

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 5th day of June 2019 at 7:08 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, Councilwoman McDonough and Supervisor Schmitt. Councilman Lupinacci 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 as well as in commemoration of the 75th anniversary of D-Day in Normandy.

MINUTES OF TOWN BOARD MEETING HELD ON 5/1/19 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Schneider, seconded by Councilwoman McDonough, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on May 1st 2019 were accepted as submitted by the Town Clerk.

SUPERVISOR’S OFFICE - PROBATIONARY APPOINTMENT OF SENIOR TYPIST/SENIOR OFFICE ASSISTANT MADE - JOANNA TERILLI

RESOLVED that the Town Board of the Town of Carmel hereby appoints Joanna Terilli to said position effective June 10, 2019, at a CSEA Group 2 Step 1 salary level on a probationary basis and subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

BUILDING DEPARTMENT - PROBATIONARY APPOINTMENT OF SENIOR TYPIST/SENIOR OFFICE ASSISTANT MADE - ANN PISTEY

RESOLVED that the Town Board of the Town of Carmel hereby appoints Ann Pistey to said position effective June 10, 2019, at a CSEA Group 2 Step 1 salary level on a probationary basis and subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

Resolution

Offered by: Councilwoman McDonough
Seconded by: 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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

**TOWN CLERK’S OFFICE - APPOINTMENT OF DEPUTY TOWN CLERK
ACKNOWLEDGED - ALICE DALY**

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the appointment by Town Clerk Ann M. Spofford of Alice Daly as Deputy Town Clerk, retroactive to May 31, 2019, at the salary contained in the 2019 budget as adopted.

Resolution
Offered by: Supervisor Schmitt
Seconded by: Councilman Barile

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt expressed congratulatory best wishes to Alice Daly on her well-deserved appointment.

**TOWN CLERK’S OFFICE - APPOINTMENT OF DEPUTY REGISTRAR OF VITAL
STATISTICS ACKNOWLEDGED - ALICE DALY**

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the appointment by Town Clerk Ann M. Spofford of Alice Daly as Deputy Registrar of Vital Statistics retroactive to May 31, 2019, at the salary contained in the 2019 budget as adopted.

Resolution
Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

**PLANNING BOARD APPOINTMENT MADE - ROBERT I. FRENKEL - 6/5/19 TO
12/31/25**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Robert I. Frenkel to the Town of Carmel Planning Board for a term commencing immediately and expiring December 31, 2025.

Resolution
Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt congratulated Robert Frenkel on his appointment.

5 JUNE 2019
TOWN BOARD MEETING

ENVIRONMENTAL CONSERVATION BOARD RE- APPOINTMENT MADE - JULIE MCKEON - 6/13/19 TO 6/12/22

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints Julie McKeon to the Town of Carmel Environmental Conservation Board for a term commencing June 13, 2019 and expiring June 12, 2022.

Resolution
Offered by: Councilwoman McDonough
Seconded by: 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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

PETITION FOR CHANGE OF ZONING REFERRED TO PLANNING BOARD PURSUANT TO TOWN CODE §156-76 - CENTENNIAL GOLF CLUB OF NEW YORK, LLC - RESCINDED

RESOLVED that the Town Board of the Town of Carmel, pursuant to Carmel Town Code §156-76, hereby refers the Petition for Change of Zoning filed by Centennial Golf Club of New York, LLC dated April 30, 2019, to the Town of Carmel Planning Board for its review, comment and/or recommendation.

Resolution
Offered by: Supervisor Schmitt
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

The abovementioned resolution was initially adopted as offered and seconded. However, as the result of discussion held by the Town Board later in the meeting, the resolution was subsequently rescinded.

ENTRY INTO AGREEMENT AUTHORIZED - RETURN OF PROPERTY TO ORIGINAL LOT LINES - ROGER NAULT, RONALD NAULT, DARLENE NEBINGER AND MICHAEL DEBENEDETTO - TAX MAP # 54.8-1-55

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes entry into an agreement with Roger Nault, Ronald Nault, Darlene Nebinger and Michael DeBenedetto regarding the commencement of proceedings pursuant to Town Law §268 for the return to original lot lines of the property located at 2-6 Rogers Lane (Town of Carmel Tax Map # 54.8-1-55); and

BE IT FURTHER RESOLVED that Town Counsel Gregory L. Folchetti is hereby authorized to commence proceedings in Supreme Court, County of Putnam pursuant to the terms of the referenced agreement; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign the agreement referenced herein, in general form and substance as attached hereto.

