

TOWN BOARD SPECIAL MEETING
TOWN HALL, MAHOPAC, N.Y.

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 23rd day of January 2019 at 7:19 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough and Supervisor Schmitt.

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.

Supervisor Schmitt announced that the Town Board met at 6:00 p.m. for a discussion with Highway Superintendent Michael Simone with regard to a matter of personnel, a discussion led by Councilman Lupinacci with regard to a contractual matter, and a discussion regarding a matter of personnel led by Councilman Barile.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC" (RYAN COURT, GLENEIDA BOULEVARD AND MUSCOOT ROAD NORTH)

With no one present in objection, reading of the following Notice of Public Hearing as published in the Town's official newspapers was waived. Copies of the Notice were made available to the public.

LEGAL NOTICE	
NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, January 23, 2019 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Code of the Town of Carmel, entitled "Vehicles and Traffic" as follows:	
TOWN OF CARMEL PROPOSED LOCAL LAW # OF THE YEAR 2019 A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC."	SECTION 3 Chapter 147 of the Town Code of the Town of Carmel, §147-55, Schedule XIV: NO STANDING CERTAIN HOURS is hereby amended to add the following to the existing provision of said section: In accordance with the provision of §147 23, no person shall stand a vehicle between the times specified upon any of the following described streets or parts of streets:
	Name of Street Gleneida Boulevard Side Both Hours/Days 7:00 a.m.-5:00 p.m. Monday-Friday Location 200 feet East of Baldwin Place Rd
SECTION 1 This Local Law shall be known as 2019 Amendments to Chapter 147 entitled "Vehicles and Traffic".	Name of Street Muscoot Road North Side Both Hours/Days 7:00 a.m.-5:00 p.m. Monday-Friday Location 200 feet East of Baldwin Place Rd
SECTION 2 Chapter 147 of the Town Code of the Town of Carmel, §147-54, Schedule XIII: PARKING PROHIBITED CERTAIN HOURS is hereby amended to add the following to the existing provision of said section: In accordance with the provision of §147 22, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:	Name of Street Ryan Court Side Both Hours/Days 7:00 a.m.-5:00 p.m. Monday-Friday Location Entire Length
Name of Street Ryan Court Side Both Hours/Days 7:00 a.m.-5:00 p.m. Monday-Friday Location Entire Length	SECTION 4 HOME RULE Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's

discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5
SEVERABILITY
If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6
EFFECTIVE DATE
This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

By Order of
the Town Board
of the Town of Carmel
Ann Spofford,
Town Clerk

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(Cont.)

Supervisor Schmitt explained that the proposed Local Law is being considered at the request of Chief of Police Michael Cazzari in partnership with the Mahopac Central School District in an effort to address traffic safety concerns at the Mahopac High School. "No Standing" and "No Parking" signs will be posted to restrict parents from stopping their vehicles across the street from the High School triggering students to dash across Baldwin Place Road to meet them.

Supervisor Schmitt then opened the Public Hearing for public comment at 7:22 p.m. Seventeen (17) people were in attendance.

Rocco Pennella, Ryan Court resident expressed his support of the proposed Local Law. He commented that there are times when there are eight to ten cars parked from his driveway along the roadway posing a safety hazard as well as snow removal issues. Mr. Pennella further commented that the cars also leave behind considerable garbage.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:24 p.m.

Mr. Pannella asked if there could be a "dead end" or "no outlet" sign posted on Ryan Court.

Highway Superintendent Michael Simone indicated that there could be.

SEQR DETERMINATION MADE IN REGARD TO THE PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC" - TYPE II ACTION

RESOLVED that the Town Board of the Town of Carmel hereby determines that, the Local Law #1 Amending Chapter 147 of the Town Code of the Town of Carmel, Entitled, "Vehicles and Traffic" is a Type II action under SEQR, NYCRR Section 617.5(c)(27) and no further review is necessary.

Resolution

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

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

LOCAL LAW #1 OF THE YEAR 2019 - A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC" (RYAN COURT, GLENEIDA BOULEVARD AND MUSCOOT ROAD NORTH) - ADOPTED AS NOTICED AND PUBLISHED

TOWN OF CARMEL
LOCAL LAW #1 OF THE YEAR 2019
A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE
OF THE TOWN OF CARMEL, ENTITLED
"VEHICLES AND TRAFFIC"

SECTION 1

This Local Law shall be known as 2019 Amendments to Chapter 147 entitled "Vehicles and Traffic".

(Cont.)

SECTION 2

Chapter 147 of the Town Code of the Town of Carmel, §147-54, Schedule XIII: PARKING PROHIBITED CERTAIN HOURS is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-22, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours/Days	Location
Ryan Court	Both	7:00 a.m.–5:00 p.m. Monday-Friday	Entire Length

SECTION 3

Chapter 147 of the Town Code of the Town of Carmel, §147-55, Schedule XIV: NO STANDING CERTAIN HOURS is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-23, no person shall stand a vehicle between the times specified upon any of the following described streets or parts of streets:

Name of Street	Side	Hours/Days	Location
Gleneida Boulevard	Both	7:00 a.m. –5:00 p.m. Monday-Friday	200 feet East of Baldwin Place Rd
Muscot Road North	Both	7:00 a.m. –5:00 p.m. Monday-Friday	200 feet East of Baldwin Place Rd
Ryan Court	Both	7:00 a.m.–5:00 p.m. Monday-Friday	Entire Length

SECTION 4 HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5 SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6 Effective Date

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

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(Cont.)

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

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 7:27 p.m.to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk