

ORGANIZATIONAL MEETING  
TOWN HALL, MAHOPAC, N.Y.

The 2021 Organizational Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on 6<sup>th</sup> day of January 2021 at 7:11 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.

SEATING ORDER OF THE TOWN BOARD MEMBERS SET

RESOLVED that the Town Board Members will be seated as follows (left to right): facing the dais: Robert Schanil, Suzanne McDonough, Kenneth Schmitt, Michael Barile and Frank Lombardi.

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	

Councilman Barile explained that he had given up his seat next to Supervisor Schmitt on the dais to Councilman Lombardi when he was elected to another term of office as a courtesy for his prior years of service on the Town Board. However, since being moved off the platform to a seat on the floor to comply with COVID-19 social distancing guidelines, he felt removed from the rest of the members and requested his seat back. Councilman Barile expressed his appreciation to Councilman Lombardi for switching until it is possible for the entire Town Board to sit together on the dais again.

Councilman Lombardi expressed his appreciation to Councilman Barile for acknowledging his previous service and noted that the voting order, which recognizes his tenure on the Town Board, remains the same.

ROLL CALL VOTING ORDER OF TOWN BOARD MEMBERS SET

RESOLVED that the Roll Call Voting Order of the Town Board shall be as follows:

Robert Schanil  
Michael Barile  
Frank Lombardi  
Suzanne McDonough  
Kenneth Schmitt

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	

6 JANUARY 2021  
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**DATES, TIME AND LOCATION OF TOWN BOARD MEETINGS ESTABLISHED**  
**AMENDED 01-20-2021**

RESOLVED that all regular meetings of the Town Board of the Town of Carmel shall be held on the first and third Wednesdays of each month, commencing Wednesday, January 20, 2021 and with the exception of the month of September where the voting meeting shall be held on Thursday, September 16<sup>th</sup> instead of Wednesday, September 15<sup>th</sup> at the Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM; and

BE IT FURTHER RESOLVED that all work sessions of the Town Board of the Town of Carmel shall be held on the second and third Wednesdays of each month commencing Wednesday, January 13, 2021, work sessions scheduled for third Wednesdays shall commence immediately following voting meetings; and with the exception of fifth Wednesdays where there shall be no meetings; and with the exception of the month of September where the work session shall be held on Thursday, September 16<sup>th</sup> instead of Wednesday, September 15<sup>th</sup>, and Tuesday, November 23<sup>rd</sup> instead of Wednesday, November 24<sup>th</sup>, and the month of December when no meeting shall be held on the fourth Wednesday. All work sessions shall be held at the Town of Carmel Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 PM, with the exception of Wednesday, April 28, 2021, which shall be held in the hamlet of Carmel at the Carmel Firehouse, Vink Drive, Carmel, NY at 7:00 PM.

Resolution

Offered by: Supervisor Schmitt  
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>X</u>	<u>          </u>

Supervisor Schmitt explained that changes to the Town Board meeting schedule were made so that the Planning Board could utilize both of the meeting rooms at Town Hall when they convened and allow them to hold two meetings per month. He stated that this schedule will remain in effect until social distancing restrictions imposed due to the COVID-19 pandemic, are lifted.

**RULES OF ORDER FOR TOWN BOARD MEETINGS SET**

RESOLVED that the Rules of Order for Town Board Meetings shall be Roberts' Rules of Order Newly Revised.

Resolution

Offered by: Councilman Barile  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**POLICE COMMISSIONERS APPOINTED - TOWN BOARD**

RESOLVED that the Town Board of the Town of Carmel hereby appoints all members of the Town Board to serve as the Board of Police Commissioners for the year 2021.

(Cont.)

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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**OFFICIAL NEWSPAPERS OF THE TOWN DESIGNATED - PUTNAM COUNTY  
COURIER AND THE MAHOPAC NEWS (JOURNAL NEWS - DAILY)**

RESOLVED that the Town Board of the Town of Carmel designates the Putnam County Courier and the Mahopac News as the official newspapers of the Town of Carmel for the year 2021 at the unit rates referenced in the proposals filed in the Office of the Town Clerk; and

BE IT FURTHER RESOLVED that, in those situations where the Town is required by law to publish in a daily newspaper, the Journal News is hereby designated as the daily newspaper in which publication shall be made.

Resolution  
Offered by: Councilman Schanil  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**OFFICIAL DEPOSITORIES DESIGNATED**

RESOLVED that the Town Board of the Town of Carmel hereby designates any commercial bank authorized to do business in the State of New York as an official depository for Town of Carmel funds and investments provided all deposits are properly collateralized in accordance with New York State law and hereby authorizes the Town Supervisor to deposit funds in any authorized depository for fiscal year 2021 in order to obtain the maximum rate of interest on said deposits.

Resolution  
Offered by: Councilwoman McDonough  
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>X</u>	<u>          </u>

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**INSURANCE AGENT DESIGNATED - BROWN AND BROWN OF NY, INC., D/B/A SPAIN AGENCY**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Brown and Brown of NY, Inc., d/b/a Spain Agency, 625 Route Six, Mahopac, New York as Insurance Agents and Brokers of Record for the Town of Carmel for the year 2021.

