

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 March 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 2/15/12 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

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

REFUND OF CERTIFICATE OF OCCUPANCY FEE TM # 87.5-1-46.-4700 AUTHORIZED - NIKOLAOS AND EILEEN KOUNIOUS

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the refund of the certificate of occupancy fee paid for the premises known as 47 Maple Hill Road, TM #87.5-1-46.-4700, record owner Nikolaos and Eileen Kounious, in the amount of \$80.00.

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>

POLICE DEPARTMENT - RENEWAL OF AGREEMENT FOR AUDIOLOG RECORDER MAINTENANCE SERVICES AUTHORIZED - BUSINESS ELECTRONIC SYSTEMS

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the maintenance agreement for audilog recording in the Town of Carmel Police Department for a period of three (3) years, with Business Electronic Systems of Chesire, CT, commencing immediately, at a lump sum cost not to exceed \$1,200 annually, in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, Supervisor Kenneth Schmitt is hereby authorized to sign all documents necessary and related to the referenced agreement for said services.

Resolution
Offered by: Councilman Lombardi
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>

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)

Maintenance Agreement

Agreement Between

CARMEL POLICE DEPARTMENT

and

Business Electronics, Inc.

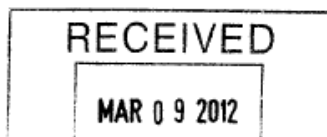
Regarding the maintenance
of a
Verint Audiolog Recorder installed at:

60 McAlpin Avenue

Mahopac, NY 10541

Period Covering
1/1/12 to 12/31/14

Business Electronics, Inc.
1492 Highland Avenue
Unit 4, Route 10
Cheshire, CT 06410
Tel. # (203) 272-5337
Fax # (203) 271-3616



1492 Highland Ave., Unit 4, Rt.10
Cheshire, CT 06410

Tel: 203-272-5337
Fax: 203-271-3616
Web: www.beiinc.com

Page 1 of 5

Maintenance Service Agreement -
Verint Audiolog Recorders

Maintenance Service Agreement between **BUSINESS ELECTRONICS, INC.** (hereinafter described as "BEI"), 1492 Highland Avenue, Unit 4, Rt.10, Cheshire, CT 06410, and **CARMEL POLICE DEPARTMENT**, hereinafter described as the "USER" of **AUDIOLOG RECORDING EQUIPMENT** here and after described as "**EQUIPMENT**" and which is inclusive of items listed in paragraph 12. **VERINT** hereinafter will be described as the "**MANUFACTURER**".

WHEREBY IT IS AGREED AS FOLLOWS:

BEI warrants that the **EQUIPMENT** operates within the **MANUFACTURER's** specification and has been comprehensively inspected by an engineer trained by the **MANUFACTURER**.

1. Warranty

BEI will provide a one year full parts (Hardware & Software) and labor warranty (9:00 am to 5:00 pm, Monday thru Friday) from the date of installation at no additional cost. All terms and conditions apply for the warranty as are stated for the Maintenance Service Agreement.

2. Routine Visits

BEI will make routine visits as specified in the Service Schedule, Appendix 2, to examine, test, and adjust the **EQUIPMENT**, and to maintain the **EQUIPMENT** in good working order in accordance with the Service Schedule, Appendix 1, appended hereto.

(Cont.)

3. Service Visits

BEI will provide a telephone technical advice service to assist in clearance of minor faults which do not warrant the visit of an engineer free of additional charge. BEI will additionally make service visits on request of the **USER**. Such service visits shall be free of additional charge to the **USER**, except where such visits should prove the failure not to be caused by a defect with the **EQUIPMENT**. In this event, the **USER** shall pay to BEI at its address stated above the appropriate charges for labor and travel. This service will be available between the hours shown in the Service Schedule, Appendix 2, paragraph 2, appended herewith.

4. Software Maintenance Updates

BEI will provide **USER** with "Hot Fix" Maintenance updates licensed by the software manufacturer. Installation of any Software Maintenance Update will be performed during Normal Business Hours, as stated in "Appendix 2" of this agreement. If **USER** requests that Software Maintenance Updates performed outside of Normal Business Hours, BEI's performance of such services shall be subject to BEI's current service and material rates.

