

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 20th day of August 2014 at 7:11 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Lupinacci, Councilman Lombardi and Supervisor Schmitt. Councilman Schneider and Councilwoman McDonough were absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces as well as for the recently slain by terrorists American journalist, James Foley.

DIRECTOR OF CODES ENFORCEMENT/BUILDING INSPECTOR AUTHORIZED TO REMEDY VIOLATIONS OF THE PROPERTY MAINTENANCE CODE - OFFERED AS PARAPHRASED AND PRE-FILED

WHEREAS the Director of Codes Enforcement/Building Inspector has cited the following properties with violations of the Property Maintenance Law of the Code of the Town of Carmel:

- 71 ANN ROAD MAHOPAC - TM# 54.14-1-53;
- 7 BASS ROAD MAHOPAC - TM# 85.11-1-13;
- 50 BRECKINRIDGE ROAD MAHOPAC - TM# 74.16-1-33;
- 95 CHESTNUT RIDGE ROAD MAHOPAC - TM# 43.17-1-2;
- 66 ELLEN AVENUE MAHOPAC - TM# 75.59-1-9;
- 27 EVERETT ROAD CARMEL - TM# 44.19-2-17;
- 31 MUNICH DRIVE CARMEL - TM# 77.13-2-31;
- 53 HARKIN ROAD CARMEL - TM# 54.14-1-59;
- 56 WILLIAMS ST. LLC - TM# 75.6-2-64

WHEREAS the owners and/or responsible parties have failed, neglected or refused to correct said violations within the time period prescribed by the Director of Codes Enforcement/Building Inspector, and

WHEREAS the Director of Codes Enforcement/Building Inspector has requested Town Board authorization to solicit proposals for contractor(s) to perform the correction of said violations pursuant to §144-15 of the Property Maintenance Law of the Town Code.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Director of Codes Enforcement/Building Inspector to solicit proposals for the contractor services necessary for the correction of existing violations at the aforesaid premises.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

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

SUBMISSION OF GRANT APPLICATION TO DORMITORY AUTHORITY OF THE STATE OF NY FOR THE PROPOSED INSTALLATION OF MULTI-PURPOSE FACILITY FOR CAMARDA PARK - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of a Grant Application to the New York State Dormitory Authority regarding its State and Municipal Facilities (SAM) Program Grant for the proposed Installation of Multi-Purpose Facility at Camarda Park, Project I.D. # 6188; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with submission of the grant application authorized herein.

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(Cont.)

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Lombardi

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

Supervisor Schmitt stated that the amount of the grant submission for the referenced project at Camarda Park is \$200,000.00.

TOWN OF CARMEL HIGHWAY DEPARTMENT - PROPOSAL ACCEPTED FOR ROAD LINE PAINTING - ATLANTIC PAVEMENT MARKING - NOT TO EXCEED \$14,831.10

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of Atlantic Pavement Marking, Prospect, CT for Town-wide road line painting in 2014-2015 at a cost not to exceed \$14,831.10 and authorizes payment of said amount to the referenced vendor.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Lombardi

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

ISSUANCE OF PERMIT FOR DISPLAY OF FIREWORKS AUTHORIZED - CARMEL FIRE DEPARTMENT - 8/30/14

WHEREAS, the Town Board of the Town of Carmel hereby designates and deems itself a permit authority for the issuance of permission to discharge and display fireworks within the boundaries of the Town of Carmel pursuant to NY Penal Law Section 405 *et seq.*; and

WHEREAS, the Carmel Fire Department has submitted a completed application for permission and a permit to discharge fireworks within the boundaries of the Town of Carmel as part of the events scheduled for August 30, 2014 and as may be re-scheduled for any “rain date” thereof; and

WHEREAS, a copy of the referenced application is hereby incorporated herein and made a part hereof; and

WHEREAS, it appears that the requirements of NY Penal Law §405 authorizing the issuance of a permit to display fireworks have been complied with;

NOW THEREFORE BE IT RESOLVED, that the Application of the Carmel Fire Department **dated August 6, 2014, as amended August 20, 2014**, as attached hereto, incorporated herein and made a part hereof is hereby granted in full; and

BE IT FURTHER RESOLVED, that Garden State Fireworks, the contractor listed therein is hereby authorized to display fireworks in the manner and locations described therein on August 30, 2014, as well as any adjourned rain date thereafter; and

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BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be deemed the actual permit for the display authorized herein.


Resolution
Offered by: Councilman Lombardi
Seconded by: Supervisor Schmitt

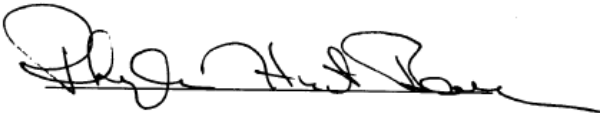
<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u> X </u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Frank Lombardi	<u> X </u>	<u> </u>	
Kenneth Schmitt	<u> X </u>	<u> </u>	

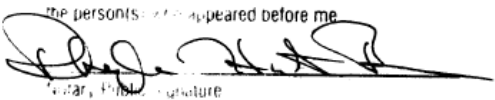
CARL GREENWOOD BEING DULY SWORN, HEREBY DEPOSES THE FOLLOWING:

- 1) I AM A MEMBER OF THE CARNIVAL COMMITTEE FOR THE CARMEL FIRE DEPARTMENT, APPLICANT HEREIN.
- 2) ANTHONY F. CAPICOTTI AND EUGENE CAPICOTTO, THE INDIVIDUALS WHO ARE PROPOSED TO FIRE THE DISPLAY PURSUANT TO THIS APPLICATION HAVE BEEN ASSIGNED CERTIFICATE NUMBERS PR-618 AND PR-548 RESPECTIVELY FROM THE NEW YORK STATE DEPARTMENT OF LABOR. TO THE BEST OF MY KNOWLEDGE AND BELIEF, BOTH SUCH INDIVIDUALS POSSESS A VALID CERTIFICATE AS OF COMPETENCE AS PYROTECHNICIANS FROM THE NYS DEPARTMENT OF LABOR.

DATED: August 20, 2014


CARL C. GREENWOOD



State of New York County of Putnam
Subscribed and sworn to (or affirmed) before me
on this 20 day of August, 2014
by Carl C. Greenwood
I relied to me on the basis of satisfactory evidence to be
the persons: appeared before me

Notary Public Signature

PHYLLIS HUNT BOURGES
Notary Public, State of New York
No. 01BO4798469
Qualified in Putnam County
Certificate Filed in New York County
Commission Expires July 31, 2017

(Cont.)

Incident Action Plan

Carmel Fire Department Carnival and Fireworks

Tuesday August 26th through Sunday August 31st 2014

Shoprite Plaza

Event Description

Incident Name: *Carmel Fire Department Carnival and Fireworks*

This Incident Action Plan has been developed for the planned events from August 26 through August 31, 2014.

Ø Event Number 1 Carnival

o Carnival on the Grounds of the Shoprite Plaza, Route 52, Carmel NY running from August 26th to August 31st. The Carnival will occur rain or shine.

o Hours of Operation

- 8/26/2014 (Tuesday) 18:00 – 23:00
- 8/27/2014 (Wednesday) 18:00- 23:00
- 8/28/2014 (Thursday) 18:00 – 23:00
- 8/29/2014 (Friday) 18:00 – 23:00
- 8/30/2014 (Saturday) 17:00 – 23:00
- 8/31/2014 (Sunday) 17:00 – 23:00

Ø Event Number 2 Fireworks

o Carmel Fire Department Fireworks Display, Saturday August 30, 2014 in the area of the Woods behind the Shoprite Plaza

o Hours of Operation

- 8/30/2014 (Saturday) 1700 to 23:00 (Fireworks Display 21:30)

ü Incident Objectives

General Control Objectives For The Incident:

- Provide general planning oversight for the events
- Provide security for all participants of events
- Provide Fire and EMS contingency planning for events
- Provide for an enjoyable events for the participants
- Minimize the community impact of the events
- Coordinate event with other events occurring over the Weekend

Weather Forecast

o Weather Forecasts will be published in Daily Incident Situation Report issued starting Monday, August 25, 2014 continuing through Sunday, August 31, 2014.

Anticipated Attendance

- The anticipated attendance for the Carnival is 1000 on 8/26/2014
- The anticipated attendance for the Carnival is 1500 on 8/27/2014
- The anticipated attendance for the Carnival is 1000 on 8/28/2014
- The anticipated attendance for the Carnival is 3000 on 8/29/2014
- The anticipated attendance for the Carnival is 3500 on 8/30/2014
- The anticipated attendance for the Carnival is 3000 on 8/31/2014

General Safety Message

- All participants are to maintain weather awareness
- In the event of severe weather attendees will be advise to return to their vehicles and shelter
- All participants are to maintain situational awareness and personal safety
- Report any suspicious behavior or Unusual Occurrences to event Law Enforcement

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Attachments

- ICS 201 Incident Briefing ICS 215 Safety Analysis
- ICS 203 Incident Map
- ICS 204 Assignments List Security Plan
- ICS 205 Communications Plan Traffic Plan
- ICS 206 Medical Plan Fire / EMS Plan
- ICS 207 Organizational Chart Planning Plan

Organizational Positions Incident

Commander	Chief Vinny Ruggerio
Deputy Incident Commander	Chief Dave DiRienzo
Operations Section Chief	
Law Enforcement Ops Chief	Chief Mike Cazzari
Safety Officer	
Planning Section Chief	Capt. Robert Lipton
Logistics Section Chief	
Facility Unit Leader	
Carnival Unit Leader	Carl Greenwood
Fire Unit Leader	Matt Lubera
EMS Unit Leader	Dave Jacobsen
Law Enforcement	
Communications Leader	
Advertisement / Marketing	Kicks 105.5

Time Table of Activities:

The follow times are subject to change –

Sunday, August 24

Throughout day Staging of Carnival Rides

Monday, August 25 Set-up / prep for Event

Throughout day Staging of Carnival

Tuesday, August 26

17:00 – Staff report - Assignments

18:00 – Event Opens

23:00 – Event Closes

Wednesday, August 27

17:00 – Staff report - Assignments

18:00 – Event Opens

23:00 – Event Closes

Thursday, August 28

17:00 – Staff report - Assignments

18:00 – Event Opens

23:00 – Event Closes

Friday, August 29

16:00 – Staff report - Assignments

17:00 – Event Opens

23:00 – Event Closes

Saturday, August 30

16:00 – Staff report - Assignments

17:00 – Event Opens

21:30 - Fireworks

23:00 – Event Closes

Sunday, August 31

16:00 – Staff report - Assignments

17:00 – Event Opens

23:00 – Event Closes

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Carnival Information:

Ace Amusement and Tent Co. - RoseAnn 914-490-5573, 914-776-2812

Command Post

There will be a command post established by the tree line across from the movie theater.

Credentials

There will be Staff T-Shirts distributed to all staff. (Tom Keck Jr.)

Traffic Detail (PCSD) Saturday ONLY

Law Enforcement Agencies

Putnam County Sheriff's Dept.

Carmel Police Department

County Fire Police Team

Note Within briefing advise detail of Catastrophic Event Plan

- o Code Evacuate – Attendees are to be advised to return to their vehicles.
- o Code Shelter – Activities suspended and all move to a shelter.
- o Code Aware – Example of this is an EMS call or other event.
- o Code Adam – Lost / Missing Child (Aware).

In the event of an incident at the Carmel Fireworks – “ALL STOP” will be used to advise of incident. All units shall listen for further direction from command.

Parking Plan

Public Parking

Security Plan

EMS Plan

POSITIONING OF UNITS:

Carmel Ambulance will station one ambulance on location at the carnival each night

Carmel Ambulance EMS bike team on location each night

With the exception of Saturday night.

Saturday Night

Carmel Ambulance:

Carmel Fire Department gator will be manned with CVAC EMT

31-7-1 on site located outbound lane by hydrant across from movie theater

31-7-2 on site located outbound lane on the shoprite side of the Plaza

18-7-1 on site in service for calls located outbound lane by hydrant across from movie theater

COMMUNICATIONS:

o All communication between EMS units will be directed through Putnam 911 or direct from on-scene agencies in person. Putnam 911 will be advised of all Fire and EMS incidents.

OPERATIONS:

Ground Support

- o There will be a transport ambulance on site at all times
- o Requests for EMS will be directed to Putnam 911.
- o In the event of an incident occurs at the carnival – the on-scene EMS Crew will be notified and will respond.
- o In the event that 911 receives call for service – the on-scene EMS will be advised via Radio. In the event that the onsite EMS is unavailable, mutual aid will be dispatched.
- o The on-scene transport ambulance shall notify 911 if additional ambulances are needed to be dispatched.

This event does not meet the criteria of Part 18 of the State Health Code

Carmel Fire Department Fireworks (8/30/2014)

POSITIONING OF UNITS:

- Patterson Fire Department - One Engine behind Shoprite by the road entrance
- Patterson Fire Department – One brush truck on road supporting fire works
- Carmel Fire Duty Engine – hydrant in front of Gold's Gym
- Bedford Hills Fire Department – One Engine out bound lane across from movie theater

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OPERATIONS:

Ground Support

- All incident operations will be directed out of the Unified Event Command Post located at tree line
- Requests for EMS will be directed to Putnam 911.
- All fire requests will be handled by covering mutual aid
- In the event of an incident at the Carnival – 911 will be called; appropriate standby agency(s) will be dispatched.

COMMUNICATIONS:

- o All communication between Fire units will be directed through Putnam 911, as well as direct from on-scene agencies via High Band radio frequencies.

Event Support

Barricades & Barrels

Parking lot will be barricaded the evening before the carnival begins

Traffic Cones

- 100 Required
- Saturday night outbound in front of movie theater to be coned off

Signage

- No Parking signs to be displayed from Carmel Bagel to Dykeman Road

Porta Potties

- 4 regular
- 1 handicap
- Located on sidewalk along side of movie theater

Electrical Generation

- (1) 18 wheel truck to supply carnival

Dumpsters

- (1) 20 yard dumpster to be located behind movie theater

Handicapped Parking

- Spaces along tree line

o July 3rd – 6th locations

o Tower 1 General Parking

Press

- Radio Station - Kicks 105.5 FM
- Tuesday Night only 19:00 to 21:00

Radio Station

Kicks 105.5 FM Live on-air Saturday 7/5/14 from 2:00 to 4:00 pm

o Will Require Power (shore line or 2000 watt generator)

Emergency / Catastrophic Event Plan

Plan is in place to deal with natural or manmade catastrophic events. The basic concept will be to shelter, secure and then evacuate to their vehicles as needed in the event of:

- o Severe Thunderstorm
- o Tornado
- o Civil Unrest
- o Others

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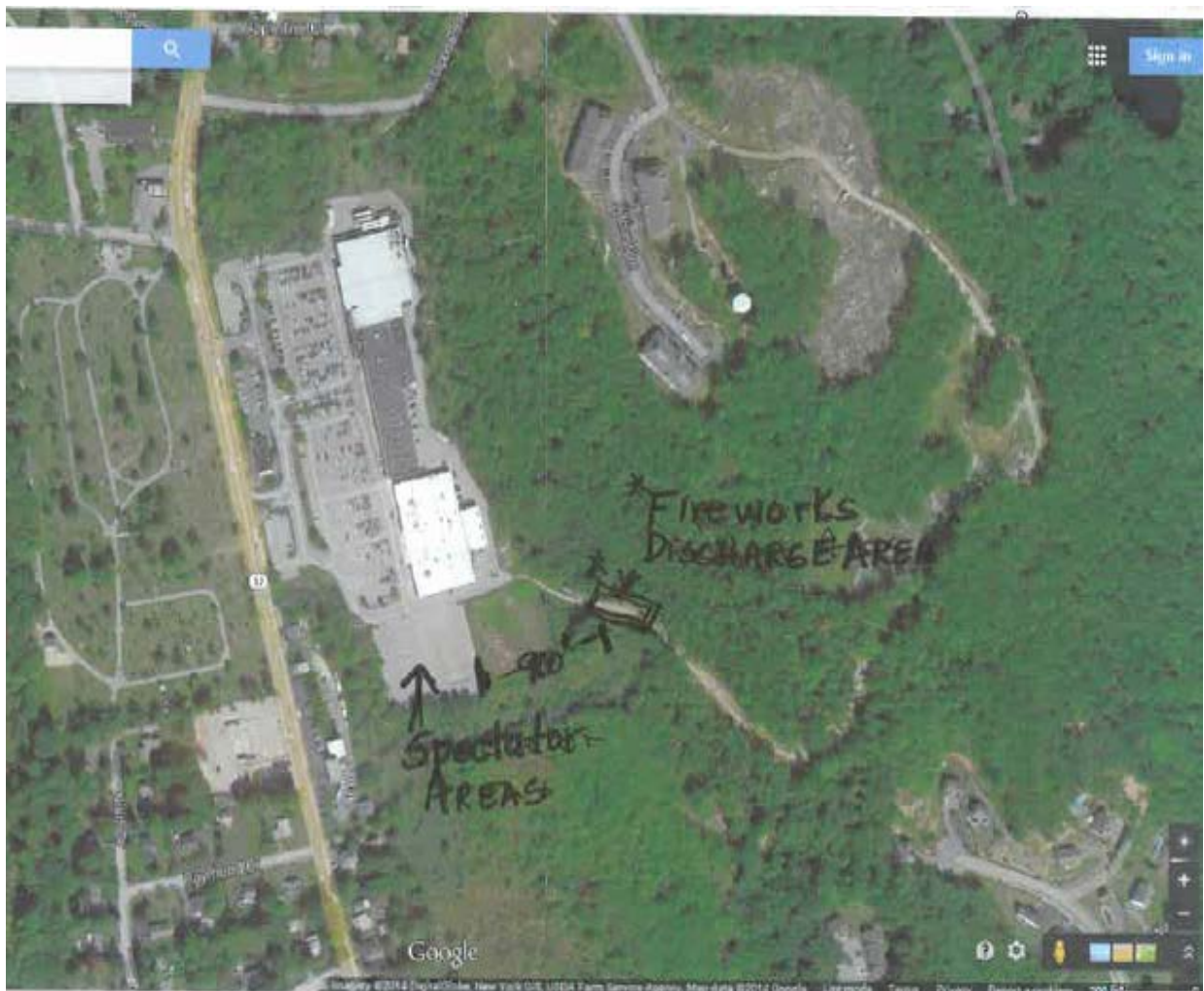
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At the discretion of the event Incident Commander, Deputy Incident Commander

- o Code Evacuate – Attendees will be advised to return to their vehicles
- o Code Shelter – Activities will be suspended and all are to move to a shelter.
- o Code Aware – Example of this is an EMS call or other event.
- o Code Adam – Lost / Missing Child (Aware).
- o Code Evacuate
- o Attendees will be advised to return to their vehicles
- o Inbound transportation is stopped
- o Law Enforcement will facilitate the outward flow of traffic using both entrance and exits
- o Additional Traffic Control will be required at Route 6 and Route 312
- o Code Shelter
- o All event activity is suspended all attendees are to move to a shelter
- o Attendees are quickly but calmly moved to a shelters
- o Code Aware
- o Awareness level only, no movement of attendees
- o Example: EMS call or other event
- o Code Adam
- Lost Child
- Awareness level only, no movement of attendees

In the event of an incident at the Carmel Fireworks – “ALL STOP” will be used to advise of incident.
All units shall listen for further direction from command.

The Carmel Fire Department will be making the decision by 1:00pm on Saturday August 30 to hold the Fireworks Display



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FIRE PERMIT APPLICATION

SPONSOR:

CARMEL FIRE DEPARTMENT
94 GLENEIDA AVENUE
CARMEL, NY

PYROTECHNICIANS

ANTHONY CAPICOTTI #PR-618

EUGENE CAPICOTTO #PR548

FIREWORKS COMPANY

GARDEN STATE FIREWORKS, INC.

WE CERTIFY THAT THE ABOVE PYROTECHNICIANS HAVE A VALID LICENSE
ISSUED BY NEW YORK STATE DEPARTMENT OF LABOR

DATE & TIME

AUGUST 30, 2014 APPROXIMATE TIME 9:00 PM

LOCATION

LOT E-21 ACCESS ROAD
CARMEL, NY

LIST OF MATERIALS ENCLOSED



MANNER OF STORAGE

IN LOCKED COMPANY TRUCK ON SITE DAY OF DISPLAY UNTIL TIME OF SET UP
AND FIRE

DIAGRAM ENCLOSED

ENCLOSURES

BATFE LICENSE

LIABILITY INSURANCE CERTIFICATE

AUTOMOBILE INSURANCE CERTIFICATE

COMPENSATION INSURANCE CERTIFICATE ENCLOSED.

CERTIFICATE OF EXEMPTION NEW YORK STATE WORKERS COMPENSATION

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DRAYTON INSURANCE BROKERS, INC.

2500 CENTER POINT ROAD, SUITE 301 POST OFFICE BOX 94067
BIRMINGHAM, ALABAMA 35215 BIRMINGHAM, ALABAMA 35220
TELEPHONE: (205) 854-5806

FAX: (205) 854-5899

CERTIFICATE OF INSURANCE

NO. 414187

We certify that insurance is afforded as stated below. This Certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the insurance policy and the insurance afforded is subject to all the terms, exclusions and conditions of the policy.

INSURER Admiral Insurance Company **POLICY NO.** CA000016477-03

NAMED INSURED Garden State Fireworks, Inc.
New Vernon Fireworks
August & Nunzio Santore
P.O. Box 403, Carlton Road
Millington, NJ 08901
Pyritz Pyrotechnics Group, LLC
4224 Arcata Way, Suite F
N. Las Vegas, NV 89030

POLICY TERM March 1, 2014 to March 1, 2015; Both Days 12:01 A.M. Standard Time

COVERAGE Commercial General Liability: ☒ Occurrence Basis ☐ Claims Made Basis

LIMIT OF LIABILITY \$5,000,000 each occurrence, \$10,000,000 general aggregate, \$6,000,000 products/completed operations aggregate
The limit of liability shall not be increased by the inclusion of more than one insured or additional insured.

INSURED OPERATIONS Public fireworks display and special effects contractor

It is certified that, if named below, this policy includes as Additional Insureds 1) the sponsor(s), promoter(s), organizer(s) (including other entities having similar interests), of insured pyrotechnic events and/or 2) the owner(s) of real property (or barges) at which insured pyrotechnic events are held and/or 3) the owner(s), manager(s), tenant(s), mortgagee(s) (including other entities having similar interests), of buildings, stadiums, arenas and similar facilities at which insured pyrotechnic events are held and/or 4) the licensing or permitting authority, or other authority having jurisdiction, issuing licenses/permits for insured pyrotechnic events and/or 5) any other entity for which the insurance is required to be afforded under written contract. Coverage applies only as respects the legal liability of such Additional Insured(s) for bodily injury and property damage caused by the operations of the Named Insured. The insurance afforded any Additional Insured does not include coverage for any bodily injury or property damage arising from the failure of such Additional Insured to fulfill its obligations specified in its contract with the Named Insured.

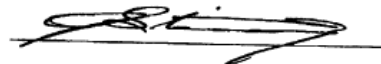
The Insured has fully complied with the requirements of N.J.S.A. 21:3-5 by providing a surety bond in the amount of \$2,500 from Service Insurance Company, Inc., West Orange, NJ. This general liability insurance is not provided to comply with the terms of N.J.S.A. 21:3-5. It is not an alternative to, or a co-surety with, the required bond, nor does it afford an additional or supplemental bond, nor excess limits over the required bond. By accepting status as Additional Insured on this policy, on the basis set out herein, the Additional Insured acknowledge and agree that this policy is not a bond, or an alternative to a bond, issued under the terms of N.J.S.A. 21:3-5.

NAME(S) OF
ADDITIONAL INSURED(S)CARMEL FIRE DEPARTMENT, INC.
94 GLENEIDA AVENUE
CARMEL, NY 10512COMMISSIONER'S OF FIRE
DISTRICT #1, BOX 1238
CARMEL, NY 10512TOWN OF CARMEL
60 McALPIN AVENUE
MAHOPAC, NY 10541WB RESIDENTIAL COMMUNITITES
HILLCREST COMMONS
3101 HEIGHTS LANE
CARMEL, NY 10512DISPLAY LOCATION
LOT E-21 ACCESS ROADDISPLAY DATE(S)
AUGUST 30, 2014

It is certified that this policy requires a 30 day mutual notice of cancellation between the Insurer and the Named Insured. In the event of such cancellation we will endeavor to mail 10 days written notice to the Additional Insured(s), whose name and address is shown hereon, but failure to mail such notice shall impose no obligation or liability of any kind upon the insurer and/or the undersigned.

DRAYTON INSURANCE BROKERS, INC.

JULY 25, 2014



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/14/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ryder Rosacker McCue & Huston (MGD by Hull & Comp 509 W Koenig St Grand Island NE 68802	CONTACT NAME Kristy Wolfe PHONE (408) 308-382-2330 FAX (408) 308-382-7109 E-MAIL akrosacker@ryderinsurance.com
INSURED Garden State Fireworks Inc. 383 Carlton Road PO Box 403 Millington NJ 07946	INSURER(S) AFFORDING COVERAGE INSURER A: SCOTTSDALE INS CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
COVERAGES	NAIC # 41287

CERTIFICATE NUMBER: 1786725831

REVISION NUMBER:

(Cont.)

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	ACORD NUMBER (INS. WORD)	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
GENERAL LIABILITY					EACH OCCURRENCE \$
COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$
CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/>					MED EXP (Any one person) \$
					PERSONAL & ADV INJURY \$
GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$
POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/>					PRODUCTS - COMPROP AGG \$
					\$
AUTOMOBILE LIABILITY		CAS0089828	3/13/2014	3/13/2015	COMBINED SINGLE LIMIT (Ea accident) \$5,000,000
ANY AUTO					BODILY INJURY (Per person) \$
ALL OWNED AUTOS <input checked="" type="checkbox"/>	SCHEDULED AUTOS <input checked="" type="checkbox"/>				BODILY INJURY (Per accident) \$
HIRED AUTOS <input checked="" type="checkbox"/>	NON-OWNED AUTOS <input checked="" type="checkbox"/>				PROPERTY DAMAGE (Per accident) \$
EXCESS HIRED <input checked="" type="checkbox"/>					\$
UMBRELLA LIAB					EACH OCCURRENCE \$
EXCESS LIAB					AGGREGATE \$
OCCUR <input type="checkbox"/>	CLAIMS-MADE <input type="checkbox"/>				\$
DED <input type="checkbox"/>	RETENTION \$ <input type="checkbox"/>				
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/>
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in NY)	Y/N <input type="checkbox"/>	N/A			E.L. EACH ACCIDENT \$
If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Rethro's Schedule, if more space is required)

CERTIFICATE HOLDER: Municipal Excess Liability Joint Insurance Fund
9 Campus Drive Ste 16
Parsippany NJ 07054

CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE: Jodi Santore

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Certificate of Attestation of Exemption
From New York State Workers' Compensation
and/or Disability Benefits Insurance Coverage

****This form cannot be used to waive the workers' compensation rights or obligations of any party.****

The applicant may use this Certificate of Attestation of Exemption ONLY to show a government entity that New York State specific workers' compensation and/or disability benefits insurance is not required. The applicant may NOT use this form to show another business or that business's insurance carrier that such insurance is not required.

Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.

In the Application of (Legal Entity Name and Address): GARDEN STATE FIREWORKS, INC. DBA: SAME AS ABOVE OX 403 383 CARLTON ROAD MILLINGTON, NJ 07946 PHONE: 908-647-1086 FEIN: XXXXX6574	Business Applying For: OTHER: NEW YORK STATE DEPARTMENT OF LABOR From: NEW YORK STATE DEPARTMENT OF LABOR
---	--

Workers' Compensation Exemption Statement:

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:

The business is a two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (each individual must hold an office and own at least one share of stock). Other than the two corporate officers/owners, there are no employees, day labor, leased employees, borrowed employees, part-time employees, other stockholders, unpaid volunteers (including family members) or subcontractors.

Corporate Officers: NUNZIO J. SANTORE President, AUGUST N. SANTORE Vice President

Disability Benefits Exemption Statement:

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY BENEFITS INSURANCE COVERAGE** for the following reason:

The business **MUST** be either: 1) owned by one individual; OR 2) is a partnership (including LLC, LLP, PLLP, RLLP, or LP) under the laws of New York State and is not a corporation; OR 3) is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); OR 4) is a business with no NYS location. In addition, the business does not require disability benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability Benefits Law.)

20 AUGUST 2014
TOWN BOARD MEETING

(Cont.)

I, AUGUST N. SANTORE, am the Vice President with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

SIGN HERE	Signature: <i>August Santore</i>	Date: <i>6-23-14</i>
Exemption Certificate Number 2013-0786		Received June 23 2014 NYS Workers' Compensation Board

CE-200 12/2008

ACORD CERTIFICATE OF LIABILITY INSURANCE						DATE (MM/DD/YY) 05/30/2014	
PRODUCER 23451 COVER ME INSURANCE AGENCY OF NJ, INC. 610-618 W. ST. GEORGES AVENUE LINDEN, NJ 07036				THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.			
INSURED GARDEN STATE FIREWORKS INC PO BOX 403 MILLINGTON NJ 07946				INSURERS AFFORDING COVERAGE		NAIC#	
				INSURER A: NJ CASUALTY INS. CO.			
				INSURER B:			
				INSURER C:			
				INSURER D:			
				INSURER E:			
COVERAGES						Serial # 182544	
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
LINE	ACORD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-ECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (EA accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$	
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$	
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	M59154-5-14	06/10/2014	06/10/2015	X WC STATE TORY LIMITS OTHER EL EACH ACCIDENT \$ 1,000,000 EL DISEASE - EA EMPLOYEE \$ 1,000,000 EL DISEASE - POLICY LIMIT \$ 1,000,000	
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS							
CERTIFICATE HOLDER MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND 9 CAMPUS DRIVE, SUITE 16 PARSIPPANY, NJ 07054 FAX: (908)647-6258				CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 23481 <i>S.R.</i> <i>Andrew J. [Signature]</i>			

ACORD 25 (2001/08)

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net

20 AUGUST 2014
TOWN BOARD MEETING

(Cont.)

FEDERAL EXPLOSIVES LICENSING CENTER
(18 U.S.C. Chapter 40)

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

According to the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53. See "WARNINGS" and "NOTICES" on reverse.**

Direct ATF: ATF - Chief, FELC
Correspondence To: 244 Needy Road
Martinsburg, WV 25405-9431

Chief, Federal Explosives Licensing Center (FELC)

8-NJ-027-20-5D-00096
April 1, 2015

Name: Christopher R. [Signature]
GARDEN STATE FIREWORKS, INC.

Premises Address (Changes? Notify the FELC at least 10 days before):
383 CARLTON RD
MILLINGTON, NJ 07946-0000

Type of License or Permit:
20-MANUFACTURER OF EXPLOSIVES

Purchasing Certificate: [Blank]
The licensee or permittee must show this license or permit to the ATF representative to verify the identity and the license or permit of the licensee or permittee as provided by 27 CFR Part 555. The licensee or permittee must also show a true and correct copy of this license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the licensee or permittee or a responsible person of the licensee or permittee. A true copy of a license or permit issued to the licensee or permittee must be shown to the ATF representative for operations specified above under "Type of License or Permit."

Licensee/Permittee Responsible Person Signature: [Signature]
Position/Title: V-Pres

ATF Form 5400.14/5400.15 Part 1
Revised October 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(d)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. (The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

Cut Here X

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: GARDEN STATE FIREWORKS, INC.

Business Name:

License/Permit Number: 8-NJ-027-20-5D-00096

License/Permit Type: 20-MANUFACTURER OF EXPLOSIVES

Expiration: April 1, 2015

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

(Continued on reverse side)

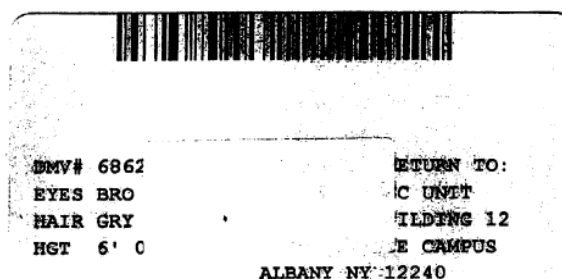
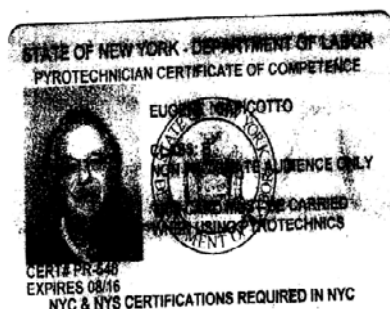
STATE OF NEW YORK - DEPARTMENT OF LABOR



ANTHONY F. CAPICOTTI

CLASS: B
NON PROXIMATE AUDIENCE ONLY
THIS CARD MUST BE CARRIED
WHEN USING PYROTECHNICS

NYC & NYS CERTIFICATIONS REQUIRED IN NYC



Prior to the adoption of the resolution, Supervisor Schmitt confirmed with Gregory Folchetti, Legal Counsel that all applicable insurance certificates have been submitted and that the requirements of New York Penal Law §405 authorizing the issuance of a permit to display fireworks have been complied with.

20 AUGUST 2014
TOWN BOARD MEETING

SOUND AMPLIFICATION PERMIT FEE WAIVED IN REFERENCE TO THE APPLICATION OF THE GREATER MAHOPAC-CARMEL CHAMBER OF COMMERCE - 10/5/14

RESOLVED that the Town Board of the Town of Carmel hereby waives the sound amplification permit fee regarding the application of The Greater Carmel-Mahopac Chamber of Commerce and its Community Street Festival and Merchant Showcase scheduled for October 5, 2014 at Mahopac Chamber Park.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilman Lombardi

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

LAKE MAHOPAC PARK DISTRICT - MAILING OF NEWSLETTER AUTHORIZED

RESOLVED that the Town Board, acting as the Commissioners of the Lake Mahopac Park District, hereby authorizes the mailing to all properties within the district of the newsletter prepared by the Lake Mahopac Park District Committee and directs that the cost thereof be charged as a district expense.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Lombardi

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

NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR THE CARRIAGE HOUSE RESTAURANT AND TAVERN II, INC. - WAIVED

WHEREAS, the representatives and/or proprietors of The Carriage House Restaurant and Tavern II, 887 Route Six, Mahopac, NY 10541, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

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

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

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

(Cont.)

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

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

THE PUTNAM COMMUNITY FOUNDATION VS. THE PLANNING BOARD OF THE TOWN OF CARMEL, ET AL. INDEX NO. 1609/2012 - APPEAL IN LITIGATION AUTHORIZED

RESOLVED, that the Town of Carmel Town Board, hereby authorizes Special Counsel Joseph A. Charbonneau to undertake, prosecute and perfect the appeal of the Decision of the Supreme Court in the Matter of The Putnam Community Foundation vs. The Planning Board of the Town of Carmel, et al. Index No. 1609/2012 to the Appellate Division Second Department; and

BE IT FURTHER RESOLVED that said services are hereby authorized at rate of \$175.00 per hour.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilmen Lombardi and Lupinacci

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

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION - “LUPINACCI MAZZOLA HOLDING CORP. VS. THE TOWN OF CARMEL” AND “NL&M HOLDING CORP. VS. THE TOWN OF CARMEL” - TABLED

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 2305/2011 and 1765/2012 lawsuits entitled “Lupinacci Mazzola Holding Corp. vs. The Town of Carmel, as well as under Index No. 1865/2011 entitled “NL&M Holding Corp. vs. The Town of Carmel” said litigation relating to the tax assessments for the properties known and designated Town of Carmel Tax Map Nos. 75.12-2-1 and 75.12.-2-2; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glen 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 August 4, 2014 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.

**20 AUGUST 2014
TOWN BOARD MEETING**

(Cont.)

Motion to Table

Offered by: Councilman Lupinacci
 Seconded by: Councilman Lombardi

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

**APPOINTMENTS MADE TO LAKE CASSE PARK DISTRICT ADVISORY BOARD -
 JOHN AQUINA, UGO FARISELLI, KIM KUGLER, WILLIAM SICLARI, SCOTT
 STERBINS, MARIO VISCOVICH, AND JOANNE WHITE**

RESOLVED that the Town Board of the Town of Carmel, as Commissioners of the Lake Casse Park District, hereby appoints the following residents to the Lake Casse Park District Advisory Board for a term commencing immediately and expiring December 31, 2014.

John Aquina
 Ugo Fariselli
 Kim Kugler
 William Siclari
 Scott Sterbins
 Mario Viscovich
 Joanne White

Resolution

Offered by: Councilman Lupinacci
 Seconded by: Councilman Lombardi

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

**SUBMISSION OF RENEWAL OF MIGRATORY BIRD DEPREDATION PERMIT U.S.
 DEPARTMENT OF FISH AND WILDLIFE - AUTHORIZED**

RESOLVED, that the Town Board of the Town of Carmel, hereby authorizes the submission a renewal application for its Migratory Bird Depredation Permit #MB838979-0 to the United States Department of the Interior, Fish & Wildfire Service in form as attached hereto and made a part hereof, and at a renewal cost of \$100.00.

Resolution


Offered by: Councilman Lombardi
 Seconded by: Councilman Lupinacci

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

20 AUGUST 2014
TOWN BOARD MEETING

(Cont.)


RECEIVED JUN 30 2014



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Post Office Box 779
Hadley, MA 01035-9589



June 20, 2014

CARMEL, TOWN OF
CARMEL TOWN HALL
60 MC ALPIN AVENUE
MAHOPAC, NY 10541 U.S.A.

Your Federal Migratory Bird DEPREDATION (DPRD) PERMIT, MB838979-0, expires on September 20, 2014.

Please indicate if a renewal is desired: Yes ☐ No ☐

RENEWAL PROCEDURES:
You must provide the following for renewal of your permit. Be as thorough and specific as possible in your response. Incomplete requests will be returned, delayed or abandoned.

A. ☐ 1. Enclose a check or money order in the amount of \$100 and payable to the U.S. Fish and Wildlife Service. If you are a homeowner requesting a permit for damage to your personal residence or property, enclose \$50. Federal, State, Tribal and Municipal government agencies are exempt from the fee requirement.

B. ☒ 2. Clearly print your current email address: RJF@C.C. Carmel, NY, US

C. Provide the following information on a separate sheet of paper with your responses numbered according to the questions below.

☒ 1. List the species of migratory birds causing the depredation problem and estimate the number of each involved.

☒ 2. Provide the exact location of the property or properties where the control activity would be conducted (State, county, and physical address of the specific site).

3. Description of damage.

☒ (a) Describe the specific migratory bird damage or injury you are experiencing.

☒ (b) How long has it been occurring (e.g., the number of years)?

☒ (c) What times or seasons of the year does it occur?


☒ (d) Describe any human health and safety hazards involved.

☒ (e) Provide details such as types of crops destroyed, human injuries sustained, property damage incurred, and health and safety hazards created.

☒ 4. Describe the extent of the damage and estimate the economic loss suffered as a result, such as percentage of acres of crop and dollar loss, cost to replace damaged property, or cost of injuries.

☒ 5. Describe the nonlethal measures you have taken to control or eliminate the problem, including how long (e.g., a week, month, year(s)) and how often they have been conducted. List the techniques


(1 of 2)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Post Office Box 779
Hadley, MA 01035-9589



you have tried, such as harassment (e.g., horns, pyrotechnics, propane cannons), habitat management (e.g., vegetative barriers, longer grass management, fencing), cultural practices (e.g., crop selection and placement, management of pets and feeding schedules), or no feeding policies.

6. Proposed actions.
For each species you propose to take, list the following:

☒ (a) the type of take you are proposing to alleviate the problem (e.g., kill, eliminate nesting, relocate);

☒ (b) the number of birds you propose to take;

☒ (c) describe the method you propose to use (e.g., shoot, addle, oil, destroy eggs; trap and relocate; trap and donate birds to a food processing center); and

☒ (d) if you propose to trap birds, describe the method that will be used and your (or your agent's) experience with the method.

☒ 7. What additional long-term measures do you plan to take to eliminate the problem, excluding lethal removal and trap/relocate?

☒ 8. If you are applying on behalf of an airport for a permit to control birds in flight zones, indicate whether you are operating under an approved Wildlife Hazard Management Plan.

☒ 9. Anyone who will be acting as your agent or assisting you with the activities authorized by your permit must be authorized as a subpermittee under your permit. As the primary permittee, you will be legally responsible for ensuring that your subpermittees comply with the terms of your permit. List the name of anyone who will be directly involved in doing the work to resolve your problems. Include any commercial company that may be contracted to conduct the work.

☒ 10. Attach a copy of the completed Wildlife Services Permit Review Form (Form 37) prepared by USDA, APHIS, Wildlife Services providing their recommendation regarding your depredation problem. To obtain this form, you must contact the Wildlife Services Program at 866-487-3297.

☒ 11. Complete this renewal letter and the enclosed Depredation Annual Report and return them with your fee and attachments to the address above.

If this written request for renewal of your permit is postmarked by August 21, 2014, you may continue activities authorized by your expired permit until the Service has acted on your request for renewal. (See 50 CFR 13.22) You will be required to submit a new application if you allow your current permit to expire.

If you have any questions, please contact this office at the address above or call 413-253-8643. Information, regulations and forms may be obtained by visiting our website at www.fws.gov/permits. Please note that the Service revised the list of species protected under the Migratory Bird Treaty Act on November 1, 2013. Please visit <http://www.fws.gov/migratorybirds/mbpermits.html> for more information.

I hereby certify that all information submitted in support of my original application remains current and correct except as changed previously or with this form. I understand any false statement may subject me to the criminal penalties of 18 USC 1001.

Signature _____ Date _____

(2 of 2)

[illegible][illegible]

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

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

20 AUGUST 2014
TOWN BOARD MEETING

PUBLIC COMMENTS - OPEN FORUM

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

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Lombardi announced that the Italian American Club of Mahopac is sponsoring an Evening in the Piazza on August 23, 2014 at the Mahopac Chamber Park from 5:00 p.m. to 10:00 p.m. There will be food, live music, face painting and more.

Supervisor Schmitt announced that the Mahopac Volunteer Fire Department will be hosting their 100th Anniversary Dress Parade on August 23, 2014 commencing at 3:00 p.m. at Baldwin Lane and proceeding westerly on Route 6 to the firehouse at Croton Falls Road. Over 75 fire departments with 5,000 marchers and bands from the tri-state area will be in attendance. On behalf of Police Chief Michael Cazzari, Supervisor Schmitt informed area business owners and residents of the scheduled closure of Route 6 from approximately 3:00 p.m. to 5:00 p.m. as well as other limited road access issues in the Lake Casse area on that day.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present in agreement, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk