

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

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 7th day of August 2019 at 7:10 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Schneider, Councilman Lupinacci, and Supervisor Schmitt. Councilwoman McDonough was absent.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

Supervisor Schmitt announced that the Town Board met at 6:00 p.m. in Executive Session to conduct interviews for the position of Town Assessor.

MINUTES OF TOWN BOARD MEETINGS HELD ON 7/2/19 AND 7/17/19 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lupinacci, seconded by Councilman Schneider, with all members of the Town Board present voting “aye”, the minutes of the Town Board meetings held on July 2nd and July 17th 2019 were accepted as submitted by the Town Clerk

PUBLIC HEARING RE-SCHEDULED TO 8/28/19 - PROPOSED LOCAL LAW AMENDING CHAPTER 156 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED “ZONING”

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re-scheduling of a Public Hearing at Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday August 28, 2019 at 7:00 p.m., or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning" and adopting an amended zoning map in connection therewith; 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 newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Barile

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

Supervisor Schmitt pointed out that the date of the Public Hearing was changed from August 21st on the draft version of the resolution, to August 28th.

PERFORMANCE BOND CALLED - SERG, INC. - SHEAR HILL ESTATES REALTY SUBDIVISION

WHEREAS Serg, Inc. has failed to complete the improvements called for in the approved subdivision known as Shear Hill Estates, within the Town of Carmel and/or has failed to comply with all the terms and conditions of its subdivision approval with respect to the performance of the improvements called for thereon; and

WHEREAS Serg, Inc. posted a cash performance bond, in the amount of \$35,000 indemnifying and guaranteeing the Town of Carmel against the failure of Serg, Inc. to perform said obligations;

7 AUGUST 2019
TOWN BOARD MEETING

(Cont.)

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby calls the performance bond posted by Serg, Inc. posted with the Town of Carmel for and in connection with the improvements to be performed at the Shear Hill Estates Subdivision in the amount of \$35,000 and hereby authorizes the performance of any remaining site work identified in the approved subdivision plat and/or final approval resolution of the Town of Carmel Planning Board issued in connection therewith, subject to the provisions of New York General Municipal Law and/or the Town of Carmel's adopted procurement policy; and

BE IT FURTHER RESOLVED that Town Counsel, Gregory L. Folchetti, is to notify Serg, Inc. of the calling of its bond and forward to it a certified copy of this resolution with attachments.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Barile

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

Prior to voting, Councilman Barile confirmed with Highway Superintendent Michael Simone in attendance, that \$35,000 will cover the remaining site work.

Supervisor Schmitt noted the quality of the completed roadway in the subdivision and pointed out that the developer constructed the cul-de-sac large enough for a school bus to navigate safely.

COMMENCEMENT OF LITIGATION AGAINST SERG, INC. AUTHORIZED - SHEAR HILL ESTATES

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes Town Counsel Gregory L. Folchetti, 1875 Route Six, Carmel, NY, to commence litigation against Serg, Inc., its successors and/or assigns, for the purpose of acquiring title to all real property initially intended to be dedicated to the Town of Carmel by Serg, Inc. in connection with approval of the realty subdivision known as Shear Hill Estates; and

BE IT FURTHER RESOLVED that such authorization shall be deemed to include but not be limited to commencement of proceedings under NY Eminent Domain Procedure Law; and

BE IT FURTHER RESOLVED, that such services are hereby authorized at a rate of \$205.00 per hour; and

BE IT FURTHER RESOLVED that the costs, fees and disbursements incurred in such action shall be first charged directly against any security previously posted by Serg, Inc. in connection with the obligations of Serg, Inc. to perform the site work required by the Town of Carmel Planning Board in connection with the Shear Hill Estates Subdivision approval.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

(Cont.)

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

Supervisor Schmitt acknowledged Gregory Folchetti for not raising his fees in many years and commended him for the outstanding legal services he provides. Members of the Town Board concurred.

**CARMEL WATER DISTRICT #2 DISTRIBUTION SYSTEM RE-LINING AND
INSTALLATION PROJECT - INTENT SET AND AUTHORIZED OFFICIALS
DESIGNATED IN CONNECTION WITH SUBMISSION OF WATER
INFRASTRUCTURE IMPROVEMENT ACT GRANT APPLICATION TO NEW YORK
STATE ENVIRONMENTAL FACILITIES CORPORATION**

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2, has previously authorized the preparation of a map, plan and report pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York, consisting of the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2; and

WHEREAS, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2 wishes to authorize the submission of an application to the New York State Environmental Facilities Corporation (NYSEFC) for grant funding in connection with the increase and improvement of the facilities of Carmel Water District #2, such application submitted to and seeking funding for the referenced project under the Water Infrastructure Improvement Act (“WIIA”;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #2 hereby authorizes the undertaking of the project currently known and designated as “The Increase and Improvement of the facilities of Carmel Water District No. 2, in the Town of Carmel, Putnam County, New York,” said project consisting of the reconstruction of and construction of new water mains at various locations within said Carmel Water District No. 2, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements; and

BE IT FURTHER RESOLVED THAT the maximum anticipated total cost of said project is \$13,301,400.00 (THIRTEEN MILLION THREE HUNDRED ONE THOUSAND FOUR HUNDRED DOLLARS); and

BE IT FURTHER RESOLVED that all such expenditures incurred in connection with said project shall be paid through the borrowing previously authorized by this Board in connection with said project by bond resolution passed after duly-held public hearing on said proposed borrowing on April 24, 2019, together with any funds on hand within Carmel Water District #2 budget lines, as well as any and all grant applications, including but not limited to WIIA grant funding applications submitted to NYSEFC; and

BE IT FURTHER RESOLVED THAT the submission of grant funding applications to NYSEFC in connection with this project pursuant to any grant fund sourcing including but not limited to WIIA grant funding, is hereby authorized; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby designated as the authorized Town Official for the purposes of the execution and submission of all documentation required in connection with the referenced grant application(s), including but not limited to grant funding agreements, grant disbursement applications and all associated grant-funding documents.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci

7 AUGUST 2019
TOWN BOARD MEETING

(Cont.)

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

Councilman Schneider explained that the purpose of the resolution is to designate Town Supervisor Kenneth Schmitt as the authorized Town Official for the execution and submission of the referenced grant.

Legal Counsel Gregory Folchetti added that the resolution also states the intent of the project.

BUDGET MODIFICATIONS AUTHORIZED - 2019/03

WHEREAS the Town Comptroller MaryAnn Maxwell has reviewed the proposed Final Budget Modifications for the period ending June 30, 2019 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule 2019/03;
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Final Budget Modifications/Revisions for the period ending June 30, 2019 as shown itemized on schedule 2019/03 which is attached hereto, incorporated herein and made a part hereof.

Resolution
Offered by: Councilman Lupinacci
Seconded by: Councilman Barile

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

TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.1410.0019	TOWN CLERK OTHER COMPENSATION	55,814.00	
	100.3620.0019	BUILDING DEPARTMENT OTHER COMPENSATION	39,566.00	
	100.1989.9877	FUND BALANCE FOR COMPENSATED ABSENCES	* 95,380.00	
		- PROVIDE FOR RETIREMENT PAYOUT OF ACCRUED TIME		
2	100.3120.0012	POLICE OVERTIME EXPENSE	30,645.51	
	100.1989.2680	INSURANCE RECOVERY - PAYROLL	* 30,645.51	
		- PROVIDE FOR POLICE OVERTIME EXPENSE FROM 207C REVENUE RECEIVED		
3	100.3120.0024	POLICE ACCIDENT REPAIRS	5,773.24	
	100.1989.2681	INSURANCE RECOVERY - ASSET	* 5,773.24	
		- PROVIDE FOR POLICE VEHICLE REPAIRS FROM INSURANCE CLAIM		
4	100.1220.0013	SUPERVISOR TEMPORARY STAFF	500.00	
	100.1315.0012	COMPTROLLER STAFF OVERTIME	60.00	
	100.1410.0011	TOWN CLERK STAFF	2,690.00	
	100.1220.0011	SUPERVISOR STAFF PERSONNEL SERVICES		500.00
	100.1315.0047	COMPTROLLER CONFERENCES		60.00
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS		2,690.00
		- TRANSFER FOR MISCELLANEOUS STAFF COMPENSATION COSTS		
5	100.1410.0086	TOWN CLERK RETIREE INSURANCE	10,500.00	
	100.1410.0080	TOWN CLERK EMPLOYEE BENEFITS		10,500.00
		- TRANSFER FOR RETIREE HEALTH INSURANCE COST		

7 AUGUST 2019
TOWN BOARD MEETING

(Cont.)

6	100.1640.0020	CENTRAL GARAGE EQUIPMENT	2,000.00	
	100.1640.0080	EMPLOYEE RETIREMENT		2,000.00
		- TRANSFER FOR CENTRAL GARAGE EQUIPMENT		
7	100.3120.0017	POLICE UNIFORM ALLOWANCE	950.00	
	100.3120.0013	POLICE TEMP STAFF - JAIL		950.00
		- TRANSFER FOR POLICE UNIFORM ALLOWANCE		
8	100.3121.0040	LAKE PATROL CONTRACTUAL EXPENSES	15,113.00	
	100.3120.0027	POLICE EQUIPMENT		15,113.00
		- TRANSFER FOR COST TO REPAIR POLICE BOAT PER AUTHORIZING RESOLUTION		
9	100.3650.0040	BUILDING DEMO EXPENSE	3,100.00	
	100.1990.0040	CONTINGENCY		3,100.00
		- TRANSFER FOR ASBESTOS SURVEY FOR POTENTIAL TOWN PROPERTY		
10	100.5010.0012	HIGHWAY ADMIN OVERTIME	1,000.00	
	100.5010.0086	RETIREEES HEALTH INSURANCE		1,000.00
		- TRANSFER FOR HIGHWAY ADMIN OVERTIME		
11	100.7020.0011	RECREATION ADMIN STAFF	4,195.00	
	100.7020.0086	RETIREEES HEALTH INSURANCE		4,195.00
		- TRANSFER FOR STAFF COMPENSATION COST		
12	100.7110.0012	PARK STAFF OVERTIME	1,000.00	
	100.7110.0022	PARK EQUIPMENT		1,000.00
		- TRANSFER FOR PARK STAFF OVERTIME		
13	100.7113.0040	CHAMBER PARK CONTRACTUAL EXPENSES	1,000.00	
	100.7114.0040	RED MILLS CONTRACTUAL EXPENSES	9,500.00	
	100.7020.0044	RECREATION BUILDING CONCESSION EXPENSE		2,000.00
	100.7020.0045	RECREATION BUILDING REPAIRS		5,000.00
	100.7117.0040	CARMADA PARK CONTRACTUAL EXPENSES		3,500.00
		- TRANSFER FOR MISCELLANEOUS RECREATION EXPENSES		

TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
		HIGHWAY FUND		
14	500.5110.0012	GENERAL REPAIR LABOR OVERTIME	2,000.00	
	500.5110.0018	HIGHWAY DIFFERENTIAL COMP	2,000.00	
	500.5110.0040	GENERAL REPAIR CONTRACTUAL EXPENSE	25,000.00	
	500.5110.0041	GENERAL REPAIR GAS AND FUEL		29,000.00
		- TRANSFER FOR MISCELLANEOUS HIGHWAY EXPENSES		
		LAKE MAHOPAC PARK DISTRICT		
15	402.7110.0040	CONTRACTUAL EXPENSES	5,000.00	
	402.7110.0099	REPAIR RESERVE FUND		5,000.00
		- TRANSFER FOR THE PURCHASE OF CARP PER RESOLUTION		
		TEAKETTLE SPOUT PARK DISTRICT		
16	403.7140.0054	CAPITAL EXPENDITURES	20,000.00	
	403.7140.9909	APPROPRIATED FUND BALANCE	*	20,000.00
		- PROVIDE FOR DAM MAINTENANCE DESIGN		
		GARBAGE DISTRICT - CLUSTER		
17	572.8160.0045	GARBAGE CONTRACT	700.00	
	572.8160.9909	APPROPRIATED FUND BALANCE	*	700.00
		- PROVIDE FOR INCREASE IN REFUSE COLLECTION COST		

7 AUGUST 2019
TOWN BOARD MEETING

(Cont.)

VARIOUS WATER DISTRICTS				
18	601.8310.0020	EQUIPMENT	1,192.00	
	608.8310.0020	EQUIPMENT	7,576.00	
	610.8310.0020	EQUIPMENT	2,526.00	
	613.8310.0020	EQUIPMENT	1,658.00	
	601.8310.0099	REPAIR RESERVE FUND		1,192.00
	608.8310.0099	REPAIR RESERVE FUND		7,576.00
	610.8310.0099	REPAIR RESERVE FUND		2,526.00
	613.8310.0099	REPAIR RESERVE FUND		1,658.00
		- TRANSFER FOR TANK LEVEL OPERATION CONTROL UPGRADE		
19	601.8310.0020	EQUIPMENT	261.00	
	608.8310.0020	EQUIPMENT	1,658.00	
	610.8310.0020	EQUIPMENT	553.00	
	613.8310.0020	EQUIPMENT	363.00	
	601.8310.0099	REPAIR RESERVE FUND		261.00
	608.8310.0099	REPAIR RESERVE FUND		1,658.00
	610.8310.0099	REPAIR RESERVE FUND		553.00
	613.8310.0099	REPAIR RESERVE FUND		363.00
		- TRANSFER FOR FILTER LEVEL CONTROL REPLACEMENT		
CARMEL WATER DISTRICT #2				
20	602.8310.0044	ENGINEERING SERVICES	15,000.00	
	602.8310.0040	CONTRACTUAL EXPENSES		15,000.00
		-TRANSFER FOR SAFE YIELD ANALYSIS		
CARMEL WATER DISTRICT #12				
21	612.8310.0020	EQUIPMENT	2,000.00	
	612.8310.0040	CONTRACTUAL EXPENSES		2,000.00
		- TRANSFER FOR THE PURCHASE OF A WELL PUMP		
CARMEL WATER DISTRICT #14				
22	614.8310.0047	EMERGENCY REPAIRS	7,000.00	
	614.8310.0099	REPAIR RESERVE FUND		7,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		

TOWN OF CARMEL
BUDGET REVISIONS MAY - JUNE 2019 #2019/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #2				
23	702.8130.0044	ENGINEERING SERVICES	44,020.00	
	702.8130.0090	CONTINGENCY		44,020.00
		- TRANSFER FOR SAND FILTER ROOF DESIGN		
24	702.8130.0046	PURCHASE OF WATER	1,000.00	
	702.8130.0040	CONTRACTUAL EXPENSES		1,000.00
		- TRANSFER FOR THE PURCHASE OF WATER		
CARMEL SEWER DISTRICT #4				
25	704.8130.0020	EQUIPMENT	14,700.00	
	704.8130.0041	CHEMICALS		1,500.00
	704.8130.0090	CONTINGENCY		5,000.00
	704.8130.9909	APPROPRIATED FUND BALANCE	*	8,200.00
		- PROVIDE AND TRANSFER FOR RBC REPLACEMENT		
26	704.8130.0040	CONTRACTUAL EXPENSES	21,800.00	
	704.8130.9909	APPROPRIATED FUND BALANCE	*	21,800.00
		- PROVIDE FOR OPERATOR EMERGENCY REPAIR OVERTIME COSTS		
PARK COMMUNITY CENTER CAPITAL FUND				
27	915.7140.0045	CONTRACTED IMPROVEMENTS	108,500.00	
	915.7140.3000	STATE AID - GRANT	*	108,500.00
		- PROVIDE FOR SYCAMORE PARK COURT UPGRADES FROM STATE AID		

PROPOSAL ACCEPTED FOR INDEPENDENT AUDITING SERVICES AND PREPARATION OF COMPREHENSIVE ANNUAL FINANCIAL REPORT - PKF O’CONNOR DAVIES, LLP

RESOLVED, that the Town Board of the Town of Carmel hereby accepts the proposal of PKF O’Connor Davies, LLP, Harrison, NY for the provision of independent auditing services and preparation of a comprehensive annual financial report for the Town of Carmel for years 2019, 2020 and 2021 in accordance with the proposal dated July 9, 2019, a copy of which is on file in the Office of the Town Supervisor; and
BE IT FURTHER RESOLVED, that pursuant to the referenced proposal, compensation for the contemplated services shall aggregate \$78,000 per year.

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

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

EQUIPMENT DECLARED OBSOLETE AND DISPOSAL AUTHORIZED - IBM SERIES I-5 COMPUTER

RESOLVED, that the Town Board of the Town of Carmel hereby declares its IBM Series I-5 computer, Serial No. 3BBM9Z57, to be obsolete and authorizes disposal in accordance with Town Law, including but not limited to Town Law §64(2-a).

Resolution
Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci

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

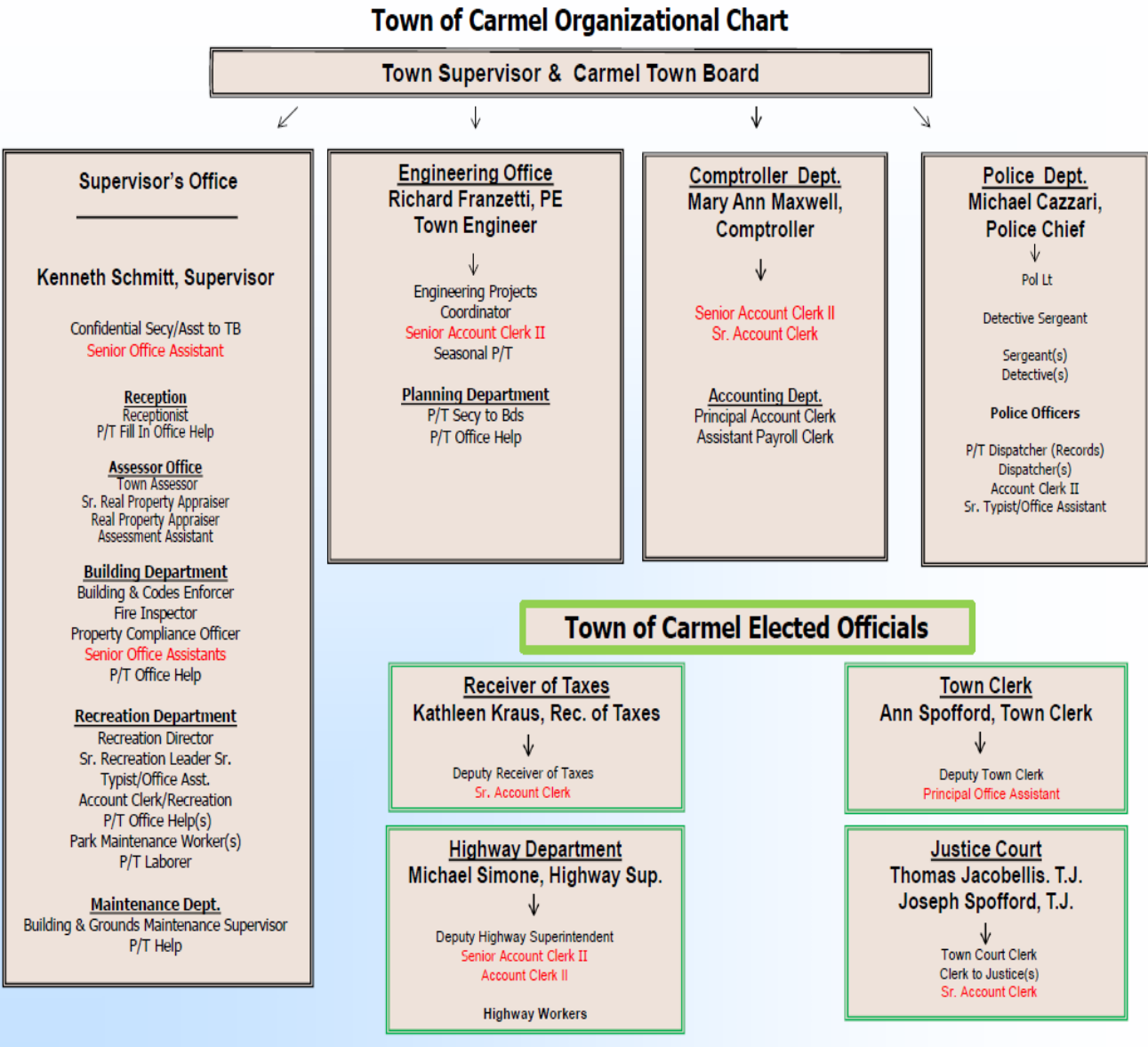
AMENDED TOWN OF CARMEL ORGANIZATIONAL CHART - ADOPTED

RESOLVED that the Town Board of the Town of Carmel hereby adopts and ratifies the Town of Carmel Organizational Chart as amended, in form as attached hereto and made part hereof, effective immediately.

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

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

(Cont.)



CARMEL WATER DISTRICT #2 EMERGENCY PIPE REPLACEMENT - CONTRACT NO. C246 CHANGE ORDER #4 - AUTHORIZED

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Legacy Supply, Inc. and

WHEREAS, Town Engineer Richard J. Franzetti, P.E. has provided proposed Change Order No.4 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 Carmel Water District #2, hereby authorizes the Town Supervisor to sign Change Order #4 to the aforementioned contract, resulting in an over contract price increase of \$1,877.40, said Change Order to be in form as attached hereto and made a part hereof.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Schneider

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

7 AUGUST 2019
TOWN BOARD MEETING

(Cont.)

CHANGE ORDER

No. 4

CARMEL WATER DISTRICT NO. 2 EMERGENCY WATER MAIN REPLACEMENT

PROJECT

DATE OF ISSUANCE2/22/2018

EFFECTIVE DATE2/22/2018

OWNERThe Town of Carmel

OWNER's Contractor No. C-246

CONTRACTOR: Legacy Supply, LLC

ENGINEER: J. Robert Folchetti & Associates

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

Description:

Reason for Change Order: Time Extension

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

<div>CHANGE IN CONTRACT PRICE:</div> <div>Original Contract Price</div> <div>\$1,787,700.00</div>	<div>CHANGE IN CONTRACT TIMES:</div> <div>Original Contract Times</div> <div>Substantial Completion: September 20, 2018</div> <div>Ready for final payment: December 19, 2018</div>
<div>Net changes from previous Change Orders No. to No.</div> <div>0</div> <div>\$</div>	<div>Net change from previous Change Orders No. to No.</div> <div>245</div> <div>days</div>
<div>Contract Price prior to this Change Order</div> <div>1,787,700.00</div> <div>\$</div>	<div>Contract Times prior to this Change Order</div> <div>Substantial Completion: May 10, 2019</div> <div>Ready for final payment: -June 1, 2019 -</div>
<div>Net Increase (decrease) of this Change Order</div> <div>1887.4</div> <div>\$</div>	<div>Net Increase of this Change Order</div> <div>45</div> <div>days</div>
<div>Contract Price with all approved Change Orders</div> <div>1,789,587.40</div> <div>\$</div>	<div>Contract Times with all approved Change Orders</div> <div>Substantial Completion: July 10, 2019</div> <div>Ready for final payment: August 15, 2019</div> <div>days or dates</div>

RECOMMENDED:

ACCEPTED:

APPROVED:

By:Engineer (Authorized Signature)

By:Contractor (Authorized Signature)

By:Owner (Authorized Signature)

Date:

Date:

Date:

REDUCTION OF BOND AUTHORIZED - TM #65.10-1-45 & 46 - LAKE PLAZA SHOPPING CENTER

WHEREAS application has been made by Heidenberg Properties, LLC for reduction of a site plan bond posted in accordance with the Land Subdivision and/or Zoning Regulations for the Lake Plaza Shopping Center site plan, Tax Map #65.10-1-45 and 46; and

WHEREAS said application has been reviewed by the Town Engineer Richard J. Franzetti, P.E., and a reduction of the bond has been recommended and approved by the Planning Board;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the reduction of the aforementioned bond posted for Lake Plaza Shopping Center from its original amount of \$1,262,000 to a reduced amount of \$350,000; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to accept substituted collateral in form of duly acknowledged surety bond and/or cash bond in connection with this authorization.

(Cont.)

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci

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

PUBLIC COMMENTS - AGENDA ITEMS

John Butler inquired about the Town Board’s confidence in the Carmel Water District #2 water main replacement project grant submission.

Supervisor Schmitt indicated that he has reviewed the draft and is very comfortable with its contents. He noted that letters of support from federal and state representatives were added to the application.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

Joseph Pezzo referenced a problem that he has been unsuccessful in his attempts to resolve with Highway Superintendent Michael Simone.

Supervisor Schmitt indicated that he would follow up with Highway Superintendent Simone. He clarified that the Highway Superintendent is an elected official responsible for his own decisions on issues related to his department. A discussion resulted.

Mr. Pezzo cited several homes in the Lake Casse area that may have failing septic systems.

Councilman Schneider advised Mr. Pezzo that he needed to direct this concern to the appropriate agency, the Putnam County Department of Health. Discussion followed.

John Butler expressed his appreciation that the Town posted information about a recent meeting held regarding the Fair Street reconstruction project on their website. He commented that he had seen no other public announcements about the presentation disseminated by any other agency, including Putnam County.

Mr. Butler inquired about the repaving of Route 52 which was originally scheduled to commence in April/May 2019.

Supervisor Schmitt stated that the project may not be undertaken this year due to issues that New York State is having with the vendor that was awarded the contract.

Mr. Butler addressed the Town Board’s recent referral of the Petition for a Change of Zoning filed by Centennial Golf Club of New York, LLC to the Planning Board. He stated that the item was included on last week’s Planning Board agenda. However, it was his understanding that the matter was taken off. He expressed his concern with how its removal would impact the 45 day deadline for the Planning Board’s response and discussion ensued.

**7 AUGUST 2019
TOWN BOARD MEETING**

(Cont.)

Legal Counsel Gregory Folchetti stated that he was advised by Planning Board Counsel Joseph Charbonneau that the applicant's counsel requested that it be removed from that agenda and put on a September agenda, which in Legal Counsel Folchetti's stated view would put a hold on the time. Discussion regarding the matter continued.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Barile noted that the Planning Board will be holding Public Hearings with regard to applications for proposed cell towers on Dixon Road and Croton Falls Road on August 14, 2019 at the Carmel Town Hall.

Supervisor Schmitt reported on a recent meeting with the Fair Street reconstruction contractor to address the Town's concerns about the project's impact on water and sewer infrastructure.

Supervisor Schmitt announced that the next free concert at the Mahopac Chamber Park will be held on August 8, 2019 and will feature 1950's and 1960's music from the Greyhounds.

Councilman Schneider announced that the Carmel Farmer's Market continues on Sundays at Town Hall from 9:00 a.m. to 1:00 p.m.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilman Lupinacci, with all Town Board members present in agreement, the meeting was adjourned at 7:51 p.m. to Executive Session to discuss a contractual matter in connection with the acquisition of real property.

Respectfully submitted,

Ann Spofford, Town Clerk