5. Software Feature Enhancement Upgrades

As new product ("Feature Enhancement Upgrades") become available by the **MANUFACTURER**, they will be presented to the **USER** and the Software Feature Enhancement Upgrade will be either provided as part of a separate **MANUFACTURER's** agreement that includes "Software Assurance" as part of its coverage or the **USERS** will be offered this upgrade at an additional cost. Any Software Feature Enhancement Upgrade provided to the **USER** under any **MANUFACTURER** "Software Assurance" coverage will require BEI professional services to install and implement the Software Feature Enhancement Upgrade. BEI's performance of such services shall be subject to BEI's current service and material rates.



1492 Highland Ave., Unit 4, Rt. 10
Cheshire, CT 06410

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Page 2 of 5

6. Software Licenses

BEI will warranty all software site licenses. The **USER** will have unlimited use of the site license within the facility. BEI will provide upgrades at additional costs when they are made available from the manufacturer. Upgrades will be performed during BEI's normal business hours (M-F 9:00am to 5:00pm). If the **USER** should need the upgrade done after hours, BEI's current service rates will be used for such services. The **USER** shall not duplicate the software from its original to be used at another facility. If the software is added to or altered, then BEI may make appropriate variations in the charges payable under Clause 10 with prior written notification. BEI warrants that it has the right to provide **USER** with Licenses to use all of the software that BEI provides to **USER**, subject to the terms of this Agreement. BEI shall indemnify and hold **USER** harmless any claim or action alleging that any of such software infringes any patent, copyright, or other proprietary right of any third party.

7. Repair and Replacements - LOANER AT NO CHARGE

As may be necessary, BEI will repair or replace all defective components, except archive media, (ie. DAT, VXA, AIT, DVD etc.). Such repair or replacement shall be at no additional charge to the **USER** except if caused by accident or negligence or improper use on the part of any person other than the staff of BEI or if caused by unsuitable electricity supply. All defective component parts so replaced shall become BEI's property. **MANUFACTURER** approved media must be used to keep the Maintenance Service Agreement in force.

8. Liability

Except as herein expressly stated, BEI shall not be liable for consequential loss, damage, or injury arising from any stoppage, breakdown, or failure of the **EQUIPMENT**, save where caused by the negligence of or breach of this Agreement, by BEI, or their failure to exercise reasonable skill and care in carrying out any work pertinent to this Agreement, but BEI shall use its best endeavors to remedy any stoppage as promptly as it is able and likewise shall use its best endeavors to keep the **EQUIPMENT** in good working order. If, however, personal injury or damage to property is caused by the negligence of BEI, then BEI shall accept liability.

9. USER's Undertakings

- a. Keep and operate the **EQUIPMENT** in a proper and prudent manner and will be readily accessible for visits.
- b. Maintain the required **MANUFACTURER's** 2nd Tier support agreement which allows BEI access to the **MANUFACTURER's** technical helpdesk & development support services. Failure to do so will result in additional charges, if BEI requires **MANUFACTURER's** assistance to resolve any service issue.
- c. Promptly notify BEI at the above address of any change in location of the **EQUIPMENT**.

(Cont.)

- d. Make all payments due hereunder to BEI at BEI's address above stated within 30 days of the date USER receives invoices to be payable hereunder.
- e. Promptly notify BEI at such address as BEI may stipulate from time to time of faults or defects in the EQUIPMENT.
- f. Provide an adequate and suitable electricity supply in accordance with advice given by BEI to the USER.
- g. Do such minor maintenance as is required for normal day-to-day operation. Maintenance is specified in the manual provided with the EQUIPMENT.
- h. Use for the operation and permitted USER servicing of the EQUIPMENT (as defined by MANUFACTURERS' instructions) only those materials and supplies (including lubricants) approved by MANUFACTURER.



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Page 3 of 5

10. Charges

The yearly charge described in the Service Schedule, paragraph 4, appended hereto will become payable to BEI at its address stated above on the first day of each contract year. The yearly renewal charge may not exceed the previous year's charge per unit by more than ten percent (10%). If customer terminates this agreement prior to the contract expiration date, BEI is not required to refund any pro-rated monies on the remainder of the service contract.

11. Variation of Charges

If the EQUIPMENT is added to or altered, then BEI may make appropriate variations in the charges payable with prior written notification.

12. Reinstallation & Alterations

- a. The USER shall not, in any circumstances, reinstall, alter or add to the EQUIPMENT without BEI's consent (which shall not be unreasonably withheld.). Any changes made to EQUIPMENT by the USER resulting in service performed by BEI will void the warranty and the service call will be billable.
- b. At the USER's request, BEI will, so far as is practicable, reinstall, move, alter, or add to the EQUIPMENT. These services are not covered under the warranty or the maintenance agreement. BEI may make appropriate charges for such services. BEI's current service rates will be used for such services(See Service Rates).

13. Equipment List

(See Attached Equipment List)



1492 Highland Ave., Unit 4, Rt.10
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Page 4 of 5

Service Schedule Appendix 1 Audiolog Recorder Maintenance Schedule

1. All Models: Check all electronics parameters of the EQUIPMENT. Renew or replace any defective circuit board assemblies to ensure correct operation of the EQUIPMENT.
2. All Models: Check the EQUIPMENT for external connection to outside signal sources and ensure fixtures and fittings associated with the EQUIPMENT are secure and operational.
3. All Models: Provide a preventative maintenance, annual inspection & cleaning of EQUIPMENT

NOTE: THE PERFORMANCE OF TAPE RECORDING AND REPRODUCING EQUIPMENT IS GUARANTEED TO MEET SPECIFICATIONS ONLY WHEN MANUFACTURER'S APPROVED TAPE, IN REASONABLE CONDITION, IS USED.

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)



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Page 5 of 5

Service Schedule Appendix 2
Schedule of Maintenance Service Times and Charges

1. Routine Visits

ONE CLEANING PER YEAR AND/OR INSPECTIONS & ADJUSTMENTS

To be made on weekdays, Monday to Friday (public holidays excepted), during normal working hours (i.e., between 9:00 am and 5:00 pm). Routine visits will be made at regular intervals on dates to be mutually agreed between **BEI** and the **USER**.

2. Service Visits

To be available on Monday to Friday, 9:00 am to 5:00 pm (public holidays excepted). Normal response time in event of single drive failure - 24 hours. Response time to complete dual drive or system failure will be a maximum of 4 hours.

3. Maintenance Schedule

As in Appendix 1 attached.

4. Charges ** 3 Year Agreement- 2012-2014 Prepaid Maintenance

The total charge for the facility and services described in the Agreement and the Schedule is \$3600.00 plus State Sales tax (if applicable) for the period 1/1/12 through 12/31/14.

AS WITNESS the hands of the parties hereto:

Rosemary Conforte
for and on behalf of:
BUSINESS ELECTRONICS, INC.

TYPE NAME: Rosemary Conforte x1211

TITLE: Contracts Administrator

DATE: March 8, 2012

for and on behalf of:
CARMEL POLICE DEPARTMENT

PRINT NAME: _____

CARMEL POLICE DEPARTMENT
60 McAlpin Avenue
Mahopac, NY 10541

EQUIPMENT TYPE: VERINT AUDIOLOG
RECORDING EQUIPMENT
S/N ULT30111414501



1492 Highland Ave., Unit 4, Rte.10
Cheshire, CT 06410

Tel: 203-272-5337
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Items Covered by Agreement

No: 205423

As of: 3/5/2012

Carmel Police Department 60 McAlpin Avenue Mahopac, NY 10541

Qty of Items Covered	Item Description
1	Verint System License Dongle
1	Audiolog Remote Playback Client License (ALRC)
1	Audiolog Management Console Client Single Seat License
1	Audiolog (AIR) One Concurrent User License Voice and Screen
1	Audiolog Version 4.x System License
1	Audiolog Management Console Server
1	Audiolog 4 Channel Analog Card with 4 Channel Licenses
1	Audiolog 8 channel Analog LD Card with 8 Channel Licenses
1	Universal 9.4 gb DVD-RAM Drive
1	Audiolog 250 gb Hard Drive
1	Audiolog PRO Power Supply 465w
1	Audiolog 911 Public Safety Software Bundle 1B
1	Verint Audiolog PRO 3000 Series (Rack-Mount) Server

Total Number of Items Covered on Contract for Account: Carmel Police Department

13

Supervisor Schmitt commended Business Electronic Systems for keeping their fee the same for the duration of the three year agreement.

21 MARCH 2012
TOWN BOARD MEETING

DEPARTMENT OF RECREATION AND PARKS - BID AWARDED FOR BUS TRANSPORTATION 2012 SUMMER CAMP PROGRAM - BAUMANN & SONS BUSES, INC.

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for bus transportation for the 2012 summer camp program administered by the Town of Carmel Department of Recreation and Parks, as requested by Director of Parks and Recreation, James R. Gilchrist, and

WHEREAS such bids were received and opened and James R. Gilchrist, who has prepared a bid opening memo which is on file with the Town Clerk Ann M. Garris, and

WHEREAS, James R. Gilchrist has recommended the awarding of the aforesaid bid to Baumann & Sons Buses, Inc., Ronkonkoma, NY, the low responsible bidder meeting specifications for all six (6) bus trips scheduled by the Recreation and Parks Department for Summer 2012,

BE IT FURTHER RESOLVED that upon review of insurance certificates in form acceptable to Town Counsel, Kenneth Schmitt, Town Supervisor is hereby authorized to execute any other and further documentation necessary to accept such bid and contract for said services.

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 stated that Baumann & Sons Buses, Inc. has been providing reliable and safe transportation service for the Town of Carmel’s summer camp program for several years.

Councilman Lombardi added that the Town of Carmel Police Department will continuously monitor the license records of their drivers.

DEPARTMENT OF RECREATION AND PARKS - 2012 SEASONAL/TEMPORARY AND PART-TIME WORKERS WAGE RATES ESTABLISHED

RESOLVED that the Town Board of the Town of Carmel hereby sets the Seasonal/Temporary Full-Time Workers wage rates for 2012 for the Recreation and Parks Department as follows:

<u>POSITION AND/OR TITLE</u>	<u>HOURLY RANGE</u>
Day Camp Counselors	\$5.83 to \$9.58
Day Camp Leadership Staff - (EMTs, Camp Coordinator, Leaders, Assistant Leaders)	\$10.00 to \$17.75
Seasonal Maintenance	\$7.50 to \$10.50
Lifeguards	\$8.25 to \$13.00
Waterfront Director/Assistant Director/WSI	\$14.50 to \$16.50
Part-Time Recreation Staff (Instructors, Office Staff, Maintenance)	\$10.00 to \$18.50

(Cont.)

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>

Supervisor Schmitt stated that the slight increase being provided to the lifeguards and leadership staff has been budgeted for.

Councilman Lupinacci added that the salary ranges for the staff are based upon their years of service with the Town of Carmel.

2012 USER FEE SCHEDULE AMENDED - APPLICATION FOR EXTENSION AND/OR RE-GRANTING OF OPEN DEVELOPMENT STATUS

RESOLVED that the Town Board of the Town of Carmel hereby amends, effective immediately, the Town of Carmel User Fee Schedule for Fiscal Year 2012, with the addition of the following fee(s):

Application for Extension and/or Re-granting of Open Development Status from Carmel Town Board For two (2) year period	\$2500.00
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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>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt explained that the new fee is being established to cover the costs incurred by the Town of Carmel for reviewing applications for the extension and/or re-granting of open development.

MAHOPAC SPORTS ASSOCIATION, PUTNAM COUNTY HUMANE SOCIETY, INC., LITERARY UNION (REED MEMORIAL LIBRARY), MAHOPAC LIBRARY - ENTRY INTO CONTRACTS AUTHORIZED

WHEREAS appropriations have been made in the 2012 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to enter into and execute, on behalf of the Town, contracts with the following contractors for the services indicated in an amount not to exceed that set forth below:

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 698,000.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,603,853.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$ 475,000.00
Carmel Volunteer Ambulance Corps	Ambulance Services-Carmel Ambulance District #1	\$ 210,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services-Carmel Ambulance District #1	\$ 12,700.00
Mahopac Sports Association	Recreational Services	\$ 26,000.00
Putnam County Humane Society, Inc.	Dog Shelter Services & Dog Control Services	\$ 50,635.00
Literary Union (Reed Memorial Library)	Library Services	\$195,000.00
Mahopac Library	Library Services	\$ 25,000.00

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>

PLANNING BOARD REAPPOINTMENT MADE - HAROLD GARY

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Harold Gary to the Town of Carmel Planning Board for a term commencing immediately and expiring December 31, 2018.

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>

Supervisor Schmitt spoke regarding the long and arduous process of interviewing candidates for the various administrative boards. He wished all new appointees the best of luck in their new positions.

2012 PLANNING BOARD CHAIRMAN - REAPPOINTMENT HAROLD GARY

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Harold Gary as Chairman of the Planning Board for the year 2012.

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>

ZONING BOARD OF APPEALS REAPPOINTMENT MADE - ROSE FABIANO

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Rose Fabiano to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2016.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

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

Supervisor Schmitt acknowledged Ms. Fabiano, present at the meeting, for her outstanding service on the Zoning Board of Appeals and congratulated her on her reappointment.

ZONING BOARD OF APPEALS APPOINTMENT MADE - PHILIP AGLIETTI

RESOLVED that the Town Board of the Town of Carmel hereby appoints Philip Aglietti to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2016.

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 and Councilman Lombardi welcomed Mr. Aglietti, present at the meeting, to the Zoning Board of Appeals. They spoke regarding his exceptional qualifications and congratulated him on his appointment.

ZONING BOARD OF APPEALS APPOINTMENT MADE - CRAIG R. PAEPRER

RESOLVED that the Town Board of the Town of Carmel hereby appoints Craig R. Paepre to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2012.

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 and Councilman Lombardi welcomed Mr. Paepre, present at the meeting, to the Zoning Board of Appeals and spoke regarding his exceptional qualifications.

2012 ZONING BOARD OF APPEALS CHAIRMAN - REAPPOINTMENT MARK FRASER

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Mark Fraser as Chairman of the Zoning Board of Appeals for the year 2012.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt congratulated Mr. Fraser on his reappointment.

ARCHITECTURAL REVIEW BOARD REAPPOINTMENT MADE - FRANK PICCONE

RESOLVED that the Town Board of the Town of Carmel hereby appoints Frank Piccone to the Town of Carmel Board of Architectural Review for a term commencing immediately and expiring August 16, 2012.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilmen Lupinacci and 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>

ARCHITECTURAL REVIEW BOARD APPOINTMENT MADE - ANGELA BRIANTE

RESOLVED that the Town Board of the Town of Carmel hereby appoints Angela Briante to the Town of Carmel Board of Architectural Review for a term commencing immediately and expiring August 16, 2012.

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 and Councilman Lombardi welcomed Ms. Briante, present at the meeting, to the Board of Architectural Review and spoke regarding her notable civic involvement.

ARCHITECTURAL REVIEW BOARD APPOINTMENT MADE - WILLIAM ROSSITER, JR.

RESOLVED that the Town Board of the Town of Carmel hereby appoints William Rossiter, Jr. to the Town of Carmel Board of Architectural Review for a term commencing immediately and expiring August 16, 2013.

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 welcomed Mr. Rossiter, present at the meeting, to the Board of Architectural Review and commended him on his exceptional qualifications.

ARCHITECTURAL REVIEW BOARD APPOINTMENT MADE - EDWARD ARCE

RESOLVED that the Town Board of the Town of Carmel hereby appoints Edward Arce the Town of Carmel Board of Architectural Review for a term commencing immediately and expiring August 16, 2012.

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>

Supervisor Schmitt welcomed Mr. Arce, present at the meeting, to the Board of Architectural Review and congratulated him on his appointment.

21 MARCH 2012
TOWN BOARD MEETING

ARCHITECTURAL REVIEW BOARD APPOINTMENT MADE - DONNA MASSARO

RESOLVED that the Town Board of the Town of Carmel hereby appoints Donna Massaro to the Town of Carmel Board of Architectural Review for a term commencing immediately and expiring August 16, 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>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt welcomed Ms. Massaro, present at the meeting, to the Board of Architectural Review.

2012 ARCHITECTURAL REVIEW BOARD CHAIRMAN - REAPPOINTMENT FRANK PICCONE

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Frank Piccone as Chairman of the Board of Architectural Review for the year 2012.

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 conveyed Mr. Piccone's apology for being unable to attend the meeting. He said that Mr. Piccone would be reaching out to the new Board of Architectural Review members in the near future.

BOARD OF ASSESSMENT REVIEW - JOSEPH TOCK REAPPOINTED - EXPIRING 9/30/16

RESOLVED that the Town Board of the Town of Carmel hereby appoints Joseph Tock to the Town of Carmel Board of Assessment Review for a term commencing immediately and expiring September 30, 2016.

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>

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)

Supervisor Schmitt recognized Mr. Tock's outstanding service on the Board of Assessment Review and noted that the Town Assessor had recommended his reappointment.

Supervisor Schmitt went on to acknowledge three former members who will no longer be serving on a Town of Carmel administrative board. He thanked Lorraine Marianni for her years on the Zoning Board of Appeals, Dini Lobue for her years on the Board of Architectural Review and Jeanne Frey for her years on the Board of Architectural Review.

PUBLIC HEARING SCHEDULED FOR 4/11/12 - LOCAL LAW ENACTING CHAPTER 156, ENTITLED "ZONING" AND CHAPTER 89, ENTITLED "FRESHWATER WETLANDS" OF THE TOWN CODE OF THE TOWN OF CARMEL (VICE-CHAIRMAN)

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, April 11, 2012 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law enacting Chapter 156, entitled "ZONING" and Chapter 89, entitled "Freshwater Wetlands" of the Town Code of the Town of Carmel; and

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

PROPOSED LOCAL LAW # ____ OF THE YEAR 2012

A Local Law to Amend the Code of the Town of Carmel,
Chapter 156, thereof, entitled "Zoning" and Chapter 89 Entitled "Freshwater Wetlands"

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

SECTION 1. The following sections of Chapter 156 of the Code of the Town of Carmel are hereby amended to read as follows:

ARTICLE VI

Zoning Board of Appeals

§156-53 C. The Town Board shall designate a member of the Zoning Board to act as Chairman thereof as well as Vice-Chairman thereof. Upon failure to do so, the Zoning Board shall elect a Chairman from its own members, who shall serve until such appointment by the Town Board.

ARTICLE VII

Planning Board

§156-59 F. The Town Board shall designate a member of the Planning Board to act as Chairman thereof as well as Vice-Chairman thereof. Upon failure to do so, the Planning Board shall elect a Chairman from its own members, who shall serve until such appointment by the Town Board.

(Cont.)

ARTICLE VIII

Board of Architectural Review

§156-63 F. The Town Board shall designate a member of the Board of Architectural Review to act as Chairman thereof as well as Vice-Chairman thereof. Upon failure to do so, the Board of Architectural Review shall elect a Chairman from its own members, who shall serve until such appointment by the Town Board.

SECTION 2: Chapter 89 of the Town Code of the Town of Carmel is hereby amended by the addition of the following section:

§89-16 D. The Town Board shall designate a member of the Environmental Conservation Board to act as Chairman thereof as well as Vice-Chairman thereof. Upon failure to do so, the Environmental Conservation Board shall elect a Chairman from its own members, who shall serve until such appointment by the Town Board.

SECTION 3. This Local Law shall take effect immediately in accordance with the law.

Councilman Lupinacci explained that the purpose of the proposed Local Law is to create a provision to allow for the designation of Vice-Chairmen of the Zoning Board of Appeals, the Planning Board, the Architectural Review Board and the Environmental Conservation Board.

PUBLIC COMMENTS

Supervisor Schmitt explained that the Town Board will permit public comment on agenda items only for a maximum of three (3) minutes per person.

Michael Barile inquired if the three (3) minutes applied per agenda item or to the total time allotted to an individual.

Supervisor Schmitt stated that it is a three (3) minute total.

Mr. Barile expressed his support of the Architectural Review Board. He commented that they should now be provided with the authority to accomplish what they need to do.

Mr. Barile spoke in favor of new appointments being made to the various administrative boards and went on to inquire about the length of time that Harold Gary has served as the chairman of the Planning Board.

Gregory Folchetti, Legal Counsel replied that Harold Gary has served as the chairman of the Planning Board for at least ten years.

Mr. Barile asked how he should go about posing a question to the Town Board should the need arise in the future.

Supervisor Schmitt stated that Mr. Barile may submit a request in writing to him, or to any other member of the Town Board to have an issue considered at a Work Session. Discussion regarding the procedure by which the public may address the Town Board at meetings was held.

Scott Friedman requested that the procedure by which the public may address the Town Board at meetings be added to the next Work Session for discussion. Mr. Friedman expressed his extreme dissatisfaction that residents were not given the opportunity to comment at a meeting with regard to the appointments to the various administrative boards prior to the appointments being made. He then went on to state his opposition to the reappointments of the chairmen of the Planning Board and the Zoning Board of Appeals.

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)

Jerry Ravnitzky agreed that the public should be given the opportunity to comment on a matter before the Town Board prior to the vote, particularly in regard to something as important as the reappointment of the Planning Board chairman. In addition, he stated that the public should be permitted to provide additional remarks if a member of the Town Board brings forward a new matter for discussion during their comment period at the end of a meeting.

Lori Kemp indicated her opposition to the reappointment of the chairman of the Planning Board because of the approval of certain projects during his tenure.

Councilman Lupinacci inquired if the votes on the projects were unanimous.

Ms. Kemp stated that she believed that they were unanimous.

Councilman Lupinacci pointed out to Ms. Kemp that if that was the case, her issue should be directed at all members of the Planning Board, not just the chairman. A discussion ensued.

Robert Buckley commented that no individual board member should be singled out for his or her vote to approve or disapprove any one project. Mr. Buckley expressed his support of and trust in the Town Board with regard to the decisions that they make when making appointments.

TOWN BOARD MEMBER COMMENTS

Councilman Lombardi spoke regarding his efforts along with local law enforcement agencies and officials, to ban the sale and eliminate the abuse of synthetic marijuana products in the community.

Councilman Lupinacci reported that he and Councilwoman McDonough are in the process of exploring revisions to the Town of Carmel website and they hope to present their findings to the rest of the Town Board within a week or two.

Councilman Lupinacci reported that he has been reviewing information in connection with commencing the fact finding process with regard to town-wide garbage collection in the Town of Carmel and hoped to present his findings to the rest of the Town Board by May or June.

Councilman Lupinacci proposed amending the Town Board's policy with regard to public comment to allow for a twenty minute open forum for public comment at all meetings and requested the matter be addressed at the next Work Session. Discussion followed.

Councilman Lupinacci announced that the Carmel High School Parents' Association is seeking donations to assist with their sponsorship of post prom alcohol-free events for their students.

Supervisor Schmitt asked Councilman Lupinacci about the particulars of his proposal to amend the Town Board's policy with regard to public comment at meetings and discussion ensued.

Councilman Lombardi announced that this year's Town of Carmel "Community Clean-up and Code Compliance Week" will commence on April 23, 2012.

Councilwoman McDonough announced that the Town of Carmel Recreation and Parks Department will be hosting its annual Easter egg hunt on Saturday, March 24, 2012 at the Mahopac High School practice field. The activities will commence at 11:00 a.m.

21 MARCH 2012
TOWN BOARD MEETING

(Cont.)

Supervisor Schmitt announced that a spaghetti dinner fundraiser will be held on March 22, 2012 from 5:00 p.m. to 10:00 p.m. at the Mahopac Firehouse to raise funds to complete the Town of Carmel's 9/11 memorial.

Councilman Lupinacci extended apologies to the chairman of the Planning Board, Harold Gary for earlier comments made by certain members of the public. Councilman Lupinacci pointed out that Mr. Gary's position is a difficult one and he should not be held individually accountable for all unpopular projects developed in the Town of Carmel.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 8:34 p.m. to Executive Session to discuss a matter relating to homeland security.

Respectfully submitted,

Ann Garris, Town Clerk