

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 11th day of December 2019 at 7:08 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Barile, Councilman Schneider, 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 Kieran Boyle from the Spain Agency regarding a contractual matter. The Town Board also discussed a contractual matter with regard to Carmel Water District #2, and met with representatives from Cozen O’Conner for an attorney-client litigation update.

TOWN JUSTICE APPOINTMENT MADE - DANIEL M. MILLER - (12/24/19 - 12/31/20)

RESOLVED, that the Town Board of the Town of Carmel hereby appoints Daniel M. Miller as Town of Carmel Town Justice, effective December 24, 2019.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough and 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> |

Supervisor Schmitt commended the resume of long-time Mahopac resident Daniel Miller, Esq. and administered his oath of office. The Town Board members wished him well in his new position.

SETTLEMENT OF LITIGATION AUTHORIZED - “THE TOWN OF CARMEL VS. HUDSON VALLEY REALTY CORP.”

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. 50975.2017 a certain lawsuit entitled “The Town of Carmel vs. Hudson Valley Realty Corp.”; and

WHEREAS a proposed settlement of the litigation has been negotiated by Counsel Joseph A. Charbonneau, Esq. and the Town Board wishes to enter into an agreement settling this litigation;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation on the terms and conditions as reflected in the proposed Stipulation of Settlement as negotiated; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute the referenced Stipulation of Settlement in general form and substance as is currently on file in the is on form in the office of the Town Supervisor.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider

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(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> |

PUBLIC COMMENTS - AGENDA ITEMS

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

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 Special Meeting was adjourned at 7:20 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk