

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 Deputy Supervisor Suzanne McDonough on the 19th day of February 2020 at 7:03 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schanil, Councilman Barile, Councilman Lombardi and Councilwoman McDonough. Supervisor Schmitt 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, first responders and law enforcement as well as to remember the local family of Poughkeepsie Police Officer John Falcone on the anniversary of his death, killed in the line of duty in 2011.

Deputy Supervisor McDonough reported that Supervisor Schmitt continues to recuperate well from his surgery and expressed his thanks for all of the support he is receiving from the community.

MINUTES OF TOWN BOARD MEETING HELD ON 2/5/20 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Schanil, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on February 5th, 2020 were accepted as submitted by the Town Clerk.

MUTUAL AID AND RAPID RESPONSE PLAN OF THE POLICE DEPARTMENTS OF WESTCHESTER COUNTY, NEW YORK - ADOPTED

RESOLVED, that the Town Board of the Town of Carmel, acting as Police Commissioners of the Town of Carmel Police Department, and upon the recommendation of Chief of Police Michael S. Cazzari, hereby adopts the terms and provisions of the Mutual Aid and Rapid Response Plan of the Police Departments of Westchester County, New York dated May 9, 2019; and

BE IT FURTHER RESOLVED, that Chief of Police Michael S. Cazzari is hereby authorized to sign said plan on behalf of the Town of Carmel Police Department.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

PURCHASE AND INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT - SUBMISSION OF GRANT DISBURSEMENT AGREEMENT TO NEW YORK STATE DORMITORY STATE AND MUNICIPAL FACILITIES PROGRAM PROJECT ID #12952 - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the execution and submission of the Grant Disbursement Application/Agreement for New York State Municipal Facilities Program Project ID #12952 for the Purchase and Installation of Video Surveillance Equipment for the Carmel Police Department, said agreement to be in form as is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough and Town of Carmel Chief of Police Michael Cazzari are hereby authorized to execute the Grant Disbursement Application in accordance with the provisions thereof.

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

Deputy Supervisor McDonough noted the grant amount to be \$75,000.00.

LAKE TEAKETTLE PARK DISTRICT - CONVEYANCE OF REAL PROPERTY FROM COUNTY OF PUTNAM ACCEPTED - TAX MAP NOS. 76.17-2-54 AND 76.17-2-55

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Lake Teakettle Park District, hereby accepts the conveyance of the parcels known and designated as Town of Carmel Tax Map Nos. 76.17-2-54 and 76.17-2-55 from the County of Putnam in exchange for the sum of \$1.00 (ONE DOLLAR) in accordance with Resolution No. 236 of 2007 and Resolution No. 47 of 2008 duly passed by the Putnam County Legislature; and

BE IT FURTHER RESOLVED that Deputy Supervisor Suzanne McDonough is hereby authorized to execute any conveyance documentation required in connection with the authorized actions hereunder; and

BE IT FURTHER RESOLVED that the costs of recording said conveyance instruments are authorized to be paid from the Lake Teakettle Spout Park District budget.

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

ATTENDANCE AT SEMINAR AUTHORIZED - NEW YORK STATE GFOA ANNUAL CONFERENCE - TOWN COMPTROLLER MARY ANN MAXWELL AND SENIOR ACCOUNT II CLERK MICHELLE TENEFRANCIA - 4/1/2020 THROUGH 4/3/2020

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Comptroller, Mary Ann Maxwell and Senior Account II, Clerk Michelle Tenefrancia to attend the 2020 New York State GFOA Annual Conference in Albany, NY, April 1, 2020 through April 3, 2020; 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 Schanil
Seconded by: Councilwoman McDonough

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u> </u>	<u> </u>	Absent

**ZONING BOARD OF APPEALS - PARTIAL RETURN OF APPLICATION FEE
AUTHORIZED - LESLIE AND ERNEST PALMIERI**

RESOLVED that the Town Board of the Town of Carmel upon the recommendation of Town of Carmel Director of Codes Enforcement Michael Carnazza, hereby authorizes the refund of the sum of \$300.00 To Leslie and Ernest Palmieri, Amawalk, NY from the total application fee previously paid for interpretation of the Town of Carmel Zoning Code.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u> </u>	<u> </u>	Absent

**ASSESSOR’S OFFICE - PROPOSAL ACCEPTED AND ENTRY INTO LICENSING
AGREEMENT FOR PROFESSIONAL SERVICES AUTHORIZED - PICTOMETRY
INTERNATIONAL CORP. - NOT TO EXCEED \$64,502.00**

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town Assessor Glenn Droese, hereby authorizes the acceptance of the proposal of Pictometry International Corp., Rochester, NY and authorizes entry into an agreement for aerial photogrammetry and imagery to be utilized by the Office of the Town Assessor, at an overall cost not to exceed \$64,502.00, said contract to be in form as is currently on file in the Office of the Town Supervisor;

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Deputy Town Supervisor Suzanne McDonough is hereby authorized to execute any and all necessary contract documentation to effect acceptance of this proposal upon the terms authorized herein.

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u>X</u>	<u> </u>	
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u> </u>	<u> </u>	Absent

19 FEBRUARY 2020
TOWN BOARD MEETING

PROPOSAL ACCEPTED FOR PROFESSIONAL SERVICES - TOWN WEBSITE HOSTING AND SERVICES - CIVIC PLUS - NOT TO EXCEED \$4,568.75

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of Civic Plus, Boxborough, MA and authorizes entry into a licensing agreement for annual Town of Carmel website hosting and related services in accordance with the proposal dated January 15, 2020 and at an annual cost not to exceed \$4,568.75; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

CARMEL WATER DISTRICT #8, CARMEL WATER DISTRICT #2, CARMEL SEWER DISTRICT #2, AND TOWN HALL POLICE DEPARTMENT LIGHTING - EMERGENCY REPAIRS ACKNOWLEDGED

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated February 6, 2020, as attached hereto and made a part thereof.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

Richard J. Franzetti, P.E.
Town Engineer



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


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

MEMORANDUM

**19 FEBRUARY 2020
TOWN BOARD MEETING**

(Cont.)

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: February 6, 2020

Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$5,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- Carmel Water District 8 – Saddle Repairs 15 and 20 Tanager Road

On December 8, 2019 Bee and Jay, the operators for CWD 8, notified the Engineering Department that two (2) saddles were leaking in the vicinity of 15 and 20 Tanager Road. Attached is an invoice in the amount of \$6,276.76 for Kuck Excavating to make this repair.

- Carmel Water District 2

Water leak 2 East Collier

On December 22, 2019 Inframark, the operators for CWD 2, notified the Engineering Department of a leak a 2 East Collier Drive. Attached is an invoice in the amount of \$8,648.36 for Kuck Excavating to make this repair.

Water leak 2 North Road

On January 10, 2020 Inframark, the operators for CWD 2, notified the Engineering Department of a leak at 2 North Road. Attached is an invoice in the amount of \$7,509.19 for Kuck Excavating to make this repair.

- Carmel Sewer District 2 – Lindy Drive Lift station

On January 7, 2020 Inframark, the operators for CWD 2, notified the Engineering Department of an unsafe condition related to accessing the Lindy Drive lift station as the roadway had washed out. Attached is an invoice in the amount of \$5,701.96 for Kuck Excavating to make this repair.

Tel: (845) 628-1500 Fax: (845) 628-7085 email rjff@ci.carmel.ny.us

G:\Engineering\Town Board\Emergency Invoice Summary\02-13-2020 WS\02-06-2020 Emergency Repair Acknowledgement to TB.doc

**02-06-2020
Emergency Repairs/Services**

- Town Hall – Police Department Lighting

On January 6, 2020 L&R electric was contacted by the Town to repair the lights in the Police Department parking lot. Attached is an invoice in the amount of \$5,400.00 for L&R to make this repair

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

Emergency Invoices ~ Summary Report

G:\Engineering\Town Board\Emergency Invoice Summary\M I 2/6/2020

INV # 107-19 ✓
CWD #2
REQ #
Vendor 0670
Tax ID - 133851002

EMERGENCY: 6 inch steel water break

Job Description:

- Locate leak and drill holes to pinpoint location
- Saw cut road, hammer blacktop, excavate & expose main
- Installed 6 inch repair clamp
- Backfill & compact with Item 4
- Blacktop restoration to follow

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hrs	\$85.00 per hour	680.00
Dump Truck	8 hrs	\$90.00 per hour	720.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	70.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Jumping Jack	Day rate	\$70.00	70.00
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	250.00
Machine operator	8 Hrs X 1 man OT	\$276.27- 1-½	2210.16
Laborers	8 Hrs X 2 men OT	\$238.95 1-½	3823.20
Item 4	15 yards	\$40.00 per yard	600.00
Seed		\$96.00 bag	
Top soil		\$	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$8,648.36

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

INV # 103-19
CWD #8
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vera

Emergency – Two ¾" X 8" Saddle Repairs

Respond as per: BEE & JAY

Job Location: #15 & #20 TANAGER ROAD

Work Completed on: 12/8/2019 SUNDAY JOB OVERTIME RATE - 1-1/2

Start time: 8:00 AM

End Time: 4:00 PM

Job Description:

- Locate water leak along shoulder of road
- Trace out 2 service lines
- Locate 2 rotted saddles on main
- Excavate, expose & replace saddles
- Reconnect saddles to existing service lines
- Backfill & compact disturbed area with Item 4
- Lawn restoration to follow

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hrs	\$85.00 per hour	680.00
Dump Truck	8 hrs	\$90.00 per hour	720.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Locater	Day rate	\$50.00	50.00
Machine Hammer	Day rate	\$250.00	
Machine operator	1 man x 8 hours SUNDAY	\$276.27 per hour 1-1/2	2,210.16
Laborers	1 man x 8 hours SUNDAY	\$238.95 per hour 1-1/2	1,911.60
Item 4	12 yards	\$40.00 per yard	480.00
Seed		\$96.00 bag	
Top soil		\$	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$6,276.76

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

INV # TOC: 005-20
CWD #2
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vera

EMERGENCY: 8" STEEL MAIN CIRCULAR CRACK

Respond as per: INFRAMARK

Job Location: #2 North Road

Work Completed on: 1/10/2020-1/11/-2020

Start time: 9:00pm

End Time:4:00 AM 7 hours OT

Job Description:

- Saw cut road to expose 8 inch water main
- Repaired leak with repair clamp
- Backfilled with Item 4 and compact

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	7 hours	\$85.00 per hour	595.00
Dump Truck	7 hours	\$90.00 per hour	630.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	70.00
Jumping Jack	Day rate	\$70.00	70.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	
Machine operator	7 Hrs X 1 man OT	\$276.27	1933.89
Laborers	7 Hrs X 2 men OT	\$238.95	3,345.30
Item 4	16 yards	\$40.00 per yard	640.00
Seed		\$96.00 bag	
Top soil		\$50.00	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$7,509.19

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

INV # TOC-004-20
SD# 2
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vera

EMERGENCY: ACCESS ROAD REPAIR

Respond as per: INFRAMARK
Job Location:Lindy – Sewer Lift Station
Work Completed on: 1/7/2020
Start time: 8:00 AM

End Time: 4:00 PM 8 HRS

Job Description:

- Access road repair

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hours	\$85.00 per hour	680.00
Dump Truck	8 hours	\$90.00 per hour	720.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	
Jumping Jack	Day rate	\$70.00	
Plate tamper	Day rate	\$70.00	70.00
Mud Sucker	Day rate	\$70.00	
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	
Machine operator	8 Hrs X 1 man	\$184.18	1473.44
Laborers	8 Hrs X 2 men	\$159.30	2548.80
Item 4		\$40.00 per yard	
Seed	¼ bag	\$96.00 bag	24.00
Top soil		\$50.00	
Blacktop		\$114.00 per ton	
Hay	2 bags	\$15.36 bag	30.72
Total			\$5,701.96

Invoice #569

L&R Electric Inc.

Residential and Commercial
Licensed, Insured & bonded
84 Chief Ninham Cir
Carmel NY 10512
Office #845-494-1878
Fax #845-306-7512
Email: LandRelectric@Gmail.com

Date 1/6/20

Bill to: Town of Carmel (EMERGENCY LIGHT REPAIR & REPLACEMENT
FOR SAFTEY OF POLICE DEPT

Project- Town hall parking lot lights

Job Details:

- Replace 2 light fixtures on high pole light (police station) rusted bolts to mount plate
- 3 pole lights take down and replace mounting plate and brackets for new lights (police station)
- Repair 2 pole mounts for safty of pole falling down
- Replace light to gas staion pump and repair rusted mounts
- Top parking lot replace 3 heads, rewire corrosion wires take mounting bracket down water damage!
- Make up mounting plate for light fixture to Columbus satchel
- Adjust light at night for better cover rage

Total \$5400

Balance Due \$ 5400

Please send payment to:
L&R Electric Inc.
84 Chief Ninham Cir.
Carmel, NY 10512.

19 FEBRUARY 2020
TOWN BOARD MEETING

HIGHWAY DEPARTMENT - ADVERTISING FOR BIDS AUTHORIZED - MISCELLANEOUS MATERIALS

RESOLVED that, pursuant to the request of Michael Simone Town of Carmel Highway Superintendent, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the purchase of the following items for fiscal year 2020:

- Crushed Gravel
- Granular Base (Item 4)
- Run of Bank Gravel
- Bituminous Concrete
- Road Oils, Cut Backs, etc.
- Catch Basins & Sumps with Tops
- Tree Felling & Trimming
- Steel Culvert Drainage Pipe
- Aluminum Culvert Drainage Pipe
- Polyethylene Drainage Pipe

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the Town Clerk Ann Spofford to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

HIGHWAY DEPARTMENT - EMERGENCY PURCHASE ACKNOWLEDGED AND AUTHORIZED - CAMEROTA TRUCK PARTS - NOT TO EXCEED \$11,100.00

RESOLVED, that the Town Board of the Town of Carmel and upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby acknowledges and authorizes the emergency purchase of vehicle repair parts for Highway Truck #49 from Camerota Truck Parts Enfield, CT at a cost not to exceed \$11,100.00 in accordance with the proposal dated January 30, 2020; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

19 FEBRUARY 2020
TOWN BOARD MEETING

HIGHWAY DEPARTMENT - PROPOSAL ACCEPTED FOR PROFESSIONAL SERVICES - TANK REMOVAL - AMERICAN PETROLEUM EQUIPMENT & CONSTRUCTION COMPANY (APECCO) - NOT TO EXCEED \$6,000.00

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of American Petroleum Equipment & Construction Company (APECCO), Walden, NY, for crane services provided in connection with tank removal at the Town of Carmel Highway Department in accordance with the proposal dated January 24, 2020 and at a cost not to exceed \$6,000.00; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schanil

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

RESOLUTION REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS - ADOPTED

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city, town and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities, towns and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Town of Carmel supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

- Ensure that cities, towns and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order;
- Judges must be given the discretion to order pre-trial detention.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Town of Carmel be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senator Peter Harckham and Assembly Member Kevin Byrne the New York State Conference of Mayors, and local media outlets.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

JUSTICE COURT - RECEIPT OF NOTICE OF AVAILABILITY OF RECORDS AND DOCKET ACKNOWLEDGED

RESOLVED, that the Town Board of the Town of Carmel hereby acknowledges receipt of notice from Town Justices Thomas J. Jacobellis and Daniel Miller, that the 2019 records and dockets of said Court have been made available for inspection by the Town Board pursuant to NY Uniform Justice Court Act §2019-a.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

19 FEBRUARY 2020
TOWN BOARD MEETING

DEPARTMENT OF RECREATION AND PARKS - PURCHASE OF SKATE PARK EQUIPMENT AUTHORIZED - RAMPAGE, LLC - NOT TO EXCEED \$8,180.00

RESOLVED, the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks James Gilchrist, hereby authorizes purchase of skate ramp equipment from Rampage, LLC, Trumbull, CT at a cost not to exceed \$8,180.00 in accordance with the proposal dated January 20, 2020; and
BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and
BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

ORDER CALLING PUBLIC HEARING ADOPTED IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF LAKE CASSE PARK DISTRICT IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK - MAXIMUM ESTIMATED COST OF \$228,206.00 - OFFERED AS SUMMARIZED AND PRE-FILED

WHEREAS, the Town Board of the Town of Carmel has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Lake Casse Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dam at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206; and
WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having hereby been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant adverse impact pursuant to 6 NYCRR Part 617.5(c)(2); and
WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Lake Casse Park District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;
NOW, THEREFORE, IT IS HEREBY
ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:
Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Lake Casse Park District, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

Section 2. Town Clerk Ann Spofford is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the Town of Carmel, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Lake Casse Park District, in said Town, consisting of the reconstruction of dam at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206.

Said capital project has been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in any significant adverse environmental impacts.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,
February __, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CARMEL, PUTNAM COUNTY NEW YORK

ORDER CALLING PUBLIC HEARING ADOPTED IN THE MATTER OF THE
INCREASE AND IMPROVEMENT OF THE FACILITIES OF LAKE TEAKETTLE
PARK DISTRICT IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK -
MAXIMUM ESTIMATED COST OF \$157,206.00 - OFFERED AS SUMMARIZED AND
PRE-FILED

WHEREAS, the Town Board of the Town of Carmel has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Teakettle Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Teakettle Lake, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206; and

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”), have been performed, it having hereby been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant adverse impact pursuant to 6 NYCRR Part 617.5(c)(2); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Teakettle Park District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;
NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o’clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Teakettle Lake Park District, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. Town Clerk Ann Spofford is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the Town of Carmel, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Schanil	<u>X</u>	<u> </u>
Michael Barile	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u> </u>	<u> </u> Absent

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on March 11, 2020, at 7:00 o’clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Lake Teakettle Park District, in said Town, consisting of the reconstruction of dams at Lake Teakettle, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206.

Said capital project has been determined to be a “Type II Action” pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, said regulations provide will not result in any significant adverse environmental impacts.

**19 FEBRUARY 2020
TOWN BOARD MEETING**

(Cont.)

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,
February ____, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CARMEL, PUTNAM COUNTY NEW YORK

**RESOLUTION AMENDING THE PROCESS FOR THE TOWN ENGINEER TO
UNDERTAKE ACTION TO CAP ALL CONNECTIONS TO SEWER DISTRICT
NUMBER 1 FROM 825 SOUTH LAKE BLVD. AUTHORIZED AND RESOLUTION
FROM 12/18/2019 SUPERSEDED AND AMENDED**

WHEREAS, on December 18, 2019, the Town Board hereby authorized the Town Engineer to enter into a contract that provides for services and to henceforth obtain all permits and undertake all such actions necessary in order for the second line which originates at 825 S. Lake Blvd (hereinafter, "Property") and enters the Sewer District Number 1 sewer main somewhere between the MCP97 – Clark Place Manhole and the downstream MCP96 Manhole to be excavated and capped and to cause the current or future Town sewer district maintenance contractor to cap the connecting line which enters Sewer District Number 1 in the MCP97 – Clark Place Manhole; Absent the declaration of a public health or safety emergency as determined by the Town Engineer or any other regulatory authority, such contract to be procured through a request for proposals; and

WHEREAS, the Town Board further required that in the event that use of such lines had not been discontinued nor had the Property Owners obtained all necessary approvals to use any such line, the Town Engineer was directed to cap all such lines no later than February 18, 2020; and

WHEREAS, on February 17, 2020, the Property Owners submitted a "Ten-day compliance plan addressing the Notice of Violation and Cease and Desist, dated December 18, 2019" which set forth a proposed set of actions which the Property Owners intend to undertake in order to seek regulatory compliance of the connecting line originating at the Property and

WHEREAS, the Property Owners have proposed an extension of time to March 21, 2020 to complete certain actions in connection with the Property Owner's February 17, 2020 submission;

WHEREAS, the Town is reviewing the Property Owners' February 17, 2020 submission and is coordinating with other regulatory agencies regarding the same; and

WHEREAS, additional time is necessary to permit the review and conferral process in connection with the Property Owners' February 17, 2020 submission; and

BE IT RESOLVED that the Town Board's December 18, 2019 Resolution be superseded and amended as follows; and

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the Town Engineer to enter into a contract that provides for services and to henceforth obtain all permits and undertake such actions necessary in order for the line which originates at the Property and enters the Sewer District Number 1 sewer main somewhere between MCP97 – Clark Place Manhole and the downstream MCP96 Manhole to be excavated and capped and to cause the current or future Town sewer district maintenance contractor to cap the connecting line which enters Sewer District Number 1 in the MCP97 – Clark Place Manhole; Absent the declaration of a public health or safety emergency as determined by the Town Engineer or any other regulatory authority, such contract to be procured through customary competitive process such as a request for proposals or bid solicitation; and

19 FEBRUARY 2020
TOWN BOARD MEETING

(Cont.)

BE IT FURTHER RESOLVED that in the event that the Property Owners have not taken the necessary steps to cease all outflow from the Property through the connecting line between MCP97 – Clark Place Manhole and the downstream MCP96 Manhole and the connecting line in the MCP97 Clark Place Manhole prior to March 21, 2020 or otherwise received all permits and approvals required by law to utilize any such connection, the Town Board directs the Town Engineer to complete the capping of all lines which divert wastewater from the Property to Sewer District Number 1 on or after March 21, 2020; and

BE IT FURTHER RESOLVED, that the Town Engineer shall notify the Property owners 7 calendar days prior to the initiation of the work provided for in the foregoing contract and that the work provided for in that contract will be performed; and

BE IT FURTHER RESOLVED, that the Town reserves all rights to seek recovery of any payment of all such expenditures authorized by this Resolution.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Robert Schanil	<u>X</u>	<u> </u>	
Michael Barile	<u> </u>	<u> </u>	Abstain
Frank Lombardi	<u>X</u>	<u> </u>	
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u> </u>	<u> </u>	Absent

PUBLIC COMMENTS - AGENDA ITEMS

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

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

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

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Lombardi announced that there will be a free rabies vaccination clinic on March 28, 2020 from 2:00 p.m. to 5:00 p.m. at South Putnam Animal Hospital on Baldwin Place Road in Mahopac for dogs, cats and ferrets. Further details are available from the Putnam County Department of Health.

Councilman Lombardi announced that Putnam County Teen Health Day will be held on March 20, 2020 from 8:00 a.m. to 2:30 p.m. at the Carmel Fire Department on Gleneida Avenue. Information will be provided and questions will be answered concerning HIV, Hepatitis C, STDs, mental health, substance abuse, gender identity and more.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Schanil, with all Town Board members present in agreement, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk