

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 18th day of October 2023 at 7:03 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, Councilwoman McDonough, Councilman Schanil and Supervisor Cazzari.

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 those suffering the tragedies of war overseas.

PUBLIC COMMENTS

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

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “VEHICLES AND TRAFFIC” - WARING DRIVE AND ELECTRICAL VEHICLE CHARGING STATION LOCATIONS

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.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, October 18, 2023 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed 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 2023

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 2023 Amendments to Chapter 147 entitled “Vehicles and Traffic”.

SECTION 2

Chapter 147 of the Town Code of the Town of Carmel, §147-51, Schedule X: PARKING PROHIBITED AT ALL TIMES is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-19, 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
Waring Drive	East	All Times	First 500 feet North Of Fair Street

SECTION 3

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: “Schedule XIII- A PARKING PROHIBITED ELECTRICAL VEHICLE CHARGING STATION LOCATIONS” as follows:

In accordance with the provision of §147-22, no person shall park a vehicle as follows:

Location	Times
Any Electrical Vehicle (EV) Charging Station Location	At All Times Unless Actively Charging Vehicle.

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

(Cont.)

Supervisor Cazzari opened the Public Hearing for public comment at 7:04 p.m. Nine (9) people were in attendance.

Town Attorney Gregory Folchetti explained that the proposed Local Law calls for the prohibition of parking on Waring Drive for the first 500 feet north of the Fair Street intersection on the east side of the road as well as in any of the electrical vehicle (EV) charging stations when not charging.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi and Councilman Baranowski, seconded by Councilman Schanil, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:05 p.m.

SEQR DETERMINATION MADE - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “VEHICLES AND TRAFFIC” - WARING DRIVE AND ELECTRICAL VEHICLE CHARGING STATION LOCATIONS - TYPE II ACTION

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

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

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

LOCAL LAW #5 OF THE YEAR 2023 - A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “VEHICLES AND TRAFFIC” - ADOPTED AS NOTICED AND PUBLISHED - WARING DRIVE AND ELECTRICAL VEHICLE CHARGING STATION LOCATIONS

TOWN OF CARMEL
LOCAL LAW #5 OF THE YEAR 2023
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 2023 Amendments to Chapter 147 entitled “Vehicles and Traffic”.

SECTION 2

Chapter 147 of the Town Code of the Town of Carmel, §147-51, Schedule X: PARKING PROHIBITED AT ALL TIMES is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-19, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

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(Cont.)

Name of Street	Side	Hours/Days	Location
Waring Drive	East	All Times	First 500 feet North Of Fair Street

SECTION 3

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: “Schedule XIII- A PARKING PROHIBITED ELECTRICAL VEHICLE CHARGING STATION LOCATIONS” as follows:

In accordance with the provision of §147-22, no person shall park a vehicle as follows:

Location	Times
Any Electrical Vehicle (EV) Charging Station Location	At All Times Unless Actively Charging Vehicle.

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.

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Stephen Baranowski	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Robert Schanil	X	
Michael Cazzari	X	

RECOGNITION OF T.J. MCKEE FOR HIS HUMANITARIAN ACT OF KINDNESS AND COMPASSION

Police Chief Anthony Hoffmann introduced Sgt. Erin Macom who provided the details of an incident that occurred in which a 17-year-old autistic youth Zac, wandered out of his home on a recent stormy evening. He was found by 22-year-old T.J. McKee who engaged the teenager in positive conversation and transported him safely to the Carmel Police Department. The teenager was reunited with his family. For his humanitarian act of kindness and compassion, T.J. McKee, although unable to attend the meeting because he was working a 12-hour shift as a nurse, was recognized with certificates by the Carmel Police Department and the Carmel Town Board. Zac’s mother expressed her gratitude to T.J. and urged the public to be aware of the special needs community.

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MINUTES OF TOWN BOARD MEETING HELD ON 9/20/2023 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Baranowski, seconded by Councilwoman McDonough, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on September 20th, 2023 were accepted as submitted by the Town Clerk.

AMENDED 2024 TENTATIVE BUDGET ADOPTED AS THE 2024 PRELIMINARY BUDGET

RESOLVED, that the Town Board of the Town of Carmel hereby adopts the Town Supervisor’s Tentative Budget (as amended by the attached schedules) as the Preliminary Budget for fiscal year 2024.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi and Councilwoman McDonough

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

TOWN OF CARMEL 2024 BUDGET ADJUSTMENTS TENTATIVE TO PRELIMINARY BUDGET

TOWN OF CARMEL 2024 BUDGET ADJUSTMENTS TENTATIVE TO PRELIMINARY BUDGET				Total
Adjustments Tentative to Preliminary				
* Increase/Decrease Elected Officials/Management/Staff Salary and Stipends				
	Act code 1010.19	Town Board Other Compensation	(10,000)	
	Act code 1220.11	Supervisor Staff Salary (Chief of Staff)	(7,000)	
	Act code 1220.13	Supervisor Staff PT Salary	7,000	
	Act code 1330.15	Tax Receiver Deputy Stipend	(2,500)	
	Act code 1410.10	Town Clerk Salary	(3,300)	
	Act code 1410.11	Town Clerk Staff Salary (Deputy)	(2,490)	
	Act code 1410.15	Town Clerk Deputy Stipend	(2,000)	
	Act code 4020.11	Vital Statistics Pers Services	(500)	
	Act code 4020.15	Vital Statistics Stipend	(500)	
	Act code 5010.10	Highway Superintendent Salary	10,000	
	Act code 5010.11	Deputy Highway Superintendent Salary	5,000	
				(6,290)
* Decrease Compensation Reserve				
	Act code 1010.16	Comp Reserve - Decrease excess reserve	(55,789)	
	Act code 1010.16	Comp Reserve - Hwy Admin Salary Inc	(15,000)	
				(70,789)
TOTAL NET EXPENDITURE ADJUSTMENTS				(77,079)
	Decrease Mortgage Tax Revenue		(100,000)	
	Increase Equipment Reserve Appropriation		50,000	(50,000)
TOTAL REVENUE ADJUSTMENTS				(50,000)
* Increase/Decrease in Gen/Hwy Levy				
		General Levy	(27,079)	
		Highway Levy	0	(27,079)
Adjustment to Tax Levy				(27,079)
Townwide Tax Rate Decrease 6.42%				
Carmel Fire Protection District				
	* Increase Fire Dept Contract Expense			
	Act code 303.3410.0040	CFPD #3 Contract Expense	24,000	24,000
TOTAL NET EXPENDITURE ADJUSTMENTS				24,000
	* Increase/Decrease in CFPD #3 Levy	Taxes - CFPD #3	24,000	24,000
Adjustment to Tax Levy				24,000
TOTAL ADJUSTMENTS TO 2024 BUDGET AS OF 10/12/23 TENTATIVE TO PRELIMINARY				-3,079

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PUBLIC HEARING SCHEDULED IN CONNECTION WITH THE 2024 PRELIMINARY BUDGET - 11/1/2023

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing in regard to the Preliminary Budget for fiscal year 2024 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Districts, Garbage District, Fire Protection Districts and Lighting Districts; and

BE IT FURTHER RESOLVED that said Public Hearing shall be held on the 1st day of November, 2023 at Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM or as soon thereafter that evening as possible, at which time all interested persons shall be heard; and

BE IT FURTHER RESOLVED that the proposed salaries of the following officials for fiscal year 2024 shall be advertised, as required by Section 108 of the Town Law of the State of New York, as follows in said notice:

Town Supervisor - \$136,359.80
Town Board - \$22,945.10
Town Clerk - \$110,009.00
Highway Superintendent - \$120,000.00

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and directed to publish the Notice of said Public Hearing in the official newspapers of the Town a minimum of five (5) days prior to November 1, 2023; and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Carmel is hereby authorized and directed to post the Notice of said Public Hearing on the Town Bulletin Board a minimum of five (5) days prior to November 1, 2023; and

BE IT FURTHER RESOLVED that a copy of the preliminary budget be available at the Office of the Town Clerk where it may be inspected by any interested person during office hours.

Resolution

Offered by: Supervisor Cazzari
Seconded by: Councilwoman McDonough

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

Supervisor Cazzari stated that the 2024 Preliminary Budget will be available for the public to view on the Town's website tomorrow.

2022 SERVICE AWARD ANNUAL REPORTS FOR CARMEL AMBULANCE DISTRICT NO. 1 - ACCEPTED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Ambulance District No.1, hereby accepts the 2022 Length of Service Award Program Annual Report for Carmel Ambulance District No. 1 as prepared by Penflex, Inc., a copy of which is on file in the Office of the Town Supervisor.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Baranowski

(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>X</u>	<u></u>
Robert Schanil	<u>X</u>	<u></u>
Michael Cazzari	<u>X</u>	<u></u>

2022 SERVICE AWARD ANNUAL REPORTS FOR CARMEL FIRE PROTECTION DISTRICT NO. 1 - ACCEPTED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Fire Protection District No.1, hereby accepts the 2022 Length of Service Award Program Annual Report for Carmel Fire Protection District No. 1 as prepared by Penflex, Inc., a copy of which is on file in the Office of the Town Supervisor.

Resolution
Offered by: Councilman Baranowski
Seconded by: Councilwoman McDonough

<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>X</u>	<u></u>
Robert Schanil	<u>X</u>	<u></u>
Michael Cazzari	<u>X</u>	<u></u>

2022 SERVICE AWARD ANNUAL REPORTS FOR CARMEL FIRE PROTECTION DISTRICT NO. 2 - ACCEPTED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Fire Protection District No. 2, hereby accepts the 2022 Length of Service Award Program Annual Report for Carmel Fire Protection District No. 2 as prepared by Penflex, Inc., a copy of which is on file in the Office of the Town Supervisor.

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>X</u>	<u></u>
Robert Schanil	<u>X</u>	<u></u>
Michael Cazzari	<u>X</u>	<u></u>

ZONING BOARD OF APPEALS APPOINTMENT MADE - WILLIAM SANTINI - EFFECTIVE 10/18/2023 AND EXPIRING 12/31/2027

RESOLVED that the Town Board of the Town of Carmel hereby appoints William Santini to the Town of Carmel Zoning Board of Appeals effective immediately and expiring December 31, 2027.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi and Councilwoman McDonough

(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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

Supervisor Cazzari welcomed William Santini to the Zoning Board of Appeals and congratulated him on his appointment.

PLANNING BOARD APPOINTMENT MADE - NICHOLAS BALZANO - EFFECTIVE 10/18/2023 AND EXPIRING 12/31/2023

RESOLVED that the Town Board of the Town of Carmel hereby appoints Nicholas Balzano to the Town of Carmel Planning Board for a term commencing immediately and expiring December 31, 2023.

<u>Resolution</u>	
Offered by:	<u>Supervisor Cazzari</u>
Seconded by:	<u>Councilman Lombardi and Councilwoman McDonough</u>

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

Supervisor Cazzari welcomed Nicholas Balzano to the Planning Board and congratulated him on his appointment.

ADDITIONS TO THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER FIRE DEPARTMENT - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the addition of the following names to the active list of the Mahopac Volunteer Fire Department:

Hailee Madison Gustin, Carmel, NY
Christopher Pfaffenberger, Mahopac, NY
Edward Alberto Lewis, Mahopac, NY
Adam Michael Knowerski, Mahopac, NY

<u>Resolution</u>	
Offered by:	<u>Councilwoman McDonough</u>
Seconded by:	<u>Councilman Baranowski</u>

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

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**PURCHASE AND INSTALLATION OF POLICE VEHICLE EMERGENCY EQUIPMENT
AUTHORIZED FOR TWO 2023 DODGE DURANGO PURSUIT VEHICLES PURSUANT
TO NY GENERAL MUNICIPAL LAW 103(16) - RFC EMERGENCY LIGHTING - NOT
TO EXCEED \$29,600**

WHEREAS, Chief of Police Anthony Hoffmann, in his memo dated October 11, 2023 has requested to utilize the services of RFC Emergency Lighting of Briarcliff Manor, NY for the purchase and installation of emergency equipment for two 2023 Dodge Durango Pursuit vehicles pursuant to NY General Municipal Law 103(16) under Contract 2324-RFP-1, Village of Briarcliff Manor, NY, at a cost not to exceed \$29,600;

BE IT FURTHER RESOLVED that Chief of Police, Anthony Hoffmann is 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 Baranowski

Seconded by: Councilwoman McDonough

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

**PURCHASE AND INSTALLATION OF POLICE VEHICLE EMERGENCY EQUIPMENT
FOR 2022 CHEVROLET TAHOE POLICE PURSUIT VEHICLE AUTHORIZED
PURSUANT TO NY GENERAL MUNICIPAL LAW 103(16) - RFC EMERGENCY
LIGHTING - NOT TO EXCEED \$23,000**

WHEREAS, Chief of Police Anthony Hoffmann, in his memo dated October 11, 2023 has requested to utilize the services of RFC Emergency Lighting of Briarcliff Manor, NY, NYS Bid Vendor #1100271222, for the purchase and installation of emergency equipment for the 2022 Chevrolet Tahoe Police Pursuit Vehicle (PPV) pursuant to NY General Municipal Law 103(16) under Contract 2324-RFP-1, Village of Briarcliff Manor, NY, at a cost not to exceed \$23,000;

BE IT FURTHER RESOLVED that Chief of Police, Anthony Hoffmann is 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 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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

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EMERGENCY REPAIRS ACKNOWLEDGED - CARMEL WATER DISTRICT #6 - BEE AND JAY - \$12,960.40, CARMEL WATER DISTRICT #4 - BEE AND JAY - \$14,842.70, AND CARMEL SEWER DISTRICT #4 - INFRAMARK - \$22,259.00

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 revised memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated October 3, 2023, as attached hereto and made a part thereof.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	X	
Frank Lombardi	X	
Suzanne McDonough	X	
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: October 3, 2023
Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment/authorization to proceed 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 6 Tomahawk Creek ~ Well 1 Pump Replacement

On September 8, 2023, Bee and Jay, the operators for CWD 6, notified the Engineering Department that after recent storm the pump for well 1 at Tomahawk Creek failed. Attached is an invoice in the amount of \$12,960.40 for the replacement of the well pump.

Please note that this invoice has been submitted to insurance for reimbursement.
- Carmel Water District 4 ~ Valve and Flushing Hydrant Replacement

During a water main break in August Bee and Jay, the operators for CWD 4, notified the Engineering Department that there was a broken and an inoperable flushing hydrant in the district. Attached is an invoice in the amount of \$14,842.70 for the replacement of the valve and flushing hydrant.
- Carmel Sewer District 4 ~ Pump Failure at Lakeshore Pump station

On September 28, 2023, Inframark, the operators for CSD 4, notified the Engineering Department that one (1) of the Two (2) pumps at the Lakeshore pump station failed. Due to the critical nature of this pump station Inframark was directed to order the replacement immediately. Attached is an invoice in the amount of \$22,259.00 to purchase and install this equipment.

(Cont.)

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

Tel: (845) 628-1500 Fax: (845) 628-7085 email rjf@ci.carmel.ny.us
G:\Engineering\Town Board\Emergency Invoices\10-11-23 WS\10-03-2023 Emergency Repair Acknowledgement to TB.doc

From: [Esteves, Donna](#)
To: [Franzetti, Richard](#)
Subject: 10-03-23 ~ CWD6 Emergency Pump Replacement
Date: Tuesday, October 3, 2023 9:00:07 AM
Attachments: [S2ndFlrCopi23100308200.pdf](#)

Rich,

Please see attached invoice for CWD6 that will require Board acknowledgement. Please note that this pump replacement was due to the lightning storm on 9/8 and will be submitted to insurance for reimbursement.

Thanks,

Donna Esteves
Town of Carmel ~ Engineering Department
60 Mc Alpin Ave
Mahopac, NY 10541
845-628-1500 ext. 184

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

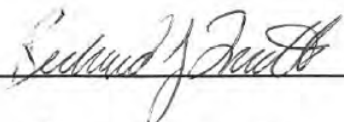
Vendor names: Bee and Jay Plumbing

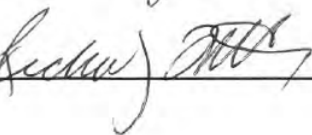
Nature of emergency: CWD6 Pump Replacement due to lightning storm ***Insurance

Estimated cost: \$12,960.40

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: 

BEE & JAY

INVOICE

BILL TO:

SERVICE LOCATION:

Tomahawk Creek
Weber Hill Road
Pump Station

Master Plumbers Lic.#s W.C. 556 P.C. 30289

** Invoices not paid when due will be subjected to a finance charge of 1.5% per month

Total Due	\$12,960.40
------------------	-------------

WE ACCEPT ALL MAJOR CREDIT CARDS !!

CARD TYPE: VISA MASTERCARD AMERICAN EXPRESS DISCOVER DINER'S CLUB OTHER

CARDHOLDER/NAME: _____ SIGNATURE: _____

CARD# _____ EXP. DATE: _____ CID # _____

EMAIL: _____

[illegible]

[illegible]

EXHIBIT "B"

Emergency Justification Form
Town of Carmel Procurement Policy

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

Estimated cost: \$14,842.70

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):

Richard J. Mayhew

Redmond J. Munn

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

CWD 4
INV #
TOC 75-2023
REQ #
Vendor 0670
Tax ID - 133851002

Attention:, ENGINEERING
TOWN OF CARMEL

EMERGENCY: VALVE AND FLUSHING HYDRANT REPLACEMENT

Respond as per BEE & JAY
Job Location: BALDWIN PLACE ROAD / MAPLE ROAD
Work Completed 9/11/2023 & 8/12/2023
Start time: End Time: 9/11 2023 8 HRS PW 09/12/2023 7 HRS 15 HRS

Job Description: DAY 1: EXPOSED VALVE, CUT BROKEN VALVE OUT, INSTALLED NEW VALVE. BACKFILLED. DUG UP
FLUSHING HYDRANT AND REPLACED WITH NEW ONE
DAY 2: DUG UP BROKEN FLUSHING HYDRANT ON BALDWIN PLACE ROAD, SET UP TRAFFIC CONTROL, REPLACED
BROKEN HYDRANT WITH NEW ONE . BACKFILLED AND COMPACT

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd. qty, day	Total
Track Hoe MR55	15	\$95.00 per hour	1,425.00
PC-120		\$175.00 PER HR	
Dump Truck	15	\$100.00 per hour	1500.00
Support Vehicle	Day rate 2 DAYS	\$155.00 PER DAY	310.00
Chop Saw	Day rate	\$ 70.00	70.00
Jumping Jack	Day rate	\$70.00	140.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	140.00
Locator	Day rate	\$70.00	
TRASH PUMP & HOSE	DAY RATE PER UNIT	\$225.00 PER PUMP	
Machine Hammer	Day rate	\$250.00	
Powered drill/hammer	Day rate	\$70.00	
MACHINE OPERATOR OT 1-1/2	HRS X MAN	\$291.27 PER HR	
Machine operator	15 HRS X1 MAN	\$194.18 PER HR	2,912.70
Laborers	15 HRS X 3 MEN	\$169.30 PER HR	7,618.50
LABORER OT 1-1/2	8 HRS X MEN	\$253.95 PER HR	
Item 4	10 YARDS	\$52.00 per yard	520.00
Seed	1/8 BAG	\$150.00 bag	37.50
CONCRETE			
Top soil	3 YARD	\$50.00	150.00
Blacktop		\$151.00 per ton	
SHORING BOX		\$500.00	
HAY	1 BAG	\$19.00 bag	19..00
GRAVEL		\$50.00/YARD	
LIGHT TOWER		\$275.00 DAY RATE	
SKYLIFT		90.00 PER HR	
Total			14,842.70



Richard Francetti, P.E.
Town Engineer



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

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

WATER MAIN BREAK/DAMAGED HYDRANT REPORT

District & Number: CWD #4
Location (street address): Baldwin Place Rd & Maple Ave
Time and Date of Main Break or Hydrant Damage: 9/11/23 - 9/12/23

Field Response:

Manpower	HRS	Equipment	HRS
Break & Jam 9/11/23		Track Hoe	
9/11/23	5	Excavator/Operator	-
9/12	8	Dump Truck	-
9/12	7	Locators	-
9/12	7	9/11/23	8
		9/12/23	7

Water Main: Size: 6" Material: PVC Depth to Main: 60"

Hydrant: Manufacturer & Model:

Repair Materials Utilized: Replaced Broken & Damaged
6" MS Brass Compens. Replaced Flushing
Hydrant & Saddle in Two Locations

Cause of Main Break or Hydrant Damage:

Description of Damage caused, if any:

Future Restoration Required:

Pavement:
Lawn Area:

☒ Sidewalk:
☒ Shrubs:

Cause of Main Break or Hydrant Damage:

Date Repair Completed: 9/14/23

Prepared by: (Printed Name)

From: [Esteves, Donna](#)
To: [Franzetti, Richard](#)
Subject: 09-18-23 ~ CWD4 Emergency Repair
Date: Monday, September 18, 2023 12:12:25 PM
Attachments: [S2ndFlrCopi23091811210.pdf](#)

Please see attached invoice for the emergency valval and flushing hydrant replacement for CWD4 which will require Board acknowledgement. There are sufficient funds in the budget for this expense.

Donna Esteves
Town of Carmel ~ Engineering Department
60 Mc Alpin Ave
Mahopac, NY 10541
845-628-1500 ext. 184



T: +1 845 228 0460
www.inframark.com

District: CSD 4

Quote Expires: 10-28-23

Purpose of item: Efficiently and effectively moves the waste from the building's sewage system to the treatment plant. These pumps are designed to handle large volumes of liquid, which is necessary to move the debris quickly and prevent backups and overflows. We currently are down to 1 pump in operations.

Estimated life expectancy of new equipment / repair: 10 years

Labor cost for installation and/or repair: 2 Maint Techs @ 8 hrs/ea.

Cost:

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)



www.gafleet.com

September 26, 2023 Proposal# 230926-26-85

Town of Carmel Sewer District #2
60 McAlpin Avenue
Carmel, NY 10541

Attn: Gabe Dries/Inframark

Subject: Replacement Flygt Dry-pit Submersible Pump for the Lake Shore Drive Pump Station.

Dear Gabe,

As per your request, Fleet Pump & Service is pleased to submit our proposal on the replacement for the existing Flygt Dry-pit Submersible Pump Model NT3153.181 S/N 1260434 12HP 208/3/60 1745RPM, FLS Leakage detector, 465 impeller code that is used at the noted pump station location.

<u>Item</u>	<u>Qty</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	1	Flygt Dry-pit Submersible Pump Model 4"NT3153.185 Standard design 12HP, 208 volt, three phase, 60Hz, 1745RPM, FLS Leakage detector, Hardened High Chrome Steel 465 code impeller and volute insert ring with 50ft of power cable.	\$21,984.00	\$21,984.00
2	1	Freight	\$ 275.00	\$ 275.00

Note: Price does not include applicable taxes.
Delivery: 8 to 10 weeks.
Freight: As noted.
Terms: See attached.
Validity: 30 days.

Please forward a **Purchase Order or Authorization on your Letter head**, if you wish to proceed with the above proposal.

Thank you for the opportunity to submit this proposal. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,
Serge Agudow
Serge Agudow
914-804-5567
sagudow@fleetpump.com
Sales Engineer

G.A. Fleet Associates, Inc. New York / New Jersey / Connecticut: 6 International Drive, Rye Brook, NY 10573 / **T** 914-835-4000 **F** 914-835-1331
Fleet Pump & Service Group, Inc. 455 Knollwood Road, White Plains, NY 10603 / **T** 914-835-3801 **F** 914-835-2946 Connecticut: 203-661-2680



Fleet Pump & Service Group, Inc.
455 Knollwood Road White
Plains, NY 10603

**PROPOSAL ADDENDUM — GENERAL
TERMS AND CONDITIONS**

1. Terms and Conditions Become Addendum to Agreement. These General Terms and Conditions accompany the Proposal of Fleet Pump and Service Group, Inc. (the "Supplier") to the Purchaser identified above (the "Purchaser"). These General Terms and Conditions, unless otherwise addressed by Purchaser and Supplier in writing in the Purchase Order or other agreement based upon this Proposal, will become attached to and made a part of the Purchase Order issued by the Purchaser to Supplier as an Addendum to the Purchase Order (the "Addendum"). The terms in this Addendum supersede anything to the contrary contained in the Purchase Order and any prior understandings, agreements, or representations by, between or among the parties, written or oral, to the extent they relate in any way to the subject matter of the Purchase Order and this Addendum. All references to the Purchase Order (both in the form of the Agreement and this Addendum) include this Addendum.
2. Addendum Terms Control. Any conflict between the terms included in this Addendum and the Purchase Order are to be resolved in favor of this Addendum.
3. Payment Terms. The following payment terms are applicable to all Purchase Orders:
 - 2%10, N30 Days from date of shipment of the equipment identified in the Purchase Order.
 - 2%10 discount and overdue balances are not eligible for payment by credit card.
 - Any "pay when paid" or similar conditions of payment included in the Purchase Order are not applicable to Supplier, and any such provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)

- 4. Progressive Payments Required. All Purchase Orders in excess of \$1,000,000.00 require progress payments from the Purchaser. The progress payments are to be as follows: 1/3rd of the Purchase Price upon release to manufacture, 1/3rd of the Purchase Price prior to shipment, and the balance of the Purchase Price in N30 Days.
- 5. No Credit Provided by Supplier. Nothing in the Proposal, the Purchase Order or this Addendum is to be construed as Supplier providing or extending Credit to Purchaser. Any Credit terms provided to Purchaser are at the sole discretion of Supplier.
- 6. No Retainage. Payments due to Supplier under the Purchase order and this Addendum are not subject to any form of retainage; and such payments will be made promptly when due.
- 7. Overdue Balances. In the event Purchaser has any overdue payment balances due, Supplier reserves the right to withhold from Purchaser ordered equipment, services and documentation.
- 8. Supplier Does Not Provide Warranties. Supplier does not provide warranties for the equipment delivered to Purchaser. The standard equipment manufacturer's warranties are the sole warranties available to the Purchaser. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, FLEET MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OR WHETHER ARISING BY OPERATION OF LAW, COURSE OF PERFORMANCE OR DEALING, CUSTOM, USAGE IN THE TRADE OR PROFESSION OR OTHER REASON, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Except for the warranty expressly set forth in this Paragraph, the Purchaser acknowledges and agrees that it has relied on no other representations or warranties and that no other representations or warranties have formed the basis of its bargain hereunder.
- 9. "Time of Essence" Provisions Not Applicable. Any "time of the essence" provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
- 10. Liquidated Damages Provisions Not Applicable. Any "Liquidated Damages" provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
- 11. Limitation of Liability. Other than the Purchaser's obligation to make payments that are due and owing under the Agreement, a party's entire and collective liability arising out of or relating to this Agreement, regardless of the form of the cause of action, whether in contract, tort, statute or otherwise, shall in no event exceed the amounts paid to Supplier under this Agreement. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, NEITHER PARTY SHALL, UNDER ANY CIRCUMSTANCES, BE LIABLE TO THE OTHER PARTY FOR ANY CLAIM BASED UPON ANY THIRD PARTY CLAIM OR FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY OR SPECIAL DAMAGES OF ANY NATURE WHATSOEVER, OR FOR ANY DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY MALFUNCTIONS, DELAYS, LOSS OF PROFIT, INTERRUPTION OF SERVICE OR LOSS OF BUSINESS OR ANTICIPATORY PROFITS, EVEN IF A PARTY HAS BEEN APPRISED OF THE LIKELIHOOD OF SUCH DAMAGES OCCURRING.
- 12. Indemnification Limited to Direct Cause. Supplier agrees to defend, indemnify and hold Purchaser harmless against all costs, expenses and losses incurred through claims based upon the direct actions of Supplier. Any "indemnification" provision included in the Purchase Order that requires any expansion of the indemnification offered in the previous sentence is hereby deleted and is of no force or effect with respect to the Supplier.
- 13. Third Party Contracts Not Applicable. Supplier is not bound by any third party contract or other form of agreement of any type referred to or included in the Purchase Order. Any third party contract included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
- 14. Entire Agreement. Unless the parties enter into a separate agreement in writing, these General Terms and Conditions and the Proposal (collectively, the "Agreement") constitute the entire agreement between the Purchaser and the Supplier regarding the project described in the Proposal. If Supplier has commenced work in connection with the matters described in the Proposal to which these General Terms and Conditions are attached; all provisions in this Agreement for the benefit or protection of either party shall apply to such activities. There are no prior or contemporaneous, oral or written, representations, understandings or agreements that are not fully expressed in this Agreement. No amendment, change order, waiver or discharge shall be valid unless it is in writing and signed by an authorized representative of the party against whom such amendment, change order, waiver or discharge is sought to be enforced. In the event of a conflict between these General Terms and Conditions and the Proposal to which they may be attached, these General Terms and Conditions shall control.
- 15. Choice of Law. This Agreement will be governed by and construed in accordance with the laws of the State of New York, without giving effect to the conflicts of laws provisions thereof.
- 16. Insurance. Supplier possesses appropriate insurance for the equipment and services provided. Costs for excessive coverage, endorsements, or limits will be passed on to Purchaser as necessary.

114 Hartley Road
Goshen NY 10924



P: (845) 294-8882
F: (845) 294-8883

Quote

Customer Town of Carmel
60 McAlpin Avenue
Mahopac NY 10541

Date Estimate #
09/28/2023 5819

PO #:

Description	Unit	Quantity	Rate	Amount
- WWTP				
TAM Enterprises Inc. is pleased to quote the following:				
Supply & Delivery of:				
- (1) New Flygt 3153.185-5837 pump.				
For the sum of:		1.00	31318.800	31,318.80
Installation of pump: @ \$2,100.00			2100.000	
* Lead time of 8-10 weeks for pump				

Notes

Customer Signature _____
Accepted By : _____

Subtotal	\$31,318.80
Sales Tax:	0.00
Quote Total	\$31,318.80

24 Hour Emergency Service - Certified Backflow Prevention Technician - Hydro Vacuum Excavation - Pump Station Installation & Maintenance
High Pressure Water Jetting - Video Inspection of Underground Lines - Installation of Water & Sewer Lines - Clearing of Catch Basins
Man Hole Rehabs - Sewer & Water Plant Rehabs - Confined Space Entry - Pipe Lining Services - Soil Remediation Services
Pipe Location Services - Wet Taps - Inset-A-Valves - Industrial Tank Pumping - Excavation Services - Emergency Sewer By-Pass Pumping

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)

From: [Esteves, Donna](#)
To: [Franzetti, Richard](#)
Subject: FW: CSD 4 - Emergency PO Request - Lakeshore Pump Station
Date: Friday, September 29, 2023 9:04:26 AM
Attachments: [image001.png](#)
[FLEET Flygt Ouote 9.28.23.pdf](#)
[TAM Flygt Pump Ouote 9.28.23.pdf](#)
[9-28-23 -- P.O. Request - CSD 4 - Emergency - Flygt Pump.docx](#)
Importance: High

Rich,

Please see attached for Board approval. There are sufficient funds in the budget for this request.

Thanks,

Donna Esteves
Town of Carmel ~ Engineering Department
60 Mc Alpin Ave
Mahopac, NY 10541
845-628-1500 ext. 184

From: Franzetti, Richard <rjf@ci.carmel.ny.us>
Sent: Friday, September 29, 2023 9:00 AM
To: Esteves, Donna <de@ci.carmel.ny.us>
Subject: FW: CSD 4 - Emergency PO Request - Lakeshore Pump Station
Importance: High

Richard J. Franzetti. P.E, BCEE
Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541
Phone - (845) 628-1500 ext 181
Fax – (845) 628-7085
Cell – (914) 843-4704
rjf@ci.carmel.ny.us

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From: Boyd, Diane <diane.boyd@inframark.com>
Sent: Thursday, September 28, 2023 12:51 PM
To: Franzetti, Richard <rjf@ci.carmel.ny.us>; Esteves, Donna <de@ci.carmel.ny.us>
Cc: Geertsema, Jack <Jack.Geertsema@inframark.com>; Dries, Gabriel <Gabriel.Dries@inframark.com>; Batz, Michael <michael.batz@inframark.com>; Dursee, Kristoffer <kristoffer.dursee@inframark.com>; Harris, Carrie <Carrie.Harris@inframark.com>
Subject: CSD 4 - Emergency PO Request - Lakeshore Pump Station
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Richard and Donna:

Please find attached an emergency P.O. Request and 2 quotes for a replacement submersible pump at Lakeshore Pump Station, with a more detailed description and explanation. Please advise as Lakeshore is currently only operating with 1 pump.
Understanding the recent conversations regarding size, impeller, etc. we would like to get moving on replacement of the pump for now. There is a 8-10 week lead time. We can discuss switching out the impeller down the road. Our main concern at the moment is getting a new pump in there.

Thank you for your time and consideration.

Regards,
Diane Boyd | Project Manager


Carmel, NY
(O) 845-565-6182 | (M) 914-256-7425

WHEREAS the Town Board of the Town of Carmel, acting as Commissioners of the various Town of Carmel Water Districts has previously awarded the contract for the above project to TAM Enterprises; and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. in his memo dated October 5, 2023, has provided proposed Change Order No.1 to the aforesaid contract to the Town Board for consideration and review;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Town of Carmel Water District #9, hereby authorizes Town Supervisor Michael Cazzari to sign Change Order #1 to the aforementioned contract, resulting in an overall contract price increase of \$2,097.80, said Change Order to be in form as attached hereto and made a part hereof; 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.

Offered by: Supervisor Cazzari
Seconded by: Councilwoman McDonough

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

NO. 1

PROJECT

DATE OF ISSUANCE	10-04-2023	EFFECTIVE DATE	10-04-2023
OWNER The Town of Carmel			
OWNER's Contractor No. C269			
CONTRACTOR: TAM Enterprises, Inc.			
ENGINEER: Weston & Sampson, PE, LS, LA, ARCHITECTS, PC			

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

CWD #9

Reason for Change Order:

Provide compensation for additional labor and materials necessary to replace building framing. During construction, the framing was found to have deteriorated since the initial inspection performed during design and was determined to be in need of replacement. Also, the Contractor has requested a 75-calendar-day time extension to account for a delay from their door supplier. In exchange for a time extension, the Contractor has offered to reduce the additional framing request by half.

Description:

Materials and labor to demolish and replace existing building wood framing with new materials.

Attachments: Contractor Proposal for CWD #9 CO/FO # 1 dated 10/04/2023

<p>CHANGE IN CONTRACT PRICE:</p> <p>Original Contract Price</p> <p>\$164,100.00</p>	<p>CHANGE IN CONTRACT TIMES:</p> <p>Original Contract Times</p> <p>Substantial Completion: <u>September 01, 2023</u></p> <p>Ready for final payment: _____</p>
<p>Net changes from previous Change Orders No. to No.</p> <p>None</p>	<p>Net change from previous Change Orders No. to No.</p> <p><u>None</u></p>
<p>Contract Price prior to this Change Order</p> <p>\$164,100.00</p>	<p>Contract Times prior to this Change Order</p> <p>Substantial Completion: <u>September 01, 2023</u></p> <p>Ready for final payment: <u>October 01, 2023</u></p>
<p>Net Increase of this Change Order</p> <p>\$2,097.80</p>	<p>Net Increase of this Change Order</p> <p><u>75 days</u></p>

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)

Contract Price with all approved Change Orders	Contract Times with all approved Change Orders	
\$166,197.80	Substantial Completion:	<u>November 15, 2023</u>
	Ready for final payment:	<u>December 15, 2023</u>
	days or dates	
RECOMMENDED: X	ACCEPTED:	APPROVED:
By: <u>[Signature]</u> Engineer (Authorized Signature)	By: <u>Chad Young</u> Contractor (Authorized Signature)	By: _____ Owner (Authorized Signature)
Date: <u>October 04, 2023</u>	Date: <u>October 4th 2023</u>	Date: _____

Supervisor Cazzari explained that during construction, rotten wood was found and the structure had deteriorated since the project’s initial inspection.

TOWN WIDE WATER TANK AND REHABILITATION CONTRACT NO. C268 WITH AROLD CONSTRUCTION - CHANGE ORDER NO. 5 AUTHORIZED

WHEREAS the Town Board of the Town of Carmel, acting as Commissioners of the various Town of Carmel Water Districts has previously awarded the contract for the above project to Arold Construction; and

WHEREAS, Town Engineer Richard J. Franzetti, P.E., has provided proposed Change Order No. 5 to the aforesaid contract to the Town Board for consideration and review;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Town of Carmel Water Districts, #2, #3, #8, and #14, hereby authorizes Town Supervisor Michael Cazzari to sign Change Order #5 to the aforementioned contract, said Change Order to be in form as attached hereto and made a part hereof.

Resolution
Offered by: Councilwoman McDonough
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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

CHANGE ORDER **NO. 5**

<u>C268 – Rehabilitation of Water Tanks Project</u>			
PROJECT			
DATE OF ISSUANCE	10-04-2023	EFFECTIVE DATE	10-04-2023
OWNER The Town of Carmel			
OWNER's Contractor No. C268			
CONTRACTOR: Arold Construction			
ENGINEER: Weston & Sampson, PE, LS, LA, ARHICTECTS, PC			
You are directed to make the following changes in the Contract Documents.			
<u>CWD #8</u>			
Reason for Change Order:			
No cost time extension for substantial and final completion time by one year. Time extension is granted to due delays resulting from high water usage during the summer and issues with the variable frequency drives preventing the Crest Road tank from being able to be taken out of service.			
Description:			
No cost time extension for substantial and final completion time by one year.			

18 OCTOBER 2023
TOWN BOARD MEETING

(Cont.)


Attachments: None


CHANGE IN CONTRACT PRICE: Original Contract Price \$2,624,850.00	CHANGE IN CONTRACT TIMES: Original Contract Times Substantial Completion: August 15, 2022 Ready for final payment:
Net changes from previous Change Orders No. 1 to No. 4 \$145,170.06	Net change from previous Change Orders No. 1 to No. 4 179 days
Contract Price prior to this Change Order \$2,770,020.06	Contract Times prior to this Change Order Substantial Completion: June 30, 2023 Ready for final payment: July 30, 2023
Net Increase of this Change Order None	Net Increase of this Change Order 1 Year
Contract Price with all approved Change Orders \$2,770,020.06	Contract Times with all approved Change Orders Substantial Completion: June 30, 2024 Ready for final payment: July 30, 2024 days or dates

RECOMMENDED: X

ACCEPTED:

APPROVED:

By: 
Engineer (Authorized Signature)

By: 
Contractor (Authorized Signature)

By: _____
Owner (Authorized Signature)

Date: October 04, 2023

Date: 10/4/2023

Date: _____

CARMEL WATER DISTRICT #2 - PURCHASE OF REPLACEMENT FILTER BAGS FOR WATER TREATMENT PLANT AUTHORIZED - TREATMENT SPECIALTIES - NOT TO EXCEED \$17,035.52

RESOLVED THAT the Town Board of the Town of Carmel, as Commissioners of Carmel Water District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes the purchase of replacement filter bags for the Carmel Water District #2 Water Treatment Plant from Treatment Specialties, Ramsey, NJ at a cost not to exceed \$17,035.52 and in accordance with the proposal dated September 27, 2023; and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to sign any and all documentation necessary to accept the proposal authorized 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 Baranowski
Seconded by: Councilwoman McDonough and Councilman Schanil

Roll Call Vote	YES	NO
Stephen Baranowski	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Robert Schanil	X	
Michael Cazzari	X	

18 OCTOBER 2023
TOWN BOARD MEETING

**CARMEL WATER DISTRICT #2 - PURCHASE OF SUBMERSIBLE MIXER PUMP UNIT
AUTHORIZED - FLEET PUMP AND SERVICE GROUP - NOT TO EXCEED \$18,771.00**

RESOLVED, 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, P.E., hereby authorizes purchase of a submersible mixer pump from Fleet Pump and Service Group, White Plains, NY at a cost not to exceed \$18,771.00 in accordance with the proposal dated September 21, 2023; and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is 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 Lombardi
Seconded by: Councilwoman McDonough

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

**LAKE MAHOPAC DAM REHABILITATION C-287 - BID AWARDED - COMMERCIAL
SWEEPING SERVICES**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for the Lake Mahopac Dam Rehabilitation project as required by the existing order on consent entered into with the New York State Department of Environmental Conservation as authorized May 13, 2020; and

WHEREAS such bids were received and opened and Town Engineer Richard J. Franzetti, P.E. has recommended the awarding of the bids to Commercial Sweeping Services, Brewster, NY;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel, hereby awards the bids for the Lake Mahopac Dam Rehabilitation Project, Contract C287 to Commercial Sweeping Services, Brewster, NY at a cost not to exceed \$192,850.00; and

BE IT FURTHER RESOLVED, that upon presentation of performance and labor and materials bonds as well as insurance in form acceptable to Town Attorney, Supervisor Michael Cazzari is hereby authorized to sign all contract documentation necessary to effect this authorization; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any necessary budget modifications and/or revisions necessary to effectuate this authorization.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

<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>X</u>	<u> </u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Cazzari	<u>X</u>	<u> </u>

18 OCTOBER 2023
TOWN BOARD MEETING

COMMENTS/ANNOUNCEMENTS

Supervisor Cazzari announced that there will be an E-Waste Drop Off Day on October 21, 2023 from 9:00 a.m. to 12:00 p.m. on Mud Pond Road for Town of Carmel residents only. Details are available on the Town's website.

Supervisor Cazzari announced that the Department of Recreation and Parks will be hosting their annual Harvest Fest on October 29, 2023 from 12:00 p.m. to 3:00 p.m. at Sycamore Park. It will feature music, food vendors, craft vendors, a bouncy house, petting zoo, pumpkin painting, and more.

Supervisor Cazzari announced that the Hamlet of Carmel Civic Association, in conjunction with the Carmel High School Interact Club, will be presenting their annual Halloween Parade and Party on October 29, 2023 at the Carmel High School starting at 1:00 p.m. There will be prizes and admission is free.

Councilwoman McDonough announced that this year's final Carmel Farmers Market at Lake Mahopac will be held on October 22, 2023 at the Mahopac Chamber Park.

Councilwoman McDonough announced that the Department of Recreation and Parks will be holding a Witches Paddle costume paddleboard and kayak event on Lake Mahopac, weather permitting, on October 22, 2023 commencing at 8:00 a.m.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi and Councilman Baranowski, seconded by Councilman Schanil, with all Town Board members present and in agreement, the meeting was adjourned at 7:35 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk