23 SEPTEMBER 2020

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 23rd day of September, 2020 at 7:04 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, 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 and the veterans who have served in the past.

Supervisor Schmitt announced that the Town Board met in Executive Session at 6:30 p.m. for a litigation update from Legal Counsel Gregory Folchetti, Esq. and Joseph Charbonneau, Esq. with respect to Homeland Towers' proposed cell tower in Maple Hill Estates.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC" - MUD POND ROAD AND ROCKLEDGE PLACE

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town's official newspapers:

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, September 23, 2020 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 147 of the Code of the Town of Carmel, entitled "Vehicles and Traffic" by amending certain Schedules therein as follows:

PROPOSED LOCAL LAW #____ OF THE YEAR 2020

A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC"

SECTION 1: This Local Law shall be known as 2020 Amendments to Chapter 147 entitled "Vehicles and Traffic".

SECTION 2: Chapter 147 of the Town Code of the Town of Carmel, §147-54, Schedule XIII: PARKING PROHIBITED CERTAIN HOURS is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-22, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street
Mud Pond Road
Side
West Side
Hours/Days
All Times
Location
Entire Length

SECTION 3: Chapter 147 of the Town Code of the Town of Carmel, §147-39, Schedule II: ONE-WAY STREET(S) is hereby amended to add the following to the existing provision of said section:

Name of Street
Rockledge Place
Direction of Travel Limits
South/Southeast
One-way travel between Sycamore Terrace and West Lake Boulevard

SECTION 4: HOME RULE: Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5: SEVERABILITY: If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6: EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law. At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

Supervisor Schmitt opened the Public Hearing for public comment at 7:09 p.m. Eight people were in attendance.

Supervisor Schmitt stated that although they are not present at the meeting, five or six residents from the Mahopac Hills area contacted him to express their concerns if one-way travel is created exiting Rockledge Place on to West Lake Boulevard because of limited sight visibility due to a curve in the roadway. He stated that these residents recommend reversing the proposed direction of the one-way travel.

Highway Superintendent Michael Simone explained that both directions were considered by the Highway Department and since only three homes would be impacted, it was decided that the direction proposed in the Local Law is the better alternative. Anyone else could exit through Vista Terrace or Sycamore Terrace which have plenty of visibility. Mr. Simone stated that he is aware of the turn in the roadway, however suggested that it may be the vegetation that is actually blocking visibility. He stated that if necessary, the Highway Department could cut down the vegetation or ask the occupant to take it down which would allow for greater than 150 feet of visibility.

(Cont.)

Supervisor Schmitt inquired if there is a stone wall located near the vegetation.

Mr. Simone replied that there is. However, he noted that the wall is low, less than 2.5 feet.

Councilman Lombardi asked Mr. Simone if he had spoken with any of the residents.

Mr. Simone replied that he did not.

Councilman Barile indicated that it appears to him that the homeowner on the corner may be utilizing the very well-kept vegetation as privacy screening.

Supervisor Schmitt agreed and pointed out that the homeowner may not be willing to cut the shrubbery.

Mr. Simone reiterated that there are two other exits out of the area. He maintained that usually only the people who live there exit at that location.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lombardi, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:14 p.m.

Mr. Simone inquired about the status of his recommendation to the Town Board for an amendment to the “Vehicle and Traffic” Chapter of the Town Code regarding Cherry Lane in downtown Mahopac.

Supervisor Schmitt reported that Link Land Surveying was notified today to proceed with surveying the property. Discussion ensued regarding the downtown Mahopac revitalization project.

SEQR DETERMINATION MADE IN REGARD TO PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLE AND TRAFFIC"- MUD POND ROAD AND ROCKLEDGE PLACE - TYPE II ACTION

RESOLVED that the Town Board of the Town of Carmel hereby determines that, the Local Law #1 Amending Chapter 147 of the Town Code of the Town of Carmel, Entitled, “Vehicle and Traffic” is a Type II action under SEQR, NYCRR Section 617.5(c)(27) and no further review is necessary.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

LOCAL LAW #1 OF THE YEAR 2020 - A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC" - MUD POND ROAD AND ROCKLEDGE PLACE - ADOPTED AS NOTICED AND PUBLISHED

LOCAL LAW #1 OF THE YEAR 2020
A LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLES AND TRAFFIC"

(Cont.)

SECTION 1.
This Local Law shall be known as 2020 Amendments to Chapter 147 entitled "Vehicles and Traffic".

SECTION 2.
Chapter 147 of the Town Code of the Town of Carmel, §147-54, Schedule XIII: PARKING PROHIBITED CERTAIN HOURS is hereby amended to add the following to the existing provision of said section:

In accordance with the provision of §147-22, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	**Side**	**Hours/Days**	**Location**
Mud Pond Road	West Side	All Times	Entire Length

SECTION 3.
Chapter 147 of the Town Code of the Town of Carmel, §147-39, Schedule II: ONE-WAY STREET(S) is hereby amended to add the following to the existing provision of said section:

Name of Street	**Direction of Travel**	**Limits**
Rockledge Place	South/Southeast	One-way travel between Sycamore Terrace and West Lake Boulevard

SECTION 4. HOME RULE
Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5. SEVERABILITY
If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

Councilman Barile and Supervisor Schmitt once again expressed their concerns for the resident's previously mentioned shrubbery. A brief discussion continued regarding the issue.

Mr. Simone concluded the discussion by clarifying that he does not anticipate the need to disturb the vegetation.

MINUTES OF TOWN BOARD MEETINGS HELD ON 8/26/2020 AND 9/2/2020 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all members of the Town Board present and voting "aye", the minutes of the Town Board meeting held on August 26th and September 2nd, 2020 were accepted as submitted by the Town Clerk.

BUDGET MODIFICATIONS AUTHORIZED - MAY/AUGUST 2020 - #2020/02

WHEREAS the Town Comptroller has reviewed the proposed Budget Modifications for the period ending August 31, 2020 with the Town Board which are detailed and explained on the attached Budget Revisions Schedule #2020/02;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the Budget Modifications/Revisions for the period ending August 31, 2020, as shown itemized on the schedule #2020/02 attached hereto, incorporated herein and made a part hereof.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND					
1	100.1110.0019	JUSTICE COURT OTHER COMP		1,241.00	
	100.1315.0019	COMPTROLLER OTHER COMP		2,560.00	
	100.1440.0019	ENGINEERING DEPT OTHER COMP		2,400.00	
	100.7020.0019	RECREATION DEPT OTHER COMP		2,101.00	
	100.1989.9877	**FUND BALANCE FOR COMPENSATED ABSENCES**	*	**8,302.00**	
		- PROVIDE FOR PAYOUT OF ACCRUED VACATION TIME			
2	100.3120.0019	POLICE STAFF OTHER COMPENSATION		339,129.00	
	100.3120.0019	POLICE STAFF OTHER COMPENSATION		150,000.00	
	100.3120.0011	POLICE STAFF UNIFORM PAY			150,000.00
	100.1989.9877	**FUND BALANCE FOR COMPENSATED ABSENCES**	*	**339,129.00**	
		- PROVIDE AND TRANSFER FOR RETIREMENT INCENTIVE AND PAYOUT OF ACCRUED TIME			
3	100.1930.0040	CERTIORARI SETTLEMENTS		5,000.00	
	100.1989.9876	**RESERVE FOR CERTIORARI SETTLEMENTS**	*	**5,000.00**	
		- PROVIDE FOR CERTIORARI SETTLEMENTS			
4	100.1315.0012	COMPTROLLER STAFF OVERTIME		500.00	
	100.1440.0040	ENGINEERING OFFICE EXPENSES		500.00	
	100.1640.0012	CENTRAL GARAGE OVERTIME		500.00	
	100.1315.0047	COMPTROLLER CONFERENCES			500.00
	100.1440.0086	RETIREES HEALTH INSURANCE			500.00
	100.1640.0020	CENTRAL GARAGE EQUIPMENT			500.00
		- TRANSFER FOR MISCELLANEOUS EXPENSES			
5	100.5132.0040	HIGHWAY GARAGE CONTRACTUAL EXPENSES		17,000.00	
	100.5010.0080	HIGHWAY ADMIN EMPLOYEE BENEFITS			17,000.00
		- TRANSFER FOR HIGHWAY GARAGE EXPENSES			
6	100.3121.0012	LAKE PATROL OVERTIME		12,500.00	
	100.3120.0012	POLICE STAFF OVERTIME			10,000.00
	100.3121.0082	LAKE PATROL FICA/MED EXPENSE			2,500.00
		- TRANSFER FOR LAKE PATROL OVERTIME EXPENSE			
7	100.7114.0040	RED MILLS CONTRACTUAL EXPENSES		1,000.00	
	100.7117.0020	CAMARDA PARK EQUIPMENT		3,600.00	
	100.7180.0013	BEACH TEMPORARY STAFF		2,200.00	
	100.7180.0080	BEACH EMPLOYEE BENEFITS		1,300.00	
	100.7112.0045	MCDONOUGH FIELDS PARK IMPROVEMENT			1,000.00
	100.7117.0040	CAMARDA PARK CONTRACTUAL EXPENSES			3,600.00
	100.7180.0040	BEACH CONTRACTUAL EXPENSES			3,500.00
		- TRANSFER FOR MISCELLANEOUS RECREATION EXPENSES			

(Cont.)

HIGHWAY FUND					
8	500.5112.0012	PROJECT OVERTIME		20,000.00	
	500.5112.0020	PROJECT EXPENDITURES		29,000.00	
	500.5112.0082	PROJECT FICA/MED COST		325.00	
	500.5010.3502	**CHIPS STATE AID - CAPITAL**	*	**49,325.00**	
		- PROVIDE FOR HIGHWAY PROJECT COSTS FROM CHIPS FUNDING			
9	500.5140.0012	WEEDS AND BRUSH OVERTIME		25,000.00	
	500.5142.0012	SNOW REMOVAL OVERTIME			25,000.00
		- TRANSFER FOR WEEDS AND BRUSH OVERTIME			

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
LAKE MAHOPAC PARK DISTRICT					
10	402.7110.0040	CONTRACTUAL EXPENSES		14,000.00	
	402.7110.0049	SERVICES FROM OTHER GOVERMENTS			3,000.00
	402.7110.0099	REPAIR RESERVE FUND			11,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES			
LAKE SECOR PARK DISTRICT					
11	404.7140.0013	TEMPORARY LABOR		5,000.00	
	404.7140.0040	CONTRACTUAL EXPENSES		2,000.00	
	404.7140.0020	EQUIPMENT			5,000.00
	404.7140.0099	REPAIR RESERVE FUND			2,000.00
		- TRANSFER FOR TEMPORARY LABOR AND CONTRACTUAL EXPENSES			
CARMEL WATER DISTRICT #2					
12	602.8310.0047	EMERGENCY REPAIRS		5,955.00	
	602.8310.2681	**INSURANCE RECOVERY ASSET**	*	**5,955.00**	
		- PROVIDE FOR EMERGENCY REPAIRS FROM REVENUE THROUGH INSURANCE CLAIMS			
13	602.8310.0020	EQUIPMENT		71,800.00	
	602.8310.0090	CONTINGENCY			33,600.00
	602.8310.0099	REPAIR RESERVE FUND			38,200.00
		- TRANSFER FOR EMERGENCY TURBINE PUMP REPLACEMENT			
14	602.8310.0047	EMERGENCY REPAIRS		10,000.00	
	602.8310.0040	CONTRACTUAL EXPENSES			10,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #3					
15	603.8310.0041	CHEMICAL EXPENSES		2,000.00	
	603.8310.0040	CONTRACTUAL EXPENSES			2,000.00
		- TRANSFER FOR CHEMICAL EXPENSES			
CARMEL WATER DISTRICT #5					
16	605.8310.0020	EQUIPMENT		3,400.00	
	605.8310.0047	EMERGENCY REPAIRS		6,976.00	
	605.8310.2681	**INSURANCE RECOVERY ASSET**	*	**10,376.00**	
		- PROVIDE FOR PUMP REPLACEMENT FROM ANTICIPATED INSURANCE CLAIM			
17	605.8310.0047	EMERGENCY REPAIRS		2,500.00	
	605.8310.0099	REPAIR RESERVE FUND			2,500.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #6					
18	606.8310.0020	EQUIPMENT		3,400.00	
	606.8310.0047	EMERGENCY REPAIRS		5,913.00	
	606.8310.2681	**INSURANCE RECOVERY ASSET**	*	**9,313.00**	
		- PROVIDE FOR PUMP REPLACEMENT FROM ANTICIPATED INSURANCE CLAIM			
19	606.8310.0047	EMERGENCY REPAIRS		2,000.00	
	606.8310.0099	REPAIR RESERVE FUND			2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			

(Cont.)

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #7					
20	607.8310.0020	EQUIPMENT		10,828.00	
	607.8310.0047	EMERGENCY REPAIRS		21,121.00	
	607.8310.2681	**INSURANCE RECOVERY ASSET**	*	**31,949.00**	
		- PROVIDE FOR EQUIPMENT AND EMERGENCY REPAIRS			
		FROM REVENUE THROUGH INSURANCE CLAIMS			
21	607.8310.0046	PURCHASE OF WATER		4,500.00	
	607.8310.0099	REPAIR RESERVE FUND			4,500.00
		- TRANSFER FOR THE PURCHASE OF WATER			
CARMEL WATER DISTRICT #8					
22	608.8310.0047	EMERGENCY REPAIRS		4,128.00	
	608.8310.2681	**INSURANCE RECOVERY ASSET**	*	**4,128.00**	
		- PROVIDE FOR EMERGENCY REPAIRS FROM ANTICIPATED INSURANCE CLAIM			
CARMEL WATER DISTRICT #9					
23	609.8310.0040	CONTRACTUAL EXPENSES		3,000.00	
	609.8310.0047	EMERGENCY REPAIRS		4,400.00	
	609.8310.0099	REPAIR RESERVE FUND			7,400.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #10					
24	610.8310.0047	EMERGENCY REPAIRS		11,000.00	
	610.8310.0090	CONTINGENCY			5,100.00
	610.8310.0099	REPAIR RESERVE FUND			5,900.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #12					
25	612.8310.0041	CHEMICALS		2,000.00	
	612.8310.0046	PURCHASE OF WATER		6,350.00	
	612.8310.0047	EMERGENCY REPAIRS		12,000.00	
	612.8310.0020	EQUIPMENT			2,000.00
	612.8310.0040	CONTRACTUAL EXPENSES			5,500.00
	612.8310.0048	OTHER OPERATING EXPENSES			3,000.00
	612.8310.0049	SERVICES FROM OTHER GOVERNMENTS			1,500.00
	612.8310.0099	REPAIR RESERVE FUND			8,350.00
		- TRANSFER FOR MISCELLANEOUS EXPENSES			
CARMEL WATER DISTRICT #13					
26	613.8310.0047	EMERGENCY REPAIRS		2,000.00	
	613.8310.0040	CONTRACTUAL EXPENSES			2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
CARMEL WATER DISTRICT #14					
27	614.8310.0040	CONTRACTUAL EXPENSES		3,000.00	
	614.8310.0099	REPAIR RESERVE FUND			3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES			
CARMEL SEWER DISTRICT #1					
28	701.8130.0040	CONTRACTUAL EXPENSES		29,400.00	
	701.8130.0099	REPAIR RESERVE FUND			14,400.00
	701.8130.9909	**APPROPRIATED FUND BALANCE**	*	**15,000.00**	
		- PROVIDE AND TRANSFER FOR CONTRACTUAL EXPENSES			

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #2					
29	702.8130.0040	CONTRACTUAL REPAIRS		95,000.00	
	702.8130.9909	**APPROPRIATED FUND BALANCE**	*	**95,000.00**	
		- PROVIDE FOR EMERGENCY PARTS FOR MUFFIN MONSTER AND SEWER JETTING COSTS YEAR 1			
30	702.8130.0054	CAPITAL EXPENDITURES		598,000.00	
	702.8130.9909	**APPROPRIATED FUND BALANCE**	*	**598,000.00**	
		- PROVIDE FOR SAND FILTER ROOF REPLACEMENT			

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31	702.8130.0040	CONTRACTUAL EXPENSES		70,000.00	
	702.8130.0046	PURCHASE OF WATER		5,000.00	
	702.8130.0047	SLUDGE HAULING			40,000.00
	702.8130.0090	CONTINGENCY			15,000.00
	702.8130.0140	MICROFILTRATION - CONTRACTUAL EXPENSES			20,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND THE PURCHASE OF WATER			
CARMEL SEWER DISTRICT #3					
32	703.8130.0040	CONTRACTUAL EXPENSES		9,500.00	
	703.8130.0099	REPAIR RESERVE FUND			2,500.00
	703.8130.9909	**APPROPRIATED FUND BALANCE**	*	**7,000.00**	
		- PROVIDE AND TRANSFER FOR CONTRACTUAL EXPENSES			
CARMEL SEWER DISTRICT #4					
33	704.8130.0040	CONTRACTUAL EXPENSES		15,000.00	
	704.8130.0141	MICROFILTRATION - CHEMICALS		3,000.00	
	704.8130.0090	CONTINGENCY			5,000.00
	704.8130.0099	REPAIR RESERVE FUND			10,000.00
	704.8130.0140	MICROFILTRATION - CONTRACTUAL EXPENSES			3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES AND MICROFILTRATION CHEMICALS			
CARMEL SEWER DISTRICT #5					
34	705.8130.0044	ENGINEERING SERVICES		8,000.00	
	705.8130.9909	**APPROPRIATED FUND BALANCE**	*	**8,000.00**	
		- PROVIDE FOR ENGINEERING SERVICES FOR SD#5 FACILITY PLAN UPGRADE			
35	705.8130.0040	CONTRACTUAL EXPENSES		8,000.00	
	705.8130.0047	SLUDGE HAULING			5,000.00
	705.8130.0099	REPAIR RESERVE FUND			3,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES			

TOWN OF CARMEL
BUDGET REVISIONS MAY - AUGUST 2020 #2020/02

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
MISCELLANEOUS FUNDS					
36	100.1620.0042	BUILDING UTILITIES		980.00	
	601.8310.0047	EMERGENCY REPAIRS		62.00	
	602.8310.0047	EMERGENCY REPAIRS		2,350.00	
	604.8310.0047	EMERGENCY REPAIRS		360.00	
	605.8310.0047	EMERGENCY REPAIRS		377.00	
	606.8310.0047	EMERGENCY REPAIRS		2,644.00	
	607.8310.0047	EMERGENCY REPAIRS		365.00	
	608.8310.0047	EMERGENCY REPAIRS		4,568.00	
	609.8310.0047	EMERGENCY REPAIRS		1,870.00	
	610.8310.0047	EMERGENCY REPAIRS		2,759.00	
	613.8310.0047	EMERGENCY REPAIRS		393.00	
	614.8310.0047	EMERGENCY REPAIRS		3,965.00	
	702.8130.0040	CONTRACTUAL EXPENSES		8,631.00	
	702.8130.0140	CONTRACTUAL EXPENSES		1,021.00	
	703.8130.0040	CONTRACTUAL EXPENSES		669.00	
	704.8130.0040	CONTRACTUAL EXPENSES		2,750.00	
	705.8130.0040	CONTRACTUAL EXPENSES		3,875.00	
	706.8130.0040	CONTRACTUAL EXPENSES		2,025.00	
	100.1989.4321	**FEDERAL AID - FEMA**	*	980.00	
	601.8310.4321	**FEDERAL AID - FEMA**	*	62.00	
	602.8310.4321	**FEDERAL AID - FEMA**	*	2,350.00	
	604.8310.4321	**FEDERAL AID - FEMA**	*	360.00	
	605.8310.4321	**FEDERAL AID - FEMA**	*	377.00	
	606.8310.4321	**FEDERAL AID - FEMA**	*	2,644.00	
	607.8310.4321	**FEDERAL AID - FEMA**	*	365.00	
	608.8310.4321	**FEDERAL AID - FEMA**	*	4,568.00	
	609.8310.4321	**FEDERAL AID - FEMA**	*	1,870.00	
	610.8310.4321	**FEDERAL AID - FEMA**	*	2,759.00	
	613.8310.4321	**FEDERAL AID - FEMA**	*	393.00	
	614.8310.4321	**FEDERAL AID - FEMA**	*	3,965.00	
	702.8130.4321	**FEDERAL AID - FEMA**	*	9,652.00	
	703.8130.4321	**FEDERAL AID - FEMA**	*	669.00	
	704.8130.4321	**FEDERAL AID - FEMA**	*	2,750.00	
	705.8130.4321	**FEDERAL AID - FEMA**	*	3,875.00	
	706.8130.4321	**FEDERAL AID - FEMA**	*	2,025.00	
		- PROVIDE FOR COSTS RELATED TO TROPICAL STORM ISAIAS			
		FROM ANTICIPATED FEMA REVENUE			
AIRPORT PARK CAPITAL FUND					
37	910.7140.0044	PROJECT ENGINEERING		1,500.00	
	910.7140.0040	CONTRACTUAL EXPENDITURES			1,500.00
		- TRANSFER FOR AIRPORT PARK ENGINEERING COSTS			

(Cont.)

LAKE CASSE PARK DISTRICT CAPITAL FUND					
38	941.7140.0040	CONTRACTUAL EXPENDITURES		15,000.00	
	941.7140.0044	PROJECT ENGINEERING		16,700.00	
	941.7140.0045	CONTRACTED IMPROVEMENTS		166,860.00	
	941.7140.0048	OTHER PROJECT EXPENDITURES		29,646.00	
	941.7140.5710	**PROCEEDS OF BORROWING**	*	**228,206.00**	
		- RECORD 2020 CAPITAL AUTHORIZATION			
TEAKETTLE LAKE PARK DISTRICT CAPITAL FUND					
39	943.7140.0040	CONTRACTUAL EXPENDITURES		5,000.00	
	943.7140.0044	PROJECT ENGINEERING		30,500.00	
	943.7140.0045	CONTRACTED IMPROVEMENTS		115,384.00	
	943.7140.0048	OTHER PROJECT EXPENDITURES		6,322.00	
	943.7140.5710	**PROCEEDS OF BORROWING**	*	**157,206.00**	
		- RECORD 2020 CAPITAL AUTHORIZATION			

Budget Revisions May - August 2020 cover sheet.xls 5

2020 SERVICE AWARD ANNUAL REPORTS FOR CARMEL AMBULANCE DISTRICT #1 AND CARMEL FIRE PROTECTION DISTRICTS #1 AND #2 - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Ambulance District No.1, Carmel Fire Protection Districts No. 1 and No. 2, hereby accepts the 2020 Length of Service Award Program (LOSAP) Annual Report for Carmel Ambulance District No. 1, and Carmel Fire Protection Districts No. 1 and No. 2 as prepared by Penflex, Inc., a copy of which is on file in the Office of the Town Supervisor.

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

HIGHWAY DEPARTMENT - CERTAIN EQUIPMENT DECLARED OBSOLETE AND DISPOSAL AUTHORIZED - 2002 CHEVY UTILITY, 2005 INT'L 4900 4X4 DUMP TRUCK, 1997 JOHN DEERE LOADER AND 1994 EAGER BEAVER ROLLER

RESOLVED that, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, the Town Board of the Town of Carmel hereby declares the following Trucks and Equipment to be obsolete and authorizes its disposal in accordance with Town Law, including but not limited to Town Law §64(2-a):

Description	**Highway ID**	**VIN Number**
2002 Chevy Utility	Truck #5	1GBJK34142E136192
2005 Int'l 4900 4x4 Dump Truck	Truck #47	1HTWEAZR75J049753
1997 John Deere Loader	Loader #2	DW544GB560532
1994 Eager Beaver Roller	Road Crew	112RNG005RT035651

Resolution
Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

CARMEL WATER DISTRICT #2 - PERFORMANCE OF EMERGENCY REPAIRS ACKNOWLEDGED - KUCK EXCAVATING - $17,823.94

RESOLVED that 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, specifically those performed in Carmel Water District #2 all as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated September 3, 2020, which is attached hereto and made a part thereof.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

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

To: Carmel Town Board

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

Date: September 3, 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.

- CWD2 ~ Water Main Repair

  On July 31, August 3 and August 5, 2020, Inframark, the operator for the CWD 2 alerted the Engineering Department that Kuck Excavating was called in the replace (2) leaking service lines at 7 & 9 Kyle Ct. Attached is the invoice in the amount of $17,823.94 for these repairs, which included the dig up and locate of the main, and the replacement of the curb valves.

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

Tel: (845) 628-1500 Fax: (845) 628-7085 email rjf@ci.carmel.ny.us
G:\Engineering\Town Board\Emergency Invoices\09-09-20\09-03-2020 Repair Acknowledgement to TB.doc

09-02-2020 - EXHIBIT "B"

Emergency Justification Form
Town of Carmel Procurement Policy

(Cont.)

Procurement Policy, Section VI: Emergency Procurement

Subdivision (4) of General Municipal Law §103 sets forth an exception to purchasing and bidding requirements for emergency situations

Department: Engineering

Vendor names: Kuck Excavating,

Nature of emergency: CWD 2 water main repair,

Estimated cost: $17,823.94

There are three basic statutory criteria to be met in order to fall within the emergency purchase exception. State the basis for identifying an emergency purchase or service, check any that apply:

√ The situation arose out of an accident or unforeseen occurrence or condition.

√ Public buildings, public property, or the life, health, safety or property of the political sub-division's residents were affected.

√ The situation required immediate action, which could not await competitive bidding.

√ The emergency purchases or services exceeded **$10,000** and will be submitted to the Town Board for presentation at a Town Board Meeting to acknowledge said emergency. A Town Board Resolution should be passed acknowledging the same.

☐ Other (provide explanation):

Purchasing Agent's signature for approval: Richard Franzetti

Department Head's signature for approval: Richard Franzetti

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

INV # TOC-061-20
CWD # 2
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vara, ENGINEERING
TOWN OF CARMEL

EMERGENCY REPLACE 2 LEAKING SERVICE LINES

Respond as per: ENGINEERING DEPT
Job Location: 7 & 9 KYLE COURT
Work Completed;8/5/2020
Start time: 7-31 , 8/3/, 8/5/2020 HOURS 7/31- 7 HRS 8/3 – 8 HRS 8/5-8 HRS

23 TOTAL HOURS

Job Description:
DAY 1 SAW CUT ROAD, LOCATE SERVICE LINE DUG UP MAIN TO FIND SERVICE CONNECTIONS
DAY 2 DUG TRENCH FROM MAIN ACROSS CUL-DE-SAC TO EDGE OF PROPERTY SHOULDER- RAN 2-2" CTS- SLEEVES BACKFILLED ROAD WITH ITEM 4 AND COMPACT
DAY 3 DUG UP BOTH CURB BOXES ON PROPERTY LINES-RAN NEW ¾ " COPPER FROM MAIN THROUGH NEW SLEEVES TO BOTH HOUSE CURB VALVES. BACKFILLED AND COMPACT
***NEEDS BLACKTOP AND LAWN RESTORATION**

(Cont.)

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	3 DAYS	$85.00 per hour	1955.00
Dump Truck	3 DAYS	$90.00 per hour	2070.00
Support Vehicle	3 Days	$155.00	465.00
Chop Saw	1 day /Day rate	$ 70.00	70.00
Jumping Jack	2 Days / Day rate	$70.00	140.00
Plate tamper	Day rate	$70.00	
Mud Sucker	Day rate	$70.00	
Locater	Day rate	$70.00	
Machine Hammer	Day rate	$250.00	
Machine operator	23 Hrs X 1 man	$184.18	4236.14
Laborers	23 Hrs X 2 men	$159.30	7327.80
Item 4	39 yards	$40.00 per yard	1560.00
Seed		$96.00 bag	
Top soil		$50.00	
Blacktop		$114.00 per ton	
Cold Patch		$140.00 per ton	
Hay		$15.36 bag	
Total			17,823.94

PROPOSED EAGLE SCOUT PROJECT - IMPROVEMENTS AT SYCAMORE PARK (TREE BENCH) - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, in connection with the proposed Eagle Scout project, (Tree Bench at Sycamore Park) of Chris Stiller of Boy Scouts of America Troop #1 Mahopac, hereby authorizes the performance of improvements at Sycamore Park in accordance with the memorandum and plans provided by Director of Recreation and Parks James R. Gilchrist as detailed in his memorandum to the Town Board dated September 4, 2020; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

PUBLIC HEARING SCHEDULED FOR 10/7/2020 - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE CODE OF THE TOWN OF CARMEL ENTITLED "VEHICLES AND TRAFFIC" - ROUTE 6 BETWEEN EAST LAKE BOULEVARD AND MCMAHON PLACE

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, October 7, 2020 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Code of the Town of Carmel entitled "Vehicles and Traffic" by amending certain Schedules therein; and

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

(Cont.)

Resolution
Offered by: Councilman Barile
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

PROPOSED LOCAL LAW #___ OF THE YEAR 2020
A LOCAL LAW AMENDING CHAPTER 147
OF THE TOWN CODE OF THE TOWN OF CARMEL,
ENTITLED "VEHICLES AND TRAFFIC"

SECTION 1.
This Local Law shall be known as 2020 Amendments to Chapter 147 entitled “Vehicles and Traffic”.

SECTION 2.
Chapter 147 of the Town Code of the Town of Carmel, §147-51, Schedule X: Parking Prohibited at All Times is hereby amended to add the following street/road locations set forth herein:

In accordance with the provision of §147-19, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Route 6	Both Sides	Between East Lake Boulevard and McMahon Place

SECTION 3. HOME RULE
Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4. SEVERABILITY
If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5. EFFECTIVE DATE
This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION ADOPTED ACKNOWLEDGING COMPLIANCE WITH GOVERNOR EXECUTIVE ORDER NO. 203 - POLICE REFORM AND REINVENTION COLLABORATIVE

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Town of Carmel Police Department, hereby acknowledges receipt of and its intention to comply with the provisions of Executive Order No. 203 of the Hon. Andrew M. Cuomo, issued on or about June 12, 2020 with respect to the Police Reform and Reinvention Collaborative for the State of New York; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Carmel designates and appoints Interim Commanding Officer Lt. John R. Dearman as liaison to the Town Board and all local police agencies for purposes of this initiative.

Resolution
Offered by: Councilman Schanil
Seconded by: Councilwoman McDonough

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

Supervisor Schmitt explained Governor Cuomo's Executive Order No. 203: New York State Police Reform and Reinvention Collaborative which requires that each local government entity which has a police agency perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices and develop a plan to improve them for the purpose of addressing the particular needs of the communities and promote community engagement to foster trust, fairness and legitimacy and address any racial bias and disproportionate policing of communities of color.

Supervisor Schmitt further explained that in accordance with this Order, the Town of Carmel Police Department is requesting that community groups and interested parties who wish to participate in the New York State Police Reform and Reinvention Collaborative for the Town of Carmel submit their contact information along with any constructive ideas they may have to Town Clerk Ann Spofford either by mail or email. He stated that the plan must be adopted by the Town Board by April 1, 2021 and reported on the progress that has already taken place regarding the initiative.

PROPOSAL ACCEPTED FOR PROFESSIONAL SERVICES - LAKE MAHOPAC DAM ENGINEERING ASSESSMENT - SCHNABEL ENGINEERING - NOT TO EXCEED $93,100.00

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes acceptance of the proposal of Schnabel Engineering, Glen Allen, VA for professional services required in connection with preparation of an Engineering Assessment for Lake Mahopac Dam in accordance with the terms of the Order on Consent issued in New York State Department of Environmental Conservation Case No. CO3-20170425-83 at a cost not to exceed $93,100.00; and

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 necessary contract documentation to effect acceptance of this proposal upon the terms authorized herein.

(Cont.)

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

Roll Call Vote	YES	NO
Robert Schanil	X	
Michael Barile	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schanil, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 7:41 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk