

**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 21st day of June, 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 Schneider, Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt.

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

MINUTES OF TOWN BOARD MEETING HELD ON JUNE 6, 2012 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and voting "aye", the minutes of the Town Board meeting held on June 6, 2012 were accepted as submitted by the Town Clerk.

JEFF CONTELMO, INSITE ENGINEERING – OVERVIEW OF MS4 2012 ANNUAL REPORT

Jeff Contelmo of Insite Engineering presented an overview of the MS4 2012 Annual Report. Mr. Contelmo, a consultant for the Town of Carmel, briefly explained the MS4 (Municipal Separate Stormwater Sewage Systems) program and the requirements set forth by New York State that the town must meet. He noted that the Town of Carmel has been in compliance for the last ten years. He went on to explain that the report, which must be filed annually, was filed on June 1, 2012 and is available for viewing on the town's website or at the offices of the Town Supervisor or Town Engineer.

Supervisor Schmitt thanked Mr. Contelmo for his overview and commented that the issue is a complex one. He further noted that the program has not cost the taxpayers anything except for legal and professional fees because the funding comes from New York City Department of Environmental Protection to protect New York City's drinking water.

Supervisor Schmitt suggested that item #16 on the agenda, a resolution consenting to the formation of a Sewage Works Corporation, be moved to the beginning of the meeting as Mr. Charles Banks, a representative of Williamsburg Ridge Townhomes Complex, was present.

CONSENT TO THE FORMATION OF WILLIAMSBURG RIDGE SEWAGE WORKS CORPORATION

WHEREAS, the Williamsburg Ridge Homeowners Association, Inc. has requested that the Town Board of the Town of Carmel consent to the formation of a sewage works corporation pursuant to the provisions of the New York Transportation Corporations Law; and

WHEREAS, upon such request the Town Board directed Town Engineer Ronald Gainer, P.E. to undertake review and investigation of the existing conditions, status of regulatory approvals and compliance with jurisdictional requirements for the operations and maintenance of the sewage treatment plant located at The Williamsburg Ridge Townhomes complex; and

WHEREAS, the Town Engineer has completed his review and investigation and the findings have been conveyed to the Town Board in a memorandum dated May 18, 2012, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Town Engineer has indicated that based upon said review and investigation, the Office of the Town Engineer has no objection to the Town Board granting the request and consenting to the formation of the referenced sewer works corporation; and

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WHEREAS, the Town Board has further been advised that The New York State Department of Environmental Conservation has refused to issue the requisite State Pollution Discharge Elimination Systems (SPDES) permit necessary for the lawful operation the aforesaid sewage treatment plant, which serves 89 property owners within the Town of Carmel;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel, pursuant to the provisions §116 of the New York State Transportation Corporation Law, hereby consents to the formation of Williamsburg Ridge Sewage Works Corporation for the purpose of ownership, operation and maintenance of the sewage treatment plant located at the Williamsburg Ridge Townhomes complex; and

BE IT FURTHER RESOLVED that said consent is conditioned expressly upon the prompt and immediate delivery of all outstanding shares of stock in the Williamsburg Ridge Sewage Works Corporation to the office of Town Clerk Ann Garris upon its formation, said shares to be held in escrow by the Town of Carmel; and

BE IT FURTHER RESOLVED that said consent is further conditioned expressly upon the prompt and immediate delivery of a long-term lease for the real property upon which the aforesaid sewage treatment plant is located to the Office Town Clerk Ann Garris, along with a collateral assignment of said lease in favor of the Town of Carmel, to be held in escrow by the Town of Carmel.

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	X	
Frank Lombardi	X	
Kenneth Schmitt	X	

Ronald J. Gainer, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

☐ Work Session _____

☐ Agenda _____

MEMORANDUM

TO: Carmel Town Board
FROM: Ronald J. Gainer, PE, Town Engineer
cc: Greg Folchetti, Esq.
Charles Banks, Esq.
DATE: May 18, 2012
RE: Williamsburg Ridge Townhouses
Stillwater Road

As you know, representatives of the above residential townhouse complex have appeared before you in the past to seek your approval for the formation of a sewage works corporation covering the on-site sanitary disposal facilities that are in place and service their development. These facilities are currently operated by the development's Homeowner's Association.

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The operations of, and surface discharge from, the site's Wastewater Treatment Plant (WWTP) is governed by a State Pollutant Discharge Elimination System (SPDES) permit which is administered by the New York State Department of Environmental Conservation (NYSDEC). The lawyer for the Williamsburg Ridge Homeowner's Association has advised the Town that this action is necessary in order for them to obtain a SPDES permit renewal from the NYSDEC covering their WWTP effluent discharge.

Specifically, NYSDEC has advised them that, pursuant to Article 10 of Environmental Conservation Law, a SPDES permit cannot be issued to a Homeowner's Association and so DEC will not issue the permit renewal unless and until the sewer works corporation has been formed.

As you will also recall, the matter was referred to my office to review and evaluate the current operations of the sewer system, before the Town Board would consider such action. At this time, my investigations have been concluded and so this memorandum serves to summarize my research and findings.

PROJECT INVESTIGATIONS

My review of the operational conditions at the above referenced site, have included the following actions and tasks:

- Field inspection of the WWTP with the system operator & ST Environmental Services
- Review of WWTP operational reports filed with NYSDEC; no SPDES permit violations have been identified in the records reviewed
- Confirmation from the Putnam County Department of Health that there are no current violations, enforcement proceedings or administrative actions concerning the WWTP facility

Tel: (845) 628-1500 Fax: (845) 628-7085 email rg@ci.carmel.ny.us

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Carmel Town Board
May 18, 2012
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RE: Williamsburg Ridge Townhouse Complex

- Securing Final Design and regulatory agency approval documents for, and necessary certifications of, the NYCDEP upgrade previously performed at the site; including interviews with the consulting engineering firm responsible for the design and construction supervision of the regulatory upgrade

Lastly, we have also obtained written documentation to confirm that, in fact, NYSDEC has insisted that this sewer works corporation be formed in order for them to issue the requisite permit.

CONCLUSIONS

Based upon the investigations performed (as outlined above), and having received confirmation that the facility has all appropriate permits/approvals and has been operating satisfactorily with no violations or enforcement actions pending, we would have no objection to the Town pursuing the action being requested.

If you have any questions, please advise.

Mr. Charles Banks representing Williamsburg Ridge Townhomes Complex thanked the Town Board for consenting to the formation of the Sewage Works Corporation but pointed out that "immediate" as indicated in the resolution is difficult and asked for clarification regarding the timeframe.

A brief discussion was held regarding timing for various aspects of the project. It was agreed that due diligence was the important factor and that they were looking at the end of the summer for the formation to be completed.

CARMEL SEWER DISTRICT #7 CHANGE ORDER #2 OF ELECTRICAL SUBCONTRACT CONSTRUCTION UPGRADE CONTRACT - AUTHORIZED

WHEREAS the Town Board has been advised that Change Order #2 of the Electrical Subcontract of Carmel Sewer District #7 Construction Upgrade Contract has been approved by the New York State Environmental Facilities Corporation and the New York City Department of Environmental Protection,

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to sign Change Order #2 in the amount of \$17,358.00, to the aforementioned contract, in form as attached hereto and made a part hereof.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

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

CHANGE ORDER NO.2
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5556/36556
April 5, 2012

PROJECT:

CARMEL SEWER DISTRICT #7 WWTP;
REGULATORY UPGRADE

OWNER:

TOWN OF CARMEL
60 MCALPIN AVENUE
MAHOPAC, NEW YORK 10541

CONTRACTOR:

HUDSON VALLEY EC&M
523 SOUTH ROAD
MILTON, NY 12547

ENGINEER:

O'BRIEN & GERE ENGINEERS, INC.
SAW MILL RIVER ROAD, 1ST FLOOR
HAWTHORNE, NY 10532

Pursuant to the terms of Section GP-9.01 of the General Provisions of the above-referenced Contract, the Contractor is hereby authorized and directed to proceed with the extra work as described below. The Contractor agrees to furnish all labor, material and equipment needed to accomplish these changes in accordance with the applicable portions of the Contract Documents and/or as required in the Modifications.

FIELD ORDER CSD-B-06 Rev. 1

Requirement: Revise alum/PAC feed pump controls for one chemical metering pump to turn on when one equalization tank pump is on and turn both chemical metering pumps on when two equalization tank pumps are on.

Reason: Improved coagulant dose pacing.

Cost: ADD \$889

MODIFICATION NO. CSD-B-07

Requirement: Replace two existing light poles, fixtures, and concrete bases with two new light poles, fixtures and concrete bases.

Reason: Improved site lighting for illumination of the membrane feedwell and the rapid mix/flocculation tank.

Cost: ADD\$11,595

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REQUEST FOR CHANGE ORDER #1

Requirement: Additional labor costs due to new labor rates, insurance costs, and warranty period extension for the emergency generator.

Reason: Additional costs incurred due to an extended construction period resulting from the original General Contractor pulling out of the project.

CHANGE ORDER NO.2
PAGE 2 of 2

5556/36556
April 5, 2012

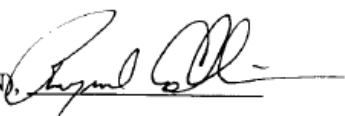
Cost: ADD\$4,874

TOTAL COST OF
CHANGE ORDER # 2 ADD\$17,358


It is mutually agreed that the lump sum price or prices listed above will be accepted by the Contractor as the sole basis for payment for all work as indicated, including all associated overhead and profit for the work, or as credits to the contract amount if deletions of work are included.

This work must be performed in strict accordance with the terms of the Contract except as herein modified or hereinbefore modified by a previous change order. It is further understood and agreed that, unless otherwise expressly stated herein, the work herein authorized will not extend the time of completion of the work to be performed under the Contract and that the amount of this change order includes full payment or credit, as the case may be, for the extra or deleted work covered hereby, and any damage or expense caused the Contractor by any delays to or interference with other work to be performed under the Contract resulting from or on account of said extra or deleted work.

ACCEPTED BY: HUDSON VALLEY EC & M.

By: RAYMOND COLLINS (SIGN), 
Title: ESTIMATOR / PROJ. MGR.
Date: 4/5/12

RECOMMENDED BY: O'BRIEN & GERE ENGINEERS, INC.

By: Laurel Kucholsky (SIGN), 
Title: VICE PRESIDENT
Date: APRIL 6, 2012

AUTHORIZED BY: TOWN OF CARMEL

By: _____ (SIGN), _____
Title: _____
Date: _____

CARMEL SEWER DISTRICT #7 REGULATORY UPGRADE PROGRAM -
INCREASE OF ENGINEERING COST FOR SERVICES OF O'BRIEN & GERE
ENGINEERING REGARDING C203 - CONTRACT AMENDMENT #2 - AUTHORIZED

WHEREAS the Town Board has been advised that O'Brien & Gere Engineering is seeking an increase in the Construction Phase Budget for the engineering services contemplated in connection with the Carmel Sewer District #7 Regulatory Upgrade Program; and

WHEREAS, Town Engineer Ronald Gainer, P.E., has recommended that the Town of Carmel Town Board approve the proposed increased engineering costs in the

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amount of \$309,857.00, so that same may be submitted to the New York State Environmental Facilities Corporation for further approval and for funding;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Contract Amendment #2 in form as attached hereto and made a part hereof, for submission to NYS Environmental Facilities Corp.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

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

NYS EFC
3/99

TASK BUDGET REALLOCATION FORM #2/C.A. #1
(This form may not be used to change the Total Not-To-Exceed Contract Amount)

FACILITY NAME: Carmel Sewer District No. 7
OWNER NAME: Town of Carmel
ENGINEERING FIRM NAME: O'Brien & Gere Engineers, Inc.

TASK TO BE DECREASED	AMOUNT OF DECREASE	TASK TO BE INCREASED	AMOUNT OF INCREASE
Task 2.1	\$ -	Task 2.1	\$ -
Task 2.2	\$ -	Task 2.2	\$ -
Task 2.3 (Subsurface)	\$ 14,272	Task 2.3	\$ -
Task 2.4	\$ -	Task 2.4 Construction	\$ 77,932
Task 2.5	\$ -	Task 2.5	\$ -
Task 3	\$ -	Task 3	\$ -
Allotment #1	\$ 63,660	Allotment #1	\$ -
Contract Amendment #1 - Task 2.4 Construction	\$ -	Contract Amendment #1 - Task 2.4 Construction	\$ 231,925
TOTAL	\$ 77,932	TOTAL	\$ 309,857

Justification for the requested reallocation or utilization of allotment (attach additional sheet if necessary):

See attached letter dated April 4, 2012.

Owner/Authorized Representative Signature Date

Engineer Signature Date

NYCDEP Approval

Approved
Disapproved

☐
☐

NYCDEP Authorized Signature Date

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Supervisor Schmitt explained that the increase is not automatic and that it will be reviewed regarding the funding.

**SANI-PRO DISPOSAL SERVICES CORP. DBA SUBURBAN CARTING CO. –
ISSUANCE OF LICENSE TO COLLECT REFUSE AND GARBAGE – AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, upon review of the application of Sani-Pro Disposal Services Corp. dba Suburban Carting Co., hereby authorizes the issuance of a license for the collection of refuse and garbage within the Town of Carmel pursuant to Chapter 95, Article III of the Town Code of the Town of Carmel to:

APPLICANT	ADDRESS	LICENSE PERIOD
Sani-Pro Disposal Services Corp. d/b/a Suburban Carting Co.	566 North State Road Briarcliff Manor, NY10510	1/1/12 -- 12/31/12

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Lombardi

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

**HIGHWAY DEPARTMENT – REJECTION OF AND ADVERTISEMENT FOR RE-BID
REGARDING PURCHASE OF NEW MODEL 2013 4X4 SIX-WHEEL TRUCKS -
AUTHORIZED**

WHEREAS the Town Board of the Town of Carmel has previously authorized the solicitation of bids for the purchase of new model 2013 4x4 Six-Wheel Trucks with combination dump body, spreader, plow and central hydraulic systems for the Town of Carmel Highway Department; and

WHEREAS said bids were received and opened by Town Clerk Ann Garriss, who has prepared and forwarded a bid opening memo dated May 22, 2012 to the Town Board and to the Town of Carmel Highway Department,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby rejects all bids received in connection therewith; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Clerk to re-advertise for bids for the purchase the new model 2013 4x4 Six-Wheel Trucks with combination dump body, spreader, plow and central hydraulic systems for the Town of Carmel Highway Department; and

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

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Resolution

Offered by: Councilman Schneider
 Seconded by: Councilman Lombardi

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

**DONATION OF TOWN HALL FLAG POLE TO MAHOPAC FALLS VOLUNTEER
FIRE DEPARTMENT – AUTHORIZED**

RESOLVED that, Town Board of the Town of Carmel hereby authorizes the donation of the surplus Town Hall flagpole to the Mahopac Falls Volunteer Fire Department, Inc. and does so in accordance with the provisions of New York Town Law, including but not limited to Town Law §64 *et seq.*; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, representatives of the Mahopac Falls Volunteer Fire Department, Inc. are hereby authorized to enter upon Town Hall property and to remove the aforesaid flagpole in accordance with the donation authorized hereunder.

Resolution

Offered by: Councilman Lombardi
 Seconded by: Councilman Lupinacci

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

Supervisor Schmitt explained that the flagpole that is being donated to the Mahopac Falls Fire Department is being replaced by the new flagpole that is part of the 911 Memorial. He also noted that Mahopac Falls Fire Department will be celebrating their 75th anniversary.

**ENTRY INTO LICENSE AGREEMENT FOR INSTALLATION OF TELEMETRY
ANTENNA ON CARMEL WATER DISTRICT #2 TOWER - AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes entry a license agreement for the installation of a telemetry antenna on the Carmel Water District #2 water tower located on Everett Road in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign said license agreement 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>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

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**LICENSE AGREEMENT
BETWEEN
THE TOWN OF CARMEL
AND
THE CITY OF NEW YORK
BY AND THROUGH
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

THIS LICENSE AGREEMENT ("License") is entered into this ____ day of _____, 2012, by the **TOWN OF CARMEL** (the "Town"), a municipal corporation of the State of New York, having an office and place of business at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 and **THE CITY OF NEW YORK** (the "City"), a municipal corporation of the State of New York, having an office and place of business at City Hall, New York, New York 10007, acting by and through the **DEPARTMENT OF ENVIRONMENTAL PROTECTION** ("DEP"), an agency of the City of New York, having an office and place of business at 59-17 Junction Boulevard, Flushing, New York 11373. For purposes of this License, the Town and DEP shall each be referred to as a party and shall be referred to collectively as the parties.

WITNESSETH

WHEREAS, the City, by and through DEP, is charged with the duty of providing and maintaining the City's drinking water supply system, which provides high quality drinking water to approximately eight million residents of the City and a further one million people located in several counties north and west of the City; and

WHEREAS, part of the drinking water supply system is the West Branch Reservoir, which serves as a supplementary settling basin for water that arrives from the Rondout Reservoir via the Delaware Aqueduct; and

WHEREAS, the West Branch Reservoir is connected to an adjacent lake, Lake Gleneida, which is located in the Town and which is one of the three controlled lakes that are part of the drinking water supply system; and

WHEREAS, Lake Gleneida serves as a receptacle for overflow from the West Branch Reservoir; and

WHEREAS, recently, the elevation of Lake Gleneida has significantly decreased resulting in soil erosion and unveiling unsightly natural debris that was previously hidden under the water; and

WHEREAS, in an attempt to remedy the aesthetic conditions of Lake Gleneida, the Town would like DEP to release more water from West Branch Reservoir into Lake Gleneida when DEP determines operation of the drinking water supply system would not be affected; and

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WHEREAS, the City's drinking water supply system utilizes a Supervisory Control and Data Acquisition (SCADA) system to control equipment, collect information, monitor processes, and initialize control actions all of which are imperative to the reliable and efficient operation the drinking water supply system; and

WHEREAS, the current SCADA network is being expanded to integrate all strategic facilities into the SCADA Management Network whereby the data/alarms/control signals generated from the various DEP facilities will be stored at the local Programmable Logic Controller/Remote Terminal Unit and then transmitted to the SCADA Management Network utilizing the Motorola MoSCAD Radio Frequency (RF) Network and/or Internet Protocol (IP) interfaces; and

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WHEREAS, DEP is presently configuring Motorola MoSCAD RF Network and IP topologies which can better address communications to perimeter facilities of which the existing Town of Carmel Water Tower ("Water Tower") located at 59 Everett Road, Carmel, New York ("the Site"), being located within this perimeter, would be a desirable location for the transportation of the data which DEP requires via the MoSCAD RF and IP Network configurations; and

WHEREAS, DEP seeks to utilize the Water Tower located at the Site for the installation and maintenance of an antenna and appurtenant radio and network equipment (collectively the "Equipment"), which will be used as part of the SCADA system; and

WHEREAS, the Town is the owner and operator of the Site; and

WHEREAS, the Town desires to accommodate DEP and grant DEP permission to access the Site and install and maintain the Equipment in consideration of DEP providing more water to Lake Gleneida.

NOW, THEREFORE, in consideration of the promises and respective representations and agreements herein contained, the parties agree as follows:

1. Grant of License. The Town hereby grants DEP and its agents, employees, contractors, consultants, and subcontractors a license to enter, occupy, and utilize the Site to install and maintain the Equipment. The installation process and the specifications of said Equipment are described with greater detail in *Equipment Specifications and Installation*, attached hereto. Notwithstanding anything to the contrary contained in this License, the Town does not, by executing this License, assume any liability for the Equipment.
2. Construction.
 - a. DEP and its agents, employees, contractors, consultants, and subcontractors shall have the right to perform all work on the Site as DEP deems necessary to enable DEP to install and maintain the Equipment.
 - b. If DEP desires to change the installation process or the Equipment, DEP shall provide written notice to the Town describing the proposed change for the Town's review and approval, which approval shall not be unreasonably withheld. In the event the Town fails to provide a determination whether to approve the proposed change within 24 hours after receiving such notice, then DEP's proposed change shall be deemed approved.
 - c. All work performed by DEP and its employees, contractors, consultants, and subcontractors pursuant to this License, shall be prosecuted to completion with due diligence and in an expeditious professional manner.
 - d. DEP shall give the Town at least ten (10) days advance notice of the date that work shall commence ("Commencement Date").
3. Maintenance. DEP shall perform all maintenance and repair to the Equipment throughout the term of this License. The Town shall perform all structural repairs to the Site. DEP shall reimburse the Town for any additional costs of tank painting, maintenance, or structural repairs incurred in connection with the removal, reinstallation, and maintenance of the Equipment.
4. Conditions of Entry, Occupation and Use. The Town shall grant DEP and its agents, employees, contractors, consultants, and subcontractors the right to enter, occupy, and utilize the Site during the term of this License during such times, as in the reasonable opinion of DEP, may be necessary to construct, operate, and maintain the Equipment, subject to the following conditions:
 - a. DEP shall install any and all necessary power and communication lines to the Equipment. The Town shall not bear any costs or expenses associated with these utilities.

- b. DEP and its agents, employees, contractors, consultants, and subcontractors shall perform all work in a professional manner and in a manner required to minimize, to the extent practicable, any disturbance to the Site. On or before the expiration of this License, DEP shall, at the sole expense of DEP, restore any and all portions of the Site disturbed by its activities, except ordinary wear and tear, to the original condition.
- c. DEP shall obtain all necessary permits and/or approvals. The Town agrees to cooperate with DEP and its employees, contractors, consultants, and subcontractors by providing documentation or executing any forms needed to obtain necessary permits and/or approvals.
- d. The installation and operation of DEP's Equipment shall not interfere with the Town's utilization of the water tank.
- e. The installation and operation of DEP's Equipment shall not interfere electrically, or in any other manner whatsoever, with the Town, or with any other party or tenant in the Site, presently operating and maintaining radio communications systems and other equipment at the Site.

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- f. Notwithstanding anything in this License to the contrary, it is expressly understood and agreed that if the installation or operation of DEP's Equipment shall interfere with the Town's utilization of the water tank or other radio communication systems and equipment at the Site at any time, DEP shall, upon written request of the Town, suspend its operations and do whatever the Town reasonably deems necessary to rectify such interference. If it is determined that such interference cannot be rectified, then the Town may terminate this License.
 - g. In the event the Town reasonably determines that any structural modifications or repairs need to be made to any portion of the Site due to the presence of DEP's Equipment or other improvements, the Town may (i) terminate this License by giving sixty (60) days written notice to DEP or (ii) notify DEP of said needed modifications and repairs, and DEP shall, at its sole cost and expense, immediately make all the necessary modifications or repairs or terminate this License.
 - h. Equipment shall comply with applicable fire, electrical, and safety codes and requirements.
 - i. DEP shall bear all costs and expenses associated with the installation, maintenance, and removal of the Equipment utilized in connection with this License.
 - j. DEP shall comply with applicable federal, state, and local laws, ordinances, codes, rules, and regulations.
5. Effective Date and Term of License.
- a. This License shall not take effect until it is approved by the New York City Office of the Corporation Counsel, signed by all parties, and if applicable, registered by the New York City Comptroller. The Effective Date of this License shall be the date it is executed by the last party or, if applicable, the date of registration by the Comptroller.
 - b. This License shall terminate five (5) years from the Effective Date and may be renewed upon the mutual written consent of DEP and the Town.
 - c. DEP's obligations, set forth below in Section 6, shall terminate upon the expiration of this License.

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- d. In the event DEP has not completed its restoration of the Site by the expiration of this License, as provided in Paragraph 4(a) herein, the Town agrees to extend the term of this License for the sole and limited purpose of permitting DEP to complete such restoration; provided, however, in no event will the term of this License be extended, pursuant to this Section 5.d, beyond thirty (30) days.
6. DEP's Obligations in Consideration of License. In consideration for entering into this License, once the Equipment is installed and operational at the Site, DEP shall, at its

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discretion, install an elevation monitoring device and associated radio communications on DEP property at the connecting waterway conduit between West Branch Reservoir and Lake Gleneida to transmit the elevation of Lake Gleneida to centrally monitored DEP locations and provide a means of displaying the elevation of Lake Gleneida for the Town's use. In addition, DEP may make operational changes to West Branch Reservoir and Lake Gleneida to regulate the elevations of the respective water levels.

DEP has determined, from stream profiling, that the water level of the West Branch Reservoir must reach an elevation of 501.01 feet above mean sea level ("AMSL") before DEP can deliver water to Lake Gleneida via the connecting waterway conduit. The spill level of the West Branch Reservoir is elevation 503.20 feet AMSL. DEP will install stop shutters within the connecting waterway conduit at an approximate elevation of 502.00 feet ASML. If the elevation of West Branch Reservoir is at or above 502.00 feet AMSL, the stop shutters will create an opportunity for DEP to provide water to Lake Gleneida to maintain the lake level at 502.00 feet ASML or maintain the existing elevation of West Branch Reservoir up to and including spill levels of West Branch Reservoir.

If the elevation of West Branch Reservoir is below 502.00 feet AMSL but above 501.01 feet AMSL, and the elevation of Lake Gleneida is below 501.01 feet AMSL, the Town may request that DEP remove the stop shutters and deliver West Branch Reservoir water to Lake Gleneida.

If the elevation of Lake Gleneida is above 502.00 feet AMSL and the elevation of West Branch Reservoir is below 502.00 feet AMSL, the Town may request that DEP add the stop shutters to maintain the increased elevation of Lake Gleneida and prevent Lake Gleneida from back flowing into the West Branch Reservoir.

7. Relocations. The Town reserves the right to require DEP to relocate the Equipment, upon sixty (60) days written notice to DEP, to an equivalent or comparable location made available to DEP by the Town. DEP shall bear the cost of such relocation or terminate this License. If no equivalent location is available, the Town may offer whatever location is available, provided, that if such location is not satisfactory to DEP, DEP may terminate this agreement upon sixty (60) days written notice with no further obligation to the Town.

8. Termination.

- a. DEP may terminate this License at will. DEP shall give the Town at least sixty (60) days written notice of the desired termination.
- b. The Town may terminate this License at will. The Town shall give DEP at least sixty (60) days written notice of the desired termination.
- c. In the event DEP defaults in the performance of any term, condition, or covenant herein contained, and in addition to seeking damages, judicial enforcement, or any other lawful remedy, the Town may terminate this License upon sixty (60) days written notice to DEP, provided, however, that DEP may defeat such notice by curing the default complained of within the notice period.

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9. Removal of Equipment. Within ten (10) business days of the expiration or termination of this License, DEP shall, at its sole cost and expense, remove the Equipment and its other property from the Site. Any equipment or other property not removed by DEP within forty five (45) days after expiration or termination of this License shall be deemed abandoned and may be removed and disposed of by the Town at the sole cost and expense of DEP, provided that the Town shall have no affirmative obligation to remove such property.

10. Assumption of Risk and Indemnification. To the extent not covered by insurance as set forth in paragraph 11 below, DEP shall assume any risk of damage to property or injury of persons including death, directly or indirectly, arising out of, as a result of, or in connection with the use or occupation of the Site by DEP, or by its agents, employees, contractors, consultants, or subcontractors, including but not limited to, the risk of damage to the water tank and also shall agree to indemnify, defend, and hold harmless the Town for any such damages or injury and costs incurred in connection therewith, including attorney fees, provided however, DEP shall have no obligation with respect to damages to the extent caused by the negligence and/or intentional tortious acts of the Town, its employees, or agents.

11. Insurance. The City is self-insured. The City shall require its contractors, consultants, and subcontractors to secure and maintain insurance coverage which shall name the Town as additional insured.

12. Assignment. This License is personal to DEP and may not be assigned, nor may DEP enter into any sub-license agreement.

13. No Greater Interest. DEP shall not receive a greater interest or privilege in the Site by way of this License or otherwise, other than those granted herein.

14. Notices. The parties shall make all notices, requests, demands, or other communications required or permitted to be given pursuant to this License in writing. The parties shall deliver the notices by hand or mail them postage prepaid, certified mail, return receipt requested to the respective party at the following addresses:

To the City/DEP:

Department of Environmental Protection
Croton Lake Gatehouse
1120 Croton Dam Road
Yorktown Heights, New York 10598
Attention: Wayne Geriak

With a copy to:

Department of Environmental Protection
59-17 Junction Boulevard, 19th Floor
Flushing, New York 11373-5108
Attention: General Counsel

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To the Town:

Town Supervisor
Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541
Attention: Kenneth Schmitt

With a copy to:

Town Counsel
Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541
Attention: Gregory Folchetti

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15. Non Waiver. No waiver of any provision of this License shall be implied by any failure of the Town to enforce any remedy on account of the violation of such provision, even if such violation shall continue or be repeated subsequently. The Town shall make the waiver of any provision of this License in writing, and no express waiver shall affect any provision other than the one specified in such waiver and that one only for the time and in the manner specifically stated.

16. Headings. The headings herein are inserted for the convenience of the parties and shall not be deemed a part of this License.

17. Counterparts. This License may be executed in several counterparts, each of which shall be deemed an original and shall together constitute one and the same License.

18. Entire Agreement. This License constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and no oral statement or prior written matter shall have any force or effect. This License shall not be modified except by a writing subscribed to by both the Town and DEP.

19. Governing Law. This License shall be governed by, and construed in accordance with, the laws of the State of New York.

[NO FURTHER TEXT ON THIS PAGE]

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IN WITNESS WHEREOF, the parties have duly executed this License Agreement as of the latest date written below.

TOWN OF CARMEL

By: _____ Date: _____
Kenneth Schmitt
Supervisor

THE CITY OF NEW YORK, acting by and through
the Department of Environmental Protection

By: _____ Date: _____
Carter H. Strickland, Jr.
Commissioner

Approved as to Form:

Corporation Counsel of the City of New York

Dated: _____

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ACKNOWLEDGMENTS

STATE OF NEW YORK

ss:

COUNTY OF PUTNAM

On the _____ day of _____ in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Kenneth Schmitt**, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK

ss:

COUNTY OF QUEENS

On the _____ day of _____ in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Carter H. Strickland, Jr.**, 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 he executed the same in his capacity, and that by his 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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EQUIPMENT SPECIFICATIONS AND INSTALLATION

Equipment.

- One (1) Omnidirectional Fiberglass Antenna—about 11 feet in length.
- One (1) MOSCAD Motorola SCADA Remote Terminal Unit.
- One (1) Weatherguard FRP Enclosure—approximately 51 inches wide, 51 inches deep, and 74 inches high.
- Any additional equipment or hardware needed for proper installation.

Installation.

The Department of Environmental Protection (“DEP”) shall install a single pole antenna (Omnidirectional Fiberglass Antenna) and a remote terminal unit (MOSCAD Motorola SCADA Remote Terminal Unit (RTU)). Said remote terminal unit will be housed within a weatherproof enclosure (Weatherguard FRP Enclosure). DEP shall install the enclosure on the ground near the water tower and mount the antenna on the water tower at the highest point possible without jeopardizing the structural integrity of the water tower.

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SETTLEMENT OF LITIGATION REGARDING LAWSUITS OF SAYED & AIDA EL SHAKREY, TM # 55.6-1-18 - AUTHORIZED

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under the following Index Numbers:

1057/1999;
1028/2000;
1073/2001;
1251/2002;
1143/2003;
1113/2004;
1332/2005;
1147/2007;
2035/2008;

lawsuits entitled "Sayed & Aida El Shakrey vs. The Town of Carmel, Town Board of The Town of Carmel, and Planning Board of The Town of Carmel The Board of Assessment Review of the Town of Carmel, and the Town of Carmel, New York, in regard to the assessment of Tax Map #55.6-1-18 on the 1999 through 2005, 2007 and 2008 assessment rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard Blancato, who have recommended approval of the proposed settlement in accordance with the correspondence from Special Counsel dated May 7, 2012 attached hereto and made part hereof;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that Special Counsel Richard Blancato is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider

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

Blancato Law Offices, P.C.

65 South Broadway

Suite 101

Tarrytown, New York 10591

Tel. (914) 332-5723

E-Mail: rblancato@aol.com

Fax: (914) 332-5725

May 7, 2012

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

Re: Sayed & Aida El Shakrey v.
Town of Carmel

\$ 5,023,000

**21 JUNE 2012
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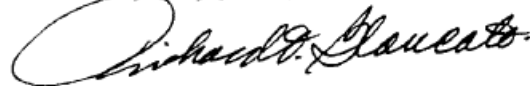
Dear Glenn:

The above property is located at 3 Seminary Hill Road and is designated on the Official Tax Map as 55.6-1-18. The years involved are 1999 through 2008. After negotiations and review of the documents submitted by petitioner, we negotiated the following settlement:

<u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
1999	\$375,000.00	\$375,000.00	\$ -0-
2000	375,000.00	375,000.00	-0-
2001	375,000.00	375,000.00	-0-
2002	375,000.00	319,550.00	55,450.00
2003	375,000.00	310,400.00	64,600.00
2004	375,000.00	304,650.00	70,350.00
2005	375,000.00	256,500.00	118,500.00
2007	375,000.00	222,150.00	152,850.00
2008	375,000.00	252,500.00	122,500.00

I recommend that the settlement be approved by the Town Board. The settlement is without interest, provided that the refund is paid within sixty (60) days after service of the signed order with notice of entry.

Very truly yours,



Richard T. Blancato

RTB/mb

Supervisor Schmitt explained that the settlements being voted on are certiorari settlements regarding commercial properties and are the result of their assessments being grieved. Additionally, money is budgeted every year to cover this expense. The lawsuit of Sayed & Aida El Shakrey v. the Town of Carmel results in a settlement amount of \$5,023.06.

**SETTLEMENT OF LITIGATION REGARDING LAWSUITS OF PATRICK DELAMERE,
TM # 75.15-1-4 - AUTHORIZED**

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York Index Numbers 2291/2009, 2339/2010 and 2310/2011 lawsuits entitled "Patrick Delamere vs. The Town of Carmel, Town Board of The Town of Carmel, and Planning Board of The Town of Carmel The Board of Assessment Review of the Town of Carmel, and the Town of Carmel, New York", in regard to the assessment of Tax Map #75.15-1-4 on the 2009, 2010 and 2011 assessment rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard Blancato, who have recommended approval of the proposed settlement in accordance with the correspondence from Special Counsel dated May 7, 2012 attached hereto and made part hereof;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

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BE IT FURTHER RESOLVED that Special Counsel Richard Blancato is hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

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

Blancato Law Offices, P.C.

65 South Broadway

Suite 101

Farmington, New York 10591

Tel. (914)332-5723

E-Mail rblancato@aol.com

Fax (914)332-5725

May 7, 2012

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

Re: Patrick Delamere v. Town of Carmel \$6,394.77

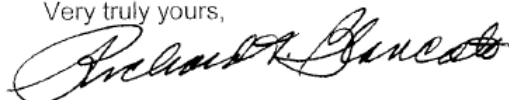
Dear Glenn:

The above property is a two-story office building with three professional offices, and is located at 410 Route 6. The assessment years involved are 2009, 2010 and 2011. The Assessed Value for each of the years is \$908,300.00. The Assessor inspected the property and we reviewed the appraisal submitted by the petitioner. After negotiations, we agree on the following settlement:

<u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2009	\$908,300.00	\$643,200.00	\$265,100.00
2010	908,300.00	696,000.00	212,300.00
2011	908,300.00	699,000.00	209,300.00

I recommend that the settlement be approved by the Town Board. The settlement is without interest, provided that the refund is paid within sixty (60) days after service of the signed order with notice of entry.

Very truly yours,



Richard T. Blancato

RTB/mb

Supervisor Schmitt noted that the settlement amount in the Patrick Delamere v. Town of Carmel is \$6,394.77.

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SETTLEMENT OF LITIGATION REGARDING LAWSUITS OF 974 SOUTH LAKE, INC., TM # 75.44-1-44 - AUTHORIZED

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York Index Number 2298/2011 a lawsuit entitled "974 South Lake, Inc. vs. The Town of Carmel, Town Board of The Town of Carmel, and Planning Board of The Town of Carmel The Board of Assessment Review of the Town of Carmel", and the Town of Carmel, New York, in regard to the assessment of Tax Map #75.44.-1-44 on the 2011 assessment rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and special counsel Richard Blancato, who have recommended approval of the proposed settlement in accordance with the correspondence from Special Counsel dated May 7, 2012 attached hereto and made part hereof;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that Special Counsel Richard Blancato hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilman Lupinacci & Councilwoman McDonough

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

Blancato Law Offices, P.C.

65 South Broadway

Suite 101

Tarrytown, New York 10591

Tel. (914)332-5723

Fax (914)332-5725

E-Mail rblancato@aol.com

May 7, 2012

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

Re: 974 South Lake, Inc. v. Town of Carmel 5/7/12

**21 JUNE 2012
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Dear Glenn:

The above property is located at 974-976 South Lake Boulevard, and is designated on the Official Tax Map as Section 75.44, Block 1, Lot 44. The only year involved is 2011. After reviewing the petitioner's appraisal and inspecting the property, we negotiated the following settlement:

<u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2011	\$191,500.00	\$174,167.00	\$17,333.00

I recommend that the settlement be approved by the Town Board. The settlement is without interest, provided that the refund is paid within sixty (60) days after service of the signed order with notice of entry.

Very truly yours,



Richard T. Blancato

RTB/mb

Supervisor Schmitt noted the settlement amount for 974 South Lake Blvd. v. Town of Carmel is \$179.37

CARMEL WATER DISTRICT #8 – PUBLIC HEARING SCHEDULED FOR JULY 11, 2012 REGARDING INCREASE AND IMPROVEMENT OF FACILITIES

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Water District No. 8, in the Town of Carmel, Putnam County, New York, being the purchase and installation of approximately 13,400 linear feet of 8" water main, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,200,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action as to which the SEQRA regulations provide there is no significant environmental effect; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Water District No. 8, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on Wednesday, July 11, 2012, at 7:00 o'clock P.M., or soon thereafter, on the question of the increase and improvement of the facilities of Water District No. 8, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject

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thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the ***Putnam County Courier***, the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on July 11, 2012, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a Public Hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Water District No. 8, in said Town, consisting of the purchase and installation of approximately 13,400 linear feet of 8" water main, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,200,000.

Said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in any significant environmental effects.

At said Public Hearing said Town Board will hear all persons interested in the subject matter thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: Mahopac, New York,
June 28, 2012.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CARMEL
Ann Garris
Town Clerk

Supervisor Schmitt remarked on the problems people have been having for many years with their water in Water District #8 which should be alleviated with this improvement.

CARMEL WATER DISTRICT #8 – ADVERTISE FOR BIDS FOR CONSTRUCTION AND INSTALLATION OF DISTRIBUTION SYSTEM – AUTHORIZED

RESOLVED that, pursuant to the request of the Town Engineer, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for the construction and installation of Carmel Water District #8 Water distribution system as designed by Maser Engineering pursuant to prior Town Board authorization

BE IT FURTHER RESOLVED that Town Engineer is to furnish detailed specification to Town Clerk, Ann Garris for use in conjunction with the Town of Carmel’s General Bid Conditions and specifications.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

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

SEQR REVIEW – GENERATOR INSTALLATION – CARMEL WATER DISTRICT #8 CREST ROAD TANK SITE

Gregory Folchetti, Legal Counsel, reviewed the following Short Environmental Assessment Form with the Town Board.

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

#13

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)	
1. APPLICANT/SPONSOR Town of Carmel	2. PROJECT NAME Generator Installation–Water District #8 Crest Road Tank site
3. PROJECT LOCATION: Municipality Town of Carmel County Putnam	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) End of Crest Road, at water storage tank & booster station site.	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Installation of 100 kw diesel generator obtained from NYS OGS, at booster station site, to provide auxiliary power for water district facilities	
7. AMOUNT OF LAND AFFECTED: Initially <0.01 acres Ultimately <0.01 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	

21 JUNE 2012
TOWN BOARD MEETING

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Carmel Town Board approval of project funding	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Ronald J. Gainer, PE, Town Engineer _____ Date: 06/13/2012 _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: NO	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: NO	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: NO	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: NO	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: NO	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: NO	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: NO	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly:	

21 JUNE 2012
TOWN BOARD MEETING

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Carmel Town Board
Name of Lead Agency

June 13, 2012
Date

Kenneth Schmitt
Print or Type Name of Responsible Officer in Lead Agency

Supervisor
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

**CARMEL WATER DISTRICT #8 - INSTALLATION OF GENERATOR -
DESIGNATION OF LEAD AGENCY AND NEGATIVE DECLARATION**

WHEREAS, the Town Board of the Town of Carmel is considering and proposing the installation of a generator at the Carmel Water District #8 Crest Road water tank site to protect and enhance the public health and welfare of the residents of Carmel Water District #8 by providing standby power for continuous water supply and availability during electrical outages; and

WHEREAS, this proposed action is being considered to promote the health, safety and general welfare of the persons and property of the Town of Carmel and Carmel Water District #8; and

WHEREAS, the project is defined as an Unlisted Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

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	X	
Frank Lombardi	X	
Kenneth Schmitt	X	

21 JUNE 2012
TOWN BOARD MEETING

Project Number _____

Date June 21, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

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

Name of Action:

Installation of a generator at the Carmel Water District #8 Crest Road tank site

SEQR Status:

Type I ☐ Unlisted ☒

Conditioned Negative Declaration: Yes ☐ No ☒

Description of Action:

The proposed action involves the installation of a generator at the Carmel Water District #8 Crest Road tank site to protect and enhance the public health and welfare of the residents of Carmel Water District #8 by providing standby power for continuous water supply and availability during electrical outages.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Carmel Water District #8 Crest Road, Town of Carmel, Putnam County

SEQR Negative Declaration
Page 2

REASONS SUPPORTING THIS DETERMINATION:

The action proposes to protect and enhance the public health and welfare of the residents of Carmel Water District #8 by providing standby power for continuous water supply and availability to the resident of Carmel Water District #8 during electrical outages.

As a result, 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

Address: Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541


Telephone Number: 845-628-1500

For Type I Actions and Conditioned Negative declarations, a Copy of the Notice sent to:

21 JUNE 2012
TOWN BOARD MEETING

**SEQR REVIEW – GENERATOR INSTALLATION – CARMEL WATER DISTRICT #4
WELL SITE**

Gregory Folchetti, Legal Counsel, reviewed the following Short Environmental Assessment Form with the Town Board.



617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

<p>1. APPLICANT/SPONSOR Town of Carmel</p>	<p>2. PROJECT NAME Generator Installation – Water District #4 well site</p>
<p>3. PROJECT LOCATION: Municipality Town of Carmel County Putnam</p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) South side of Kennard Road, opposite Spring Drive, at the Water District No. 4 Treatment Plant site.</p>	
<p>5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration </p>	
<p>6. DESCRIBE PROJECT BRIEFLY: Installation of 100 kw diesel generator obtained from NYS OGS, at water treatment plant site, to provide auxiliary power for water district facilities</p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <u><0.01</u> acres Ultimately <u><0.01</u> acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly </p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: </p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Carmel Town Board approval of funding </p>	
<p>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: </p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Ronald J. Gainer, PE, Town Engineer</u> Date: <u>06/13/2012</u> Signature: _____ </p>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p>	
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: NO </p>	
<p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: NO </p>	
<p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: NO </p>	

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

NO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

NO

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

☐ Yes

☒ No

If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes

☒ No

If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Carmel Town Board

Name of Lead Agency

Kenneth Schmitt

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

June 13, 2012

Date

Supervisor

Title of Responsible Officer

Signature of Preparer (If different from responsible officer)

**CARMEL WATER DISTRICT #4 - INSTALLATION OF GENERATOR -
DESIGNATION OF LEAD AGENCY AND NEGATIVE DECLARATION**

WHEREAS, the Town Board of the Town of Carmel is considering and proposing the installation of a generator at the Town of Carmel Water District #4 Kennard Road water treatment plant/well site to protect and enhance the public health and welfare of the residents of Carmel Water District #4 by providing standby power for continuous water supply and availability during electrical outages; and

WHEREAS, this proposed action is being considered to promote the health, safety and general welfare of the persons and property of the Town of Carmel and Carmel Water District #4; and

WHEREAS, the project is defined as an Unlisted Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

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TOWN BOARD MEETING

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilwoman McDonough & Councilman Schneider

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

SEQR

617.21

Appendix F

State Environmental Quality Review**NEGATIVE DECLARATION****Notice of Determination of Non-Significance**Project Number Date June 21, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

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.

Name of Action:

Installation of a generator at the Carmel Water District #4 Kennard Road treatment plant/well site

SEQR Status:Type I Unlisted XConditioned Negative Declaration: Yes No X**Description of Action:**

The proposed action involves the installation of a 100kw diesel generator at the Carmel Water District #4 Kennard Road treatment plant/well site to protect and enhance the public health and welfare of the residents of Carmel Water District #4 by providing standby power for continuous water supply to the residents of Carmel Water District #4 and availability during electrical outages.

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Carmel Water District #4 Kennard Road treatment plant site, Town of Carmel, Putnam County, New York.

SEQR Negative Declaration
Page 2

REASONS SUPPORTING THIS DETERMINATION:

The action proposes to protect and enhance the public health and welfare of the residents of Carmel Water District #4 by providing standby power for continuous water supply and availability to the resident of Carmel Water District #4 during electrical outages.

As a result, 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

Supervisor Schmitt explained that last year generators were installed in seven of the town's water districts and now all the water districts would have emergency generators in the event of a power outage. Supervisor Schmitt thanked the Town Board members for being pro-active and mentioned that the cost is borne by the districts.

SEQR DETERMINATION REGARDING REPLACEMENT OF GENERATOR AT TOWN HALL FACILITY – TYPE II

RESOLVED that the Town Board of the Town of Carmel hereby determines that the replacement of the existing standby generator for the Town Hall facility located at 60 McAlpin Avenue, Mahopac, NY is a Type II action under SEQR and no further review is necessary.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

Supervisor Schmitt pointed out that the generator at Town Hall is thirty-seven years old and only serves the Police Department in the event of a power outage. The new one will be able to power the entire building.

RECOGNITION OF PUBLIC

Peter Creegan, resident of Mahopac questioned the reduction in the costs associated with improvements to Carmel Water District #8 as noted in the resolution scheduling the public hearing.

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TOWN BOARD MEETING

Gregory Folchetti, Legal Counsel explained that this number is only an estimate and that the estimate was decreased by Maser Engineering who designed the system.

Peter Creegan inquired about district wide garbage.

Councilman Lupinacci reported that he is working with Gregory Folchetti, Legal Counsel to review requests for proposals and he gave a brief update explaining the process of plotting over 11,000 parcels to map the garbage districts using GSI technology.

OPEN FORUM

No members of the public wished to be heard at this time.

RECOGNITION OF TOWN BOARD MEMBERS

Councilwoman McDonough announced that tonight was the first concert in the series of free concerts to be held every Thursday at the Town of Carmel Chamber Park.

Councilman Schneider extended congratulations to the graduates of all the middle schools and high schools. He also cautioned everyone to be careful while driving during this time of celebration and reminded the public not to drink and drive.

Councilman Lombardi mentioned that his two sons graduated, one from Lakeview Elementary School and one from Mahopac Middle School. He also asked people to be careful and reminded business owners to adhere to the law in regards to the sale of alcohol to minors.

Supervisor Schmitt spoke about the Annual Carmel Sports Association ceremonies held last Saturday at Camarda Park. He noted the good turn out and remarked on the progress of the new pavilion which is almost completed. He also mentioned that restrooms would be the next improvement planned for the park.

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilman Lupinacci, with all members present and in agreement, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Phyllis Bourges, Deputy Town Clerk