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# 75.59-1-9; 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:	Councilm	an Lomba	ardi	
Seconded by:	Councilm	an Lupina	acci	
Roll Call Vote		YES	NO	
Jonathan Schne	ider			Absent
John Lupinacci		Х		_
Suzanne McDor	nough			Absent
Frank Lombardi		Х		_
Kenneth Schmitt	t	Х		_

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.

(Cont.)

<u>Resolution</u> Offered by: Seconded by:		or Schmitt nan Lombar	di	
Roll Call Vote	oidor	YES	NO	Abaant
Jonathan Schn John Lupinacci	eidei	X		Absent
Suzanne McDo	0			Absent
Frank Lombard Kenneth Schmi		X X		

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.

<u>Resolution</u>

Offered by:	Councilr	nan Lupinac	ci	
Seconded by:	Councilr	nan Lombar	di	-
Roll Call Vote		YES	NO	
Jonathan Schn	eider			Absent
John Lupinacci		X		-
Suzanne McDo	nough			Absent
Frank Lombard	li	X		-
Kenneth Schmi	tt	X		-

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 rescheduled 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

(Cont.)

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

<u>Resolution</u> Offered by: Seconded by:	Councilm Superviso	an Lombar or Schmitt	di	
Roll Call Vote	eider	YES	NO	Absent
John Lupinacci	eidei	X		Absent
Suzanne McDo	0			Absent
Frank Lombard		<u>X</u>		
Kenneth Schmi	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 § County of (or affirmed) before me on this e of 20<u>(</u> Cleenw DV C orl C. myed to me on the basis of satisfactory evidence to be Appeared before me person(s)

(anature

PHYLLIS HUNT BOURGES Notary Public, State of New York No. 01BO4798459 Qualified in Putname County Certificate Filed in New York County Commission Expires July 81, 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

20 AUGUST 2014 TOWN BOARD MEETING

(Cont.)

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

Deputy Incident Commander

Operations Section Chief Law Enforcement Ops Chief Safety Officer

Planning Section Chief

Logistics Section Chief Facility Unit Leader Carnival Unit Leader Fire Unit Leader EMS Unit Leader Law Enforcement Communications Leader Advertisement / Marketing Chief Mike Cazzari

Chief Vinny Ruggerio

Chief Dave DiRienzo

Capt.Robert Lipton

Carl Greenwood Matt Lubera Dave Jacobsen

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

(Cont.)

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

(Cont.)

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 conned 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

(Cont.)

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



(Cont.)



FIRE PERMIT APPL; ICATION

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

20 AUGUST 2014 TOWN BOARD MEETING

(Cont.)

INSURER

DRAYTON INSURANCE BROKERS, INC.

2500 CENTER POINT ROAD, SUITE 301POST OFFICE BOX94067 BIRMINGHAM, ALABAMA35215BIRMINGHAM, ALABAMA35220 TELEPHONE: (205) 854-5806

FAX: (205) 854-5899

NO. 414187

CERTIFICATE OF INSURANCE

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.

NAMED INSURED Garden State Fireworks, Inc. Pyritz Pyrotechnics Group, LLC New Vernon Fireworks 4224 Arcata Way, Suite F August & Nunzio Santore N. Las Vegas, NV 89030 P.O. Box 403, Carlton Road Millington, NJ 08901	LISUKER	Admiral Insurance Company	POLICY NO. CA000	0016477-03	
	NAMED INSURED	New Vernon Fireworks August & Nunzio Santore P.O. Box 403, Cariton Road	4224 Arcata Way, Suite	F	
POLICY TERM March 1, 2014 to March 1, 2015; Both Days 12:01 A.M. Standard Time	POLICY TERM	March 1, 2014 to March 1, 2015; Both	Days 12:01 A.M. Standard Time	e	
COVERAGE Commercial General Liability:	COVERAGE				
LIMIT OF LIABILITY \$5,000,000 each occurrence, \$10,000,000 general aggregate, \$6,000,000 products/completed operations aggreg The limit of liability shall not be increased by the inclusion of more than one insured or additional insured.		\$5,000,000 each occurrence, \$10,000,0 The limit of liability shall not be increase	00 general aggregate, \$6,000,000 sed by the inclusion of more than	0 products/completed operations aggregate one insured or additional insured.	1

INSURED OPERATIONS Public fireworks display and special effects contractor

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It is certified that, if named below, this policy includes as Additional Insureds 1) the sponsor(s), promoter(s), organizer(s) (including other entities 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), mortgagec(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 lusured 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, Iac., 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 10512

WB RESIDENTIAL COMMUNITITES

COMMISSIONER'S OF FIRE DISTRICT #1, BOX 1238 CARMEL, NY 10512

TOWN OF CARMEL 60 MCALPIN AVENUE MAHOPAC, NY 10541

HILLCREST COMMONS 3101 HEIGHTS LANE CARMEL, NY 10512

DISPLAY LOCATION LOT E-21 ACCESS ROAD

DISPLAY 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.

JULY 25, 2014

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DRAYTON INSURANCE BROKERS, INC.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MINDDITYTY) 3/14/2014

CERTIFICATE DOES NOT AF BELOW. THIS CERTIFICATE REPRESENTATIVE OR PRODU	FIRMATIVELY OR NEGATIVELY AMENI OF INSURANCE DOES NOT CONSTITU ICER, AND THE CERTIFICATE HOLDER.	LY AND CONFERS NO RIGHTS UPON THE C D, EXTEND OR ALTER THE COVERAGE AFI UTE A CONTRACT BETWEEN THE ISSUING	Forded by th Insurer(s), A	e policies Uthorized
certificate holder in lieu of suc	e policy, certain policies may require an	policy(les) must be endorsed. If SUBROGATIC endorsement. A statement on this certificate	N IS WAIVED, si does not confer	ubject to rights to the
PRODUCER		Kristy Wolfe		
Ryder Rosacker McCue & Husto 509 W Koenig St	on (MGD by Hull & Compa	AC. No. Butt 308-382-2330	INC. Not-308-3	82 7100
Grand Island NE 68802		Apontas kwolfe@ryderinsurance.com		<u></u>
		INBURER(S) AFFORDING COVERAGE		NAIC #
INSURED		INFURERA: SCOTTSDALE INS CO		41297
	-	NOURER B :		
Garden State Fireworks Inc. 383 Cariton Road		INSURER C :		
PO Box 403		MSURER D :		
Millington NJ 07946		NSURER E :		
		MOURER F :		
COVERAGES	CERTIFICATE NUMBER: 470070500			

CERTIFICATE NUMBER: 1786725631

REVISION NUMBER.

20 AUGUST 2014 TOWN BOARD MEETING

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I, AUGUST N. SANTORE, am the Vice President with the above-named legal entity. 1 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 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: Curguet Intone Exemption Confificate Number 20110786 Date: 6-23-14 Reserved June 5 2014 NYS Worke & Connensation Board

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STATE OF NEW YORK - DEPARTMENT OF LABOR SYROTECHNICIAN CERTIFICATE OF COMPETENCE OTE TO MV# 6862 ETURN TO: EYES BRO C UNTT HAIR GRY ILDING 12 HGT 6' 0 E CAMPUS ALBANY NY 12240 EXPIRES 08/16 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.

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.

<u>Resolution</u>

1.000101011				
Offered by:	Supervis	or Schmitt		
Seconded by:	Counciln	nan Lomba	rdi	-
Roll Call Vote		YES	NO	
Jonathan Schn	eider			Absent
John Lupinacci		X		-
Suzanne McDo	onough			Absent
Frank Lombard	li	X		-
Kenneth Schm	itt	X		

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.

<u>Resolution</u>				
Offered by:	Councilma	an Lupinad	cci	
Seconded by:	Councilma	an Lombai	rdi	-
				•
+Roll Call Vote		YES	NO	
Jonathan Schn	eider			Absent
John Lupinacci		X		•
Suzanne McDo			Absent	
Frank Lombard	li	Х		-
Kenneth Schmi	tt	X		•

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.)

<u>Resolution</u>				
Offered by:	Counciln	nan Lombar	di	
Seconded by:	Counciln	nan Lupinac	ci	
Roll Call Vote		YES	NO	
Jonathan Schn	eider			Absent
John Lupinacci		X		
Suzanne McDo	nough			Absent
Frank Lombard	i	X		
Kenneth Schmi	tt	Х		

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

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

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.

(Cont.)

Motion to Table				
Offered by:	Councilm	an Lupina	acci	
Seconded by:	Councilm	an Lomba	ardi	_
Roll Call Vote		YES	NO	
Jonathan Schn	eider			Absent
John Lupinacci		Х		_
Suzanne McDo	nough			Absent
Frank Lombard	i	<u> </u>		_
Kenneth Schmi	tt	Х		_

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

Councilr	man Lupinac	ci	
Councilr	man Lombar	di	-
	YES	NO	
eider			Absent
	Х		_
nough			Absent
i	Х		_
tt	X		-
		Councilman Lombar eider <u>YES</u> nough <u>X</u>	eider X

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: Seconded by:	Councilma Councilma			
<u>Roll Call Vote</u> Jonathan Schne John Lupinacci Suzanne McDo Frank Lombard Kenneth Schmi	nough i	YES X X X X	 NO	Absent Absent

(Cont.)



RI ET JUN 3 0 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 D No D

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. D 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. J.2. Clearly print your current email address: RJF@CL. C. Rmel. N.Y. US

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

O-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 scasons of the year does it occur?
 d) Describe any human health and safety hazards involved.
 c) Provide details such as types of crops destroyed, human injuries sustained, property damage incurred, and health and safety hazards created.

1. 4. Describe the extent of the damage and estimate the economic loss suffered as a result, such as percentage of acres of erop 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 Post Office Box 779 you have tried, such as harassment (e.g., horns, pyrotechnics, propane cannons), habitat management (e.g., vegetative barriers, longer grass management, foncing), 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.

DF7. What additional long-term measures do you plan to take to eliminate the problem, excluding lethal removal and trap/relocate?

1^A□ 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 anyo who will be directly involved in doing the work to resolve your problems. Include any commercial company is 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 activit 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 <u>www.fws.gov/peruits</u>. Please note that the Service revised the list of species protected under the Migratory Bird Treaty Act on November 1, 2013. Please visit <u>http://www.fws.gov/migratorybirds/mbpermits.html</u> 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.

20 AUGUST 2014 TOWN BOARD MEETING

(Cont.)

	FISH & W	ILDLIFE SERVICE - M	ICID A TO					
AND A COLOR	5. F1.511 & W				O PERM	AIT OFF	ICE Office Use Only Date Completed Report	
	(See attached addresses)							
							rec'd in Regional Office	
							//	
	DEPREDATION - ANNUAL REPORT							
PERMITTEE:				P	ERMIT N	UMBER:		
	REPORT FOR CALENDAR YEAR:							
City		State Zip Cor		R	EPORT D	UE DATI	l:	
Check here if reporting a change of	name, address,	or confact information PE	IONE -			Em	ail:	
INSTRUCTIONS: Type or print the inform	nation requested	below for all birds taken or held	under uper	permit da	ing the yea	1.	while except on the structure of the state of the state of the	
to the a concerv report can result in permit su	espension. If you	and no activity under your nern	Mt during th	e renort ve	at state "N	n netiwity" a	up the form (50 CED early 12, 21, 2, 22)	
MAKESU	RE YOU SIGN	& DATE THE CERTIFICAT	TON STAT	L'MIL'N'T	BELOWU I	PEROPE'S	ANTI CITINATI NACHINI INTERNALINA	
Please group your entries first by	Species, then by		rovide a sa	blotal for	each specie	s collected	by State. See example below.	
Ri		When & Where Taken			Quantity		Final Disposition	
Species (Common Name)			Month	Birds	Birds	Nests	(What you did with the birds, eggs, carcasses, e.g., destroyed	
(Common Name)	State	County (or equivalent)	Taken	Killed	Relocated	Destroyed	(buried/incinerated); donated to food processing center;	
Example: Ring-billed Gull	VA	Fairfax	Mar	10	-		released; transferred (to whom?))	
Rinz-billed Gull	YA VA	Chester	Apr	3	0	20	Destroyed	
Species Total	VA.	-		15		20	Destroyed	
			-					
			1 1					
			1					
					1			
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			1					
A DE LA COLLEGE AND								
* Relocated in the wild ** Refers	to nests with eg	gs that are destroyed, addled,	oiled, or re	moved fro	m wild. D	o <u>not</u> enter	individual eggs, and do not include inactive nests destroyed.	
CERTIFICATION: I certify that the inform 18 U.S.C. 1001.	nation in this rep	ort is true and correct to the best	tofmyknow	wledge. Ju	inderstand t	hat any fals	e statement herein may subject me to the criminal penalties of	
Signature:			Da	de:				
Form 3-202-9 Rev 9/2010							M4B Control No. 1018-0022 Expires 02/28/2014	

TTEE:		PERMIT NUMBER: REPORT YEAR:				YEAR:	SUPPLEMENTAL PAGE NO:
Species (Common Name)	When & Where Taken			Quantity			Final Disposition
	State	County (or equivalent)	Month Taken	Birds Killed	Birds Relocated	Nests Destroyed	(What you did with the birds, eggs, carcasses, e.g., destr (buried/incinerated); douated to food processing cent released; transferred (to whom?))
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	-++-						
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							25
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d in the wild ** Refers	to nests with egg	s that are destrayed, addled,	iled or rem	unad from	muild De		ndividual eggs, and do <u>aor</u> include inactive nests destroy

PUBLIC COMMENTS - AGENDA ITEMS

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

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

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