT CONTRACTUAL EXPENSE	2,000.00	
	100-1220-0040	SUPERVISOR CONTRACTUAL EXPENSE	1,000.00	
	100-1315-0040	COMPTROLLER CONTRACTUAL EXPENSE	200.00	
	100-1355-0040	ASSESSOR CONTRACTUAL EXPENSE	500.00	
	100-1440-0040	ENGINEER CONTRACTUAL EXPENSE	5,000.00	
	100-1620-0040	BUILDING CONTRACTUAL EXPENSE	5,000.00	
	100-1970-0040	OFFICE SUPPLIES - UNDIST	450.00	
	100-3120-0045	POLICE VEHICLE MAINTENANCE	5,000.00	
	100-5010-0040	HIGHWAY ADMIN CONTRACTUAL EXP	500.00	
	100-8810-0020	CEMETERY EQUIP/REPAIR EXP	200.00	

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	100-1110-0044	JUSTICE COURT RECORDING EXPENSE		2,000.00
	100-1220-0080	SUPERVISOR BENEFIT EXPENSE		1,000.00
	100-1315-0044	COMPTROLLER CONSULTING EXPENSE		200.00
	100-1355-0041	ASSESSOR STAR PROGRAM EXPENSE		500.00
	100-1440-0080	ENGINEER BENEFIT EXPENSE		5,000.00
	100-1620-0041	BUILDING HEATING FUEL EXPENSE		5,000.00
	100-1950-0040	TAXES & ASSESSMENT EXP		450.00
	100-3120-0040	POLICE CONTRACTUAL EXPENSES		5,000.00
	100-5010-0080	HIGHWAY ADMIN BENEFIT EXP		500.00
	100-8810-0040	CEMETERY CONTRACTUAL EXP		200.00
		- TRANSFER FOR CONTRACTUAL EXPENSE		
7	100-1420-0042	JUSTICE COURT PROSECUTION EXPENSE	6,000.00	
	100-1420-0041	LITIGATION LEGAL EXPENSE		3,000.00
	100-1420-0049	LEGAL MISC EXPENSE		3,000.00
		- TRANSFER FOR LEGAL EXPENSE		
8	100-1620-0012	BUILDING OVERTIME EXPENSE	67.00	
	100-1620-0013	BUILDING TEMP STAFF EXPENSE	4,033.00	
	100-1315-0012	COMPTROLLER OVERTIME EXP		600.00
	100-1330-0013	TAX RECEIVER TEMP STAFF		3,500.00
		- TRANSFER FOR BUILDING MAINT STAFF EXP		
9	100-1620-0021	BUILDING MOTOR VEHICLE EXPENSE	4,000.00	
	100-1640-0084	CENTRAL GARAGE BENEFIT EXP		4,000.00
		- TRANSFER FOR GENERAL FUND VEHICLE EXP		

Budget Revisions 2012-QUARTER END SEPT 2012.xls

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TOWN OF CARMEL
BUDGET REVISIONS FOR QUARTER ENDING 9/30/12 - #2012/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
10	100-1680-0041	INFO TECH SUPPLIES	750.00	
	100-1970-0040	OFFICE SUPPLIES - UNDIST	250.00	
	100-1680-0040	INFO TECH CONT EXPENSE		1,000.00
		- TRANSFER FOR PRINTER/COPIER SUPPLIES EXP		
11	100-3120-0012	POLICE OVERTIME	100,000.00	
	100-3120-0011	POLICE UNIFORM SALARY EXP		10,000.00
	100-3120-0084	POLICE HEALTH INSURANCE EXPENSE		70,000.00
	100-3120-0086	POLICE RETIREE BENEFIT EXPENSE		20,000.00
		- TRANSFER FOR POLICE OVERTIME EXPENSE		
12	100-3121-0012	LAKE PATROL OVERTIME EXP	2,003.00	
	100-3123-0012	BIKE PATROL OVERTIME EXP		300.00
	100-3121-0082	LAKE PATROL FICAMED EXP		1,703.00
		- TRANSFER FOR POLICE EQUIPMENT COST		
13	100-3620-0012	CODE ENFORCEMENT OVERTIME	550.00	
	100-3620-0047	CODE ENFORCEMENT TRAINING		550.00
		- TRANSFER FOR OVERTIME EXP		
14	100-7020-0013	RECREATION ADMIN PT STAFF EXP	445.00	
	100-7020-0045	REC BLDG SPECIAL REPAIR	555.00	
	100-7020-0080	RECREATION STAFF EMPLOYEE BENEFIT EXP		1,000.00
		- TRANSFER FOR REC ADMIN EXP		
15	100-7110-0013	PARK MAINTENANCE TEMP STAFF EXP	600.00	
	100-7110-0040	PARK MAINTENANCE CONTRACTUAL EXP	4,000.00	
	100-7110-0020	PARK MAINTENANCE EQUIP EXP		1,000.00
	100-7110-0022	PARK MAINTENANCE SPECIAL EQUIP EXP		1,000.00
	100-7117-0020	CAMARDA PARK EXPENSE		1,000.00
	100-7140-0020	PLAYGROUND EQUIP EXPENSE		1,000.00
	100-7110-0082	PARK MAINTENANCE FICAMED EXP		600.00
		- TRANSFER FOR PARK CONTRACTUAL EXP		
16	100-7110-0080	PARK MAINTENANCE EMPLOYEE BENEFIT EXP	9,400.00	
	100-7110-0082	PARK MAINTENANCE FICAMED EXP		400.00
	100-7110-0085	PARK MAINTENANCE DENTAL/OPTICAL EXP		9,000.00
		- REVISE BUDGET FOR BENEFIT EXPENSE		
17	100-7112-0040	MCDONOUGH PARK CONT EXP	350.00	
	100-7114-0042	RED MILLS UTILITY EXP	150.00	
	100-7115-0040	AIRPORT CONTRACT EXP	330.00	
	100-7020-0020	REC ADMIN EQUIPMENT EXP		330.00
	100-7114-0040	RED MILLS CONTRACT EXP		150.00
	100-7112-0041	MCDONOUGH SKATE PARK CONT EXP		350.00
		- TRANSFER FOR CONTACT EXPENSE		
18	100-9902-0099	TRANSFER TO HIGHWAY FUND	10,000.00	
	100-3310-0045	STREET LINE EXPENSE		10,000.00
		- TRANSFER FOR TEMP STAFF EXP HIGHWAY		
HIGHWAY FUND				
19	500-5110-0013	GENERAL REPAIR TEMP STAFF	10,000.00	
	500-5010-5031	INTERFUND TRANSFER FROM Gen Fund	10,000.00	
		- PROVIDE FOR TEMP STAFF EXPENSE		
20	500-5130-0020	MACHINERY REPAIR TOOLS	500.00	
	500-5130-0021	HWY MACHINERY EQUIPMENT		500.00
		- TRANSFER FOR TOOL EXPENSE		
21	500-5140-0041	WEEDS AND BRUSH FUEL EXP	5,000.00	
	500-5142-0041	SNOW REMOVAL FUEL EXPENSE		5,000.00
		- TRANSFER FOR FUEL EXPENSE		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL FIRE PROTECTION DISTRICT #1				
22	301-3410-0049	SERVICES OTHER GOVT	380.00	
	301-9025-0040	LOSAP ADMIN EXP	20.00	
	301-3410-0048	OTHER EXPENDITURES		400.00
		- TRANSFER FOR LOSAP COST/SERVICES OTHER GOVT		
CARMEL FIRE PROTECTION DISTRICT #2				
23	302-3410-0049	SERVICES OTHER GOVT	320.00	
	302-9025-0040	LOSAP ADMIN EXP	580.00	
	302-9025-0090	LOSAP CONTRIBUTION COST		900.00
		- TRANSFER FOR LOSAP COST/SERVICES OTHER GOVT		
CARMEL FIRE PROTECTION DISTRICT #3				
24	303-3410-0049	SERVICES OTHER GOVT	35.00	
	303-9025-0040	LOSAP ADMIN EXP	2,430.00	
	303-9025-0090	LOSAP CONTRIBUTION COST	735.00	
	303-3410-9909	APPROPRIATED FUND BALANCE	3,200.00	
		- PROVIDE FOR LOSAP COST/SERVICES OTHER GOVT		
LAKE CASSE PARK DISTRICT				
25	401-7140-0013	TEMP STAFF EXPENSE	900.00	
	401-7140-0082	FICA/MED EXPENSE	100.00	
	401-7140-0099	REPAIR RESERVE FUND		1,000.00
		- TRANSFER FOR TEMP STAFF EXPENSE		
TEAKETTLE LAKE PARK DISTRICT				
26	403-7140-0041	SUPPLIES & MATERIAL EXP	1,000.00	
	403-7140-0049	SERVICES OTHER GOVT	120.00	
	403-7140-0040	CONTRACTUAL EXPENSE		1,000.00
	403-7140-0048	OTHER EXPENDITURES		120.00
		- TRANSFER FOR SUPPLIES/MATERIAL EXPENSE		
LAKE SECOR PARK DISTRICT				
27	404-7140-0013	TEMP STAFF EXPENSE	3,000.00	
	404-7140-0047	REFUSE DISPOSAL	50.00	
	404-7140-0082	FICA/MED EXPENSE	350.00	
	404-7140-0049	SERVICES OTHER GOVT		300.00
	404-7140-0099	REPAIR RESERVE FUND		3,100.00
		- TRANSFER FOR TEMP STAFF EXPENSE		
CARMEL WATER DISTRICT #2				
28	602-8310-0040	CONTRACTUAL REPAIRS	13,500.00	
	602-8310-0041	CHEMICAL EXPENSES	18,000.00	
	602-8310-0047	EMERGENCY REPAIRS	16,000.00	
	602-8310-0048	OTHER OPERATING EXPENDITURES	8,000.00	
	602-8310-0046	PURCHASE OF WATER		20,000.00
	602-8310-0049	SERVICES OTHER GOVT		12,500.00
	602-8310-0090	CONTINGENCY		12,000.00
	602-8310-0099	REPAIR RESERVE FUND		11,000.00
		- TRANSFER FOR EMERGENCY/CONT EXPENSES		
CARMEL WATER DISTRICT #3				
29	603-8310-0040	CONTRACTUAL REPAIRS	15,000.00	
	603-8310-0047	EMERGENCY REPAIRS	15,000.00	
	603-8310-0048	OTHER OPERATING EXPENDITURES	1,800.00	
	603-8310-0049	SERVICES OTHER GOVT		1,800.00
	603-8310-9909	APPROPRIATED FUND BALANCE	30,000.00	
		- PROVIDE/TRANSFER FOR EMERGENCY/CONT EXPENSES		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #4				
30	604-8310-0020	EQUIPMENT EXPENSE	500.00	
	604-8310-0040	CONTRACTUAL REPAIRS	7,500.00	
	604-8310-0047	EMERGENCY REPAIRS	2,000.00	
	604-8310-0049	SERVICES OTHER GOVT	530.00	
	604-8310-0048	OTHER OPERATING EXPENDITURES		530.00
	604-8310-9909	APPROPRIATED FUND BALANCE	10,000.00	
		- PROVIDE/TRANSFER FOR EMERGENCY/CONT EXPENSES		
CARMEL WATER DISTRICT #5				
31	605-8310-0042	UTILITY EXPENSE	1,000.00	
	605-8310-0099	REPAIR RESERVE FUND		1,000.00
		- TRANSFER FOR UTILITY EXPENSES		

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CARMEL WATER DISTRICT #6				
32	606-8310-0042	UTILITY EXPENSE	1,000.00	
	606-8310-0099	REPAIR RESERVE FUND		1,000.00
		- TRANSFER FOR UTILITY EXPENSES		
CARMEL WATER DISTRICT #7				
33	607-8310-0047	EMERGENCY REPAIRS	3,000.00	
	607-8310-0099	REPAIR RESERVE FUND		3,000.00
		- TRANSFER FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #8				
34	608-8310-0040	CONTRACTUAL REPAIRS	11,000.00	
	608-8310-0041	CHEMICAL EXPENSES	4,600.00	
	608-8310-0047	EMERGENCY REPAIRS	15,000.00	
	608-8310-0049	SERVICES OTHER GOVT	400.00	
	608-8310-0090	CONTINGENCY		6,000.00
		APPROPRIATED FUND BALANCE	*	25,000.00
		- PROVIDE/TRANSFER FOR EMERGENCY/CONT EXPENSES		
CARMEL WATER DISTRICT #9				
35	609-8310-0047	EMERGENCY REPAIRS	4,500.00	
	609-8310-0049	SERVICES OTHER GOVT	1,000.00	
	609-8310-0099	REPAIR RESERVE FUND		5,500.00
		- TRANSFER FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #10				
36	610-8310-0040	CONTRACTUAL REPAIRS	700.00	
	610-8310-0049	SERVICES OTHER GOVT	1,300.00	
	610-8310-0099	REPAIR RESERVE FUND		2,000.00
		- TRANSFER FOR SERV OTHER GOVT EXPENSE		
CARMEL WATER DISTRICT #12				
37	612-8310-0040	CONTRACTUAL REPAIRS	4,500.00	
	612-8310-0041	CHEMICAL EXPENSES	1,280.00	
	612-8310-0042	UTILITY EXPENSE	2,000.00	
	612-8310-0047	EMERGENCY REPAIRS	8,500.00	
	612-8310-0048	OTHER OPERATING EXPENDITURES	500.00	
	612-8310-0049	SERVICES OTHER GOVT		2,780.00
	612-8310-0099	REPAIR RESERVE FUND		4,000.00
	612-8310-9909	APPROPRIATED FUND BALANCE	*	10,000.00
		- PROVIDE/TRANSFER FOR EMERGENCY/CONT EXPENSES		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #14				
38	614-8310-0047	EMERGENCY REPAIRS	8,093.00	
	614-8310-2681	INSURANCE RECOVERY ASSET	*	8,093.00
		- PROVIDE FOR EMERGENCY REPAIR EXPENSES		
39	614-8310-0020	EQUIPMENT EXPENSE	300.00	
	614-8310-0042	UTILITY EXPENSE	895.00	
	614-8310-0048	OTHER OPERATING EXPENSE	600.00	
	614-8310-0049	SERVICES OTHER GOVT		755.00
	614-8310-2701	REFUND PRIOR YEAR	*	840.00
		- PROVIDE/TRANSFER FOR MISC EXPENSES		
CARMEL WATER DISTRICT #2 EXT				
40	622-8310-0049	SERVICES OTHER GOVT	3,200.00	
	622-8310-0099	REPAIR RESERVE FUND		3,200.00
		- TRANSFER FOR SERV OTHER GOVT EXPENSE		
CARMEL SEWER DISTRICT #1				
41	701-8130-0040	CONTRACTUAL REPAIRS	4,500.00	
	701-8130-0099	REPAIR RESERVE FUND		4,500.00
		- TRANSFER FOR CONT EXPENSES		
CARMEL SEWER DISTRICT #2				
42	702-8130-0049	SERVICES OTHER GOVT	45,000.00	
	702-8130-0090	CONTINGENCY		24,000.00
	702-8130-0099	REPAIR RESERVE FUND		12,500.00
	702-8130-2701	REFUND PRIOR YEAR	*	8,500.00
		- PROVIDE/TRANSFER FOR SEWER REFUND O&M		
43	702-8130-0049	SERVICES OTHER GOVT	12,020.00	
	702-8130-0040	CONTRACTUAL REPAIRS		12,020.00
		- TRANSFER FOR SERV OTHER GOVT EXPENSE		

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44	702-8130-0142	UTILITY EXPENSES - MICROFILTRATION	10,000.00	
	702-8130-0042	UTILITY EXPENSES		10,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
CARMEL SEWER DISTRICT #3				
45	703-8130-0040	CONTRACTUAL REPAIRS	5,000.00	
	703-8130-0042	UTILITY EXPENSE	1,000.00	
	703-8130-9909	APPROPRIATED FUND BALANCE	6,000.00	
		- PROVIDE FOR CONT/UTILITY EXPENSES		
CARMEL SEWER DISTRICT #4				
46	704-8130-0041	CHEMICAL EXPENSE	3,400.00	
	704-8130-0049	SERVICES OTHER GOVT	1,600.00	
	704-8130-0099	REPAIR RESERVE FUND		5,000.00
		- TRANSFER FOR CHEMICAL EXP/SERV OTHER GOVT		
47	704-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	10,000.00	
	704-8130-0041	CHEMICAL EXPENSES	4,000.00	
	704-8130-0040	CONTRACTUAL EXPENSES		10,000.00
	704-8130-0141	CHEMICAL EXPENSES - MICROFILTRATION		4,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
CARMEL SEWER DISTRICT #5				
48	705-8130-0040	CONTRACTUAL REPAIRS	5,100.00	
	705-8130-0099	REPAIR RESERVE FUND		5,100.00
		- TRANSFER FOR CONT EXPENSES		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #7				
49	707-8130-0040	CONTRACTUAL EXPENSES	4,000.00	
	707-8130-0041	CHEMICAL EXPENSE	3,000.00	
	707-8130-0042	UTILITY EXPENSE	5,300.00	
	707-8130-0090	CONTINGENCY		2,000.00
	707-8130-0099	REPAIR RESERVE FUND		10,300.00
		- TRANSFER FOR CONT/CHEM/UTILITY EXPENSE		
50	707-8130-0049	SERVICES OTHER GOVT	4,000.00	
	707-8130-0090	CONTINGENCY		4,000.00
		- TRANSFER FOR SERV OTHER GOVT		
51	707-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	5,000.00	
	707-8130-0141	CHEMICAL EXPENSES - MICROFILTRATION	2,000.00	
	707-8130-0142	UTILITY EXPENSES - MICROFILTRATION	2,000.00	
	707-8130-0040	CONTRACTUAL EXPENSES		5,000.00
	707-8130-0041	CHEMICAL EXPENSES		2,000.00
	707-8130-0042	UTILITY EXPENSES		2,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
CARMEL SEWER DISTRICT #1, EXT 3				
52	713-8130-0040	CONTRACTUAL REPAIRS	5,000.00	
	713-8130-0099	REPAIR RESERVE FUND		5,000.00
		- TRANSFER FOR CONT EXPENSES		
MAHOPAC LIGHTING DISTRICT				
53	751-5182-0049	SERVICES OTHER GOVT	650.00	
	751-5182-0048	OTHER MISC EXPENDITURES		650.00
		- TRANSFER FOR SERV OTHER GOVT		
CARMEL LIGHTING DISTRICT				
54	752-5182-0049	SERVICES OTHER GOVT	211.00	
	752-5182-0048	OTHER MISC EXPENDITURES		211.00
		- TRANSFER FOR SERV OTHER GOVT		
DAISY LANE LIGHTING DISTRICT				
55	753-5182-0049	SERVICES OTHER GOVT	45.00	
	753-5182-0042	CONTRACTUAL UTILITIES		45.00
		- TRANSFER FOR SERV OTHER GOVT		
COUNTRY HILLS LIGHTING DISTRICT				
56	754-5182-0049	SERVICES OTHER GOVT	32.50	
	754-5182-0042	CONTRACTUAL UTILITIES		32.50
		- TRANSFER FOR SERV OTHER GOVT		
LAKE MCGREGOR LIGHTING DISTRICT				
57	755-5182-0049	SERVICES OTHER GOVT	30.00	
	755-5182-0042	CONTRACTUAL UTILITIES		30.00
		- TRANSFER FOR SERV OTHER GOVT		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
DRAINAGE CAPITAL PROJECT				
58	900-1989-0012	PROJECT OVERTIME EXPENSE	40,000.00	
	900-1989-0080	FICAMED EXPENSE	2,000.00	
	900-1989-0040	CONTRACTUAL EXPENDITURES		42,000.00
		- TRANSFER FOR CAPITAL EXPENSE		
SPECIAL DRAINAGE CAPITAL PROJECT (LAKE MCGREGOR)				
59	902-1989-0012	PROJECT OVERTIME EXPENSE	9,000.00	
	902-1989-0082	FICAMED EXPENSE	1,000.00	
	902-1989-0040	CONTRACTUAL EXPENDITURES		10,000.00
		- TRANSFER FOR CAPITAL EXPENSE		
CAMARDA PARK CAPITAL PROJECT				
60	911-7140-0020	PARK EQUIPMENT	18,521.00	
	911-7140-2681	INSURANCE RECOVERY	18,521.00	
		- PROVIDE FOR CAMARDA PAVILION REPLACEMENT EXPENSE		
HIGHWAY RESURFACING CAPITAL PROJECT				
61	950-5112-0012	PROJECT OVERTIME	190.00	
	950-5112-0082	FICAMED EXPENSE	440.00	
	950-5112-0045	CONTRACTED PAVING EXPENSE		630.00
		- TRANSFER FOR CAPITAL EXPENSE		

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**SUBSTITUTION OF COLLATERAL AUTHORIZED - NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION - CROTON FALLS PUMPING
STATION - TAX MAP #77-2-2**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the substitution of the performance guarantee and undertaking from the New York City Department of Environmental Protection dated April 4, 2012 attached hereto, in lieu of the posting of a performance bond as required under Town Code 156-61(J) for the project known as the Croton Falls Pumping Station located on the property designated as Town of Carmel Tax Map #77-2-2.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schneider

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



Carter H. Strickland, Jr.
Commissioner

April 4, 2012
Hon. Kenneth Schmitt
Town of Carmel Supervisor
Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541

☒ Work Session 10/10/12
☐ Agenda _____

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

John Rousakis
General Counsel
Bureau of Legal Affairs
jrousakis@dep.nyc.gov

59-17 Junction Boulevard
Flushing, NY 11373
T: (718) 595-8711
F: (718) 595-6543

Town Board of the Town of Carmel
Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541

Town of Carmel Planning Board
Carmel Town Hall
60 McAlpin Avenue
Mahopac, NY 10541
Attention: Rose Trombetta, Secretary to the Planning Board

RE: Croton Falls Pump Station project
Site Plan Application – Bond Waiver

Dear Supervisor Schmitt:

The New York City Department of Environmental Protection ("DEP") has previously submitted a Site Plan application to the Town of Carmel Planning Board on May 12, 2010, as amended, for the Croton Falls Pump Station project. DEP understands that in accordance with §156-61.J of the Town Code of the Town of Carmel ("Code")- Site Plan Approval, a performance bond is required to assure DEP will complete the project and all improvements will conform to the approved site plan and applicable regulations.

By this letter, DEP respectfully requests a waiver from the requirement of a performance bond for the above-referenced project. All site improvements, including, but not limited to: construction of a new pumping station, storm water management features, sanitary waste disposal system, electrical power distribution system, clearing and grubbing, and landscaping, have been developed in accordance with Town of Carmel regulations and the Final Site Plan Approval. In addition, DEP requires a performance bond from the selected contractor as a guarantee to DEP that all work will be completed, including all

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site restoration work. This requirement is also included in the scope of work, which is

incorporated by reference into the construction contract. DEP has extremely stringent policies and requirements when it comes to selecting contractors to perform work on its behalf.

DEP hereby warrants, represents and guarantees that it will perform and satisfy all conditions of the Final Site Plan Approval granted by the Town of Carmel Planning Board for the Croton Falls Pump Station project. This guarantee is made by DEP in lieu of placing a bond with the Town of Carmel, as required pursuant to Code §156-61.J. It is the intent of this document that DEP shall be fully responsible for satisfying the aforementioned conditions. This guarantee shall not expire without the express written consent of the Town of Carmel.

Please accept this letter in lieu of a performance bond as DEP's guarantee that all of the conditions of the Final Site Plan Approval will be adhered to and satisfied. Thank you for your consideration in this matter.

Sincerely,


John Rousakis

cc: Paul Smith, P.E., Portfolio Manager, BEDC
Mark Page, Jr., Chief, BEPA
Mark Klein, Manager, BEDC
Paul Costa, Accountable Manager, BEDC

17 OCTOBER 2012
TOWN BOARD MEETING

CARMEL WATER DISTRICT #8 - ACCEPTANCE OF PROPOSAL FOR CONSTRUCTION PHASE ENGINEERING SERVICES AUTHORIZED - J. ROBERT FOLCHETTI & ASSOCIATES, LLC

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #8 hereby authorizes the acceptance of the proposal of J. Robert Folchetti & Associates, LLC, Brewster, NY for construction phase engineering services to be rendered in connection with the Carmel Water District #8 water main replacement project which proposal is hereby attached hereto, incorporated herein and made a part hereof; and

BE IT FURTHER RESOLVED, that upon presentation of any insurance certificates as required within the request for proposal in form acceptable to Special Counsel Joseph Charbonneau, Town Supervisor Kenneth Schmitt is hereby authorized to execute said proposal and any other related documentation thereto.

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

J. ROBERT FOLCHETTI & ASSOCIATES, LLC
CIVIL/ENVIRONMENTAL ENGINEERS

October 2, 2012

Mr. Ron Gainer, P.E.
Town of Carmel
Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

RE: PROPOSAL FOR ENGINEERING SERVICES
Construction Engineering Services
Carmel Water District #8 Water Main Replacement Project

Dear Mr. Gainer:

J. Robert Folchetti and Associates is pleased to submit our proposal for Construction Engineering Services as defined in your RFP for Carmel Water District #8 Water Main Replacement Project.

Our proposal is based on the understanding that the Town of Carmel wishes to engage the services of a professional engineer to supervise construction of a project consisting of the installation of approximately 13,400 feet of 8" PVC water main, within the district limits of Carmel Water District # 8, Town of Carmel, New York. The project is shown on plans and Specifications entitled "Carmel Water District #8 Water Main Replacement," prepared by Maser Consulting. The project has received all necessary agency approvals.

For your convenience, we have divided the proposal into two sections as follows:

SECTION 1 - PROPOSED SCOPE OF WORK

SECTION 2 - ESTIMATED PROJECT SCHEDULE AND LEVEL OF EFFORT

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

Mr. Ron Gainer, P.E.
Proposal for Engineering Services
October 2, 2012
Page 2

SECTION 1 - PROPOSED SCOPE OF WORK

- Task 1.1 Conduct Pre-construction meeting
- Task 1.2 Conduct all progress meetings
- Task 1.3 Prepare minutes of all meetings attended
- Task 1.4 Review of contractor submittals
- Task 1.5 Review and processing of contractor payment requisitions
- Task 1.6 Review and processing of any field directives and Change Orders, as may be necessary during the performance of the work
- Task 1.7 Perform all required punch list inspections, and issuance of punch lists
- Task 1.8 Monitor all Contractor's field testing (Bacteriological & pressure/leakage testing)
- Task 1.9 Assist Town in processing construction certification to Putnam County Department of Health upon completion of work
- Task 1.10 Review contractor's close-out documents & as-built drawings
- Task 1.11 Provide full-time field inspection services to monitor contractor's activities for conformance with the contract documents and final design drawings

Tasks not included in this scope of work are excluded.

Mr. Ron Gainer, P.E.
Proposal for Engineering Services
October 2, 2012
Page 3

SECTION 2 - ESTIMATED PROJECT SCHEDULE AND LEVEL OF EFFORT

The estimated fee for construction engineering services is based on the 180 calendar day contract time identified in your request.

DESCRIPTION OF MANHOURS

Task	PM/RPR	Inspector	OTP	Total
Basic Construction Services	100	100	80	280
Full Time Construction Inspection	25	875	50	950

Task	Estimated Cost
Basic Construction Services	\$42,000.00
Full Time Construction Inspection	\$68,000.00

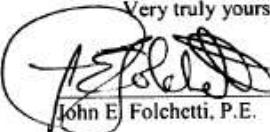
Please note that the hourly rate for an experienced inspector is \$72.50.
The prices quoted in this proposal are guaranteed until November 2012.
The following costs will constitute a separate item for reimbursement:

- Project connected traveling expenses.
- Communication expenses.
- Printing, reproduction, legal, laboratory, shipping and other costs not attributable to general overhead.
- All agency fees to be paid by Owner.

We are available to discuss any aspect of this proposal with you at your convenience. If this proposal is satisfactory please execute and return one copy.

ENGINEER

**OWNER or
AUTHORIZED SIGNATURE**

Very truly yours,

John E. Folchetti, P.E. 2 OCT 12
Date

Signature _____ Date _____

JEF/jac
cc: File

(Cont.)

Mr. Ron Gainer, P.E.
Proposal for Engineering Services
October 2, 2012
Page 4

J. ROBERT FOLCHETTI & ASSOCIATES, L.L.C.
ENGINEERING RATE SCHEDULE

<u>CLASSIFICATION</u>	<u>\$ PER HOUR</u>
Principal	\$160.00 - \$200.00
Project Manager (PE)	\$110.00 - \$170.00
Project Engineer / Geologist	\$ 90.00 - \$132.00
Licensed Surveyor	\$ 85.00 - \$ 95.00
Engineer / Designer	\$ 65.00 - \$ 95.00
Engineer / Inspector	\$ 60.00 - \$ 80.00
Clerical / Secretarial	\$ 50.00 - \$ 75.00
OTP	\$ 75.00 - \$ 100.00
CADD	\$ 65.00 - \$ 75.00
Survey Crew	\$145.00 / hour

PROPOSAL AWARDED FOR SOLID WASTE PICKUP AND DISPOSAL VARIOUS TOWN OWNED FACILITIES - AAA CARTING & RUBBISH REMOVAL D/B/A A&N CARTING - ANNUAL COST OF \$12,576

WHEREAS Robert J. Vara, Engineering Projects Coordinator has solicited proposals for the proposed solid waste pick-up and disposal at various Town facilities and has forwarded a memo with a recommendation for the awarding of the proposal, a copy of which is on file in the Town Engineer's Office;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, hereby accepts the proposal of AAA Carting & Rubbish Removal D/B/A A&N Carting, of Cortlandt Manor, NY, commencing immediately at a total annual cost of \$12,576, which cost shall be pro-rated on a monthly basis ending December 31, 2012, and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates and bonds as required by the proposal and in form as approved by the Town Counsel, the Supervisor is authorized to sign all necessary documents to accept said proposal; and

BE IT FURTHER RESOLVED, that the services being currently rendered to the Town of Carmel for solid waste pick-up and disposal at Town facilities by Mid-Hudson Waste, Inc., are hereby terminated effective immediately; and

BE IT FURTHER RESOLVED that Town Deputy Supervisor Frank Lombardi is hereby authorized to immediately forward written notice of said termination of the services of Mid-Hudson Waste, Inc.

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

17 OCTOBER 2012
TOWN BOARD MEETING

**RESOLUTION FROM 8/16/06 AMENDED - REDUCTION OF BOND AUTHORIZED -
BALDWIN ESTATES SUBDIVISION - TM #75.19-1-1.11**

WHEREAS application has been made by Richard Dudyshyn for reduction of a subdivision bond posted in accordance with the Land Subdivision and/or Zoning Regulations for the Baldwin Estates Subdivision, Tax Map #75.19-1-1.11; and

WHEREAS said application had been previously reviewed by the Town Engineer and a reduction of the bond has been previously recommended and approved by the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the reduction of the aforementioned bond posted for the Baldwin Estates Subdivision, from its previously reduced amount of \$102,564.00, which sum was comprised of assignments of Sound Federal Savings Account No. 11-802228 in the amount of \$23,583.00 and Sound Federal Savings Account No. 11-1649 in the amount of \$78,981.00, to a reduced amount of \$47,166.00.

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilman Schneider

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

**PUBLIC HEARING SCHEDULED FOR 11/7/12 - PROPOSED LOCAL LAW TO
OVERRIDE THE LIMIT ON THE AMOUNT OF REAL PROPERTY TAXES THAT MAY
BE LEVIED BY THE TOWN OF CARMEL PURSUANT TO GENERAL MUNICIPAL
LAW § 3-C**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, November 7, 2012 at 7:00 p.m. or as soon thereafter that evening as possible to consider the adoption of a local law to override the limit on the amount of real property taxes that may be levied by the Town of Carmel, County of Putnam pursuant to General Municipal Law § 3-c; and

BE IT FURTHER RESOLVED that the Town Clerk 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 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> </u>	<u> </u>	Absent
Frank Lombardi	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

**Town of Carmel
Local Law No. ____ of the Year 2012
A local law to override the tax levy limit established in
General Municipal Law 3-c**

A local law to override the tax levy limit established in General Municipal Law 3-c

(Cont.)

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Carmel, County of Putnam pursuant to General Municipal Law § 3-c, and to allow the Town of Carmel, County of Putnam to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2012 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Carmel, County of Putnam is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

2013 TENTATIVE BUDGET AS ADOPTED AS THE 2013 PRELIMINARY BUDGET

RESOLVED that the Town Board of the Town of Carmel hereby adopts the Tentative Budget as the Preliminary Budget for fiscal year 2013.

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

PUBLIC HEARING SCHEDULED FOR 11/7/12 IN CONNECTION WITH PRELIMINARY BUDGET

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing in regard to the Preliminary Budget for fiscal year 2013 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Districts, Fire Protection Districts and Lighting Districts; and

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

BE IT FURTHER RESOLVED that said Public Hearing shall be held on the 7th day of November, 2012 at Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM or as soon thereafter that evening as possible, at which all interested persons shall be heard; and

BE IT FURTHER RESOLVED that the proposed salaries of the following officials for fiscal year 2013 shall be advertised, as required by Section 108 of the Town Law of the State of New York, as follows in said notice:

Supervisor - \$94,882.00
Town Councilman - \$18,490.00
Town Clerk - \$80,280.72
Town Superintendent of Highways - \$101,808.72

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and directed to publish the Notice of said Public Hearing in the official newspapers of the Town a minimum of five (5) days prior to November 7th, 2012, and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Carmel is hereby authorized and directed to post the Notice of said Public Hearing on the Town Bulletin Board a minimum of five (5) days prior to November 7th, 2012; and

BE IT FURTHER RESOLVED that a copy of the preliminary budget be available at the Office of the Town Clerk where it may be inspected by any interested person during office hours.

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

2012 PRESIDENTIAL ELECTION - ENTRY INTO AGREEMENT WITH COUNTY OF PUTNAM FOR THE USE OF VOTING MACHINES AND VARIOUS EQUIPMENT - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes entry into agreement with the County of Putnam for use of voting machines and various equipment belonging to the Putnam County Board of Elections for the 2012 Presidential Election on November 6, 2012; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute said agreement and related documents in form and substances as attached hereto and made a part hereof.

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

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

AGREEMENT AND RELEASE OF LIABILITY

THIS AGREEMENT, entered into this ____ day of _____, 20__ by and between **THE COUNTY OF PUTNAM**, a municipal corporation of the State of New York, having an office and place of business at 40 Gleneida Avenue, Carmel, New York 10512, by and through its Board of Elections (hereinafter referred to as the "COUNTY"), party of the first part, and **TOWN OF CARMEL**, with an office at 50 McAlpin Avenue, Mahopac, New York 10541 (hereinafter referred to as the "POLLING PLACE"), party of the second part.

WITNESSETH, in consideration of the promises and the mutual covenants hereinafter contained and other good and valuable consideration, the parties hereby formally covenant, agree and bind themselves as follows:

1. The COUNTY hereby gives and grants to the POLLING PLACE, and the POLLING PLACE hereby accepts from the COUNTY, a revocable license to retain COUNTY property known as Image Cast voting machine(s) that utilize programmed memory card(s), as well as accompanying privacy booth(s) and other various Board of Elections equipment (hereinafter referred to as the "PROPERTY") at the following location, which is under the control and care of the POLLING PLACE, for the purpose of holding the 2012 Primary Election on September 13, 2012:

- Carmel Town Hall-Meeting Room1-2, 50 McAlpin Avenue, Mahopac, NY 10541

All of the foregoing shall be subject to the terms and conditions of this Agreement, as more fully set forth herein.

2. The POLLING PLACE shall be permitted to retain the PROPERTY for the purposes and period set forth in Schedule "A" annexed hereto and made a part hereof.

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3. The PROPERTY is in good working condition and the POLLING PLACE agrees to retain and maintain the PROPERTY in such good working condition. The POLLING PLACE shall assume sole responsibility for any/all damage or harm to the PROPERTY caused by fire, theft, accident, neglect, abuse or otherwise during the term of this Agreement.

4. The POLLING PLACE shall, at its sole cost and expense, provide for the COUNTY's use the furnishings described in and for the period set forth on Schedule "A."

5. The POLLING PLACE will comply, at its sole cost and expense, with the provisions of any/all applicable federal, state and/or municipal requirements, regulations, rules and/or laws applicable to the activities under this Agreement.

6. The POLLING PLACE shall, at its sole cost and expense, maintain liability insurance during the term of this Agreement as shall protect the COUNTY and the POLLING PLACE from claims for damages for personal injury, including accidental death, which may arise from activities under this Agreement. Said insurance shall be in accordance with the

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

insurance requirements contained in the attached Schedule "B," entitled "Putnam County Insurance Requirements". The POLLING PLACE shall furnish a copy of the above-described insurance policy to the COUNTY and shall also name the COUNTY as the additional insured in said policy.

7. The POLLING PLACE covenants and agrees to fully and forever release and discharge the COUNTY and any and all of its officers, agents, servants, representatives or employees from any and all claims, demands, rights of action or causes of action, present or future, whether same be known or unknown, anticipated or unanticipated, resulting from any cause whatsoever arising out of the activities under this Agreement.

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8. The POLLING PLACE covenants and agrees to forever refrain from instituting, prosecuting or maintaining any action, suit or proceeding, at law or otherwise, and from pressing, collecting or otherwise proceeding against the COUNTY or any officer, agent, servant, representative or employee of the COUNTY upon any claims, controversies, actions, causes of action, obligations or liabilities of any nature whatsoever, whether or not presently known, which the undersigned ever had, now has or hereafter can, shall or may have, or allege, based upon any negligence of whatsoever nature, ordinary or gross, whether or not presently known with respect to or arising out of or in connection with any personal injury, including death, or property damage arising out of the activities under this Agreement.

9. The POLLING PLACE covenants and agrees to defend, indemnify and save harmless the COUNTY and any/all its officers, agents, servants, representatives or employees from any and all claims, demands, rights of action or causes of action, present or future, whether same be known or unknown, anticipated or unanticipated, resulting from any cause whatsoever arising out of the activities under this Agreement.

10. The POLLING PLACE covenants and agrees that this release is intended to be as broad and inclusive as permitted by the laws of the State of New York, and that if any portion of this Agreement is held invalid, it is agreed that the balance of this Agreement shall, notwithstanding the foregoing, continue in full force and effect.

11. The provision of paragraphs "7" through "10" of this Agreement shall survive any termination of the revocable license or of this Agreement.

12. Any and all notices required hereunder shall be addressed as indicated herein, or to such other address(s) as may hereafter be designated in writing by either party hereto:

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17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

TO THE COUNTY:	County Attorney, Putnam County 48 Gleneida Avenue Carmel, New York 10512
TO THE POLLING PLACE:	Town of Carmel 50 McAlpin Avenue Mahopac, New York 10541

13. The POLLING PLACE shall not assign this Agreement, or their right, title or interest herein, without the express prior written consent of the COUNTY.

14. This Agreement shall be construed in accordance with the laws of the State of New York, and constitutes the complete understanding and agreement of the parties. No modification or amendment of any of the provisions hereof shall be valid unless in writing and signed by all parties hereto.

15. The POLLING PLACE hereby states that it has carefully read this release and fully understands its contents, and is fully aware that this is a release of liability and a contract between itself and the COUNTY and any and all of the COUNTY's officers, agents, servants, representatives or employees, and is signing this release of its own free will.

16. This Agreement is executed in two (2) counterpart originals, each of which will constitute an original and all of which, when taken together, shall constitute one (1) Agreement.

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IN WITNESS WHEREOF, the parties have executed this Agreement in Putnam County, New York, on the date hereinabove first set forth.

READ & APPROVED:

THE COUNTY OF PUTNAM:

Date	
Adrienne L. Spadaccini	
Senior Deputy County Attorney	
For Risk and Compliance	
Date	
Jennifer S. Bumgarner	
County Attorney	
Date	
Anthony G. Scannapieco, Jr., Commissioner	
Board of Elections	

Date	
MaryEllen Odell	
County Executive	
Date	
Robert J. Bennett, Commissioner	
Board of Elections	
Date	
Town of Carmel	
50 McAlpin Avenue	
Mahopac, New York 10541	

By: _____
Please Print Name & Title

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)

ACKNOWLEDGMENT OF PUTNAM COUNTY:

STATE OF NEW YORK)
) ss.:
COUNTY OF PUTNAM)

On this ____ day of _____, 2012 before me personally came **MARYELLEN ODELL** to me known, who being by me duly sworn, did depose and say that she resides at Putnam County, New York; that she is the County Executive of Putnam County, the corporation described in and which executed the foregoing instrument; that she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; and the same was affixed to said instrument under authority of the Putnam County Charter and that she signed her name thereto under the same authority.

Notary Public

ACKNOWLEDGMENT OF POLLING PLACE:

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of _____, 2012 before me personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her capacity and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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SCHEDULE A

**BOARD OF ELECTIONS
COUNTY OF PUTNAM**

25 Old Route 6 ~ Carmel, New York 10512
(845) 808-1300 Fax (845) 808-1920

Commissioner
ROBERT J. BENNETT
President



Commissioner
ANTHONY G. SCANNAPIECO, Jr. PhD
Secretary

January 6, 2012

Mr. Kenneth Schmitt, Town Supervisor
Carmel Town Hall
60 McAlpin Ave.
Mahopac, NY 10541

Dear Mr. Schmitt:

The 2012 General Election will be held on **Tuesday, November 6, 2012 from 6:00 A.M. to 9:00 P.M.** The Election Workers will need access to the building at **5:00 A.M.** The following is a list of furnishings needed. Please make arrangements for the set-up and placement of the tables and chairs to assist our Election Workers.

17 OCTOBER 2012
TOWN BOARD MEETING

(Cont.)


<u>Election Dist #</u>	<u>Facility</u>	<u>Location</u>	<u>Furnishings</u>
6, 7, 15, 22, 23	Carmel Town Hall	Meeting Room	5 Tables 25 Chairs

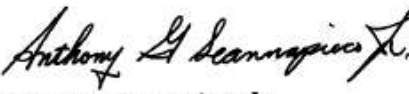
The voting machines and supplies will be delivered November 2, 2012 or November 5, 2012.

Our staff will be picking up the voting machines and supplies November 7, 2012 or November 8, 2012.

Thank you for your assistance with the election process. If you require any additional information, please feel free to contact our office.

Very truly,


Robert J. Bennett
Commissioner


Anthony G. Scannapieco, Jr.
Commissioner

cc: Ms. A. Garris, Town Clerk

5/12

SCHEDULE "B"
PUTNAM COUNTY INSURANCE REQUIREMENTS

- I. It is the requirement of the County of Putnam and/or Putnam County Highway Department that for work performed under contract and/or permit authorized by the County and/or Highway Department and/or any event or performance conducted on county property that the contractor or permittee procure and maintain at their own expense and without expense to the County, until final acceptance of the work by the County, the insurances listed below.
 - Before commencement of any work, event or performance a certificate or certificates of insurance must be furnished to the county and/or highway department in forms satisfactory to the County and/or Highway Department.
 - All insurance coverages must be from an A.M. Best Rated "secured" (B+-A++), New York State admitted insurer.
 - All certificates of insurance must provide that the policy or policies shall not be changed or canceled until at least thirty (30) days prior written notice has been given to the County and/or Highway Department.
 - When required by the Highway Department the "XCU" exclusion of the policy or policies shall be eliminated or show proof that "XCU" is covered.
- II. The Contractor shall provide and maintain at its own expense the following minimum insurance coverage:
 - A. Workers' Compensation Insurance - This is statutorily required and is required for all contracts. Each policy must cover all operations and all locations involved in the contract. If applicable, the policy should also include New York State Disability Benefits.
 - B. Commercial General Liability Insurance - Each policy must cover all operations and all locations involved in the contract and include the following:
 - \$1,000,000 for each occurrence
 - \$50,000 for the Fire Damage Legal Liability Limit
 - \$5,000 for the Medical Expense Limit
 - \$1,000,000 for the Personal & Advertising Injury Limit
 - \$2,000,000 for the General Aggregate Limit
 - \$2,000,000 for the Products/Completed Operations Aggregate Limit
 - C. Commercial Automobile Liability Insurance - Each policy must cover all operations and locations involved in the contract and including the following:
 - (1) Owned Automobiles
 - (2) Hired Automobiles
 - (3) Non-Owned Automobiles

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Unless specifically required, each policy shall provide Combined Single Limits of not less than \$1,000,000 for Bodily Injury and Property Damage.

Professional Liability Insurance (if applicable) - Each policy must cover errors and omissions. The policy limit shall be no less than \$1,000,000 per claim.

D. **Excess Liability Insurance or an Umbrella Policy (if applicable)** - A policy is required if the amount paid under the contract is above \$100,000. The limits required on the policy depend on the total contract amount.

- \$100,000 - \$250,000 - 1 million
- \$250,001 - \$500,000 - 5 million
- \$500,000+ - 10 million

E. **Bid, Performance/Payment, Labor & Material Bonds** - A policy is required for any contract in excess of \$250,000. These bonds shall be provided by a New York State admitted surety company in good standing.

III. Specific Information **MUST** appear on each and every Insurance Certificate provided to the County.

A. The following must appear under the section entitled, "Certificate Holder"

**COUNTY OF PUTNAM
48 GLENEIDA AVENUE
CARMEL, NEW YORK 10512
ATTN.: LAW DEPT./RISK MANAGER**

B. The following language must appear in the section entitled, "Description of Operations/Locations, etc.":

"Putnam County is included as an additional insured except for Professional Liability and Workers' Compensation."

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STANDARD INSURANCE REQUIREMENTS AND INDEMNIFICATION REQUIREMENT:

All policies and certificates of insurance of the contractor shall contain the following clauses:

1. Putnam County is named as an additional insured and as Certificate Holder. Insurers shall have no right of recovery or subrogation against the County of Putnam (including its agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above described insurance.
2. The Clause "other insurance provisions" in a policy in which the County of Putnam is named as an additional insured, shall not apply to the County of Putnam.
3. The insurance companies issuing the policy or policies shall have no recourse against the County of Putnam (including its agents or agencies) for payment of any premiums or for assessments under any form of policy.
4. Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the risk of the contractor.

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.

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OPEN FORUM - PUBLIC COMMENTS

Michael Barile addressed the bid opening held earlier in the day in connection with a contract for the town wide collection of refuse, garbage, recyclable materials and bulk collection. He expressed his concern that it would not be possible to implement the contract for January 1, 2013.

Gregory Folchetti, Legal Counsel disagreed. He explained that the bid specifications were written for calendar year 2013.

Mr. Barile urged the Town Board move quickly to award the contract.

Councilman Lupinacci indicated that the matter will be included on the next Work Session agenda.

Mr. Barile addressed the issue of illegal political signs currently posted in the Town of Carmel and the danger that they cause to Building Department staff charged with removing them along Route 6. He suggested that with limited exceptions, candidates should be aware of the local laws with regard to erecting signs and should be fined for noncompliance.

OPEN FORUM - TOWN BOARD MEMBER COMMENTS

Councilman Lombardi announced that donations of canned foods will be accepted at the Town Hall for the annual Mahopac Middle School Thanksgiving food drive.

Councilman Lombardi announced that donations of pajamas will also be accepted at the Town Hall for the Pajama Program, a non-profit organization that provides sleepwear to children in need.

Councilman Schneider announced that the administrators of the annual Toys for Tots program are seeking local non-profit and religious organizations in need of donations. He encouraged those interested to contact him.

Supervisor Schmitt announced that there will be a guided bus tour of Carmel's most interesting and historical cemeteries on October 20, 2012 beginning at 10:00 a.m. Further information may be obtained by calling 845.628.1500 or from Brian Vangor, Town Historian at carmelhistorian@gmail.com.

Supervisor Schmitt spoke regarding the recent Fire Safety Open House held by the Mahopac Volunteer Fire Department as well as their upcoming Adult Fire Prevention Presentation to be held on October 27, 2012 at 7:00 p.m. at the Mahopac Firehouse.

Supervisor Schmitt announced that the Mahopac Pumpkin Fest will be held on October 28, 2012 from 4:30 p.m. to 9:00 p.m. at the Mahopac Chamber Park for Town of Carmel residents. There will be a parade, a haunted maze, food, gift bags, and more.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Schneider, with all Town Board members present in agreement, the meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk