

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 1<sup>st</sup> day of November 2023 at 7:06 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 and a moment of silence was held to honor those serving in the United States Armed Forces.

**PUBLIC COMMENTS**

Susanna Dealmeida expressed her appreciation to Police Officer Vincenzo Rocco and the supporting EMS workers who aided her epileptic daughter while having a grand mal seizure at their home six weeks ago. Ms. Dealmeida, a nurse, also took the opportunity to educate the public briefly about epilepsy.

Councilman Lombardi noted that several years ago, the Town of Carmel, in conjunction with a local Eagle Scout candidate’s service project, hosted an Epilepsy Awareness Day at Town Hall.

**POLICE DEPARTMENT - PROBATIONARY APPOINTMENT OF POLICE OFFICER MADE - WILLIAM GABAY**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Police Department hereby appoints William Gabay to the position of Police Officer, at an annual salary of \$67,238.00, effective immediately, on a probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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>

Police Chief Anthony Hoffmann spoke regarding Mahopac native, volunteer firefighter, and former professional baseball player, William Gabay’s prior public service, and welcomed him from the City of White Plains Police Department.

Supervisor Cazzari administered Police Officer Gabay’s oath of office and the Town Board members congratulated him on his appointment.

**POLICE DEPARTMENT - PROBATIONARY APPOINTMENT OF POLICE OFFICER MADE - JAMES R. COOK**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Police Department hereby appoints James R. Cook to the position of Police Officer, at an annual salary of \$67,238.00, effective immediately, on a probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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

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<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>

Chief Hoffmann pointed out that James R. Cook is also a Mahopac native and volunteer fire fighter. Chief Hoffmann spoke about his previous experience and welcomed him from the New York City Police Department.

Supervisor Cazzari administered Police Officer Cook’s oath of office and the Town Board members congratulated him on his appointment.

**PUBLIC HEARING HELD - PRELIMINARY BUDGET FOR FISCAL YEAR 2024**

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  
TOWN OF CARMEL PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing on the 1st day of November, 2023 at Town Hall, 60 McAlpin Avenue, Mahopac, New York, at 7:00 p.m. or as soon thereafter that evening as possible in regard to the Preliminary Budget for the fiscal year 2024 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Districts, Fire Protection Districts, Garbage District and Lighting Districts; and

BE IT FURTHER NOTICED that pursuant to Section 108 of the Town Law, the proposed salaries of the following officials for fiscal year 2024 are hereby specified as follows: Supervisor: \$136,359.80; Town Council Members (ea): \$22,945.10; Town Clerk \$110,009.00; and Highway Superintendent \$120,000.00;

AND BE IT FURTHER NOTICED, that the Preliminary Budget for the Town of Carmel has been completed and filed in the Office of the Town Clerk, Town Hall, 60 McAlpin Avenue, Mahopac, New York, where it is available for public inspection during office hours.

At said Public Hearing, any resident may be heard in favor of or against the Preliminary Budget as compiled or for or against any item or items contained therein. 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

Supervisor Cazzari opened the Public Hearing for public comment at 7:25 p.m. Eleven (11) people were in attendance.

Joseph Tock, longtime Town of Carmel resident, business owner, and Mahopac Public Library volunteer, trustee, and past president, stated that the 2024 Preliminary Budget appears to reduce the contract with the Mahopac Public Library as well as the Reed Memorial Library. He stated that the Mahopac Public Library’s funding is being reduced from the \$60,000 being sought and received by the Mahopac Public Library in the past, to \$30,000, and that based upon a conversation that the president of the library Frank Del Campo had with Supervisor Cazzari, it is the intent of the Town Board to reduce the funding to the Mahopac Public Library next year to zero.

Mr. Tock stated that the \$30,000 reduction the Town Board is proposing is actually less than 1% of the Town’s budget. He stated that the \$60,000 is a very important part of the Mahopac Public Library’s budget because historically, the Town Board and the library had a partnership. He stated that the library is the heart of the community and the most utilized building in the Town outside of the schools.

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Mr. Tock stated that the library has 43 employees, two-thirds of whom live in the Town. He stated that the library averages 12,000 visits per month and is open 55 hours per week. He stated that the library supports numerous organizations and went on to list some of them. Mr. Tock stated that the Mahopac Public Library has been designated by Putnam County and the Town of Carmel as a heating and cooling center. If there is a disaster or a weather-related incident where power goes out, people come to the library for electricity and heat. Mr. Tock stated that the Mahopac Public Library has never exceeded the property tax cap and that in June, the voters overwhelmingly supported a bond issue to fund repairs to the twenty-year-old building.

Mr. Tock stated that upon his review of the Preliminary Budget, he could see that no other agency received a 50% reduction, and that by doing so to the Mahopac Public Library and the Reed Memorial Library, the Town is sending the wrong message. He asked if anyone can explain why in an over \$30 million budget, \$30,000 was taken away from the Mahopac Public Library.

Supervisor Cazzari stated that the Mahopac Public Library experienced a zero percent tax increase on their recent budget and that the library is requesting that the Town raise their taxes so that the library does not have to. He stated that the library is a taxing district that can raise their budget for that money rather than the Town gifting it from the taxpayers in the hamlet of Carmel. Supervisor Cazzari stated that the library has wonderful programs, however, the Town has to stay under the tax cap and are making reductions where possible.

Mr. Tock asked why no other agency's funding was reduced by 50%.

Supervisor Cazzari stated that anyone who was a taxing entity was cut. He stated that the funding from the Town to the library is like a hidden tax as money is being taken from the people in the hamlet of Carmel through the Town and they are not able to vote on that budget.

Mr. Tock asked if the Town Board would be totally eliminating the library's funding next year.

Supervisor Cazzari stated that the Town Board is gradually reducing their budget so that they can make it up.

Mr. Tock reiterated earlier comments and suggested that the Town's partnership with the library may be severed.

Supervisor Cazzari stated that he did not think that anyone was severing anything.

Councilwoman McDonough expressed her support of the Mahopac Public Library. She stated that the Reed Memorial Library became a taxing district so the voters in their district can vote on their budget, just like the Mahopac Public Library and the Town. Councilwoman McDonough stated that as a councilwoman, she must be very prudent with taxpayer dollars and cognizant of the Town's financial future.

Councilman Schanil asked Mr. Tock if he knows what the majority of the \$60,000 funding from the Town would go towards. He expressed his support of the libraries however noted that the Town must remain under the tax cap.

Mr. Tock stated that the \$60,000 would go towards their operating budget.

Councilman Schanil inquired if they could adjust their budget and request a lesser amount of money from the Town.

Mr. Tock indicated that there was no excess in the library's budget.

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Kathleen Valletta, longtime resident and business owner in the Town of Carmel stated that she supported Mr. Tock’s comments with regard to the Reed Memorial Library as their funding has been reduced from \$40,000 to \$20,000. She stated that the Town Board needs to show their support of the libraries if for nothing else, it is good public relations.

Councilwoman McDonough reiterated that the Reed Memorial Library and the Mahopac Public Library can put together a budget just like the Town and put it out to their voters. She spoke about the difficulties of preparing a budget.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi, seconded by Councilman Baranowski and Councilwoman McDonough, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:44 p.m.

**MINUTES OF TOWN BOARD MEETING HELD ON 10/4/2023 - ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Baranowski, seconded by Councilwoman McDonough and Councilman Lombardi, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on October 4<sup>th</sup>, 2023 were accepted as submitted by the Town Clerk.

**FILING OF ANNUAL MS4 STORMWATER REPORT - AUTHORIZED**

WHEREAS the Town Board has been presented with a draft semi-annual MS4 Stormwater Report prepared by the Town of Carmel Engineering Department; and

WHEREAS opportunity for public comment on the draft annual MS4 report is being provided by the Town Board;

NOW, THEREFORE, BE IT RESOLVED that upon the conclusion of the thirty-day comment period and the consideration of any comments submitted in connection therewith, Town Supervisor Michael Cazzari is hereby authorized to sign and file said report as drafted by Town Engineer Richard J. Franzetti, P.E.

Resolution

Offered by: Supervisor Cazzari

Seconded by: Councilwoman McDonough and Councilman Lombardi

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

**CERTAIN IT (INFORMATION TECHNOLOGY) EQUIPMENT DECLARED OBSOLETE AND DISPOSAL AUTHORIZED**

RESOLVED, that the Town Board of the Town of Carmel, hereby declares the following list of Town owned IT Equipment, which is attached hereto and made a part hereof, to be old and obsolete and authorizes disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Baranowski

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

MICHAEL S. CAZZARI  
Town Supervisor

TOWN OF CARMEL  
TOWN HALL

ANN SPOFFORD  
Town Clerk

ROBERT F. SCHANIL, JR.  
Town Councilman  
Deputy Supervisor



KATHLEEN KRAUS  
Receiver of Taxes

STEPHEN J. BARANOWSKI  
Town Councilman  
FRANK D. LOMBARDI  
Town Councilman  
SUZANNE MC DONOUGH  
Town Councilwoman

60 McAlpin Avenue  
Mahopac, New York 10541  
Tel. (845) 628-1500 • Fax (845) 628-6836  
www.ci.carmel.ny.us

MICHAEL SIMONE  
Superintendent of Highways  
Tel. (845) 628-7474

November 1, 2023

**FOLLOWING IT EQUIPMENT – OLD & OBSOLETE FOR DISPOSAL:**

- Targus USB Mobil Port Replicator Model PP07L (1)
- Xerox YWC-1 Format Printer HFT 384363 (1)
- HP Elite Desk Laptop B90 (1)
- Dell Laptop PP01X (1)
- Dell Laptop XP Professional 08397 (1)
- Dell Inspiron Laptop 1100 Series (1)
- HP ProElite Book 8470P (1)
- HP Intel Core 17 Elite Desk Tops (9)
- Dell Optiplex 755 (3)
- APC Battery Back Up (1)
- APC Smart UPS Back Up Server Trays (2)
- HP Laser Jet Printer P4015A (1)
- Fujitsu Scanner F161402 (1)
- Dell 15" Monitors (4)
- HP Pro Curve Network Trays (2)
- Juniper Network SSG140 (1)
- Fortinet Fortgate 100D (1)
- Westell Versalink 327W Modem (1)
- Arris Modem (1)
- HP Elite Display Monitors 17" (6)
- HP Server Trays (5)
- Dell Server Tray (1)
- HP Server Back Up Battery (1)
- Xerox XESystems Format Printer (1)

**PUBLIC HEARING SCHEDULED FOR 12/13/2023 - TO HEAR OBJECTIONS TO ASSESSMENT ROLLS FOR THE OPERATION AND MAINTENANCE OF THE IMPROVEMENTS OF THE SEWER AND WATER DISTRICTS AND THE GARBAGE DISTRICT FOR FISCAL YEAR 2024**

WHEREAS the Town of Carmel hereby has completed its assessment rolls for the operation and maintenance of the improvements serving Carmel Sewer Districts #1, #2, #3, #4, #5, #6, #7 and #8 and extensions thereto as well as Carmel Water Districts #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #12, #13, and #14 and extensions thereto as well as The Town of Carmel Garbage District of said Town for fiscal year 2024; and

WHEREAS said assessment rolls have been filed with Ann Spofford, Town Clerk of the Town of Carmel;

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby schedules a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541 on Wednesday, December 13, 2023 at 7:00 PM or as soon thereafter that evening as possible for the purpose of considering any objections which may be made to said assessment rolls.

Resolution

Offered by: Councilman Baranowski  
Seconded by: Councilman Schanil and 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>

**PUBLIC HEARING SCHEDULED FOR 12/13/2023 - FIRE PROTECTION CONTRACTS AND THE AMBULANCE DISTRICT CONTRACTS FOR THE YEAR 2024**

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2024, to be held on the 13<sup>th</sup> day of December, 2023 at the Town Hall, 60 McAlpin Avenue, Mahopac, NY at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

<b>Contractor</b>	<b>Services</b>	<b>Not to Exceed</b>
<b>Mahopac Falls Volunteer Fire Department, Inc.</b>	<b>Fire Protection-Fire Protection Dist. #1</b>	<b>\$915,500.00</b>
<b>Mahopac Volunteer Fire Department, Inc.</b>	<b>Fire Protection-Fire Protection Dist. #2</b>	<b>\$1,650,000.00</b>
<b>Carmel Fire District &amp; Carmel Fire Department, Inc.</b>	<b>Fire Protection-Fire Protection Dist. #3</b>	<b>\$957,000.00</b>
<b>Carmel Volunteer Ambulance Corps</b>	<b>Ambulance Service Carmel Ambulance District #1</b>	<b>\$495,000.00</b>
<b>North Salem Volunteer Ambulance Corps</b>	<b>Ambulance Services Carmel Ambulance District #1</b>	<b>\$13,500.00</b>

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish a notice of the Public Hearing in the official newspapers of the Town and to post a notice of said hearing on the bulletin board of the Town, said notices to be published and posted a minimum of ten days prior to the Public Hearing.

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>

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**“NEW YORK SMSA LIMITED PARTNERSHIP D/B/A/ VERIZON WIRELESS, AND HOMELAND TOWERS, LLC V. THE TOWN OF CARMEL, ET AL.” - NEGATIVE DETERMINATION MADE UNDER NY STATE ENVIRONMENTAL QUALITY REVIEW (“SEQR”)**

WHEREAS the Town Board of the Town of Carmel has reviewed the short form environmental assessment form in regard to the proposed approval of a stipulation of settlement and consent order in the matter entitled “New York SMSA Limited Partnership d/b/a/ Verizon Wireless, and Homeland Towers, LLC v. The Town of Carmel, et al.” as pending in the United States District Southern District of New York under Docket no. 19-cv-10793; and

WHEREAS, such proposed approval of the amended stipulation of settlement and consent order in the referenced litigation an Unlisted Action under 6 NYCRR Part 617 (State Environmental Quality Review Regulations); and

WHEREAS the Town Board has reviewed the Environmental Assessment form and assessed the possible impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

NOW THEREFORE BE IT RESOLVED, that pursuant to Part 617 of the SEQR Regulations, the Town of Carmel Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency hereby determines that the proposed Unlisted Action will not have a significant effect on the environment; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel recognizes that any potential significant adverse environmental impacts of the construction of the proposed improvements contemplated in the amended stipulation of settlement and consent order will in fact be subject to a separate, additional, no less sensitive and no less detailed review under Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law by the Town of Carmel Planning Board, and/or Town of Carmel Zoning Board of Appeals and/or Town of Carmel Environmental Conservation Board; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby determines that, based on the information contained in the Short Form Environmental Assessment Form and their analysis thereof, this proposed Unlisted Action will not result in any significant adverse environmental impacts under the SEQR regulations and hereby adopts a Negative Declaration in regard to the proposed action.

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>          </u>	<u>          </u>	Abstain
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>X</u>	<u>          </u>	
Michael Cazzari	<u>X</u>	<u>          </u>	

*Short Environmental Assessment Form  
Part 1 - Project Information*

**Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Glenacom Wireless Facility - Stipulation of Settlement and Consent Order			
Project Location (describe, and attach a location map): End of Walton Drive, Mahopac, NY 10541 (87.5-1-90) [See Project Location on attached Lease Exhibit]			
Brief Description of Proposed Action: Approval of a Stipulation of Settlement and Consent Order regarding litigation captioned as New York SMSA Limited Partnership, et al v. The Town of Carmel, et al. 19-cv-10793 SDNY, (copy attached) regarding a wireless telecommunications facility, including a 120-foot monopole tower and a 2,800 +/- foot multicarrier fenced equipment compound at the base thereof, at the Project Location (a/k/a Alternate Glenacom Facility), subject to the review and approval of (a) a site plan and a special permit from the Planning Board; (b) a height variance from the Zoning Board of Appeals; (c) a "Letter of Permission" or wetlands permit from the Conservation Board, as defined in Chapter 89 of the Town Code; and (d) a building permit from the Building Inspector. No other Town approvals are required.			
Name of Applicant or Sponsor: Town of Carmel		Telephone: (845) 628-1500	
Address: 60 McAlpin Avenue		E-Mail:	
City/PO: Mahopac	State: NY	Zip Code: 10541	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: As noted, the following Town approvals are required *		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ <1 acres			
b. Total acreage to be physically disturbed? _____ <1 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Public Utility Overhead Power Lines to south			
<input type="checkbox"/> Parkland			

\*(a) a site plan and a special permit from the Planning Board; (b) a height variance from the Zoning Board of Appeals; (c) a "Letter of Permission" or wetlands permit from the Conservation Board, as defined in Chapter 89 of the Town Code; and (d) a building permit from the Building Inspector

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? As noted above to the south is existing similar public utility infrastructure, overhead power lines	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? Unmanned Facility	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? N/A Unmanned Facility If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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11. Will the proposed action connect to existing wastewater utilities? N/A Unmanned Facility	NO	YES
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? **	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		
_____		
_____		

\*\* This factor is not applicable to the current action for approval of the Stipulation of Settlement and Consent Order, and the presence of or potential impact to archaeological sites will be fully evaluated as part of the zoning process for the approval of the construction of the Facility.

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat No trees will be removed between the dates of April 1st and November 1st in keeping with the tree cleaning restrictions for Northern Long-eared Bats	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Town of Camel</u> Date: _____		
Signature: _____ Title: _____		

1 NOVEMBER 2023  
TOWN BOARD MEETING

(Cont.)

EAF Mapper Summary Report

Thursday, October 26, 2023 9:51 AM

**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Short Environmental Assessment Form - EAF Mapper Summary Report

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**GLENCOMA LAKE**

**LEASE EXHIBIT**

APPROXIMATE	APPROXIMATE
TIME LOCATION #1	TIME LOCATION #2
41-20-23.87' N	41-20-23.87' N
72-43-48.67' W	72-43-48.67' W

MAP DATE: 03/09/2023  
MAP SCALE: 1" = 100' (AS SHOWN)  
MAP SOURCE: AERIAL PHOTOGRAPHY  
MAP DATE: 03/09/2023  
MAP SCALE: 1" = 100' (AS SHOWN)  
MAP SOURCE: AERIAL PHOTOGRAPHY

**Dewberry**  
Dewberry Engineers Inc.  
60 FORTMAY ROAD  
SUITE 100  
MAHOPAC, NY 10541  
PHONE: 914.268.8400  
FAX: 914.268.8710

OWNER: [ ]  
DESIGNED BY: [ ]  
CREATED BY: [ ]  
PROJECT NUMBER: 20230801  
JOB NUMBER: 20230801  
JOB ADDRESS: [ ]

WALTON DRIVE  
MAHOPAC, NY 10541  
PUTNAM COUNTY

**AERIAL PLAN**

SCALE: 1" = 100' (AS SHOWN)

LE-1





(Cont.)

**SEQR Negative Declaration**

Page 2

**Location:** Town of Carmel NY**REASONS SUPPORTING THIS DETERMINATION:**

This proposed Unlisted Action will not result in any significant adverse environmental impacts under the SEQR regulations and hereby adopts a Negative Declaration and that any potential significant adverse environmental impacts of the construction of the proposed improvements contemplated in the amended stipulation of settlement and consent order will in fact be subject to a separate, additional, no less sensitive and no less detailed review under Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law by the Town of Carmel Planning Board, and/or Town of Carmel Zoning Board of Appeals and/or Town of Carmel Environmental Conservation Board.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

**For Further Information:****Contact Person:** Michael S. Cazzari, Town Supervisor

Prior to the resolution being offered, Town Attorney Gregory Folchetti explained that this resolution, along with the next resolution, relate to the matter of New York SMSA Limited Partnership and Homeland Towers telecommunications facilities litigation against the Town that has been ongoing in multiple venues since 2019. He stated that there have been multiple cases filed, multiple settlements, and orders that have either nullified those settlements, or for the settlement from October of 2022 for the applicant to resubmit to the Planning Board for a facility, denied by Planning and Zoning. Town Attorney Folchetti stated that the applicant has recommenced its lawsuit which basically seeks permission to put two telecommunications facilities within the Town.

Town Attorney Folchetti explained that multiple meetings were held with the magistrate handling the case and that the proposed settlement is fairly straightforward. The applicant has selected a new location on the same lot, on the Maple Hills property off Walton Drive. They will have to go back to the Planning Board, back to the Zoning Board of Appeals, and back to the Environmental Conservation Board to seek their approvals and there will be public hearings on all of those matters. Town Attorney Folchetti indicated that the settlement will allow the case to not move forward in terms of discovery while those applications are pending so that the Town will not need to expend money on discovery while the applicant resubmits to the boards.

Town Attorney Folchetti explained that the settlement is technically an action subject to State Environmental Quality Review (SEQR). It is an unlisted action and that is why there is a negative declaration proposed. He emphasized that it is not a negative declaration on the actual construction of any tower. Town Attorney Folchetti stated that along with the Town Board, each of the other boards have to approve the entry of the settlement and make a SEQR determination, noting that the Planning Board and the ECB have already done that, and that tomorrow the ZBA will consider it.

Town Attorney Folchetti explained that if all four boards approve the stipulation and make a negative declaration, the applications will be submitted to those boards sometime in early 2024 and it will go through the processes. It is a different location, further away from any of the existing dwellings and the only zoning relief it would need is for height as it meets the minimum setbacks as is proposed. It is closer to the existing power lines on the property. Town Attorney Folchetti indicated that at this time the only question is whether the boards wish to go down that route or litigate the rest of the case, where the applicant actually has two potential sites that are still viable and they are contesting denials on.

Discussion between the Town Board members and Town Attorney Folchetti regarding the matter followed.

1 NOVEMBER 2023  
TOWN BOARD MEETING

**“NEW YORK SMSA LIMITED PARTNERSHIP D/B/A/ VERIZON WIRELESS, AND HOMELAND TOWERS, LLC V. THE TOWN OF CARMEL” - AMENDED STIPULATION OF SETTLEMENT AND CONSENT ORDER AUTHORIZED**

WHEREAS there is currently pending in the United States District Court, Southern District of New York, a certain lawsuit entitled “New York SMSA Limited Partnership d/b/a/ Verizon Wireless, and Homeland Towers, LLC v. The Town of Carmel, Docket no. 19-cv-10793 relating to the proposed construction of certain telecommunications towers within the Town of Carmel; and

WHEREAS, the parties to the referenced litigation have subsequently agreed to the parameters, terms and provisions of the stipulation of settlement and consent order;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the amendment of the referenced stipulation of settlement and consent order embodied in the amended stipulation of settlement and consent order which is attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Town Counsel Gregory L. Folchetti and/or Joseph A. Charbonneau are/is hereby authorized to sign, on behalf of the Town of Carmel, the amended stipulation of settlement on consent order.

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>          </u>	<u>          </u>	Abstain
Suzanne McDonough	<u>X</u>	<u>          </u>	
Robert Schanil	<u>X</u>	<u>          </u>	
Michael Cazzari	<u>X</u>	<u>          </u>	

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
NEW YORK SMSA LIMITED PARTNERSHIP d/b/a/  
VERIZON WIRELESS, and HOMELAND TOWERS, LLC,

Plaintiffs,

DOCKET NO.:  
19-cv-10793 (PMH) (JCM)

-against-

THE TOWN OF CARMEL, THE TOWN OF CARMEL  
TOWN BOARD, THE TOWN OF CARMEL PLANNING  
BOARD, THE TOWN OF CARMEL ZONING BOARD  
OF APPEALS, THE TOWN OF CARMEL  
ENVIRONMENTAL CONSERVATION BOARD,  
MICHAEL CARNAZZA THE TOWN OF CARMEL  
BUILDING INSPECTOR (in his official capacity), and  
MICHAEL SIMONE THE TOWN OF CARMEL  
HIGHWAY DEPARTMENT SUPERINTENDENT (in his  
official capacity)

Defendants.  
-----X

**STIPULATION OF SETTLEMENT AND CONSENT ORDER**

WHEREAS, the plaintiffs New York SMSA Limited Partnership d/b/a Verizon Wireless, and Homeland Towers, LLC (collectively, “Plaintiffs” or “Applicants”), commenced this action against defendants the Town of Carmel, the Town of Carmel Town Board (“Town Board”), the Town of Carmel Planning Board (“Planning Board”), the Town of Carmel Zoning Board of

**1 NOVEMBER 2023  
TOWN BOARD MEETING**

(Cont.)

Appeals (“ZBA” or “Zoning Board”), the Town of Carmel Environmental Conservation Board (“ECB”), Michael Carnazza, the Town of Carmel Building Inspector (in his official capacity) (“Building Inspector”), and Michael Simone, the Town of Carmel Highway Department Superintendent, (collectively, “Town” or “Defendants”), seeking *inter alia* a Judgment and Order finding that Defendants’ denials (the “Denials”) of Plaintiffs’: (i) application (“Casse Application”) to install and maintain a public utility wireless telecommunications facility

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consisting of a 140-foot monopole designed to resemble a tree and a fenced compound for related equipment (“Casse Facility”) at the property located at 254 Croton Falls Road in the Town of Carmel, New York (“Casse Property”); and (ii) application (“Original Glenacom Application”) to install and maintain a public utility wireless telecommunications facility consisting of a 140-foot brown monopole and a fenced compound for related equipment (“Glenacom Facility”) at the property located at Walton Drive in the Town of Carmel, New York (“Glenacom Property”), (collectively, the “Prior Applications”) violated Plaintiffs’ rights under the Telecommunications Act of 1996 (“TCA”), as codified at 47 U.S.C. § 332(c) and § 253(a) and directing Defendants to immediately issue any and all local approvals necessary for Plaintiffs to install and operate the facilities that are the subject of this action;

**WHEREAS**, as part of the Original Glenacom Application, Plaintiff preliminarily presented to the Planning Board an alternate location for the installation of the Glenacom Facility on the Glenacom Property that meets all setback requirements of the Town Code (the “Alternate Glenacom Location”);

**WHEREAS**, subsequent to the Denials, the Building Inspector issued a formal determination that the Glenacom Property is located on a lot that is not designated as “Common Open Space” as defined in Section 156-45 of the Town Code and all Parties agree and acknowledge that this determination is valid and binding;

**WHEREAS**, to avoid the delay, expense, inconvenience, and uncertainty of protracted litigation, Plaintiffs and Defendants have agreed to settle this action pursuant to the terms and conditions set forth herein this Stipulation of Settlement and Consent Order (the “Consent Order”);

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(Cont.)

**WHEREAS**, Plaintiffs and Defendants, intending to be legally bound, have consulted with their counsel and the undersigned counsel herein have the requisite authority and approval to enter into this Consent Order.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY PLAINTIFFS AND DEFENDANTS, AND ORDERED BY THE COURT THAT:**

1. The Court holds that the Town Board has the right to settle this action and to enter into this Consent Order on behalf of all defendants pursuant to federal and State law. *See Omnipoint Commc'ns, Inc. v. Town of LaGrange*, 658 F. Supp. 2d 539, 552 (S.D.N.Y. 2009); *see also MetroPCS NY, LLC v. City of Mount Vernon*, 739 F. Supp. 2d 409, 419 (S.D.N.Y. 2010); *New Cingular Wireless PCS, LLC v. Town of Corinth*, No. 1:21-cv-149, at n. (N.D.N.Y. Sept. 1, 2023) (holding “[u]nder New York law, [the Town of Corinth’s planning board and building department] are merely administrative arms of [the] municipality and do not have a legal identity separate and apart from the municipality” and thus “the Town of Corinth is the only proper Defendant in this [TCA] action”) (internal quotations and citation omitted).

2. The Town Board, Planning Board, ZBA and ECB represent that each has diligently considered the terms of this Consent Order, took a hard look at all potential environmental impacts and issued a negative declaration pursuant to SEQRA of this Consent Order, by majority vote of all respective board members with no conflict of interest, to approve this Consent Order to the extent required under New York State law. The Planning Board, ZBA and ECB expressly are not making any determinations with respect to the Glenacom Facility at the Alternate Glenacom Location or the applications and review process thereof and the Planning Board, ZBA and ECB shall conduct all necessary SEQRA reviews with respect to the placement of the Glenacom Facility at the Alternate Glenacom Location.

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3. The Town Board, Planning Board, ZBA and ECB represent that each has satisfied any and all Open Meetings Law requirements by posting on its website all relevant documents filed in connection with this matter prior to entering into this Consent Order. All other documents related to the boards’ approval of this Consent Order, if any, are confidential and/or attorney-client privileged.

(Cont.)

4. The Parties acknowledge that the proposed Glenacom Facility at the Alternate Glenacom Location shall require only: (a) site plan approval and a special permit from the Planning Board; (b) a height variance from the ZBA; (c) a "Letter of Permission" or wetlands permit from the Conservation Board, as defined in Chapter 89 of the Town Code; and (d) a building permit from the Building Inspector. No other town approvals are required.

5. The Defendants further acknowledge that the Glenacom Property is not "Common Open Space" as defined in Section 156-45 of the Town Code, and therefore, the installation of the Glenacom Facility at any location on the Glenacom Property, including the Alternate Glenacom Location, does not require any amendment to the previously filed subdivision plat, and is not otherwise subject to the requirements set forth in Section 156-45 of the Town Code.

6. Plaintiffs shall submit the following new applications to install and maintain the Glenacom Facility at the Alternate Glenacom Location as described and shown on the drawings attached hereto as Exhibit A: (a) an application to the Planning Board for site plan approval and a special permit; (b) an application to the ZBA for a height variance; (c) an application to the ECB for a "Letter of Permission" or a wetlands permit; and (d) an application to the Town Building Department for a building permit, (collectively, "New Glenacom Application").

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7. The Parties stipulate that the Prior Applications, including the Visual Resource Assessment of the Glenacom Facility at the original location on the Glenacom Property, shall be incorporated by reference into the record regarding the New Glenacom Application.

8. The New Glenacom Application shall not be subject to the requirements set forth in Section 156-62 (P)(1) and (2) of the Town Code, including the requirement that Plaintiffs provide a physical mockup of the proposed project; however, Plaintiffs shall submit additional graphic information including computer generated images and a visual rendering that portrays the Glenacom Facility at the Alternate Glenacom Location.

9. Plaintiffs shall not be required to pay any additional application fees or escrow fees pertaining to the New Glenacom Application or any other application to construct the Glenacom Facility.

(Cont.)

10. The Planning Board, ZBA, and/or ECB shall expeditiously conduct a SEQRA review of the New Glenacom Application, and all determinations by the Planning Board, ZBA, ECB, and Building Inspector, including the issuance of a building permit shall be made within 150 days of the initial submission of the New Glenacom Application, in accordance with federal law (47 U.S.C. § 332(c)(7)(B)(ii); *In the Matter of Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance*, WT Docket No. 08-165, Declaratory Ruling, 24 F.C.C.R. 13994 (2009)). Defendants shall not unreasonably withhold any approvals required for the construction of the Glenacom Facility. Construction of the Glenacom Facility may immediately commence upon the issuance of a building permit.

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11. If any Defendant unreasonably delays and/or fails to approve the New Glenacom Application and/or fails to issue any required permits or approvals for the construction of the Glenacom Facility at the Alternate Glenacom Location, for any reason, it shall be deemed that there is no feasible alternative location on the Glenacom Property that is less intrusive than the location initially proposed in the Original Glenacom Application.

12. Nothing related to or arising out of the New Glenacom Application, including the Alternate Glenacom Location, shall be used against Plaintiffs in this litigation or any other litigation arising out of or related to the New Glenacom Application; however, the Plaintiffs shall have the right to use anything related to or arising out of the New Glenacom Application in this litigation or any other litigation arising out of or related to the New Glenacom Application.

13. This Consent Order shall not be construed to create rights in, or grant any cause of action to, any third party not a party to this Consent Order.

14. Plaintiffs and Defendants acknowledge that this Consent Order was the product of negotiation by all parties through their counsel, including negotiation as to the language set forth herein, and as such, to the extent there is any issue with respect to any alleged, perceived or actual ambiguity in this Consent Order, the ambiguity shall not be resolved based on who drafted the Consent Order. The obligations of this Consent Order apply to and are binding upon the parties, and any successors and assigns or other entities or persons otherwise bound by law.

15. Discovery shall be stayed pending the issuance of all permits and approvals required for the construction and operation of the Glenacom Facility, including a certificate of compliance.

(Cont.)

16. If the Town unreasonably delays and/or fails to approve the New Glenacom Application and/or fails to issue any required permits or approvals for the construction and

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operation of the Glenacom Facility and/or if any required permits for the construction and operation of the Glenacom Facility are issued by the Town but subsequently rescinded and/or invalidated, for any reason, Plaintiffs shall not be bound by the terms of this Consent Order, and discovery shall immediately reconvene. Further, Plaintiffs shall have the right to file an amended and/or supplemental complaint to add and/or modify any allegations and/or causes of action pertaining to the Glenacom Facility.

17. Upon the issuance of all permits and approvals required for the construction and operation of the Glenacom Facility, including a certificate of compliance, this action shall be dismissed with prejudice and without any costs, attorneys' fees, disbursements, damages, or interest due to any party to this action. However, in the event that any such permits and/or approvals are rescinded and/or invalidated, for any reason, Plaintiffs shall not be bound by the terms of this Consent Order and shall have the right to reinstate this action and/or file an amended and/or supplemental complaint to add and/or modify any allegations and/or causes of action pertaining to the Glenacom Facility.

18. The Court shall retain jurisdiction over this matter, including the enforcement of this Consent Order, and the Plaintiffs or Defendants may, upon notice, move this Court to enforce this Consent Order against any other party or any non-party.

**DEFENDANTS:**

**PLAINTIFFS:**

\_\_\_\_\_  
Gregory L. Folchetti  
COSTELLO & FOLCHETTI  
1875 Route Six  
Carmel, NY 10512  
T. (845) 225-1900  
*Attorneys for Defendants*

\_\_\_\_\_  
Robert D. Gaudio  
SNYDER & SNYDER LLP.  
94 White Plains Road  
Tarrytown, NY 10591  
T. (914) 333-0700  
*Attorneys for Plaintiffs*

(Cont.)

Dated: October \_\_, 2023

SO ORDERED:

The Honorable Judith C. McCarthy  
United States Magistrate Judge

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Councilman Schanil invited the members of the various boards to visit the exact location where the construction is proposed.

**PUBLIC HEARING RE-SCHEDULED TO 12/13/2023 - PROPOSED LOCAL LAW AMENDING CHAPTER 111 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "PEDDLING AND SOLICITING"**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re-scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, December 13, 2023 at 7:00 p.m. or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 111 of the Code of the Town of Carmel, entitled "Peddling and Soliciting"; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and instructed to publish and post the necessary notices in the official newspapers of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: Councilwoman McDonough  
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>

**COMMENTS/ANNOUNCEMENTS**

Councilman Lombardi announced that November 25<sup>th</sup> is Small Business Saturday as well as the annual Holiday in the Park at the Mahopac Chamber Park. He also announced that the annual Hamlet of Carmel Civic Association sponsored Holiday on the Lake will be held on December 2<sup>nd</sup>. Details on both upcoming events to follow.

Councilman Schanil acknowledged the Recreation and Parks Department for their outstanding efforts in connection with their recent Harvest Fest at Sycamore Park.

Supervisor Cazzari commended the Hamlet of Carmel Civic Association with regard to their recent Ragamuffin Parade at the Carmel High School.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Baranowski, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk