

2 OCTOBER 2019

**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 2nd day of October 2019 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 Barile, Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough and Supervisor Schmitt.

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 with Deputy Highway Superintendent Michael Martin with regard to a matter of personnel as well as to conduct an interview with a perspective vendor in connection with the Town of Carmel Master Plan and Code revisions.

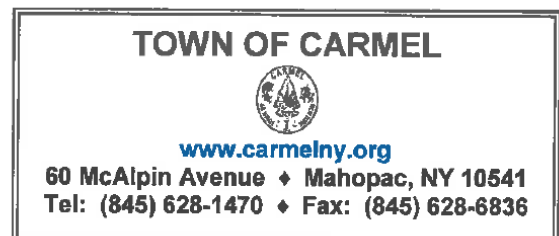
PRESENTATION OF TENTATIVE BUDGET FOR FISCAL YEAR 2020 TO TOWN BOARD

Town Clerk Ann Spofford presented copies of Supervisor Schmitt's 2020 Tentative Budget to the Town Board as filed in the Office of the Town Clerk on September 30, 2019.

SUPERVISOR KENNETH SCHMITT - 2020 TENTATIVE BUDGET MESSAGE

Supervisor Schmitt delivered his 2020 Tentative Budget Message.

*Office of the Supervisor
Kenneth Schmitt*



SUPERVISOR'S FISCAL YEAR 2020 TENTATIVE BUDGET MESSAGE

Good evening ladies and gentlemen, members of the Town Board, residents and property owners of the Town of Carmel. One of the most important duties of the Town Supervisor is to initiate and coordinate the annual budget process, and tonight, I am presenting the Tentative Fiscal Year 2020 Budget to the Town Clerk, Town Board Members and the public.

First a note about the process; the Tentative Budget is based on months of preparation and collaboration between myself, the Town Comptroller, Mary Ann Maxwell, the Managers of the various Town departments, as well as other Elected Officials. I wish to thank everyone for the care and consideration they took in the preparation of their budget requests. The Town Comptroller and I worked for many days and hours examining every single line item in the budget. Expenses and revenues were reviewed and carefully considered while formulating the Tentative Budget.

In 2011, New York State established a property tax levy limit for all government municipalities known as the 2% Tax Cap, which is now permanent. The Tax Cap law sets a limit on the annual growth of property taxes levied by local governments to 2% or the rate of inflation, whichever is less. In 2020, the rate of inflation increased to 2.07%. The Town's FY 2020 tax levy increase cannot exceed 2%. I am pleased to report to you this evening that my Tentative FY 2020 Budget achieves this mandate and will stay under the New York State Tax cap.

The Tentative FY 2020 Budget is still subject to review and amendments made by the Carmel Town Board. Changes to the Tentative Budget may be made by the Board and a Preliminary Budget will be adopted on October 16th. A Public Hearing will be held on November 6th. A final Town wide and FY 2020 budget must be voted on and adopted on or before November 20th, 2019.

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

Total Town wide tax increase for 2020:

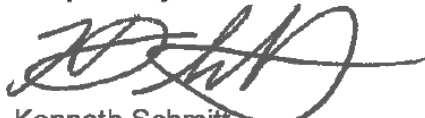
The 2020 FY Tentative Budget reflects a 0.80% increase in the Town-wide tax rate. Included in my Tentative Budget is Funding for the following initiatives:

- Funding for Professional Consulting Firms to assist the Town in providing professional and technical guidance as the Town moves forward in developing a new Master Plan, along with reviewing and revising the Town of Carmel Town Code.
- \$75,000 for the installation of Bathrooms at Baldwin Meadows Park
- \$75,000 for new natural gas stand-by generator for Carmel Town Hall
- \$50,000 for building special improvements line for future windows replacement at Carmel Town Hall
- \$15,000 for the concrete replacement for the south entrance of Carmel Town Hall
- \$120,000 for Swan Cove Park and Municipal Parking Lot improvements

Our Town Comptroller, Mary Ann Maxwell will now present to you the FY 2020 Town of Carmel Supervisor's Tentative budget. This presentation will provide for you an in depth review of the Town's finances identifying projected expenditures and revenues for Fiscal Year 2020.

In closing, my sincere thanks to Town Comptroller, Mary Ann Maxwell, my office staff, Anne Pasquerello and Joanna Terilli, along with other elected officials, department heads and managers for their diligence and assistance during the preparation of my Tentative FY 2020 Budget.

Respectfully submitted this 2nd day of October, 2019



Kenneth Schmitt,
Supervisor, Town of Carmel

2020 TENTATIVE BUDGET FINANCIAL SUMMARY - PRESENTATION

Town Comptroller Mary Ann Maxwell detailed the following presentation.

TOWN OF CARMEL

2020

Tentative Budget

(Cont.)

NYS Property Tax Cap

In 2011 the NYS Office of State Comptroller established the 2% Real Property Tax Cap Law.

With some exceptions, this law limits the amount local governments and school districts can increase property taxes by the lesser of:

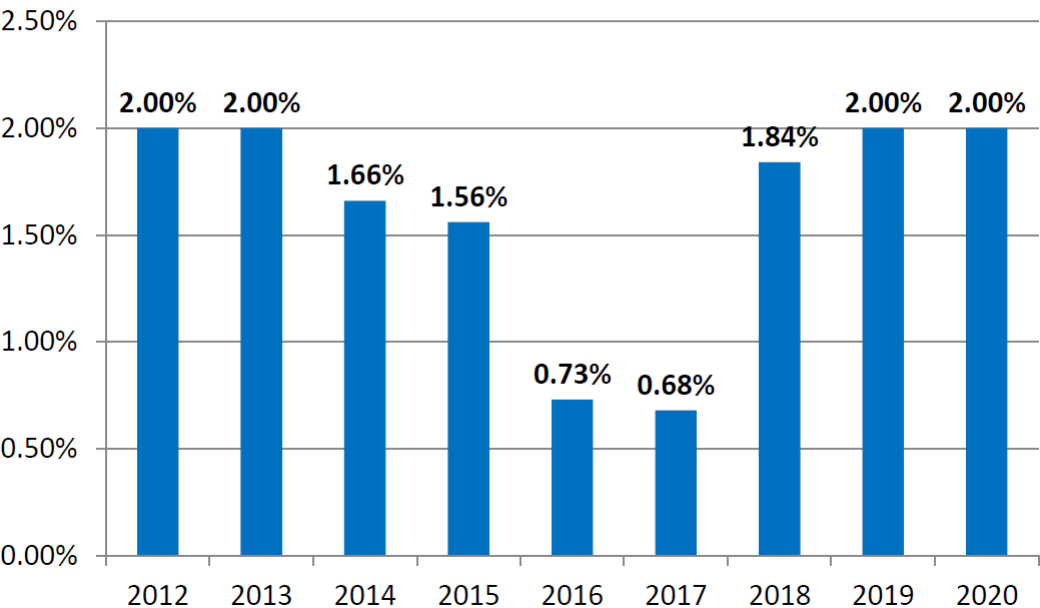
2 percent; or
the rate of inflation.

Tax Levy

The ***Allowable Tax Levy Growth*** imposed by NYS Comptroller’s Office for the 2020 Budget is 2.00% which is the lesser of 2.07% which is the current rate of inflation.

For the Town of Carmel (Townwide and Special Districts) this equates to a ***Maximum Allowable Tax Levy*** increase of \$986,366.

NYS 2.0% Property Tax Cap
Maximum Allowable Tax Levy



(Cont.)

Total Tax Levy Increase

Due to a Retired Capital Debt in 2015 the Town of Carmel still has an Available Carryover from 2019 to 2020 of \$26,788.

Therefore the total ***Maximum Allowable 2020 Tax Levy increase*** (Townwide/Special Districts) including the carryover is **\$1,013,154**

Maximum Allowable Levy	\$ 986,366
Available Carryover	<u>\$ 26,788</u>
Total Allowable Tax Levy Increase	\$1,013,154

Total Tax Levy Increase

2020 Tentative Budget the Overall Tax Levy Increase of:

*** 2020 Tentative Levy Increase: \$968,278**

Tentative 2020 Budget is under the Tax Cap by \$44,876
(1,013,154 – 968,278 = 44,876)

Due to good financial planning *and an available carryover from a retired capital debt* the Town of Carmel is able to stay under the Tax Cap in the 2020 Tentative Budget.

Tax Levy vs. Tax Rate

Property Tax Levy is calculated by taking the Town’s total annual expenditures less any revenues and/or appropriated fund balance equity.

$$\begin{aligned} &\text{Expenditures} \\ &- \text{Revenues} \\ &+(-) \text{Appropriated Fund Balance} \\ &= \text{Property Tax Levy} \end{aligned}$$

The Annual Tax Rate is determined by dividing the total amount of the **property tax levy** by the total taxable assessed value of a town or special district.

$$\begin{aligned} &\text{Property Tax Levy / Taxable Assessed Value} \\ &= \text{Annual Tax Rate} \end{aligned}$$

(Cont.)

Town’s 100% Equalized Assessed Value

The Townwide *100% Equalized Assessed Value* used for the 2020 Tentative Budget is 4,830,253,426, an *increase* of approx. 77,463,608 from the prior year equalized assessed value.

An *increase* in the assessed value would result in an decrease in the tax rate if the levy remained the same.

2020 Townwide Budget (General/Highway)

Tax Levy

Expenditures	\$30,630,906
(Revenues)	(5,950,910)
Fund Balances - Reserves	<u>(285,000)</u>
Property Tax Levy	\$24,394,996

Tax Rate

Property Tax Levy	\$24,394,996/
Taxable Assessed Value	<u>4,830,253,426</u>
2020 Tax Rate	5.05

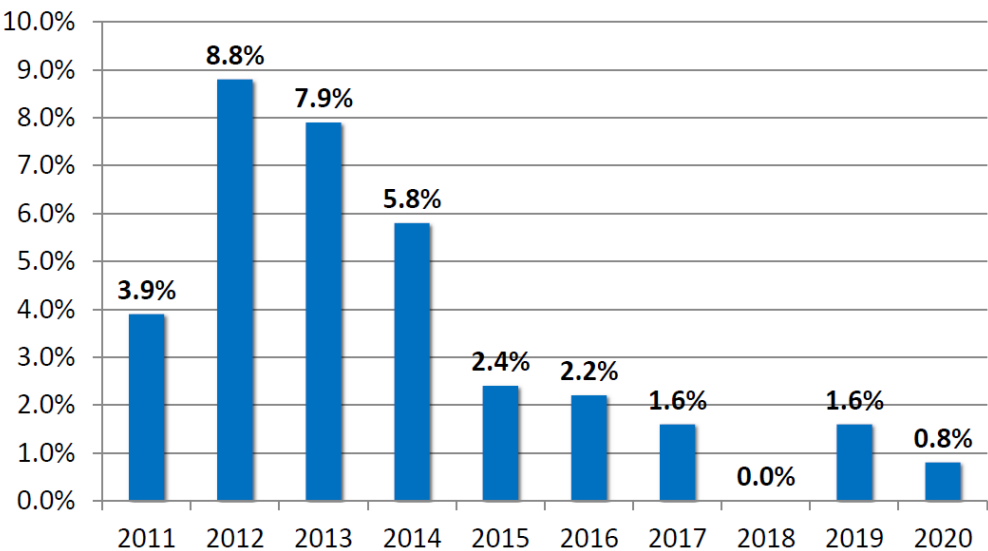
*** 2020 Annual Tax Rate Increase 0.80%**

** Represents tax % increase on rate from prior year*

Tax Rate Annual Increase

Townwide (General/Highway) – 10 Year History

Years 2011-2020



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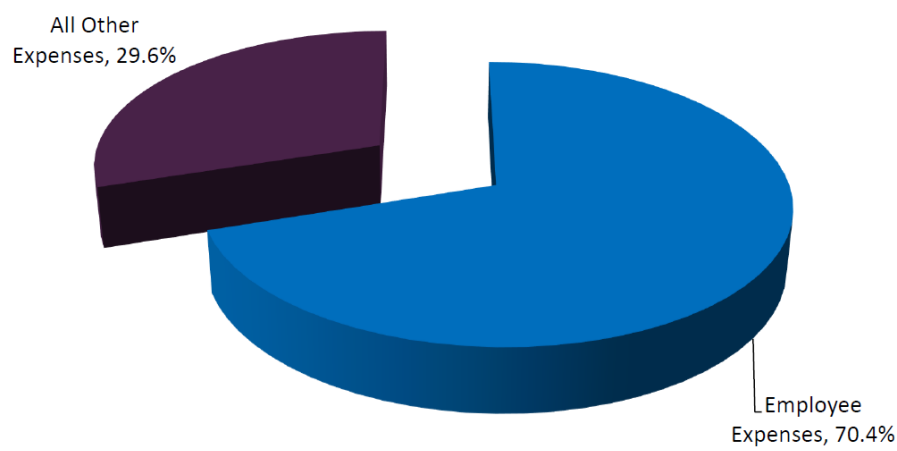
2020 Tentative Townwide Budget

The average homeowner (assessed at \$347,000) would pay approximately \$1,752 per year which is a \$14 increase from the prior year. This assessed valuation reflects the current equalization rate of 100.00%

\$1,985,000 is budgeted for 2020 Annual Townwide Debt Obligations.

Of the \$30.6 million in Townwide Expenditures approximately \$21.6 million is budgeted in 2020 for ***Employee Compensation & Benefit Costs***. This represents a percentage of approximately 70.4% of total expenditures.

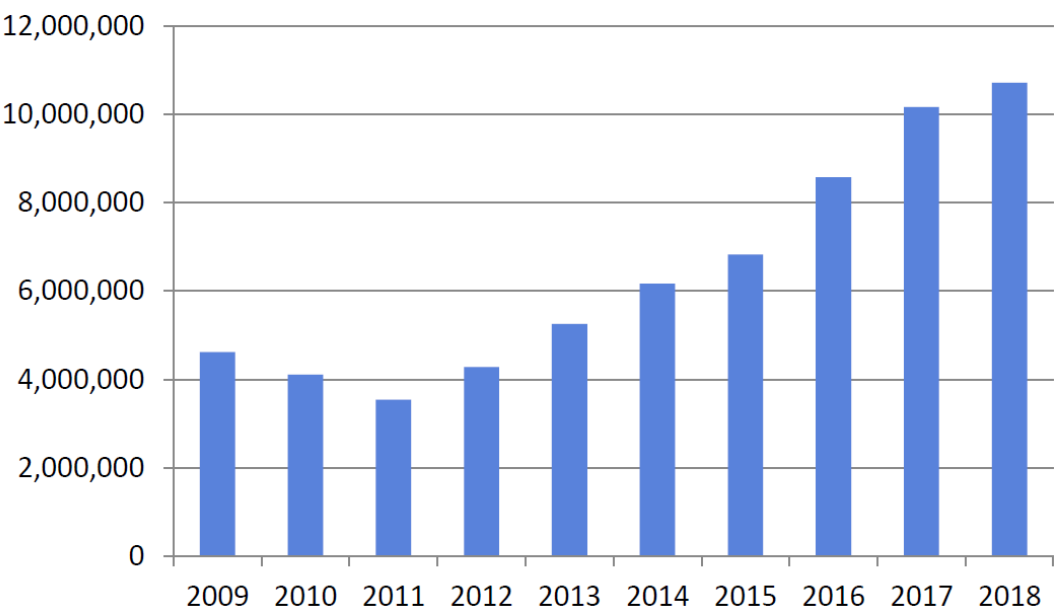
General & Highway Expenditures by Type



**** Employee expenses include Annual Salary, Overtime, Other Compensation Cost, Pension, Health Benefit Costs, Workers Compensation, FICA/Medicare/MTA Tax**

Townwide Fund Equity

10 Year History



2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

BUDGET DRIVERS/HIGHLIGHTS

Employee Benefit Costs:

- **Health Insurance Costs** continue to increase. However since more employees are taking the buyout we are able to lower some of the employee benefit lines.
- **Pension Contributions** decreased slightly (Tier 4 - ERS 15.7%, Tier 2 - PFRS 24.3% of salary). Since many new employees/officers are Tier 5 and Tier 6 we are able to reduce many of the retirement lines because the Town's % contribution is less.
- **Workers Comp Exp** is estimated to remain flat compared to the 2019 actual.

Salary Expense for Union Employees increased 2% due to union contract agreements.

Police Overtime - Police Overtime expense remains the same at \$620,000

Mortgage Tax Revenue the YTD 2019 actual revenue is approximately \$580,000 through August 2019 with a \$950,000 annual budget. \$950,000 is budgeted in 2020.

BUDGET DRIVERS/HIGHLIGHTS

Revenues Increased approximately 4.4% from prior year:

- * **Employee HI Contributions** - increased approximately \$5,000 (due to union contract agreements)
- * **Interest Earnings** increased by \$70,000 in the 2020 Budget
- * **Building Dept Fees** increased approximately \$90,000 in the 2020 Budget

Cable Franchise Fees - \$795,000 budgeted revenue in 2020 Budget

Parks and Recreation Fees - \$285,000 budgeted revenue in 2020 Budget

CHIPS Highway Funding – State Aid estimated at \$585,000 in 2020 Budget

Police Lake Patrol – State Aid estimated at \$20,000 in 2020 Budget

Contingent Line – Budgeted \$180,000 in 2020 Tentative Budget (Partially to fund Master Plan and Town Code).

BUDGET DRIVERS/HIGHLIGHTS

Capital Equipment/Projects Budgeted from Reserve Fund Balances/Other:

- Swan Cove Improvements/Upgrades (*\$100k From Capital Reserve*) - \$120,000
- New Generator at Town Hall (*From Capital Reserve*) - \$75,000
- Bathroom Facility at Baldwin Meadows (*From Capital Reserve*) - \$75,000
- 1 unmarked police vehicle (*From Equipment Reserve*) - \$35,000
- Established Capital Improvement line for new windows at Town Hall - \$50,000

New Debt Service – 2020 Required Debt Payments from Land Acquisition, Airport Park, Highway Projects, Water Meter Project, Carmel Water District #2, Carmel Water District #9, Carmel Sewer District #1.

Total 'New Money' Debt Issued in 2019 October BAN/Bond Sale = \$6,640,000

Garbage Districts – An estimated 15% increase is budgeted in the Garbage Contracts. Contract bid results are due Oct. 2019.

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BUDGET DRIVERS/HIGHLIGHTS

Highway Fund

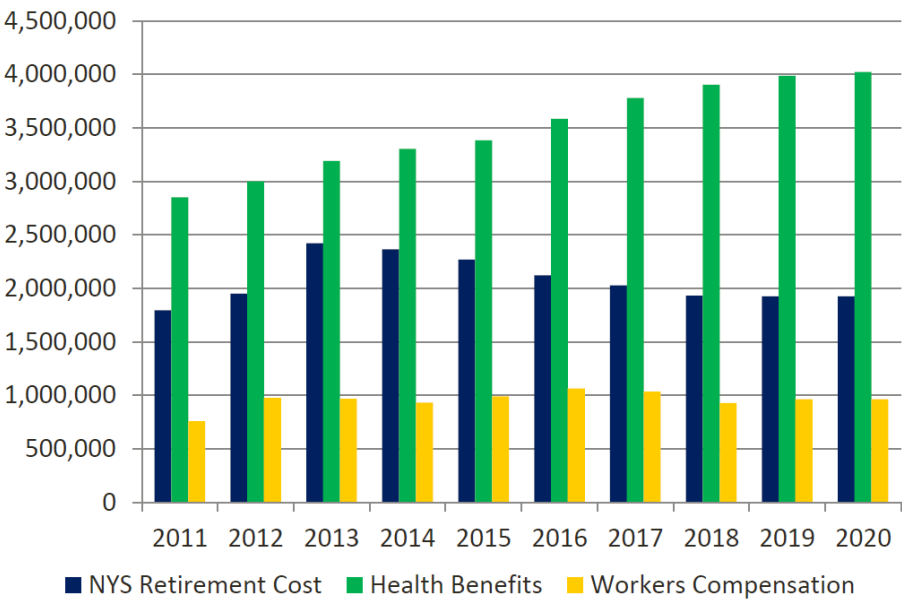
- Budget for snow materials expense \$700k and snow removal overtime expense \$360k remained the same as prior year.
- \$150,000 is budgeted for Capital Machinery increasing the Capital Reserve to \$403,919 due to an unused carryover balance of \$253,919.
- Snow Reserve Fund Balance as of 12/31/18 was \$750,000. Due to rough winter (Jan-March 2019) we may need to transfer money into the snow overtime line to cover OT costs through Dec 2019. Available balance in the overtime line is \$46,147.

CWD #2 and CWD #9 will see a special district tax increase due to annual debt obligations from capital project costs

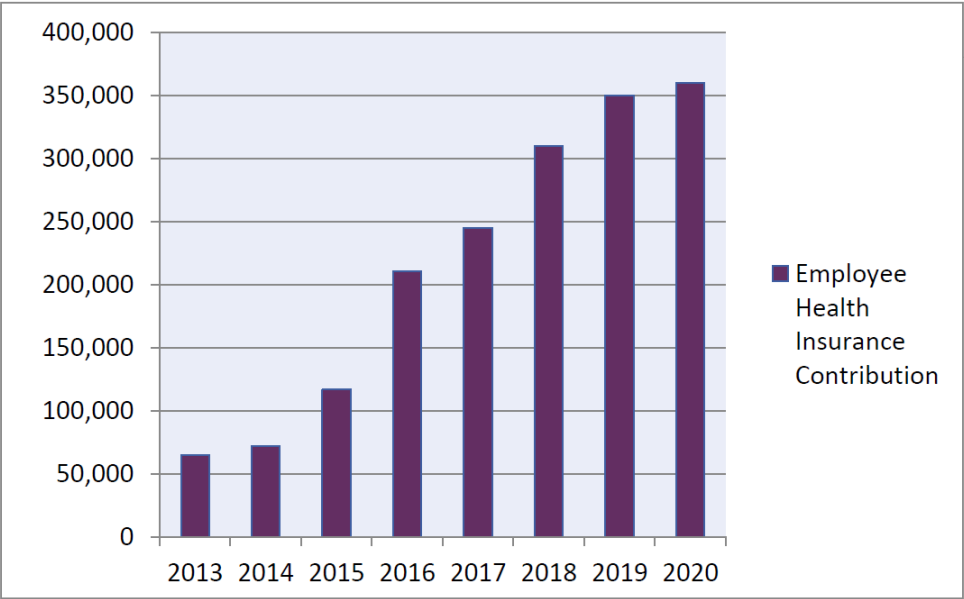
CSD #4 will see a special district tax increase due to an increase in the O&M contract with regard to emergencies and operator overtime expense.

Technology upgrades - \$80,000 is budgeted in the 2020 for technology upgrades. A fund was established for future purchase of *data imaging equipment* - Balance \$75K

Employee/Retiree Benefits Costs 2011-2020

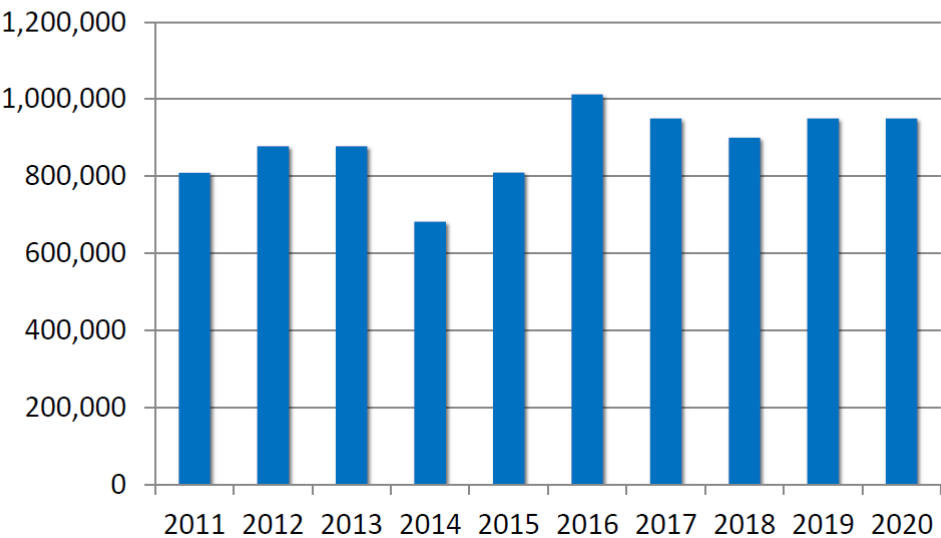


Employee HI Contributions 2013 - 2020

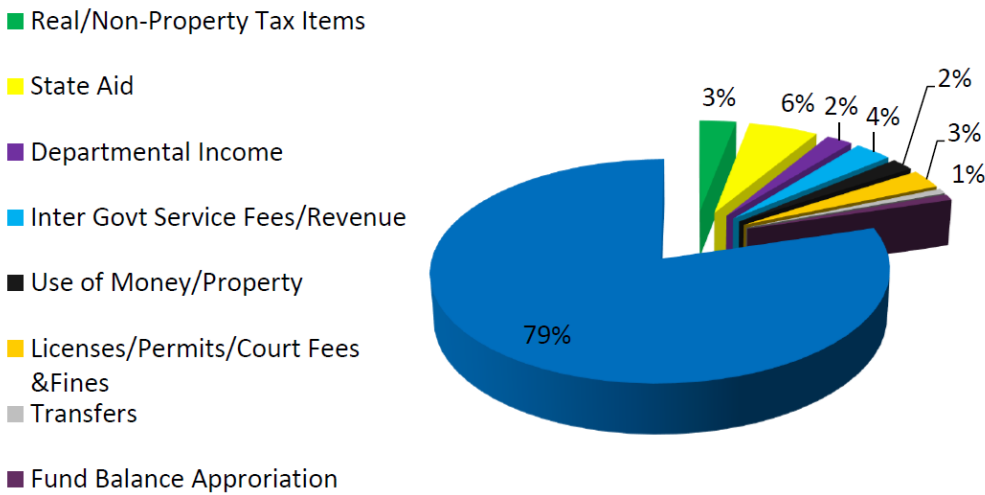


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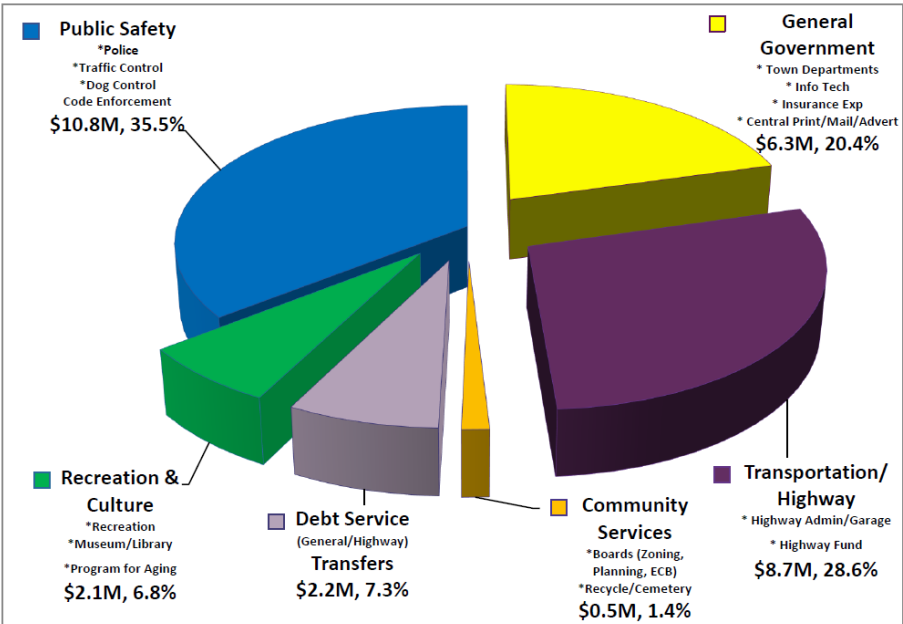
Mortgage Tax Revenue
10 Year History
Years 2011-2020



Townwide Budgeted Revenues for
Fiscal Year 2020 - \$30,630,906

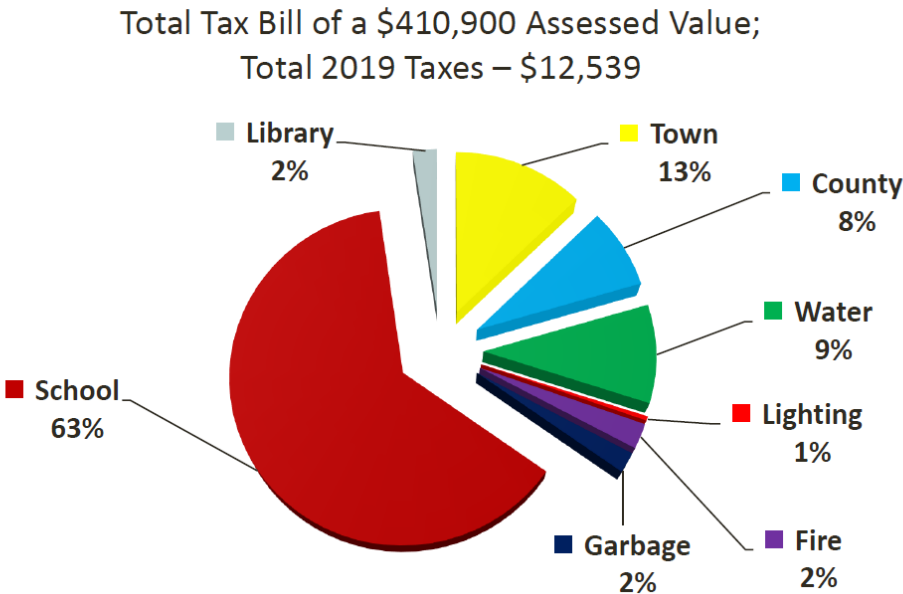


Townwide Budgeted Expenditures for
Fiscal Year 2020 - \$30,630,906

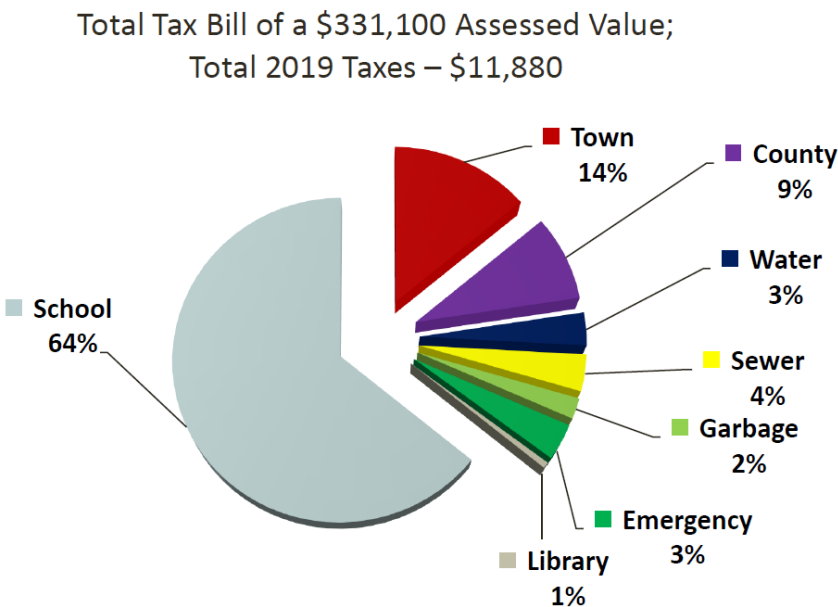


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Total Tax Bill for Taxpayer in Mahopac Central School District



Total Tax Bill for Taxpayer in Carmel Central School District



Questions/Answers

If anyone has any questions or concerns regarding the 2020 Tentative Budget please feel free to stop by the Comptroller’s Office or call at (845) 628-1500 ext 175.

Mary Ann Maxwell
Town Comptroller
Town of Carmel

Supervisor Schmitt opened the floor for questions and comments on the 2020 Tentative Budget and presentation.

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

Councilman Schneider inquired about the amount of mortgage tax revenue received by the Town in 2019.

Town Comptroller Mary Ann Maxwell replied that to date, the Town has received about \$680,000.00.

Councilman Schneider commented that the actual mortgage tax revenue will fall short of the projected amount for 2019 and discussion followed regarding the matter.

Supervisor Schmitt detailed the timeline with regard to the 2020 Budget adoption process, pointing out that the Public Hearing in connection therewith will be held on November 6, 2019. He stated that the Town Board is expected to adopt the 2020 Budget on November 20, 2019. He noted that changes can be made either up or down by the Town Board before the budget is adopted.

COUNCILMAN MICHAEL BARILE - PROPOSAL ACCEPTED FOR SPECIAL COUNSEL - COZEN O'CONNOR – AMENDED 10-16-19

WHEREAS, there have been published reports suggesting that there has been a misuse of Town resources by Michael Barile, a member of the Town Board, acting in his personal capacity, and more specifically involving an alleged unauthorized hookup to the Town sewer system without proper approvals involving property he owns, that certain violations have been issued in connection with this matter, and that the circumstances are under review by several government agencies as well; and

WHEREAS, the Town Legal Counsel has recused himself from the matter; and

WHEREAS, the Town Board has considered engaging Cozen O'Connor, an outside law firm which the board had previously interviewed in connection with other matters, to investigate the allegations and advise on what steps, if any, the Town should take based on the outcome of the investigation; now therefore, it is hereby

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to engage Cozen O'Connor for these purposes on the terms set forth in that certain letter dated September 25, 2019 from Kenneth K. Fisher, a member of the firm, and to execute the same on behalf of the Town; and

BE IT FURTHER RESOLVED that the board directs all Town employees to fully cooperate with such investigation, to provide such records as Cozen O'Connor requests; and it is further

RESOLVED that Cozen O'Connor is authorized to contact such government entities, individual or other parties as they deem reasonably necessary in furtherance of their investigation.

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

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci

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

The foregoing resolution was offered by Councilman Schneider and seconded by Councilman Lupinacci.

Prior to the roll call vote, Councilman Barile inquired who prepared the resolution.

(Cont.)

Councilman Schneider indicated that the resolution was prepared by an outside legal counsel.

Councilman Barile inquired why the resolution does not contain the fees associated with the firm's proposal.

Councilman Lupinacci replied that it was because variable costs are involved.

Councilwoman McDonough stated that the proposal included a request for a retainer of \$10,000.00 and their hourly rate for services range from about \$200.00 to \$900.00.

Discussion was held regarding the law firm as well as issues in connection with the connection of Councilman Barile's property to Carmel Sewer District #1.

Supervisor Schmitt concluded that he would have voted in favor of the resolution had it been amended to include a spending cap of \$10,000.00. He then called for a roll call vote.

RESOLUTION IN SUPPORT OF PARKING AND VEHICLE AND TRAFFIC CONTROLS - NEW YORK STATE DEPARTMENT OF TRANSPORTATION SIGNAL IMPROVEMENTS PROJECT U.S. ROUTE 6 - TABLED

RESOLVED, that the Town Board of the Town of Carmel hereby supports the project being considered by the New York State Department of Transportation identified as P.I.N. No. 8815.13, specifically those portions of said project which would prohibit parking on U.S. Route 6 in Mahopac from 625 Route 6 East to Buckshollow Road; prohibit left turns from U.S. Route 6 onto U.S. Route 6N and into the proposed Town of Carmel Parking Lot to be located on U.S. Route 6N; and prohibit left turns from Buckshollow Road onto U.S. Route 6; and

BE IT FURTHER RESOLVED the Town Supervisor Kenneth Schmitt is hereby authorized to transmit a copy of this resolution to New York State Department of Transportation immediately.

Motion to Table

Offered by: Councilwoman McDonough
Seconded by: Supervisor Schmitt

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

The abovementioned resolution was offered by Councilwoman McDonough and seconded by Supervisor Schmitt.

Prior to the roll call vote, Supervisor Schmitt described the three traffic prohibitions proposed by the New York State Department of Transportation in connection with the reconfiguration of the intersection of Route 6 and Route 6N. He went on to question the need for all three of the prohibitions and suggested that only two are actually necessary to improve traffic flow.

Councilwoman McDonough agreed and cited the proliferation of traffic signs in downtown Mahopac required for identifying all three of the prohibitions. Discussion ensued.

Following the discussion, Councilwoman McDonough offered a motion to table the resolution. Supervisor Schmitt seconded the motion and called for a roll call vote.

2 OCTOBER 2019
TOWN BOARD MEETING

LAKE CASSE PARK DISTRICT - NEWSLETTER MAILING AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Casse Park District, hereby authorizes the mailing of the September 2019 newsletter as prepared by the Lake Casse Park District Committee to all properties within the district and further directs that the cost thereof be charged as a district expense.

Resolution
Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

BUDGET MODIFICATIONS AUTHORIZED - #2019/04

WHEREAS the Town Comptroller MaryAnn Maxwell has reviewed the proposed Final Budget Modifications for the period ending August 31, 2019 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2019/04;

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 August 31, 2019 as shown itemized on schedule #2019/04, which is attached hereto, incorporated herein and made a part hereof.

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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**TOWN OF CARMEL
BUDGET REVISIONS JULY-AUGUST 2019 #2019/04**

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
1	100.3120.0024	POLICE ACCIDENT REPAIRS		6,514.85
	100.1989.2681	INSURANCE RECOVERY - ASSET	*	6,514.85
		- PROVIDE FOR POLICE VEHICLE REPAIRS FROM INSURANCE CLAIM		
2	100.3120.0040	POLICE CONTRACTUAL EXPENSES		2,500.00
	100.1989.1522	POLICE SPECIAL REVENUES	*	2,500.00
		- PROVIDE FOR PURCHASE OF AEDS FOR POLICE VEHICLES		
		FROM GRANT FUNDING		
3	100.1010.0045	TOWN BOARD RECORDING SERVICES		86,612.00
	100.1989.9878	FUND BALANCE FOR CAPITAL PROJECTS	*	86,612.00
		- PROVIDE FOR PURCHASE OF VIDEO SYSTEM EQUIPMENT		
		AND UPGRADES PER AUTHORIZING RESOLUTION		
4	100.7310.0045	YOUTH SUSTAIN PROGRAM		15,000.00
	100.1989.2050	PARK SELF SUSTAINING FEES	*	15,000.00
		- PROVIDE FOR YOUTH SELF SUSTAINING PROGRAMS		

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

5	100.1620.0045	BUIDLING IMPROVEMENTS	8,620.00	
	100.1990.0040	CONTINGENT ACCOUNT		8,620.00
		- TRANSFER FOR PURCHASE AND INSTALLATION OF ROOFTOP AIR CONDITIONING UNIT PER AUTHORIZING RESOLUTION		
6	100.1620.0045	BUILDING IMPROVEMENTS	14,200.00	
	100.1990.0040	CONTINGENT ACCOUNT		14,200.00
		- TRANSFER FOR CONCRETE REPAIRS AT TOWN HALL PER AUTHORIZING RESOLUTION		
7	100.1110.0020	JUSTICE COURT EQUIPMENT	805.00	
	100.1110.0044	JUSTICE COURT RECORDER SERVICES		805.00
		- TRANSER FOR THE PURCHASE OF CHAIRS IN JUSTICE COURT AND BEHIND COURTROOM DAIS		
8	100.3120.0021	POLICE MOTOR VEHICLES	1,144.00	
	100.3120.0027	POLICE OTHER EQUIPMENT		1,144.00
		- TRANSFER FOR PURCHASE OF TRAILER HITCHES FOR NEW POLICE DURANGOS PER REVISED RESOLUTION		
9	100.3120.0020	POLICE UNIFORMS	20,000.00	
	100.3120.0011	POLICE PERSONNEL SERVICES - UNIFORM		20,000.00
		- TRANSFER FOR UNIFORM AND GEAR COSTS FOR NEWLY HIRED POLICE OFFICERS		
10	100.3121.0012	LAKE PATROL OVERTIME	5,042.00	
	100.3121.0020	LAKE PATROL EQUIPMENT	1,000.00	
	100.3121.0040	LAKE PATROL CONTRACTUAL EXPENSES	1,000.00	
	100.3120.0011	POLICE PERSONNEL SERVICES - UNIFORM		5,042.00
	100.3120.0045	POLICE VEHICLE MAINTENANCE		2,000.00
		- TRANSFER FOR LAKE PATROL EXPENSES		

TOWN OF CARMEL
BUDGET REVISIONS JULY-AUGUST 2019 #2019/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
11	100.3310.0040	SIGNS CONTRACTUAL EXPENSE	1,000.00	
	100.3310.0020	SIGNS EQUIPMENT EXPENSE		1,000.00
		- TRANSFER FOR SIGNS CONTRACTUAL EXPENSES		
12	100.3620.0086	RETIREE HEALTH INSURANCE	6,500.00	
	100.3620.0011	CODE ENFORCEMENT STAFF		6,500.00
		- TRANSFER FOR RETIREE HEALTH INSURANCE COST		
13	100.5010.0040	HIGHWAY ADMIN CONTRACTUAL EXPENSE	500.00	
	100.5010.0013	TEMPORARY STAFF		500.00
		- TRANSFER FOR HIGHWAY ADMIN CONTRACTUAL EXPENSE		
14	100.7020.0012	RECREATION STAFF ADMIN OVERTIME	6,000.00	
	100.7140.0013	PLAYGROUND TEMPORARY STAFF		6,000.00
		- TRANSFER FOR RECREATION STAFF ADMIN OVERTIME		
15	100.7112.0041	MCDONOUGH SKATE PARK	2,000.00	
	100.7115.0040	AIRPORT CONTRACTUAL EXPENSE	500.00	
	100.7180.0040	BEACH CONTRACTUAL EXPENSE	1,000.00	
	100.7180.0042	BEACH UTILITIES	500.00	
	100.7610.0040	PROGRAM FOR THE AGING CONTRACTUAL EXP	3,500.00	
	100.7110.0020	PARK MAINTENANCE EQUIPMENT		500.00
	100.7112.0040	MCDONOUGH FIELDS CONTRACTUAL EXPENSES		2,000.00
	100.7180.0022	MAHOPAC LAKEFRONT		1,500.00
	100.7140.0013	PLAYGROUND TEMPORARY STAFF		3,500.00
		- TRANSFER FOR MISCELLANEOUS RECREATION EXPENSES		
16	100.8090.0047	RECYCLING SPECIAL EXPENDITURE	2,000.00	
	100.8090.0048	LANDFILL MONITORING		2,000.00
		- TRANSFER FOR RESIDENT E-WASTE EVENT		
HIGHWAY FUND				
17	500.5110.0013	GENERAL REPAIR TEMPORARY LABOR	12,000.00	
	500.5110.0018	HIGHWAY DIFFERENTIAL COMP	1,500.00	
	500.5110.0020	GENERAL REPAIR ROAD TOOLS	1,500.00	
	500.5110.0046	CONTRACTUAL ROAD RENTALS		7,000.00
	500.5110.0083	WORKERS COMPENSATION INSURANCE		8,000.00
		- TRANSFER FOR MISCELLANEOUS EXPENSES		

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

18	500.5130.0040	MACHINERY REPAIR EXEPNSES	50,000.00	
	500.5110.0084	HEALTH INSURANCE		45,000.00
	500.5130.0084	HEALTH INSURANCE		5,000.00
		- TRANSFER FOR MACHINERY REPAIR EXPENSES		
19	500.5140.0012	WEEDS AND BRUSH OVERTIME	5,000.00	
	500.5140.0084	HEALTH INSURANCE		5,000.00
		- TRANSFER FOR WEEDS AND BRUSH OVERTIME		
LAKE SECOR PARK DISTRICT				
20	404.7140.0013	TEMPORARY LABOR	2,000.00	
	404.7140.0099	REPAIR RESERVE FUND		2,000.00
		- TRANSFER FOR TEMPORARY LABOR		

TOWN OF CARMEL
BUDGET REVISIONS JULY-AUGUST 2019 #2019/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #2				
21	602.8310.0020	EQUIPMENT	1,500.00	
	602.8310.0047	EMERGENCY REPAIRS	2,500.00	
	602.8310.2681	INSURANCE RECOVERY - ASSET	*	4,000.00
		- PROVIDE FOR EMERGENCY HYDRANT REPLACEMENT FROM INSURANCE CLAIM		
CARMEL WATER DISTRICT #7				
22	607.8310.0020	EQUIPMENT	8,116.00	
	607.8310.0047	EMERGENCY REPAIRS	4,059.14	
	607.8310.2681	INSURANCE RECOVERY - ASSET	*	12,175.14
		- PROVIDE FOR WELL PUMP REPLACEMENT DAMAGED BY LIGHTNING FROM INSURANCE CLAIM		
CARMEL WATER DISTRICT #12				
23	612.8310.0020	EQUIPMENT	7,000.00	
	612.8310.0040	CONTRACTUAL REPAIRS		7,000.00
		- TRANSFER FOR EQUIPMENT EXPENSES		
CARMEL WATER DISTRICT #14				
24	614.8310.0047	EMERGENCY REPAIRS	2,500.00	
	614.8310.0020	EQUIPMENT		500.00
	614.8310.0040	CONTRACTUAL REPAIRS		2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL SEWER DISTRICT #1				
25	701.8130.0040	CONTRACTUAL REPAIRS	4,500.00	
	701.8130.0099	REPAIR RESERVE		4,500.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		
CARMEL SEWER DISTRICT #2				
26	702.8130.0141	MICROFILTRATION CHEMICALS	20,000.00	
	702.8130.0140	MICROFILTRATION CONTRACTUAL REPAIRS		20,000.00
		- TRANSFER FOR MICROFILTRATION CHEMICALS DUE TO CHEMICAL CONTRACT COST INCREASE		
CARMEL SEWER DISTRICT #3				
27	703.8130.0048	OTHER OPERATING EXPENSES	900.00	
	703.8130.0099	REPAIR RESERVE FUND		900.00
		- TRANSFER FOR LAB SAMPLING EXPENSE		
CARMEL SEWER DISTRICT #1 EXT#3				
28	713.8130.0040	CONTRACTUAL REPAIRS	6,000.00	
	713.8130.0041	CHEMICAL EXPENSE		2,000.00
	713.8130.0099	REPAIR RESERVE		4,000.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

TOWN OF CARMEL
BUDGET REVISIONS JULY-AUGUST 2019 #2019/04

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
		GENERAL FUND TRANSFER TO CAPITAL		
29	100.9950.0099	TRANSFER TO CAPITAL PROJECT FUND	100,000.00	
	100.7112.0045	MCDONOUGH FIELDS PARK IMPROVEMENTS		35,000.00
	100.7113.0020	CHAMBER PARK IMPROVEMENTS		30,000.00
	100.7117.0040	CARMADA PARK CONTRACTUAL EXPENSE		35,000.00
		- TRANSFER TO 910 CAPITAL FUND FOR AIRPORT PARK PLAYGROUND IMPROVEMENTS		
		AIRPORT PARK CAPITAL FUND		
30	910.7140.0046	CONTRACTED PLAYGROUND IMPROVEMENTS	100,000.00	
	910.7140.5031	INTERFUND TRANSFER	*	100,000.00
		- PROVIDE FOR AIRPORT PARK CAPITAL IMPROVEMENTS		
		LAND ACQUISITION CAPITAL FUND		
31	907.1989.0020	CAPITAL OUTLAY - LAND/PROPERTY PURCHASE	395,000.00	
	907.1989.5030	INTERFUND TRANSFER	*	395,000.00
		- PROVIDE FOR PURCHASE OF LAND/PROPERTY FROM CAPITAL PROJECTS FUND AND GOOD NEIGHBORS FUND		
		GENERAL FUND		
32	100.9950.0099	TRANSFER TO CAPITAL FUND	199,200.00	
	100.1989.9878	APPROPRIATED FUND BALANCE CAPITAL PROJECTS	*	199,200.00
		- PROVIDE FOR TRANSFER TO CAPITAL FUND FOR PURCHASE OF PROPERTY FROM CAPITAL PROJECTS FUND BALANCE		
		AGENCY & TRUST		
33	990.0080.0099	TRANSFER TO CAPITAL FUND	195,800.00	
	990.0080.9909	APPROPRIATED FUND BALANCE GOOD NEIGHBOR FUNDS	*	195,800.00
		- PROVIDE FOR TRANSFER TO CAPITAL FUND FOR PURCHASE OF PROPERTY FROM GOOD NEIGHBOR FUNDS		

**PROPOSAL ACCEPTED FOR PURCHASE AND INSTALLATION OF AIR
CONDITIONING UNIT - SYCAMORE PARK RECREATION BUILDING - AASPEN
HVAC - NOT TO EXCEED \$6,780.00**

WHEREAS the Town Board of the Town of Carmel has been advised by Town of Carmel Director of Recreation and Parks James R. Gilchrist, that the Sycamore Park Recreation Building requires purchase and installation of an air conditioning unit;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel in accordance with the recommendation of James R. Gilchrist hereby accepts the proposal of AASPEN HVAC, Carmel NY for the purchase and installation of said air conditioning unit at a cost not to exceed \$6,780.00 in accordance with the proposal dated September 6, 2019; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates and/or bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all budget transfers or modifications necessary to fund the services authorized herein.

(Cont.)

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

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

Councilman Schneider explained that when the matter was discussed at the recent Work Session, it was thought that one of the vendors would supply a Lennox product. However, when it was clarified that neither vendor’s proposal included a Lennox product, the Town Board chose the least expensive proposal.

PROPOSAL ACCEPTED AND BID AWARDED FOR PAINTING OF REFLECTORIZED PAVEMENT STRIPING - ATLANTIC PAVEMENT MARKING, INC.

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the award of bid for painting of reflectorized pavement stripes for the period of September 1, 2019 through August 30, 2020 with a one (1) year renewal option from Atlantic Pavement Marking, Inc., Prospect, CT under Putnam County Bid No. RFB-21-19.

Resolution

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

EMPLOYMENT ANNIVERSARY DATE ESTABLISHED - EMPLOYEE # 1037

RESOLVED, that the Town Board of the Town of Carmel hereby revises the date of hire and/or anniversary date for Employee # 1037 from September 9, 2011 to April 24, 1998 for all purposes including but not limited to credit in the New York State and Local Retirement System.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

2 OCTOBER 2019
TOWN BOARD MEETING

ATTENDANCE AT SEMINAR AUTHORIZED - DIRECTOR OF CODES ENFORCEMENT MICHAEL CARNAZZA - 2019 TRI-COUNTY NYSBOC CONFERENCE - 11/12/19 THROUGH 11/15/19

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Director of Codes Enforcement Michael Carnazza to attend the 2019 Tri-County NYSBOC Conference being held on November 12 through November 15, 2019 in Kingston, NY; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

ATTENDANCE AT SEMINAR AUTHORIZED - FIRE INSPECTOR JOSEPH WILICHOSKI - 2019 NYSBOC IN-SERVICE TRAINING CERTIFICATION 10/7/19 THROUGH 10/9/19

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Fire Inspector Joseph Wilichoski to attend the 2019 NYSBOC In-Service Training Certification being held on October 7 through October 9, 2019 in Albany, NY; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

CEMETERY MAINTENANCE SERVICES - R2016-003 - EXTENSION OF CONTRACT AUTHORIZED - KIKO'S LANDSCAPING

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E. authorizes the extension of the existing contract for Town of Carmel Cemetery Maintenance Services with Kiko's Landscaping, Carmel, NY, for a period of two (2) years commencing January 1, 2020 and concluding December 31, 2021 at annual costs of \$12,705.00 for each year; and

BE IT FURTHER RESOLVED that upon presentation of insurance and bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to sign any documentation necessary to effectuate said contract extension renewal on the terms authorized herein on behalf of the Town of Carmel.

(Cont.)

Resolution
Offered by: Councilwoman McDonough
Seconded by: Supervisor Schmitt

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt stated that the Town maintains twenty-one historic cemeteries and that Kiko’s Landscaping has been providing excellent service at a reasonable cost.

CARMEL SEWER DISTRICT #1 - PROPOSAL ACCEPTED FOR CONTRACTING SERVICES FOR SEWER STREET LATERAL REPAIR AT THE MAHOPAC NATIONAL BANK FACILITY - ED KUCK EXCAVATING, INC. - NOT TO EXCEED \$16,000

RESOLVED THAT the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #1 hereby authorizes acceptance of the proposal for repair/replacement of street lateral at the Mahopac National Bank facility on Route 6 in Mahopac to be performed by Ed Kuck Excavating, Inc., Carmel, NY, at a cost not to exceed \$16,000 and in accordance with the proposal dated July 30, 2019; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and any necessary bonds in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all necessary documentation required to accept said proposal on the terms authorized herein; and

BE IT FURTHER RESOLVED that Town Comptroller Mary Ann Maxwell is hereby authorized to make any budget transfers or modifications necessary in connection with this authorization.

Resolution
Offered by: Councilman Lupinacci
Seconded by: Supervisor Schmitt

<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>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Supervisor Schmitt explained that the street lateral at the Mahopac National Bank has failed resulting in their bathroom facilities rendered unusable until the repair/replacement is performed.

LAKE CASSE PARK DISTRICT - ENTRY INTO CONTRACT FOR MAINTENANCE SERVICES AUTHORIZED - R2019-008 - TERENCE KELLY

WHEREAS the Town Board of the Town of Carmel, acting as Commissioners of the Lake Casse Park District, has previously sought proposal for maintenance services of the Lake Casse Park District property and facilities;

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Casse Park District and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes the acceptance of the proposal of Mr. Terence Kelly, Mahopac, NY to perform said maintenance services for fiscal years 2020, 2021 and 2022 at annual costs not to exceed \$13,000; and

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to execute any extension or amendment as well as any necessary documentation required connection therewith.

Resolution

Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

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

TOWN OF CARMEL LANDFILL - PROPOSAL ACCEPTED FOR LANDSCAPING AND MAINTENANCE SERVICES - COVIELLO LANDSCAPING

WHEREAS, Town Engineer Richard Franzetti, P.E. has solicited proposals for the performance of landscaping/maintenance services for the Town of Carmel Landfill; and

NOW THEREFORE BE IT RESOLVED, that the Town of Carmel Town Board hereby accepts the proposal of Coviello Landscaping, Carmel, NY for the performance of landscaping and maintenance services for the Town of Carmel Landfill for a three (3) year term (2020, 2021 and 2022) with a renewal option in favor of the Town of Carmel for two additional two-year periods at an annual cost not to exceed \$13,000 (THIRTEEN THOUSAND DOLLARS);

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all documentation required to formalize the acceptance of said proposal on the terms authorized herein.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

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

SUBSTITUTION OF COLLATERAL IN CONNECTION WITH PERFORMANCE BOND AUTHORIZED - TM # 65.05-1-38 - COUNTRYSAPES/WIXON POND ESTATES SUBDIVISION

WHEREAS a performance bond in the amount of \$110,000 has been previously posted by Baker Residential Limited Partnership and is being held by the Town of Carmel in accordance with the Land Subdivision and/or Zoning Regulations for Tax Map #65.05-1-38 and

2 OCTOBER 2019
TOWN BOARD MEETING

(Cont.)

WHEREAS Wixon Pond Estates, LLC, successor to Baker Residential Limited Partnership has requested a substitution of collateral for the aforementioned surety bond in form of a cash bond in the amount of \$110,000 as security for the completion of the approved site improvements within said subdivision; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the substitution of cash bond in the amount of \$110,000 as collateral for the completion of the site improvements in the Wixon Pond Estates Subdivision; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the current surety bond being held for the Wixon Pond Estates Subdivision designated as Travelers Insurance Company Bond No.104525037 posted with the Office of the Town Clerk on or about April 27, 2009; and

BE IT FURTHER RESOLVED that substitution of collateral shall be deemed complete upon receipt of the aforementioned cash bond by the office of the Carmel Town Clerk.

Resolution

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

CARMEL WATER DISTRICT #4 AND CARMEL WATER DISTRICT #6 - PAYMENT FOR REPAIRS AUTHORIZED - BEE & JAY PLUMBING

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes the following payments for repairs performed within the referenced districts:

<u>Vendor Name</u>	<u>Services Rendered</u>	<u>Invoice Amount</u>
Bee & Jay Plumbing	Carmel Water Dist #4	
	Air Compressor Replacement/repair	\$7,024.00
	Invoice September 5, 2019	
Bee & Jay Plumbing	Carmel Water Dist #6	
	Well pump replacement	\$6,545.73
	Invoice September 17, 2019	

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget revisions to effect payment for the aforesaid repair authorizations.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

TOWN-OWNED PROPERTIES - PAYMENT FOR SERVICES AUTHORIZED - MIKE’S BLUE WHEEL SERVICE AND VIBAR CONSTRUCTION, INC.

RESOLVED, the Town Board of the Town of Carmel, hereby authorizes the following contract services performed on Town-owned properties:

Vendor Name	Services Rendered	Invoice Amount
Mike’s Blue Wheel Service	Removal/Transport	
	Construction & Demolition materials	\$10,154.28
	Invoice September 9, 2019	
Vibar Construction, Inc.	Excavation, drainage repairs and	
	Tank removal services	\$8,072.00
	Invoice September 13, 2019	

BE IT FURTHER RESOLVED, the Town Board expressly waives the application of its adopted procurement policy in connection with the aforementioned goods/services and this authorization; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget revisions to effect payment for the aforesaid repair authorizations.

Resolution

Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

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

The members of the Town Board expressed their appreciation to the volunteers who participated in the cleanup of the Town-owned properties.

AIRPORT PARK PHASE II IMPROVEMENTS - CONTRACT NO. C255 - CHANGE ORDER #1 AUTHORIZED

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to U.S. Pitchcare, LLC and

WHEREAS, Consutling Engineer Insite Engineering, Surveying & Landscape Architecture, P.C. 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, hereby authorizes the Town Supervisor to sign Change Order #1 to the aforementioned contract, resulting in an overall contract price increase of \$31,440.00, said Change Order to be in form as attached hereto and made a part hereof.

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>	Abstain
Kenneth Schmitt	<u>X</u>	<u> </u>	

**2 OCTOBER 2019
TOWN BOARD MEETING**

(Cont.)

Change Order

No. |

Date of Issuance: <u>9/30/19</u>		Effective Date: _____
Project: <u>Town of Carmel – Airport Park Phase 2 – Contract C255</u>	Owner: <u>Town of Carmel</u>	Owner's Contract No.: <u>C-255</u>
Contract: <u>Town of Carmel – Airport Park Phase 2 – Contract C255</u>		Date of Contract: <u>June 19, 2019</u>
Contractor: <u>US Pitchcare LLC</u>		Engineer's Project No.: <u>18192.101</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

CHANGE ORDER FOR PERIMETER FENCING INSTALLATION AT AIRPORT PARK
IN ACCORDANCE WITH THE MASTER PLAN

Attachments (list documents supporting change):

CONTRACTOR'S PROPOSAL AND SPECIFICATIONS

CHANGE IN CONTRACT PRICE:**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$ 691,678.00

[Increase] [Decrease] from previously
approved Change Orders No. — to No. —

\$ N/A

Contract Price prior to this Change Order:

\$ 691,678.00

[Increase] [Decrease] of this Change Order:

\$ 31,440.00

Contract Price incorporating this Change

\$ 723,118.00

Original Contract Times: ☐ Working days ☒ Calendar daysSubstantial completion (days or date): 10/16/19Ready for final payment (days or date): 1/14/20

[Increase] [Decrease] from previously approved Change Orders
No. — to No. —:

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): 10/16/19Ready for final payment (days or date): 1/14/20

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 11/6/19Ready for final payment (days or date): 1/14/20

Contract Times with all approved Change Orders:

Substantial completion (days or date): 11/6/19Ready for final payment (days or date): 1/14/20**RECOMMENDED:**

By: [Signature]
Engineer (Authorized Signature)

Date: 9/30/19

Approved by Funding Agency (if applicable): _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

EJCDC C-941 Change Order

Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

Page 1 of 2

Change Order**Instructions****A. GENERAL INFORMATION**

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

**2 OCTOBER 2019
TOWN BOARD MEETING**

(Cont.)

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

EJCDC C-941 Change Order
Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.
Page 2 of 2

Councilwoman McDonough indicated that she had just been provided with a rendering of the proposed fencing and expressed her displeasure with its appearance.

Councilman Schneider referred to the recent vandalism at the Airport Park and pointed out that the fencing is necessary. A brief discussion was held.

CARMEL WATER DISTRICT #4 - WATER EMERGENCY DECLARED PURSUANT TO SECTION 151-22 OF THE TOWN CODE

WHEREAS, that the Town Board of the Town of Carmel, has been advised by Town Engineer Richard J. Franzetti, P.E. as well as Bee and Jay Plumbing, operator for Carmel Water District #4, that a water emergency exists within the aforesaid water district;

NOW THEREFORE BE IT RESOLVED that pursuant to Section 151-22 (A) of the Town Code of the Town of Carmel, the Town Board, acting as Commissioners of the Carmel Water District #4 in, hereby declares a water emergency with respect to and within Carmel Water District #4; and

BE IT FURTHER RESOLVED, that pursuant to Town Code §155-22 (B), during the period of said emergency as declared herein, the use of water for any of the following nonessential purpose(s) as enumerated in §155-22(C) shall be prohibited:

- (1) THE WASHING OF MOTOR VEHICLES, EXCEPT FOR WINDSHIELDS, MIRRORS AND THE LIKE.
- (2) THE CLEANING OR WASHING OF THE OUTSIDE OF BUILDINGS OR OTHER STRUCTURES BY THE USE OF WATER OR STEAM.
- (3) THE BLEEDING OF SUPPLY LINES FOR THE PURPOSE OF MAINTAINING A CONSTANT FLOW TO PREVENT FREEZING.
- (4) THE FLOODING OF OUTDOOR SKATING RINKS.
- (5) THE OPERATION OF SWIMMING POOLS, PORTABLE AND OTHERWISE, EXCEPT SWIMMING POOLS DESIGNED AND USED EXCLUSIVELY FOR MEDICAL TREATMENT.
- (6) THE USE OF AUTOMATIC PLUMBING FLUSH FIXTURES OR APPARATUS, AND THE MAINTENANCE OF CONSTANT FLOW FROM SHOWERS AND SIMILAR APPARATUS.
- (7) THE USE OF HOSE, SPOUT AND SIMILAR PRESSURE-BATHING APPARATUS, AND THE MAINTENANCE OF CONSTANT FLOW FROM SHOWERS AND SIMILAR APPARATUS.
- (8) THE NEW INSTALLATION OF REFRIGERATION AND/OR AIR-CONDITIONING EQUIPMENT REQUIRING THE USE OF WATER.
- (9) THE WATERING OF LAWNS AND PRIVATE GARDENS AND THE OPERATION OF ORNAMENTAL PONDS, POOLS AND FOUNTAINS.

BE IT FURTHER RESOLVED that the Town Clerk is directed to publish this resolution in the official newspapers of the Town and to post said resolution on the official bulletin Board of the Town.

Resolution

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

Supervisor Schmitt explained that Carmel Water District #4 serves the Lake Baldwin area in Mahopac.

Councilman Barile pointed out that the water emergency is being declared due to the lack of rainfall and that the water emergency could possibly be expanded.

PUBLIC COMMENTS - AGENDA ITEMS

Emily Boccardi inquired about the names of the firms from White Plains and Albany that were contacted along with Cozen O’Connor in connection with providing special counsel services.

Councilman Schneider replied that it would be necessary for him to review his notes and get back to her. He added that the Albany firm was a referral from a local attorney.

Councilman Lupinacci stated that the White Plains attorney he spoke with was Mark Oxman and he believed that the name of his firm is Oxman and Associates.

Ms. Boccardi asked if when deciding on Cozen O’Connor, any conflicts of interest were considered.

Councilman Schneider indicated that they were and pointed out that the firm has a specific paragraph in their proposal regarding conflicts of interest. Discussion regarding the matter ensued.

Jennifer Maher commended Supervisor Schmitt on his 2020 Tentative Budget and Town Comptroller Mary Ann Maxwell on her presentation. She went on to address the retention of Cozen O’Connor. Ms. Maher suggested that the Town Board consider engaging an expeditor to review Councilman Barile’s file in regard to his property’s connection to Carmel Sewer District #1 rather than engaging an outside special counsel. She maintained that expeditors have a greater expertise with regard to violations and would be less costly for the taxpayers than attorneys. She concluded by expressing her frustration with regard to the negative impact that this contentious issue is having on the Town.

Charlie Melchner commended the Town Board for their service to the community as well as the Highway Department for maintaining the outstanding condition of the roads. Mr. Melcher went on to speak about the community’s involvement with the development of the Mahopac Chamber Park several years ago. He encouraged the Town Board to remain in communication with the Chamber of Commerce while developing the adjoining park at Swan Cove.

Mr. Melcher asked why there seemed to be urgency with regard to retaining the services of Cozen O’Connor. He commented that he has a concern because the law firm has a history with Councilman Barile and questioned the reference to conflicts of interest included in their proposal.

Councilman Schneider believed the reference to conflicts of interest to be a boilerplate statement. He noted that given Cozen O’Connor’s extensive list of partners, it would be highly unlikely that they would assign someone to work with the Town who had a personal conflict of interest. However, Councilman Schneider stated that he would be requesting a written statement from the firm detailing any personal conflicts of interest.

**2 OCTOBER 2019
TOWN BOARD MEETING**

(Cont.)

Councilman Schneider also noted that a firm of Cozen O'Connor's stature would not have been greatly impacted by not being retained by the Town Board when their services were previously being considered.

Mr. Melchner inquired about the possibility of the formation of a department of public works which was discussed by the Town Board in the past.

Councilman Schneider explained that it was ascertained that the cost to the taxpayers for a department of public works would be much greater and concluded that the increased costs would outweigh any benefits.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

Ms. Maher announced on behalf of the Putnam County Business Council, that economic development is this year's theme at their annual Trailblazer Awards, and that the Town Board has been nominated for an economic leadership award for their efforts in connection with the distillery to be opened in Carmel as well as for their contribution towards the revitalization of downtown Mahopac by purchasing the Swan Cove property.

Supervisor Schmitt expressed his appreciation for the nomination and stated that he plans to attend the ceremony.

Ms. Boccardi inquired if the Town Board has adopted rules of conduct governing their meetings in terms of individuals in attendance and if not, would they consider doing so.

Councilman Schneider indicated that their meeting procedure is governed by Robert's Rules of Order and discussion ensued.

Charles DiMaggio, Beach Drive resident, expressed his concerns with regard to the impact on the biology of Lake MacGregor resulting from the Town's utilization to water the recreational fields being constructed at the nearby Airport Park. Mr. DiMaggio stated that Lake MacGregor is down over a foot and suggested repairing the spillway as a solution. He voiced his objection that a noisy diesel pump is being used when the residents were advised that the pump would be electric. He also voiced his objection to any future use of Lake MacGregor without a State Environmental Quality Review (SEQR).

Councilman Lupinacci clarified that an electrical pump would have been used as a permanent solution. The diesel pump is being used because the situation is temporary. He stated that while at a meeting held last week, residents reported that the lake was down anywhere from three to six inches.

Mr. DiMaggio indicated that he took measurements at the lake this evening. He acknowledged that the drop was probably due to the drought, not due to the pumping, and reiterated his suggestion to repair the spillway.

Councilman Lupinacci stated that he would follow up with Putnam County with regard to repairing the spillway and discussion followed.

Mr. Melchner echoed Councilwoman McDonough's comments concerning the amount of unwanted signage in downtown Mahopac.

**2 OCTOBER 2019
TOWN BOARD MEETING**

(Cont.)

Charlie Shultz, Lake MacGregor area resident, expressed his concern that the diesel pump being utilized at Lake MacGregor is located approximately ten feet away from the lake. He suggested that the pump be moved to an alternate location to avoid possible contamination of the lake from a spill.

Director of Recreation and Parks James Gilchrist explained the current spill control being utilized and assured Mr. Shultz that he would address options for added protection with the project's contractor.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Supervisor Schmitt announced that the Town is holding a "Shred it Day" on October 12, 2019 at the Michael Geary Inline Memorial Rink parking lot from 9:00 a.m. to 1:00 p.m. The event is free and open to Town of Carmel residents only. There will be a maximum allowance of three boxes of paper per vehicle.

Supervisor Schmitt announced that the Town is also holding a free "E-Waste Drop-off Day" on November 2, 2019 at the Michael Geary Inline Memorial Rink parking lot from 9:00 a.m. to 1:00 p.m. The event is open to Town of Carmel residents only and a list of acceptable items is posted on the Town's website.

Councilwoman McDonough announced that the annual Putnam County Columbus Day Parade will take place on October 6, 2019. The parade will commence at 2:00 p.m. at the intersection of Lake Casse Road and Route 6. It is held in conjunction with the Greater Mahopac-Carmel Chamber of Commerce's annual street festival in downtown Mahopac that commences at 11:00 a.m.

Councilman Schneider announced that the Mahopac High School athletic department will be honoring first responders, members of the military and veterans at the varsity football game at Mahopac High School on October 4, 2019 at 6:30 p.m. Former player and U.S. Coast Guard Chief Warrant Officer Michael Kozloski, who died in January following an accident at the Coast Guard buoy yard in Alaska, will be honored during the pre-game ceremony.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 9:19 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk