

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 19<sup>th</sup> day of September 2012 at 7:15 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt. Councilman Schneider was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was observed to honor those serving in the United States Armed Forces as well as to honor the recent passing of Alan Schneider, longtime Putnam County resident, local business owner, Lake Mahopac Rotary Club volunteer and father of Councilman Jonathan Schneider.

MINUTES OF TOWN BOARD MEETING HELD ON 8/15/12 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on August 15, 2012 were accepted as submitted by the Town Clerk.

JOSEPH TOLENO NOMINATED TO NEW YORK STATE SENATE VETERANS HALL OF FAME

WHEREAS, the Town Board of the Town of Carmel wishes to recognize the service during the Vietnam War of Corporal Joseph F. Toleno, United States Army; and  
WHEREAS, the Town Board further wishes to recognize Mr. Toleno and his receiving of awards for meritorious service in the United States Army during the Vietnam War, including the Air Medal for Valor, Armed Forces Expeditionary Medal, Vietnam Cross of Gallantry, Army Medal of Accommodation and the NYS Conspicuous Service Cross;  
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby nominates Joseph Toleno for the New York State Senate Veterans Hall of Fame.

Resolution  
Offered by: Councilman Lombardi  
Seconded by: Councilwoman McDonough, Councilman Lupinacci and Supervisor Schmitt

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

Supervisor Schmitt spoke regarding Joseph F. Toleno’s meritorious military service and exceptional community volunteerism.

Senator Greg Ball was present to express his appreciation to Mr. Toleno for his service and congratulate him on his nomination.

HIGHWAY DEPARTMENT - ADVERTISING FOR BIDS FOR WINTER MATERIALS AUTHORIZED

RESOLVED that, pursuant to the request of Michael Simone, Town of Carmel Highway Superintendent, Town Clerk, Ann Garris is hereby authorized to advertise for bids for the purchase of the following items:

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- Sand
- Guide Rail
- Winter Mix

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

Resolution  
Offered by: Councilman Lupinacci  
Seconded by: Councilwoman McDonough

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

**SOUND AMPLIFICATION PERMIT FEE AND PARK RENTAL FEE WAIVED - THE APPLICATION OF THE ITALIAN AMERICAN CLUB OF MAHOPAC**

RESOLVED that the Town Board of the Town of Carmel hereby waives the sound amplification and park rental permit fees regarding the applications of the Italian American Club of Mahopac and its Evening in the Piazza event scheduled for September 29, 2012 at Mahopac Chamber Park.

Resolution  
Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

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

**TOWN OF CARMEL ENGINEER RONALD J. GAINER, P.E. - ATTENDANCE AT REGIONAL STORMWATER CONFERENCE AUTHORIZED - 11/7/12-11/9/12**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Engineer Ronald J. Gainer, P.E. to attend the Regional Stormwater Conference presented by the Northeast Chapter International Erosion Control Association and the Lower Hudson Coalition of Conservation Districts Program, being offered in Fishkill, NY on November 7 through November 9, 2012; and

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

Resolution  
Offered by: Councilman Lombardi  
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt noted that the cost of the conference is contained in the Town Engineer’s budget.

**NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE WAIVED - THE CHOPHOUSE GRILLE, INC.**

WHEREAS, The Chophouse Grille, Inc., dba The Chophouse Grille, 957 Route Six Plaza, Mahopac, NY 10541, has advised that it intends to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Section 64-2(a) ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty day notice requirement contained in Section 64 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding the application of The Chophouse Grille, Inc., dba The Chophouse Grille, for a liquor license at the premises referred to herein; and

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

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilman Lombardi

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

Supervisor Schmitt stated that this ministerial action is done by the Town Board on occasion in support of local restaurants’ efforts to obtain their liquor license.

Councilman Lombardi noted the importance of ensuring due diligence with regard to the liquor license application process particularly when it pertains to a license renewal.

**DISPOSAL OF EQUIPMENT AUTHORIZED THROUGH AUCTIONS INTERNATIONAL - 2005 AIR COMMANDER HOVERCRAFT, INC. AND 2005 AIR COMMANDER FLY ON/OFF TRAILER**

RESOLVED that, the Town Board of the Town of Carmel hereby authorizes the disposal of the following equipment:

- 2005 Air Commander Hovercraft, Inc. VIN#GGOA6105D505;
- 2005 Air Commander Fly On/Off Trailer VIN#GG0A1044;

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BE IT FURTHER RESOLVED that any sale of said equipment is authorized to be conducted through Auctions International of East Aurora, NY, and Town Supervisor Kenneth Schmitt is hereby authorized to execute a standard agreement with Auctions International; and

BE IT FURTHER RESOLVED that the proceeds received of such sale are to be reimbursed and payable to the Mahopac Falls Volunteer Fire Department up to and including the documented sums previously expended by MFVFD for maintenance and repair on the above equipment from years 2005 to present and that all excess sums thereafter be retained by the Town of Carmel.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt explained that the Hovercraft and Fly On/Off Trailer which are considered obsolete and are no longer in service, were purchased by the Town of Carmel with monies from the General Fund. The equipment has been in possession and maintained by the Mahopac Falls Volunteer Fire Department who is requesting reimbursement for the numerous repairs made to the equipment throughout the years.

Councilman Lupinacci expressed his support of the Mahopac Falls Volunteer Fire Department. He then went on to explain that although he agreed with the disposal and auction of the equipment, he questioned if the proceeds should be returned to the General Fund. A brief discussion ensued with regard to the where the proceeds of the auction should go.

**TOWN ASSESSOR - REQUEST FOR PROPOSALS FOR A TOWN-WIDE RE-ASSESSMENT OF REAL PROPERTY AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Glenn Droese, Assessor of the Town of Carmel, to request proposals for a Town-wide re-assessment of real property within the Town of Carmel.

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt pointed out that the Town Board is moving forward with the fact finding process and that authorizing the Town Assessor to request proposals does not signify that they are committed to conducting a Town-wide revaluation.

**PUBLIC COMMENTS - AGENDA ITEMS**

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

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**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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

**OPEN FORUM - PUBLIC COMMENTS**

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

**OPEN FORUM - TOWN BOARD MEMBER COMMENTS**

Councilman Lombardi announced that the Mahopac Knights of Columbus will be hosting a lasagna dinner on September 21, 2012 from 5:30 p.m. to 8:00 p.m. at 161 East Lake Boulevard in Mahopac. Proceeds will benefit their Charitable and Benevolent Fund.

Councilwoman McDonough announced that all residents and representatives of interested organizations are invited to attend the Town of Carmel Recreation and Parks Advisory Committee's "Open Meeting" on October 4, 2012 at 7:30 p.m. at Sycamore Park. The purpose of the meeting is to obtain views from the community on ways to improve and strengthen Recreation Department programs.

Supervisor Schmitt reported that on September 8, 2012, the Mahopac Falls Volunteer Fire Department hosted a parade to celebrate their 75<sup>th</sup> anniversary and presented the Town of Carmel with a plaque in appreciation of their support.

Supervisor Schmitt expressed his gratitude to all of the volunteer fire department and emergency services members for their outstanding service.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Lupinacci, seconded by Councilman Lombardi, with all Town Board members present in agreement, the meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Ann Garris, Town Clerk