Resolution
Offered by: Councilman Barile
Seconded by: Supervisor Schmitt

(Cont.)

Roll Call Vote	YES	NO	
Michael Barile		X	
Jonathan Schneider	X		
John Lupinacci			Absent
Suzanne McDonough	X		
Kenneth Schmitt	X		

AGREEMENT

THIS AGREEMENT dated _____, 2019, (“Effective Date”) is by and between Roger Nault, residing at 16 High Ridge Rd, Brookfield, CT 06804, Ronald Nault, residing at 21 Bayberry Ln, Guildford, CT 06437, Darlene P. Nebinger, residing at 332 Quaker Farms Rd, Oxford, CT 06478 and Michelle DeBenedetto, residing at 377 Carriage Dr., Southbury, CT 06487, and the Town of Carmel, New York, a municipal corporation with its principal offices at 60 McAlpin Avenue, Mahopac, NY 10541 (hereinafter referred to as “Town”).

WHEREAS, the Owner is currently owner in fee simple of the property located at 2-6 Rogers Land, Town of Carmel Tax Map No. 54.8-1-55, located within the Town of Carmel, Putnam County, New York (“Subject Property”); and

WHEREAS, the Subject Property is currently improved with four (4) single family residences; and

WHEREAS, the undersigned parties acknowledge and agree that the current configuration of the Subject Property with four (4) single family residences on a single parcel is a non-permitted use under the provisions of the Town Code of the Town of Carmel; and

WHEREAS, the parties, by the execution of this agreement, acknowledge the mutual intent to return the Subject Property to original lot lines comprised of four (4) single family residences on three (3) lots as shown and demonstrated on Exhibit “A” to this agreement; and

WHEREAS, the parties, with full advice of counsel, to freely and voluntarily enter into this Agreement; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND AMONG THE PARTIES AS FOLLOWS:

1. The Town of Carmel shall commence an action/or special proceeding pursuant to New York Town Law §268 for the sole purpose of returning the Subject Property to original lot lines as shown and demonstrated on Exhibit “A” to this agreement.

(Cont.)

2. The Owner hereby agrees to have its counsel accept service of all papers, pleadings and process in the referenced action/proceeding and further agrees that it will institute no defenses, procedural or substantive, within the referenced proceeding, provided that all relief sought therein is for purposes of returning the Subject Property to its original lot lines as agreed herein.

3. The Owner shall be responsible for the payment of all legal fees incurred by the Town in drafting of this Agreement and matters related thereto, as well as the commencement and prosecution of the referenced proceeding pursuant to Town Law §268, as well as the costs and disbursements incurred therewith. At the time of the execution of this agreement, Owner shall pay to the Town the sum of \$7,500 as the estimated costs and legal expenses to be incurred in connection with this matter. The parties acknowledge and agree that this figure shall be in no way deemed to be a cap or limit on the reasonable legal fees incurred by the Town in this matter but rather represents an estimate at the time of the execution of this Agreement.

4. Upon conclusion or prior to the conclusion of the reference proceeding pursuant to NY Town Law §268, the Owner, at its sole cost and expense shall be responsible for the following:

A. Providing individual water supply in accordance with the rules and regulations of the new York State Department of Health, the Putnam County Department of Health as well as chapter 151 of the Town of Carmel Town Code to each of the four existing dwellings existing on the Subject Property.

B. Installation of a fire hydrant on the Subject Property.

C. Providing individual wastewater/sewer disposal service in accordance with the rules and regulations of the New York State Department of Health, the Putnam County Department of Health as well as Chapters 119 and 120 of the Town of Carmel Town Code to each of the four existing dwellings existing on the Subject Property.

5. The Owner hereby acknowledges that the return to original lot lines for the Subject Property as contemplated by this Agreement and the referenced proceeding pursuant to NY Town Law §268 will in fact result in a modification of the Town of Carmel Assessment Rolls for all purposes, including but not limited to, overall valuation and special district assessments. Owner hereby agrees to waive any objection to those Assessment Roll modifications which result in the separate individual valuation of each parcel upon the Subject Property being returned to original lot lines. It is further acknowledged that said assessment roll modifications shall also include but

not be limited to the individual assessment of each of the three parcels for purposes of Carmel Sewer District #2 capital and operations and maintenance assessments, and Carmel Water District #2 capital and operation and maintenance assessments, as well as Carmel Fire Protection District #3 assessment and Carmel Garbage District assessments. However, nothing herein shall be deemed to limit or impair Owners' rights under Article 7 NY Real Property Tax Law.

provisions of this Agreement in full force and effect.

Town of Carmel:

By: Kenneth Schmitt, Town Supervisor

Michelle DeBenedetto

STATE OF _____)
) ss.:
COUNTY OF _____)

Notary Public

(Cont.)

STATE OF)
) ss.:
COUNTY OF)

On the ____ day of _____, in the year 2019 before me, the undersigned personally appeared Ronald Nault, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed this instrument.

Notary Public

STATE OF)
) ss.:
COUNTY OF)

On the ____ day of _____, in the year 2019 before me, the undersigned personally appeared Darlene P. Nebinger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed this instrument.

Notary Public

STATE OF)
) ss.:
COUNTY OF)

On the ____ day of _____, in the year 2019 before me, the undersigned personally appeared Michelle DeBenadetto, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed this instrument.

Notary Public

STATE OF)
) ss.:
COUNTY OF)

On the ____ day of _____, in the year 2019 before me, the undersigned personally appeared Kenneth Schmitt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed this instrument.

Notary Public

Prior to the roll call vote, the attorney for the property owners William A. Shilling, Jr., P.C. presented the Town Board with a revised illustration of the subject property configuration and addressed questions in connection with the matter.

BUDGET MODIFICATIONS - AUTHORIZED

WHEREAS Town Comptroller MaryAnn Maxwell has reviewed the proposed Final Budget Modifications for the period ending April 30, 2019 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2019/02;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending April 30, 2019, as shown itemized on the schedule #2019/02 attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Schneider

Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

**TOWN OF CARMEL
BUDGET REVISIONS MARCH-APRIL 2019 #2019/02**

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<u>GENERAL FUND</u>				
1	100.1930.0040	CERTIORARI SETTLEMENT EXPENSE	20,000.00	
	100.1989.9876	RESERVE FOR CERTIORARI SETTLEMENTS	* 20,000.00	
		- PROVIDE FOR CERTIORARI SETTLEMENTS		
2	100.3120.0019	POLICE COMPENSATED ABSENCES	212,405.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	* 212,405.00	
		- PROVIDE FOR PAYOUT OF ACCRUED TIME		
3	100.3120.0012	POLICE OVERTIME EXPENSE	37,316.00	
	100.1989.2680	INSURANCE RECOVERY - PAYROLL	* 37,316.00	
		- PROVIDE FOR POLICE OVERTIME EXPENSE FROM 207C REVENUE RECEIVED		
4	100-1950-0040	TAXES & ASSESSMENTS	10,092.00	
	100-1990-0040	CONTINGENCY		10,092.00
		- TRANSFER FOR TOWN AND COUNTY TAXES ON TOWN PROPERTY		
<u>CARMEL FIRE PROTECTION DISTRICT #1</u>				
5	301.3410.9878	RESERVE FOR DRY HYDRANT CAPITAL COST	64,322.00	
	301.3410.9909	APPROPRIATED FUND BALANCE ENCUMBRANCES		64,322.00
		- CREATE RESERVE FOR DRY HYDRANT CAPITAL COST AND TRANSFER BALANCE FROM		
		APPROPRIATED FUND BALANCE		
<u>HIGHWAY FUND</u>				
6	500.5010.9878	RESERVE FOR CAPITAL MACHINERY	250,000.00	
	500.5010.9909	APPROPRIATED FUND BALANCE ENCUMBRANCES		250,000.00
		- CREATE RESERVE FOR CAPITAL MACHINERY AND TRANSFER BALANCE FROM		
		APPROPRIATED FUND BALANCE		
<u>CARMEL SEWER DISTRICT #4</u>				
7	704.8130.0040	CONTRACTUAL REPAIRS	10,000.00	
	704.8130.0099	REPAIR RESERVE		10,000.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		
<u>CARMEL SEWER DISTRICT #7</u>				
8	707.8130.0020	EQUIPMENT	3,000.00	
	707.8130.0040	CONTRACTUAL REPAIRS		3,000.00
		- TRANSFER FOR EQUIPMENT		
<u>DRAINAGE CAPITAL PROJECT</u>				
9	900.1989.0012	PROJECT OVERTIME EXPENSE	15,000.00	
	900.1989.0040	CONTRACTUAL EXPENDITURES	175,000.00	
	900.1989.0048	OTHER PROJECT EXPENDITURES	8,500.00	
	900.1989.0080	FICA/MED EXPENSE	1,500.00	
	900.1989.5710	PROCEEDS OF BORROWING	* 200,000.00	
		- RECORD 2019 CAPITAL AUTHORIZATION		

(Cont.)

HIGHWAY RESURFACING CAPITAL PROJECT				
10	950.5112.0012	PROJECT OVERTIME		4,500.00
	950.5112.0045	CONTRACTED PAVING SERVICES		975,000.00
	950.5112.0048	OTHER PROJECT EXPENDITURES		20,000.00
	950.5112.0082	FICA/MED EXPENSE		500.00
	950.5112.5710	PROCEEDS OF BORROWING	*	1,000,000.00
		- RECORD 2019 CAPITAL AUTHORIZATION		
HIGHWAY MACHINERY CAPITAL PROJECT				
11	951-5130-0024	PURCHASE OF HIGHWAY MACHINERY		550,000.00
	951-5130-5710	PROCEEDS OF BORROWING	*	550,000.00
		- RECORD 2019 CAPITAL AUTHORIZATION		

TOWN OF CARMEL
BUDGET REVISIONS MARCH-APRIL 2019 #2019/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CSD #1 CAPITAL PROJECT FUND				
12	971-8130-0099	TRANSFER TO DEBT FUND		515,119.61
	971-8130-9909	APPROPRIATED FUND BALANCE	*	515,119.61
		- PROVIDE FOR TRANSFER TO DEBT FUND TO CLOSE OUT CAPITAL PROJECT		
CSD #3 CAPITAL PROJECT FUND				
13	973-8130-0099	TRANSFER TO DEBT FUND		139,547.41
	973-8130-9909	APPROPRIATED FUND BALANCE	*	139,547.41
		- PROVIDE FOR TRANSFER TO DEBT FUND TO CLOSE OUT CAPITAL PROJECT		
CSD #4 CAPITAL PROJECT FUND				
14	974-8130-0099	TRANSFER TO DEBT FUND		781.47
	974-8130-9909	APPROPRIATED FUND BALANCE	*	781.47
		- PROVIDE FOR TRANSFER TO DEBT FUND TO CLOSE OUT CAPITAL PROJECT		
CSD #7 CAPITAL PROJECT FUND				
15	977-8130-0099	TRANSFER TO DEBT FUND		1,872.01
	977-8130-9909	APPROPRIATED FUND BALANCE	*	1,872.01
		- PROVIDE FOR TRANSFER TO DEBT FUND TO CLOSE OUT CAPITAL PROJECT		
CSD #1 DEBT FUND				
16	871-9730-0060	BAN PRINCIPAL PAYMENT		515,000.00
	871-8130-5030	TRANSFER FROM CAPITAL FUND	*	515,000.00
		- PROVIDE FOR PAYDOWN OF BAN FROM SURPLUS BEFORE PROJECT IS BONDED		
CSD #3 DEBT FUND				
17	873-9730-0060	BAN PRINCIPAL PAYMENT		139,500.00
	873-8130-5030	TRANSFER FROM CAPITAL FUND	*	139,500.00
		- PROVIDE FOR PAYDOWN OF BAN FROM SURPLUS BEFORE PROJECT IS BONDED		

PURCHASE OF TECHNOLOGY UPGRADES AUTHORIZED - HEWLETT PACKARD - \$20,788.10 AND INSTALLATION AUTHORIZED - SULLIVAN DATA - \$13,034.76

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the purchase and acquisition of desktop computer and printer replacements from Hewlett Packard in accordance with the attached schedule in the sum of \$20,788.10; and

(Cont.)

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes various infrastructure improvements and replacement of aged UPS Units, batteries, memory upgrades, and all installation and configuration services required in connection therewith as provided by Sullivan Data in accordance with the attached schedule in the aggregate amount of \$13,034.76.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider and Councilman Barile

Roll Call Vote	YES	NO	
Michael Barile	X		
Jonathan Schneider	X		
John Lupinacci			Absent
Suzanne McDonough	X		
Kenneth Schmitt	X		

TOWN OF CARMEL TECHNOLOGY UPGRADES FISCAL YEAR 2019

Town of Carmel Technology Upgrades			
Vendor/Description	Item #	Amount	Total Amount
2019 Budget			80,000.00
Billed by Hewlett Packard			
* Desktop Computer Replacements	Assessor (1)	1,157.56	
	Town Clerk (1)	1,002.56	
	Court (4)	4,010.24	
	Comptrollers (3)	3,472.68	
	Planning (1)	1,002.56	
	Recreation (1)	1,002.56	
	Supervisor (1)	1,157.56	
	Tax Rec (1)	155.00	
	Police (6)	7,827.38	
* Printers (Spares)			
	Total billed by Hewlett Packard		20,788.10
Billed by Sullivan Data			
Batteries - American Power (MD712)	(54.24 x 7)	379.68	
UPS - American Power (BR1000MS)	(153.75 x 8)	1,230.00	
Microsoft Office Licenses	(313.06 x 18)	5,635.08	
Sullivan Data (Install & Configure)	Assessor	1,250.00	
	Tn Clerk	500.00	
	Court	2,000.00	
	Comptrollers	1,500.00	
	Maintenance	250.00	
	Planning	500.00	
	Reception	250.00	
	Recreation	500.00	
	Supervisor	500.00	
	Tax Rec	40.00	
	Police	3,500.00	
Less: Install included in contract		-5,000.00	
	Total billed by Sullivan Data		13,034.76
Total Upgrades Final			33,822.86
A1 Computer Services - Alarm Billing Software			3,750.00
License for Acrobat Pro - Town Clerks Office			1,584.00
Network Upgrades 20 Old Rte 6 Salt Shed			1,680.92
Accela - Server Migration			954.00
Android Tablet - Recreation			890.56
2019 Server Upgrades (Replace PD2 & PD3)			16,359.00
Total 2019 Technology Upgrades			59,041.34
Prior year budget balance carry forward			954.00
Budget balance as of 12/31/19			21,912.66

ADVERTISEMENT FOR BID AUTHORIZED - PURCHASE AND INSTALLATION OF A NEW SERVER FOR IT EQUIPMENT, FACILITIES AND SERVICES
AMENDED 06-19-19

RESOLVED that, pursuant to the request of Town Comptroller Mary Ann Maxwell and Assistant to Town Board Anne Pasquerello, the Town Board hereby authorizes Town Clerk Ann Spofford to advertise for bids in connection with the proposed purchase and installation of a new server for IT equipment, facilities and services at Town Hall; and

BE IT FURTHER RESOLVED that the detailed specifications are to be furnished for the above to Town Clerk Ann Spofford to be used in conjunction with the Town's general bid conditions and specifications.

Resolution
Offered by: Supervisor Schmitt
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

REFUND OF \$50 DUPLICATE GAS CONNECTION FEE AUTHORIZED - 110 CAREY STREET - TM#85.16-1-47

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Director of Codes Enforcement Michael Carnazza, hereby authorizes the refund and return of duplicate gas connection fee in the amount of \$50.00 previously paid for the premises at 110 Carey Street, TM#85.16-1-47 in the amount of \$50.00.

Resolution
Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

HIGHWAY DEPARTMENT - PURCHASE OF VEHICLES AND EQUIPMENT AUTHORIZED - TWO (2) 2020 7500 SFA 4X4 INTERNATIONAL TRUCKS WITH DUMP BODY AND SNOWPLOW PACKAGE, TWO (2) MOBILE LIFTS AND ONE (1) 2020 FORD F-550 4X4 CHASSIS WITH DUMP BODY AND SNOWPLOW PACKAGE

RESOLVED THAT the Town Board of the Town of Carmel authorizes the purchase of the following vehicles and equipment pursuant to NY General Municipal Law §103(16):

- Two (2) 2020 7500 SFA 4x4 International Trucks with Dump Body and Snowplow Package from Arkel Motors, New Windsor, NY, under Onondaga Bid Award Contract #8996 at an aggregate cost not to exceed \$526,612.00;
- Two (2) Mobile Lifts from Mohawk Lifts, under contract #PL67221 at a cost not to exceed \$50,000.00; and
- One (1) 2020 Ford F-550 4x4 Chassis with Dump Body and Snowplow Package at an aggregate cost not to exceed \$71,000.00;

(Cont.)

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt and/or Highway Superintendent Michael Simone are hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CARMEL SEWER DISTRICT #2 - REPAIRS AT THE HUGHSON ROAD SOUTH PUMP STATION AUTHORIZED - MAGPRO SERVICES - NOT TO EXCEED \$11,700.00

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes performance of generator repairs at the Hughson Road South pump station within Carmel Sewer District #2, said repairs to be performed by Magpro Services, Carmel, NY, at a cost not to exceed \$11,700.00 and in accordance with the proposal dated May 7, 2019; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget revisions to effect the repairs authorized herein.

Resolution

Offered by: Councilwoman McDonough
Seconded by: 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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

BID AWARDED FOR HVAC UNIT REPLACEMENT - HRR INDUSTRIES, INC. - NOT TO EXCEED \$83,620.00

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for the purchase and installation of a new rooftop Air Conditioning Unit at Carmel Town Hall; and

WHEREAS such bids were received and opened on May 10, 2019; and

WHEREAS Town Engineer Richard J. Franzetti, P.E. has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for the installation of said unit to HRR Industries, Inc., Brewster, NY a cost not to exceed \$83,620.00; and

(Cont.)

IT IS FURTHER RESOLVED that upon presentation of insurance certificates and bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all documentation necessary to accept effect the authorization set forth herein.

Resolution

Offered by: Supervisor Schmitt
Seconded by: Councilwoman McDonough, Councilman Barile 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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt pointed out that the new air conditioning unit will also provide much needed heat in the meeting rooms during the cold weather.

CARMEL WATER DISTRICTS #2, #3, #8, #9 AND #14 - ADVERTISEMENT FOR BIDS AUTHORIZED - REHABILITATION AND REPAIRS OF THE WATER STORAGE TANKS

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water Districts #2, #3, #8, #9 and #14, and pursuant to the request of Town Engineer Richard J. Franzetti, P.E., the Town Board hereby authorizes Town Clerk Ann Spofford to advertise for bids in connection with the proposed rehabilitation and repairs of the water storage tanks located within the referenced water districts; and

BE IT FURTHER RESOLVED that the detailed specifications are to be furnished for the above to Town Clerk Ann Spofford to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CARMEL SEWER DISTRICTS #2, #4, #5, #6, AND #7 AND CARMEL WATER DISTRICTS #2, #3, #8 AND #12 - BID AWARDED FOR PURCHASE & SUPPLY OF CHEMICALS FOR WASTEWATER TREATMENT PLANTS - SLACK CHEMICAL SUPPLY

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for purchase and supply of chemicals for the wastewater treatment plants servicing Carmel Sewer Districts #2, #4, #5, #6, and #7; and the water treatment facilities servicing Carmel Water Districts #2, #3, #8 and #12; and

WHEREAS such bids were received and opened and Town Engineer Richard J. Franzetti, P.E. has recommended the awarding of the bids to Slack Chemical Supply, Patterson, NY,

(Cont.)

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer Districts #2, #4, #5, #6, and #7; and Carmel Water Districts #2, #3, #8 and #12; hereby awards the bids for the purchase and supply of chemicals in said Districts, to Slack Chemical Supply, Patterson, NY the lowest responsible bidder who met specifications at the unit prices contained within the bid sheets on file in the Office of the Town Engineer and the Office of the Town Clerk.

Resolution
Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

<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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CARMEL WATER DISTRICT #2 WATER MAIN REPLACEMENT PROJECT - CONTRACT NO. C246 - CHANGE ORDER #3 AUTHORIZED

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Legacy Supply, LLC; and
WHEREAS, Town Engineer Richard J. Franzetti, P.E. has recommended that the Town Board approve Change Order No. 3 to the aforesaid contract;
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, hereby authorizes the Town Supervisor to sign Change Order #3 to the aforementioned contract, resulting in no increase or decrease to overall contract price, said Change Order to be in form as attached hereto and made a part hereof.

Resolution
Offered by: Councilwoman McDonough
Seconded by: 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> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CHANGE ORDER	1
	<u>No.</u>

CARMEL WATER DISTRICT NO. 2 EMERGENCY WATER MAIN REPLACEMENT PROJECT

DATE OF ISSUANCE	2/22/2018	EFFECTIVE DATE	2/22/2018
------------------	-----------	----------------	-----------

OWNER	The Town of Carmel		
OWNER's Contractor No.	C-246		
CONTRACTOR:	Legacy Supply, LLC	ENGINEER:	J. Robert Folchetti & Associates

You are directed to make the following changes in the Contract Documents.

Description:

Reason for Change Order: Time Extension

Attachments: (List documents supporting change) Engineering Memo; Contractor Request

(Cont.)

CHANGE IN CONTRACT PRICE: Original Contract Price	CHANGE IN CONTRACT TIMES: Original Contract Times
\$ None	Substantial Completion: <u>September 20, 2018</u> Ready for final payment: <u>December 19, 2018</u>
Net changes from previous Change Orders No. to No.	Net change from previous Change Orders No. to No.
\$ _____	<u>210</u> days
Contract Price prior to this Change Order	Contract Times prior to this Change Order
\$ _____	Substantial Completion: <u>May 10, 2019</u> Ready for final payment: <u>~June 1, 2019 -</u>
Net Increase (decrease) of this Change Order	Net Increase of this Change Order
\$ _____	<u>30</u> days
Contract Price with all approved Change Orders	Contract Times with all approved Change Orders
\$ _____	Substantial Completion: <u>June 10, 2019</u> Ready for final payment: <u>July 1, 2019</u> days or dates

RECOMMENDED:

ACCEPTED:

APPROVED:

By: _____
Engineer (Authorized Signature)

By: _____
Contractor (Authorized Signature)

By: _____
Owner (Authorized Signature)

Date: 09-06-18

Date: _____

Date: _____

Supervisor Schmitt explained that the Change Order was initiated by a delay caused by difficulties that the contractor was having with service connections to the new water main. There is no monetary impact involved.

PUBLIC COMMENTS - AGENDA ITEMS

Norman Marino inquired about the bidders in connection with the awards for the air conditioning unit and the supply of chemicals for the wastewater treatment plants.

Supervisor Schmitt stated that he would arrange for the information to be provided to him.

Councilman Barile added that the bids were discussed at the prior Work Session with the backup documentation posted on the Town’s website. Discussion ensued regarding the Town’s bidding process.

John Butler inquired about the Petition for Change of Zoning filed by Centennial Golf Club of New York, LLC, and asked to be provided with a copy of the petition as it was not posted on the website.

Legal Counsel Gregory Folchetti explained that he did not believe that the petition was on the agenda at a prior Work Session as the Town Board is not discussing it. Their obligation under the Town Code is to refer the matter to the Planning Board.

Mr. Butler inquired what the petition entails.

Legal Counsel Folchetti explained that the applicant is requesting a zone change that would allow for a cluster of 90 single-family homes on one of the portions of the course.

Mr. Butler expressed his frustration with regard to the possible addition of 90 single-family homes in the area and a brief discussion followed.

(Cont.)

Mr. Butler referenced the resolution authorizing the advertisement for bids in connection with the rehabilitation and repairs of the water storage tanks. He stated that he read the report with regard to the Town's water storage tanks which identified three emergency work items assessed to the Everett Road storage tank. Mr. Butler spoke about the emergency items and expressed his extreme concern. He asked if there was any action taken with regard to these items.

Councilman Schneider indicated that there was no action taken yet. He pointed out that there are twelve emergency items included in the report and that the advertisement for bids was authorized in order to streamline the repair of the items all at once as quickly as possible.

Mr. Butler noted the seriousness of the items and asked when the work will be performed.

Legal Counsel Folchetti estimated the work to be done sometime during the course of the summer.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

Norman Marino expressed his disagreement with the Town Board's policy regarding a three minute limit on public comments at their meetings.

Mr. Marino readdressed his comments presented at previous meetings in connection with the recent authorization for the purchase and installation of video system equipment at Town Hall and reiterated his contention that the cost was exorbitant. Mr. Marino stated that he was advised that the list of equipment included in the bid specifications was created by the vendor who was ultimately awarded the contract. He commented that this vendor should not have been allowed to submit a proposal and spoke about his issues with the choice of vendors chosen by the Town to be mailed the Request for Proposals. Mr. Marino went on to ask which of the current equipment has required repairs and he questioned the actual need for the equipment replacement.

Supervisor Schmitt explained that the list of proposed vendors for this project was obtained from Westchester County in connection with their projects. Discussion regarding the process in which the proposals were solicited was held.

Dave Nichols expressed his opposition to the possibility of expending taxpayer funds to eradicate the Canadian geese around Lake Mahopac again. He commented that there are other options available to keep them away and that the geese droppings are only posing a problem for a few residents.

Supervisor Schmitt stated that the Lake Mahopac Advisory Committee brought the geese depredation issue to the Town Board for consideration and that the matter was scheduled to be on the next Work Session agenda. Discussion followed regarding alternatives methods to control the geese population as well as New York State Department of Environmental Conservation's recent approval of the stocking of additional sterile carp for weed control in Lake Mahopac and the removal of the sunken island from Lake Mahopac.

Mr. Butler readdressed the Petition for Change of Zoning filed by Centennial Golf Club of New York, LLC. He stated that he was provided with a copy of the petition and based upon his review, considered the request significant. Discussion regarding the petition was held.

(Cont.)

Mr. Butler concluded that the petition refers to two or three attachments which were not affixed to the submission. He noted that one of attachments is the site map.

Councilman Barile questioned how the petition could be moved ahead without the referenced attachments. He suggested that the Town Board postpone forwarding the petition to the Planning Board. The discussion held regarding the matter resulted in the following motion.

RESOLUTION PURSUANT TO CARMEL TOWN CODE §156-76 REFERRING THE PETITION FOR CHANGE OF ZONING FILED BY CENTENNIAL GOLF CLUB OF NEW YORK, LLC DATED APRIL 30, 2019, TO THE TOWN OF CARMEL PLANNING BOARD - RESCINDED

On motion by Councilwoman McDonough, seconded by Councilman Barile, Councilman Schneider and Supervisor Schmitt, with all members of the Town Board present voting “aye”, Resolution #7 (Resolution Pursuant to Carmel Town Code §156-76) was rescinded as passed and adopted.

PUBLIC COMMENTS - OPEN FORUM

Mr. Marino addressed the stocking of carp in Lake Mahopac and inquired if non-sterile carp could be added. They would reproduce, thereby alleviating the need to purchase new ones.

Councilman Barile explained that the fish must be approved by the New York State Department of Environmental Conservation. They monitor the types and amount of fish in the lake. Discussion followed.

Jean Hopper inquired about the American Legion Hall's longstanding sewer problem on Buckshollow Road which has caused them to be without a bathroom facility for several years.

Supervisor Schmitt reported that there is a meeting scheduled for Friday in connection with the matter. He stated that he was hopeful that this time the problem between the two property owners will be resolved. Discussion was held.

Mr. Butler, on behalf of a recently formed Carmel Water District #2 Facebook group, asked if there were any discussions with regard to a recommendation made calling for the construction of a dedicated water line to Putnam Hospital Center.

Supervisor Schmitt stated that there have not been any discussions.

Members of the Town Board indicated that they would be in favor of the project if the hospital paid for the water line independently. Councilman Schneider stated that he would follow up with representatives from Putnam Hospital Center.

Mr. Butler asked if the grant filing dates will be met in connection with the slated improvements to the facilities in Carmel Water District #2.

Supervisor Schmitt stated that they would be. A brief discussion resulted.

Mr. Butler inquired if the Town Board would be amenable to the formation of an ad hoc committee consisting of residents from Carmel Water District #2 and a couple of the members of the Town Board which would allow the residents to be a part of the process.

Members of the Town Board spoke in favor of the implementation of such a committee and discussion was held.

(Cont.)

Mr. Butler questioned the scheduled paving of Route 52 in the hamlet of Carmel.

Supervisor Schmitt stated that he was advised by the contractor for the project that the paving is scheduled to commence in the beginning of June. Discussion was held.

Mr. Butler referenced the New York City water usage allotment overage rate charged to residents in Carmel Water District #2 being three times the initial rate and asked if it is adjusted on an annual basis.

Legal Counsel Folchetti explained that New York City calculates the entitlement rate on a retroactive basis and imposes the excess rate which is actually about 2.9 times the initial rate. Discussion regarding the calculation process followed.

Mr. Marino asked if the Town of Carmel can tax New York City's property retroactively.

Legal Counsel Folchetti explained that the two issues involve two different enabling statutes. The City Administrative Code is how the City charges the Town for water use and the Real Property Tax Law is how the Town taxes the City. They are not applied the same way. Discussion ensued.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilwoman McDonough urged residents to reply to the installation notices left by the contractor with regard to the Town's water meter replacement project.

Supervisor Schmitt stated that residents who do not reply will receive a letter and a telephone call from him.

Councilwoman McDonough commented that the Carmel Farmer's Market commenced this past Sunday at Town Hall and proved to be a great success. The Farmer's Market will continue on Sundays through August 25th from 9:00 a.m. to 1:00 p.m. and the Department of Recreation and Parks is seeking additional vendors. Discussion followed.

Supervisor Schmitt announced that United for the Troops is hosting their 3rd Annual Golf Tournament on June 21, 2019. The fundraiser will be held at Centennial Golf Club in Carmel. United for the Troops sends much needed comfort packages to our military serving overseas.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Barile, with all Town Board members present in agreement, the meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk