

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 Michael Cazzari on the 4th day of May 2022 at 7:02 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Baranowski, Councilman Lombardi, Councilman Schanil, and Supervisor Cazzari. Councilwoman McDonough was 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, our local law enforcement officers, as well as for all those suffering due to the war in Ukraine.

PUBLIC COMMENTS

There were no public comments at this time.

MINUTES OF TOWN BOARD MEETING HELD ON 4/6/2022 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Supervisor Cazzari, seconded by Councilman Schanil and Councilman Lombardi, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on April 6th, 2022 were accepted as submitted by the Town Clerk.

CARMEL WATER DISTRICT #2 - EMERGENCY REPAIRS/SERVICES ACKNOWLEDGED - ED KUCK EXCAVATING INC. - \$11,780.87

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated April 13, 2022, as attached hereto and made a part thereof.

Resolution
Offered by: Councilman Lombardi
Seconded by: Supervisor Cazzari

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	X		
Frank Lombardi	X		
Suzanne McDonough			Absent
Robert Schanil	X		
Michael Cazzari	X		

Richard J. Franzetti, P.E.
Town Engineer




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

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

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: April 13, 2022

Re: Emergency Repairs/Services

(Cont.)

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$10,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- Carmel Water District 2

On April 2, 2002 Inframark reported a leak in the 10” control valve at the intersection of Route 6 and Route 52. The bonnet on the valve detached completely from the valve body (1928 Valve). Attached is the invoice from Kuck Excavating in the amount of \$11,780.87 for the excavation and repair of the valve.

We request that this memorandum be put into the agenda as a matter of record.

Tel: (845) 628-1500 Fax: (845) 628-7085 email rjff@ci.carmel.ny.us
G:\Engineering\Town Board\Emergency Invoices\04-20-2022 - WS\04-13-2022 Repair Acknowledgement to TB.doc

EXHIBIT “B”
Emergency Justification Form
Town of Carmel Procurement Policy

Procurement Policy, Section VI: Emergency Procurement

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations


Department: Engineering
Vendor names: Kuck Excavating
Nature of emergency: Emergency Leaking Valve Repair
Estimated cost: \$11,780.87 per attached

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

- ☐ The situation arose out of an accident or unforeseen occurrence or condition.
- ☐ Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.
- ☐ The situation required immediate action, which could not await competitive bidding.

☒ The emergency purchases or services exceeded **\$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.

- ☐ Other (provide explanation):

Purchasing Agent’s signature for approval: 

Department Head’s signature for approval: 

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	TOTAL
Track Hoe MR55	11	\$85.00 per hour	935.00 ✓
Dump Truck	11	\$90.00 per hour	990.00 ✓
Support Vehicle	Day rate	\$155.00	155.00 ✓
Chop Saw	Day rate	\$ 70.00	70.00 ✓
Plate tamper	Day rate	\$70.00	70.00 ✓
Mud Sucker	Day rate	\$70.00	70.00 ✓
JUMPING JACK	DAY RATE	\$70.00	70.00 ✓
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	250.00
Machine operator	Hrs X 1 man	\$184.18	
Machine operator	11- 1 ½	\$276.27	3,038.97 ✓
DIRT BOX	RATE		
Laborers	Hrs X 1 man	\$159.30	
Laborers	11 HRS X 2 MEN 1 ½	\$238.95	5,256.90 ✓
Item 4	15 YARDS	\$45.00 per yard	675.00 ✓
Seed		\$150.00 bag	
Gravel	4 YARDS	\$50.00 per yard	200.00 ✓
Top soil		\$50.00	
Blacktop		\$124.00 per ton	
Hay		\$19.00 bag	
Total			11,780.87 /

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	X		
Frank Lombardi	X		
Suzanne McDonough			Absent
Robert Schanil	X		
Michael Gazzari	X		

NOTICE REQUIREMENT WAIVED - SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE - LATIN HOSPITALITY GROUP, INC.

WHEREAS, the representatives and/or proprietors of Latin Hospitality Group, Inc., 925 Route 6, Mahopac, New York, 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.

Resolution

Offered by: Supervisor Cazzari
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Robert Schanil	<u>X</u>	<u> </u>	
Michael Cazzari	<u>X</u>	<u> </u>	

NOTICE REQUIREMENT WAIVED - SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE - IL VILLAGGIO RESTAURANT, INC.

WHEREAS, the representatives and/or proprietors of Il Villaggio Restaurant, 947 South Lake Blvd., Mahopac, New York, 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.

Resolution

Offered by: Councilman Baranowski
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Robert Schanil	<u>X</u>	<u> </u>	
Michael Cazzari	<u>X</u>	<u> </u>	

NOTICE REQUIREMENT WAIVED - SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE - THE STONE HOUSE GRILL, INC.

WHEREAS, the representatives and/or proprietors of the Stone House Grill, Inc., 562 Route 6, Mahopac, New York, 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.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Robert Schanil	<u>X</u>	<u> </u>	
Michael Cazzari	<u>X</u>	<u> </u>	

APPLICATION WAIVED - CHAPTER 104 OF THE TOWN CODE ENTITLED “NOISE” - COUNTY OF PUTNAM - “FRIDAY NIGHT BARBEQUE SERIES EVENTS”

RESOLVED, that pursuant to Town Code §104-8, the Town Board of the Town of Carmel hereby waives the application of Chapter 104 of the Town Code, entitled “Noise” with respect to the County of Putnam and its “Friday Night Barbeque Series Events” scheduled for the following dates at Putnam County Golf Club:

May 27, 2022;
June 3, 2022;
June 10, 2022;
June 17, 2022;
June 18, 2022;
June 24, 2022;
July 8, 2022;
July 15, 2022;
July 22, 2022;
July 29, 2022;
August 5, 2022;
August 12, 2022;
August 19, 2022;
August 26, 2022;
September 2, 2022;
September 9, 2022;
September 16, 2022;
September 23, 2022;
September 30, 2022;
October 8, 2022.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Robert Schanil	<u>X</u>	<u> </u>	
Michael Cazzari	<u>X</u>	<u> </u>	

Councilman Lombardi referenced comments made on social media today with regard to the aforementioned resolution and went on to explain why he voted in favor of it. He pointed out that the Town Board has approved resolutions with respect to the County of Putnam and its Friday Night Barbeque Series Events held at their County-owned facility for at least the last four years, and that Chapter 104 of the Town Code allows the Town Board to waive the fee for non-profits as well as other government agencies. He further pointed out that the County has recently agreed to share sales tax revenue with the Town which will amount to over \$1 million, and that the County makes the Town whole with regard to any delinquent real property taxes, eliminating the burden from falling on Town taxpayers.

Councilman Schanil added that the County also offered the Town a ninety-nine year lease on the Airport Park property for \$99.00, and supplies the water to irrigate the fields. In addition, the County has allocated almost \$3.5 million in America Rescue Plan Act (ARPA) funding to the Town. He noted the lack of many complaints in connection with the Friday Night Barbeque Series Events, and commented that he had no issue with waiving this application fee, or the application fee of any non-profit organization.

Councilman Baranowski stated that he was told that the Town’s past relationship with the County has been complex. However, with the recent announcement that they would be sharing sales tax revenue and ARPA funds which could be used toward much-needed infrastructure projects, he was optimistic that the Town may be entering a new era with the County in terms of cooperation and collaboration. Councilman Baranowski concluded that routine applications from non-profits and government agencies should be reviewed on a case by case basis to determine if waiving the fee would be merited.

POLICE DEPARTMENT - STANDARD AGREEMENT ADOPTED FOR PROVISION OF TRAFFIC CONTROL SERVICES

RESOLVED that the Town Board of the Town of Carmel hereby adopts the standard form of agreement to be utilized in circumstances where private entities wish to engage the Town of Carmel Police Department for the provision of traffic control services in the future; and

BE IT FURTHER RESOLVED that the terms and conditions of this adopted agreement may be modified from time to time by the Town Board as may be required; and

BE IT FURTHER RESOLVED that the Chief of Police is hereby authorized to enter into such an agreement with any entity seeking such services upon notice and approval by the Town Supervisor.

Resolution
Offered by: Supervisor Cazzari
Seconded by: Councilman Baranowski

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Stephen Baranowski	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u> </u>	<u> </u>	Absent
Robert Schanil	<u>X</u>	<u> </u>	
Michael Cazzari	<u>X</u>	<u> </u>	

COMMENTS/ANNOUNCEMENTS

Supervisor Cazzari wished a Happy Mother's Day to all mothers.

Supervisor Cazzari acknowledged the Recreation and Parks Department for their very successful first Farmers' Market of the season and encouraged residents to attend the next one.

Councilman Lombardi added that the Farmers' Market will continue on Sundays from 9:00 a.m. to 2:00 p.m., weather permitting, through October. He spoke about his visit to the Farmers' Market along with Councilman Schanil last Sunday.

Councilman Lombardi announced that the annual Relay for Life fundraising event for the American Cancer Society will be held this year on June 4th at the Mahopac High School. He provided the details of Mahopac Relay for Life team Mary's Angels' Mother's Day 5K Walk to be held on May 8, 2022 commencing at 9:00 a.m. at the Bike Trail entrance on Mud Pond Road.

Councilman Schanil mentioned that he and Supervisor Cazzari attended the Carmel Fire Department's Annual Installation of Officers Dinner last Saturday. He congratulated the new officers who were sworn in that day as well as the members of the Ladies Auxiliary.

Councilman Schanil reported that he joined staff from the Recreation and Parks Department and members of the Carmel High School Honor Society at Camarda Park recently to refresh the grounds with new flowers. He thanked the students for their efforts.

Councilman Baranowski spoke about the recent Loyalty Day event he attended on behalf of the Town Board last weekend and expressed appreciation to all of the many veterans and Town residents who participated.

ADJOURNMENT

All agenda items having been addressed, on motion by Supervisor Cazzari, seconded by Councilman Lombardi, with all Town Board members present in agreement, the meeting was adjourned at 7:19 p.m. to Executive Session to discuss personnel with Labor Counsel Robert Guidotti, Esq.

Respectfully submitted,

Ann Spofford, Town Clerk