Resolution

Offered by: Supervisor Schmitt  
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></u>	<u>X</u>
Frank Lombardi	<u>X</u>	<u></u>
Suzanne McDonough	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

Councilman Barile stated that the resolution was misleading because the proposal for the Town’s insurance was awarded last year. He further stated that other insurance agents should not let this designation stop them from submitting future proposals and that his “no” vote is not a reflection on the current insurance agent as they are providing excellent service.

**PETTY CASH FUNDS AUTHORIZED FOR FISCAL YEAR 2021**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the establishment of Petty Cash Funds in the following departments at the following amounts for fiscal year 2021:

Supervisor \$200	Town Clerk \$200
Receiver of Taxes \$500	Police Chief \$200
Justice Court \$200	Bldg. Maintenance \$100
Recreation \$200	Supt. of Highways \$200

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>X</u>	<u></u>

**MILEAGE RATE SET FOR FISCAL YEAR 2021**

RESOLVED that the Town Board of the Town of Carmel hereby establishes the mileage reimbursement rate for 2021 at the IRS rate for 2021.

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilman Barile and 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>X</u>	<u></u>

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**HIGHWAY DEPARTMENT - RATES SET FOR 2021 TEMPORARY HELP**

RESOLVED that the Town Board of the Town of Carmel hereby sets the following rates for Highway Department temporary help for fiscal year 2021:

- Private Plowers (minimum 2500 Series Truck/1 Ton Truck with plow) - \$60.00/hour
- Drivers (Labor only in Town trucks) - \$30.00/hour

Resolution

Offered by: Councilman Schanil  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**COUNCIL MEMBERS AS LIAISONS TO SPECIAL COMMITTEES - DESIGNATED**

BE IT RESOLVED that the Town Board of the Town of Carmel hereby designates the following Town Council Members as liaisons for the following purposes:

**Councilman Michael Barile** – Liaison to Police Department, Highway Department, Special Legal Counsel, other Governmental Agencies including County, State and School Districts, and Libraries, Lake Park District Advisory Boards (Casse, Secor, Teakettle Spout & Mahopac) Town wide Garbage Districts

**Councilwoman Suzanne McDonough** – Liaison to Planning Board, Recreation, Cable TV Advisory Board, Other Governmental Agencies including County, State and School Districts, Liaison to the Hamlet of Carmel Civic Association and the local Chambers of Commerce, Town wide Garbage Districts

**Councilman Frank Lombardi** – Liaison to Highway Department, Recreation, and Special Legal Counsel, other Governmental Agencies including County, State and School Districts, and Libraries all Administrative Boards to include Planning, Zoning, ECB, Ethics Board and Libraries, and all Lake Park District Advisory Boards (Casse, Secor, Teakettle Spout & Mahopac)

**Councilman Robert Schanil** – Liaison to Police Department, Administrative Boards to include Zoning, ECB, and Ethics Board, Liaison to Hamlet of Carmel Civic Association, and other Government agencies including County, State and School Districts, and the local Chambers of Commerce

Resolution

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

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**PLANNING BOARD REAPPOINTMENT MADE - CRAIG PAEPRER - 1/1/2021 TO 12/31/2027**

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Craig Paeprer to the Town of Carmel Planning Board commencing retroactive to January 1, 2021 and expiring on December 31, 2027.

Resolution  
Offered by: Supervisor Schmitt  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**CHAIRMAN OF PLANNING BOARD APPOINTED FOR 2021 - CRAIG PAEPRER**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Craig Paeprer as Chairman of the Town of Carmel Planning Board for the year 2021.

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>X</u>	<u>          </u>

**VICE-CHAIRMAN OF PLANNING BOARD APPOINTED FOR 2021 - ANTHONY GIANNICO**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Anthony Giannico as Vice-Chairman of the Town of Carmel Planning Board for the year 2021.

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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**ZONING BOARD OF APPEALS REAPPOINTMENT MADE - JOHN MAXWELL - 1/1/2021 TO 12/31/2025**

RESOLVED that the Town Board of the Town of Carmel hereby reappoints John Maxwell to the Town of Carmel Zoning Board of Appeals commencing retroactive to January 1, 2021 and expiring on December 31, 2025.

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(Cont.)

Resolution  
Offered by: Councilman Schanil  
Seconded by: Councilman Lombardi and Councilwoman McDonough

<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>X</u>	<u>          </u>

**ZONING BOARD OF APPEALS REAPPOINTMENT MADE - SILVIO BALZANO - 1/1/2021 TO 12/31/2025**

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Silvio Balzano to the Town of Carmel Zoning Board of Appeals commencing retroactive to January 1, 2021 and expiring on December 31, 2025.

Resolution  
Offered by: Councilwoman McDonough  
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>X</u>	<u>          </u>

**ZONING BOARD OF APPEALS REAPPOINTMENT MADE - JULIE MCKEON - 1/1/2021 TO 12/31/2025**

RESOLVED that the Town Board of the Town of Carmel hereby reappoints Julie McKeon to the Town of Carmel Zoning Board of Appeals commencing retroactive to January 1, 2021 and expiring on December 31, 2025.

Resolution  
Offered by: Supervisor Schmitt  
Seconded by: Councilman Lombardi and Councilwoman McDonough

<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>X</u>	<u>          </u>

**CHAIRMAN OF ZONING BOARD OF APPEALS APPOINTED FOR 2021 - JOHN MAXWELL**

RESOLVED that the Town Board of the Town of Carmel hereby appoints John Maxwell as Chairman of the Town of Carmel Zoning Board of Appeals for the year 2021.

6 JANUARY 2021  
ORGANIZATIONAL MEETING

(Cont.)

Resolution  
Offered by: Councilman Barile  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**VICE-CHAIRMAN OF ZONING BOARD OF APPEALS APPOINTED FOR 2021 - PHILIP AGLIETTI**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Phillip Aglietti as Vice-Chairman of the Town of Carmel Zoning Board of Appeals for the year 2021.

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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**CHAIRMAN OF ENVIRONMENTAL CONSERVATION BOARD APPOINTED FOR 2021 - ROBERT LAGA**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Robert Laga as Chairman of the Town of Carmel Environmental Conservation Board for the year 2021.

Resolution  
Offered by: Councilman Schanil  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**VICE-CHAIRMAN OF ENVIRONMENTAL CONSERVATION BOARD APPOINTED FOR 2021 - NICHOLAS FANNIN**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Nicholas Fannin as Vice-Chairman of the Town of Carmel Environmental Conservation Board for the year 2021.



(Cont.)

Resolution  
Offered by: Councilwoman McDonough  
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>X</u>	<u>          </u>

**SALARIES SET FOR FISCAL YEAR 2021 FOR CERTAIN OFFICIALS OF THE TOWN AND FOR EMPLOYEES OF THE TOWN NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT**

RESOLVED that the Town Board of the Town of Carmel hereby sets the salaries for fiscal year 2021 for the following officials and employees of the Town not covered under the terms of a Collective Bargaining Agreement: Town Justices, Town Engineer, Town Comptroller, Receiver of Taxes, Deputy Receiver of Taxes, Deputy Highway Superintendent, Deputy Town Clerk, Director of Parks & Recreation, Town Assessor, Confidential Secretary to the Supervisor/Assistant to the Town Board, Clerks to Town Justices, at the amounts set forth in the 2021 budget as adopted.

Resolution  
Offered by: Supervisor Schmitt  
Seconded by: Councilman Barile and Councilwoman McDonough

<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>X</u>	<u>          </u>

**DEPARTMENT OF RECREATION AND PARKS - TOWN SUPERVISOR AUTHORIZED TO SIGN A STIPULATION CHANGING SALARY GROUP OF PARK MAINTENANCE WORKERS - FRANK R. FAVIA AND BRENDAN GRIFFIN**

RESOLVED, that the Town Board of the Town of Carmel (“Town”) hereby authorizes the Town Supervisor to sign a Stipulation of Agreement, retroactive to January 1, 2021, Frank R. Favia, Employee #1054 and Brendan Griffin, Employee #1712, Park Maintenance Workers, shall be placed at Step 1 of Salary Group 5, as specified in Appendix “E” of the Collective Bargaining Agreement between the Town and Local 840, CSEA, AFSCME, AFL-CIO that expired on December 31, 2017, and was modified and extended by a Memorandum of Agreement with a duration of January 1, 2018 to December 31, 2021 (the “CBA”), and shall receive retroactive pay accordingly.

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>X</u>	<u>          </u>

**BUILDING DEPARTMENT - PROBATIONARY PROMOTIONAL APPOINTMENT OF  
ACCOUNT CLERK II MADE - CAROL ORMSBY**

RESOLVED that the Town Board of the Town of Carmel hereby appoints Carol Ormsby to the position of Account Clerk II, in the Town of Carmel Building Department, at a Group 4, Step 1 annual salary, effective immediately, on a promotional, probationary basis subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**APPOINTMENTS MADE TO LAKE CASSE PARK DISTRICT ADVISORY BOARD -  
1/1/2021 THROUGH 12/31/2021**

RESOLVED that the Town Board of the Town of Carmel hereby appoints the following residents to the Town of Carmel Lake Casse Park District Advisory Board for a term commencing retroactive to January 1, 2021 and expiring December 31, 2021:

John Aquina  
Teresa DePace  
Stacey Ann Kelly  
Kim Kugler  
William Siclari  
Scott Sterbens

Resolution

Offered by: Councilman Schanil  
Seconded by: Councilwoman McDonough and Supervisor Schmitt

<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>X</u>	<u>          </u>

Supervisor Schmitt expressed appreciation to the volunteers on the Lake Casse Park District Advisory Board for their outstanding service to their community.

**APPOINTMENTS MADE TO LAKE MAHOPAC PARK DISTRICT ADVISORY BOARD  
- 1/1/2021 TO 12/31/2021**

RESOLVED that the Town Board of the Town of Carmel hereby appoints the following residents to the Town of Carmel Lake Mahopac Park District Advisory Board for a term commencing retroactive to January 1, 2021 and expiring December 31, 2021:

Compton Spain  
Jay Crawford  
James Maxwell  
Robert Frenkel

(Cont.)

Resolution  
Offered by: Councilwoman McDonough  
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>X</u>	<u>          </u>

Supervisor Schmitt expressed appreciation to the volunteers on the Lake Mahopac Park District Advisory Board for their outstanding service to their community.

**ATTENDANCE OF OFFICERS AND EMPLOYEES TO ATTEND THE 2021 ASSOCIATION OF TOWNS VIRTUAL CONFERENCE - AUTHORIZED**

WHEREAS the Annual Meeting and Training School of the Association of Towns is to be held all Virtual Educational and Networking Events from February 14<sup>th</sup> through the 17<sup>th</sup>, 2021; and

WHEREAS in the past, the information and training available at said meeting and the seminars conducted there have proved to be helpful to Town Officers and employees in the performance of their duties and it is in the best interest of the Town of Carmel to have certain of its officers and employees attend such meeting and training schools;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the following officers and employees of the Town to attend the Association of Towns All Virtual Educational Conferences and that the reasonable and necessary expenses of said persons be reimbursed by the Town upon audit and approval by the Town Comptroller to the extent reserved in the 2021 Conference and Seminars line of the Court Budget:

Thomas Jacobellis – Town Justice  
Daniel Miller – Town Justice  
Patricia Genna – Town Court Clerk  
Francine Schmansky – Senior Account Clerk  
Marie Paprocki – Clerk to Town Justice  
Lisa Laquidara – Clerk to Town Justice

BE IT FURTHER RESOLVED that the entire Town Board of the Town of Carmel is also authorized to attend the Association of Towns All Virtual Educational Conferences and that their reasonable and necessary expenses be reimbursed by the Town upon audit and approval by the Comptroller’s Office.

Resolution  
Offered by: Supervisor Schmitt  
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>X</u>	<u>          </u>

**TOWN OF CARMEL VOTING DELEGATE AND ALTERNATE VOTING DELEGATE  
AT THE 2021 ASSOCIATION OF TOWNS ANNUAL BUSINESS SESSION  
DESIGNATED - COUNCILMAN ROBERT SCHANIL, DELEGATE AND SUPERVISOR  
KENNETH SCHMITT, ALTERNATE VOTING DELEGATE**

RESOLVED that Councilman Robert Schanil is hereby designated as the voting delegate and Supervisor Kenneth Schmitt is hereby designated as the alternate voting delegate of the Town of Carmel to the 2021 Annual Business Session of the Association of Towns of the State of New York to be held Virtually from February 14<sup>th</sup> through 17<sup>th</sup>, 2021 and are hereby authorized to cast the vote of the Town of Carmel pursuant to Section 6 of Article III of the Constitution and By-Laws of said Association.

Resolution

Offered by: Councilman Barile  
Seconded by: Councilman Lombardi and Councilwoman McDonough

<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>X</u>	<u>          </u>

**2021 TOWN OF CARMEL SUBJECT MATTER LIST AND OFFICE RETENTION  
SCHEDULE - ADOPTED**

RESOLVED that, upon the recommendation of Ann Spofford, Town Clerk, the Town Board of the Town of Carmel hereby adopts the Town of Carmel 2021 Subject Matter List and Record Retention Schedule as pre-filed with the Town Clerk.

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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**SEASONAL/TEMPORARY AND PART-TIME WORKERS WAGE RATES -  
ESTABLISHED**

RESOLVED that the Town Board of the Town of Carmel hereby sets the Seasonal/Temporary/Part-Time Workers maximum wage rates for the following title effective retroactive to January 1, 2021:

**SEASONAL/TEMPORARY PART TIME WORKERS**

<u>POSITION AND/OR TITLE</u>	<u>HOURLY WAGE RATE BASED ON CUMULATIVE HOURS OF SERVICE:</u>			
	<u>0-500</u>	<u>501-1000</u>	<u>1001-1500</u>	<u>1501-XXXX</u>
Seasonal/Temp.	12.50	13.50	14.50	15.50

(Cont.)

Resolution  
Offered by: Councilman Schanil  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**RATES SET FOR 2021 PART-TIME/TEMPORARY HELP**

RESOLVED that the Town Board of the Town of Carmel hereby sets the following rates for part-time/temporary help in the following departments for fiscal year 2021:

<u>Department</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Comments</u>
Accounting	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Assessor	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Building	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Comptroller/Accounting	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Engineering/Planning	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Highway	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Justice Ct.	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Police	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Recreation	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Supervisor/Receptionist	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Tax Receiver	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Town Clerk	\$13.00/hr	\$30.00/hr	Commensurate with Experience
Recycling	\$12.00/hr	\$15.00/hr	Commensurate with Experience

Resolution  
Offered by: Councilwoman McDonough  
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>X</u>	<u>          </u>

Supervisor Schmitt spoke about an employee’s exemplary efforts in assisting at the electronic waste drop-off and paper shredding event held on October and suggested that the maximum rate for part-time/temporary help in Recycling be revisited. Discussion was held regarding the matter.

6 JANUARY 2021  
ORGANIZATIONAL MEETING

**APPOINTMENTS MADE TO THE RECREATION AND PARKS ADVISORY COMMITTEE - RAY GALLAGHER, MICHAEL MONGON AND NEAL SULLIVAN - RETROACTIVE TO 1/1/2021 TO 12/31/2023**

RESOLVED that the Town Board of the Town of Carmel hereby re-appoints

Ray Gallagher  
Michael Mongon  
Neal Sullivan

To the Town of Carmel Recreation and Parks Advisory Committee for a term retroactive to January 1, 2021 and expiring December 31, 2023.

Resolution

Offered by: Supervisor Schmitt  
Seconded by: Councilman Schanil and Councilwoman McDonough

<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>X</u>	<u>          </u>

**MAHOPAC LAUNDERAID AND DRY CLEANERS - CONTRACT FOR CLEANING OF POLICE UNIFORMS EXTENDED THROUGH AND INCLUDING 12/31/2021**

WHEREAS the Town Board of the Town of Carmel has previously authorized the award of bid and contract for cleaning of Town of Carmel Police uniforms; and

WHEREAS, said contract contains an option in favor of the Town of Carmel to extend the terms of said contract for a period of time through and including December 31, 2021;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Lt. John R. Dearman, Jr. hereby authorizes the extension of said contract with Mahopac Launderaid and Dry Cleaners, 960 Route 6N Mahopac, NY for a period through and including December 31, 2021 at price of \$2.95 per unit.

Resolution

Offered by: Councilman Barile  
Seconded by: Councilman Lombardi and Councilwoman McDonough

<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>X</u>	<u>          </u>

**PUBLIC HEARING SCHEDULED FOR 2/3/2021 - FIRE PROTECTION CONTRACTS AND AMBULANCE DISTRICT CONTRACTS FOR THE YEAR 2021**

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing on Fire Protection Contracts and the Ambulance District Contracts for the year 2021, to be held on the 3<sup>rd</sup> day of February, 2021 at Carmel Town Hall, 60 McAlpin Avenue, Mahopac, NY at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

6 JANUARY 2021  
ORGANIZATIONAL MEETING

(Cont.)

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 806,500.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,395,000.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$ 862,500.00
Carmel Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$ 200,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$ 13,000.00

BE IT FURTHER RESOLVED, that Town Clerk Ann Spofford is hereby authorized to publish a notice of the Public Hearing in the official newspapers of the Town and to post a notice of said hearing on the bulletin board of the Town, said notices to be published and posted a minimum of ten days prior to the Public Hearing.

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilwoman McDonough and 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>X</u>	<u>          </u>

**TOWN OF CARMEL PROCUREMENT POLICY - RENEWED**

WHEREAS Section 104-b of the General Municipal Law requires the governing body of every municipality to annually review their Official Procurement Policy, for the purchase of all goods and services which are not required by law to be publicly bid; and

WHEREAS the Town Board deems that no revisions are necessary at this time,  
NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby renews the Procurement Policy which is attached hereto and made a part hereof and designates the Town Comptroller's Office to distribute the policy to all department heads; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby designates the responsible purchasing agents and titles as set forth within the aforesaid policy.

Resolution

Offered by: Councilman Schanil  
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>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

(Cont.)

**Town of Carmel  
60 McAlpin Ave  
Mahopac, New York 10541  
(845) 628-1500**



## **PROCUREMENT POLICY AND PROCEDURES**

**Revised January 2021**

**TOWN OF CARMEL**  
Procurement Policy

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**Adopted by Resolution of  
Carmel Town Board  
Date  
“insert resolution when passed”**



(Cont.)

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SECTION I: PROCUREMENT POLICY OBJECTIVES

The following sets forth the policies and procedures of the Town of Carmel to meet the requirements of General Municipal Law, (GML) Sections 103 and 104.

PURPOSE

Goods and services which are required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, and to guard against favoritism, improvidence, extravagance, fraud and corruption. The Procurement Policy confirms the commitment of The Town of Carmel to ensure that its purchases of goods and services are made legally, fairly, prudently, competently, and at the lowest possible cost offered by responsible vendors. This Procurement Policy and General Municipal Law Sections 103 and 104 provide guidance to those involved in the purchasing process. The Town of Carmel adopts this following Procurement Policy in accordance with Section 104b of the General Municipal Law (GML) Procurement.

ANALYZE THE PROPOSED PROCUREMENT/PURCHASE

Generally, the official(s) responsible for making the particular procurement will make the initial determination as to how such purchases are to be made under New York State Law and this policy, as follows:

- Comply with New York State Law regarding Municipal Purchasing
- Determine whether an item is available under State or County contract
- For legal issues regarding the applicability of competitive bidding requirements, verify with the Town Legal Counsel, as appropriate
- In the case of a lease, determine that a document is a true lease and not an installment purchase contract
- Determine whether it is expected that over the course of the fiscal year, the Town will spend in excess of the competitive bidding thresholds for the same or similar items or services
- Promote timely procurement of goods and services for the daily operation
- Promote prudent spending of the funds by ensuring competition and obtaining maximum value for purchasing dollars spent
- Promote fair and open competition among vendors in an impartial manner
- Provide for uniformity in purchasing by all Town of Carmel Departments

(Cont.)

SECTION II. CATEGORIES OF PROCUREMENTS/PURCHASING

It is important to distinguish between contracts for Public Works and Purchase Contracts, as these items are not defined in the General Municipal Law. This distinction is especially important because there is a \$15,000 difference between the bidding thresholds.

Many times, contracts involve both goods and services and it is difficult to determine which bid limit to apply. Each procurement must be reviewed on a case-by-case basis and a determination must be made as to what kind of contract is involved. As a general rule, if the contract involves a substantial amount of services, such that it is the predominate element and goods are incorporated into the project, it will be considered a contract for public works. Conversely, if services or labor are only minimal or incidental to the acquisition of goods, (delivery, setup, installation or assembly) it is considered a purchase contract for goods.

**If a Purchasing Agent is unclear whether the procurement is a ‘Purchase Contract’ or ‘Public Works Contract’ contact the Comptroller’s Office for guidance.**

Refer to Procurement Methods Charts on Pages 6 and 7

PROCUREMENT METHODS USED FOR COMPETITIVE BIDDING

This chart identifies the procurement/purchasing categories subject to the Competitive Bidding Requirements of Section 103 GML or the Town Procurement Policy required by Section 104-b GML and where further information can be found.

Procurement Category	Subject to Competitive Bidding (§103)	Procurement Policy (§104-b)	Reference Law
<b>Purchase and Public Works Contracts:</b>			
1. Purchase Contract – Above \$20,000	X		103 GML
2. Purchase Contract – Below \$20,000		X	104 GML
3. Contract for Public Work – Above \$35,000	X		103 GML
4. Contract for Public Work – Below \$35,000		X	104 GML
<b>Procurement Exempt from GML §103 and §104-b</b>			
5. Agencies for Blind or Severely Handicapped, etc.		X	175-b SFL
6. Correctional Institutions		X	184 CL
7. State Contract *		X	104 GML
8. County Contract *		X	103(3) GML
<b>Procurement Exempt from GML §103 and 104b</b>			
9. Sole Source (See section III)		X	103(4) GML
10. Emergencies (See section IV)		X	103(4) GML
11. Professional Services (See Section V)		X	103(4) GML
12. True Leases		X	103(4) GML
13. Insurance		X	103(4) GML
14. Second-Hand Equipment from Another Government		X	103(6) GML

(Cont.)

Statutory Exceptions from These Policies and Procedures. Exceptions include procurements made pursuant to General Municipal Law, Section 103(3) (through county contracts) or Section 104 (through state contract), State Finance Law, Section 175-b (from agencies for the blind or other severely handicapped, special employment programs for the mentally ill or veteran’s workshops), and Correction Law, Section 186 (articles manufactured in correctional institutions).

**\* The fact that a vendor is willing to meet or even provide pricing below an awarded State or County Bid Contract does not provide a basis for a contract or purchase award**

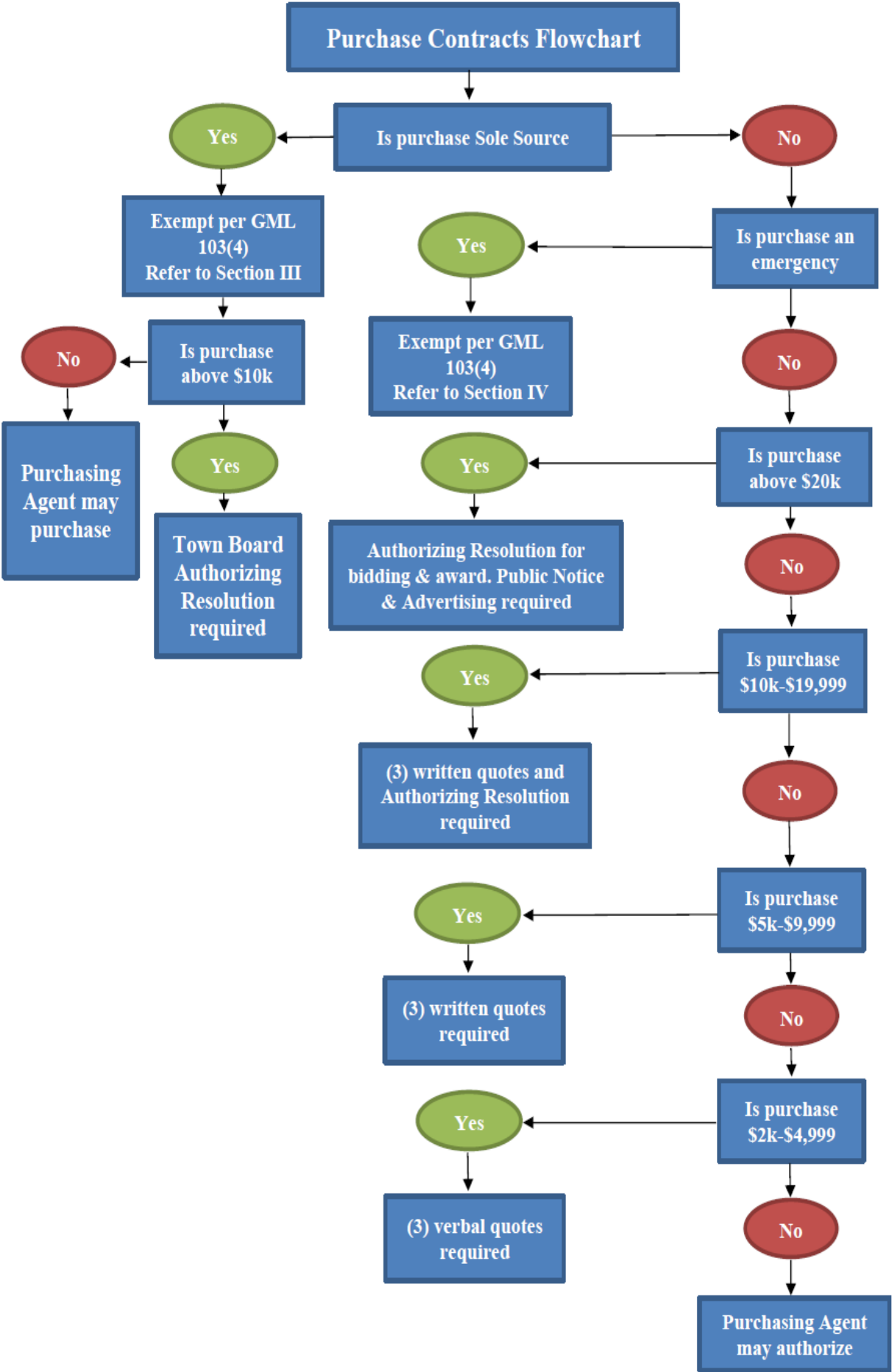
METHODS OF COMPETITION TO BE USED FOR NON-BID PROCUREMENTS  
EXEMPT FROM GML103

The Town Board of the Town of Carmel requires that the method to be used for seeking competition depends on the amount and type of procurement listed in the following chart.

TYPE AND AMOUNT OF PROCUREMENT	VERBAL QUOTES		WRITTEN QUOTES	WRITTEN QUOTES	OFFICIAL RFPS	EXEMPT PER GML
	0	3				
			3	3 AUTHORIZING RESOLUTION REQUIRED	AUTHORIZING RESOLUTION REQUIRED	
Purchase Contracts Below \$20,000						
Under 1,999	X					
2,000-4,999		X				
5,000-9,999			X			
10,000 – 19,999				X		
Public Work Contracts Below \$35,000						
Under 2,999	X					
3,000-5,999		X				
6,000-9,999			X			
10,000-19,999				X		
20,000 – 34,999					X	
Emergencies (refer to SEC IV)						X
Insurance						X
Professional Services (refer to SEC V)					X	X
True Leases						X
Second-Hand Equipment from other Govts.						X
Sole Source Providers (refer to SEC III)						X

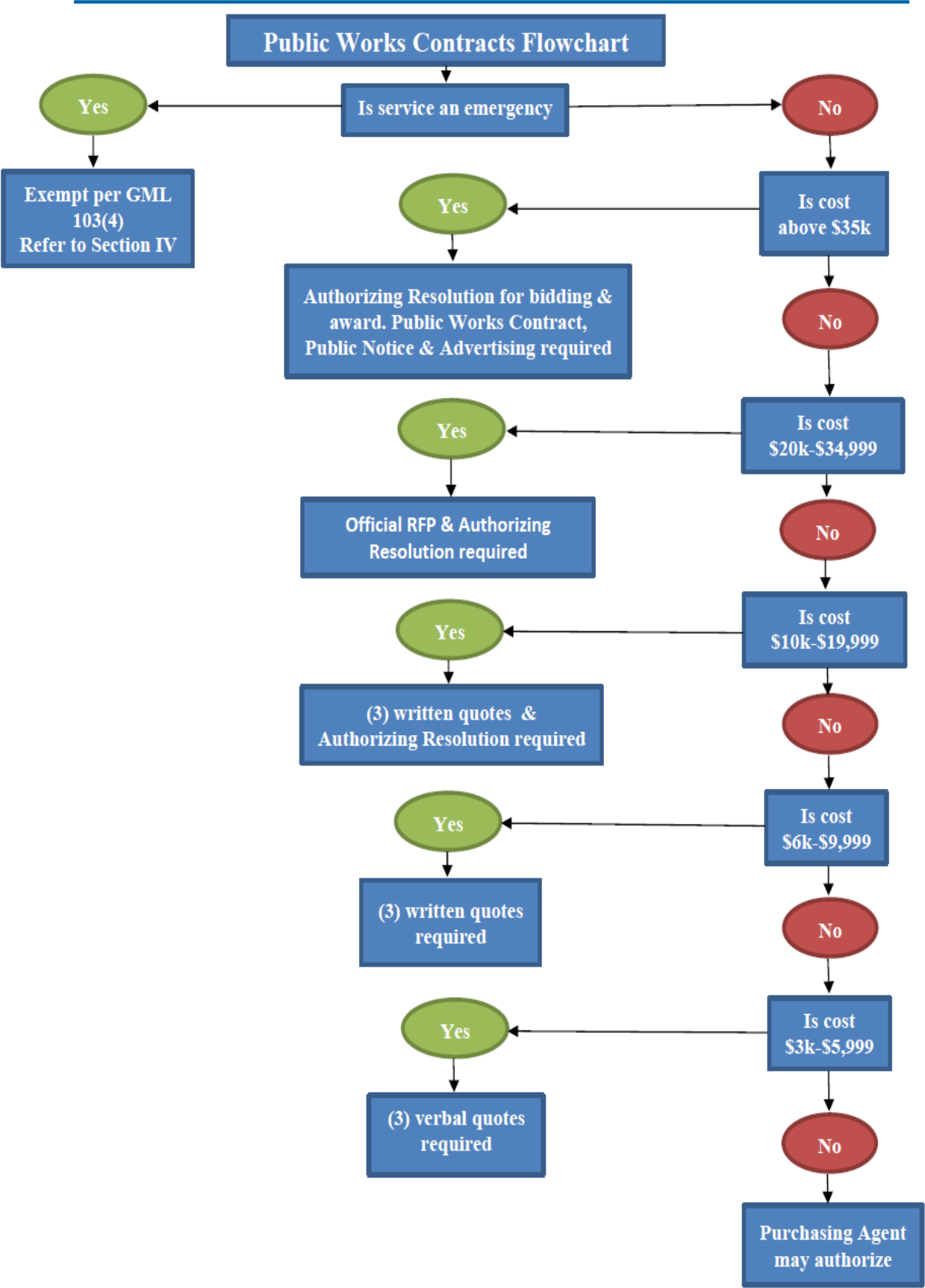
➤ (See Exhibit C) Verbal Quotes Form

(Cont.)



(Cont.)

TOWN OF CARMEL  
Procurement Policy



(Cont.)

TOWN OF CARMEL  
Procurement Policy

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SECTION III. SOLE SOURCE

Competitive bidding is not required under §103 in the General Municipal Law in those limited situations when there is only one possible source from which to procure goods or services required to uniquely serve the public interest, for which there is no substantial equivalent and, which are, in fact, available from only one source. In making these determinations, the purchasing agent should document the unique benefits received as compared to other goods or services available in the marketplace; that no other goods or services provide substantially equivalent or similar benefits; and that, considering the benefits received, the cost is reasonable, when compared to other goods or services in the marketplace.

**A Town Board Authorizing Resolution is required for Sole Source Purchases that exceed \$10,000**

➤ (See Exhibit A) **A Sole Source Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller's Office for payment. If the purchase will exceed \$10,000, a Town Board Authorizing Resolution is required.**

Page 10 of 20

TOWN OF CARMEL  
Procurement Policy

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SECTION IV. EMERGENCIES

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

*"Notwithstanding the provisions of subdivision one of this section, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, Council or agency of a political subdivision or district therein."*

There are three basic statutory criteria to be met in order to fall within this exception:

1. The situation must arise out of an accident or unforeseen occurrence or condition;
2. Public buildings, public property, or the life, health, safety or property of the political sub-division's residents must be affected;
3. The situation must require immediate action, which cannot await competitive bidding.

In cases of emergency situations which meet the criteria above, the following procedures will be used:

1. Contact the vendor immediately and arrange the purchase or service.



(Cont.)

- 2. If the emergency purchases or services were below \$10,000, an Emergency Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller’s Office for payment, unless supporting documentation is available for submission which sufficiently meets the statutory criteria listed above.
- 3. If the emergency purchases or services were above \$10,000, an Emergency Justification Form must be completed, approved by the Purchasing Agent and accompany all paperwork submitted to the Comptroller’s Office for payment. The box indicating that notification will be made to the Town Board must be checked and a Town Board Resolution should be passed acknowledging said emergency.

➤ (See Exhibit B) Emergency Justification Form

SECTION V. PROFESSIONAL SERVICES

One of the most prominent exceptions to competitive bidding is professional services. Professional services generally include services rendered by attorneys, engineers, auditors and certain other services requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment or a higher degree of creativity.

Professional services are specifically exempt from public bidding under GML 103(4). They are however subject to the application of this policy and require actions which are dependent upon the category that the professional service falls into and cost threshold.

For purposes of procurement, there are two general categories of Professional Services, those which have a **Finite Scope** and/or duration and those that are **Indeterminable** in scope at the time of engagement. It is important to identify which type at the outset, as the two types vary in procurement procedure. Where the professional service is identified as a Finite Scope refer to the chart for procurement requirements based upon various monetary thresholds. Where the professional service is Indeterminable a Town Board Resolution is required to engage the Professional.

FINITE SCOPE

Either a set project scope or a fixed duration where complete pricing can be determined at the time of engagement.

Examples:

- Engineering Design services for a project that involves the design, permitting and construction oversight of one thousand feet of water main in a known location. This example shows that a fixed price can be determined for this professional service.
- Planning Board Consultant for a period of one year where the scope of services is identified. This example also shows that a fixed price can be determined for a specific duration and scope.

AMOUNT OF PROCUREMENT	PROFESSIONAL SERVICE FINITE SCOPE APPROVAL REQUIREMENT
Under \$4,999	Recommendation of Purchasing Agent
\$5,000 - \$9,999	Recommendation of Purchasing Agent and with the approval of the Town Supervisor
\$10,000 - \$19,999	Prices will be obtained by formal written proposals from at least (3) sources and presented by the Department Head to the Town Board and the award will be made by an Authorizing Town Board Resolution
\$20,000 and Above	Prices will be obtained by RFP and presented by the Department Head to the Town Board and the award will be made by an Authorizing Town Board Resolution

(Cont.)

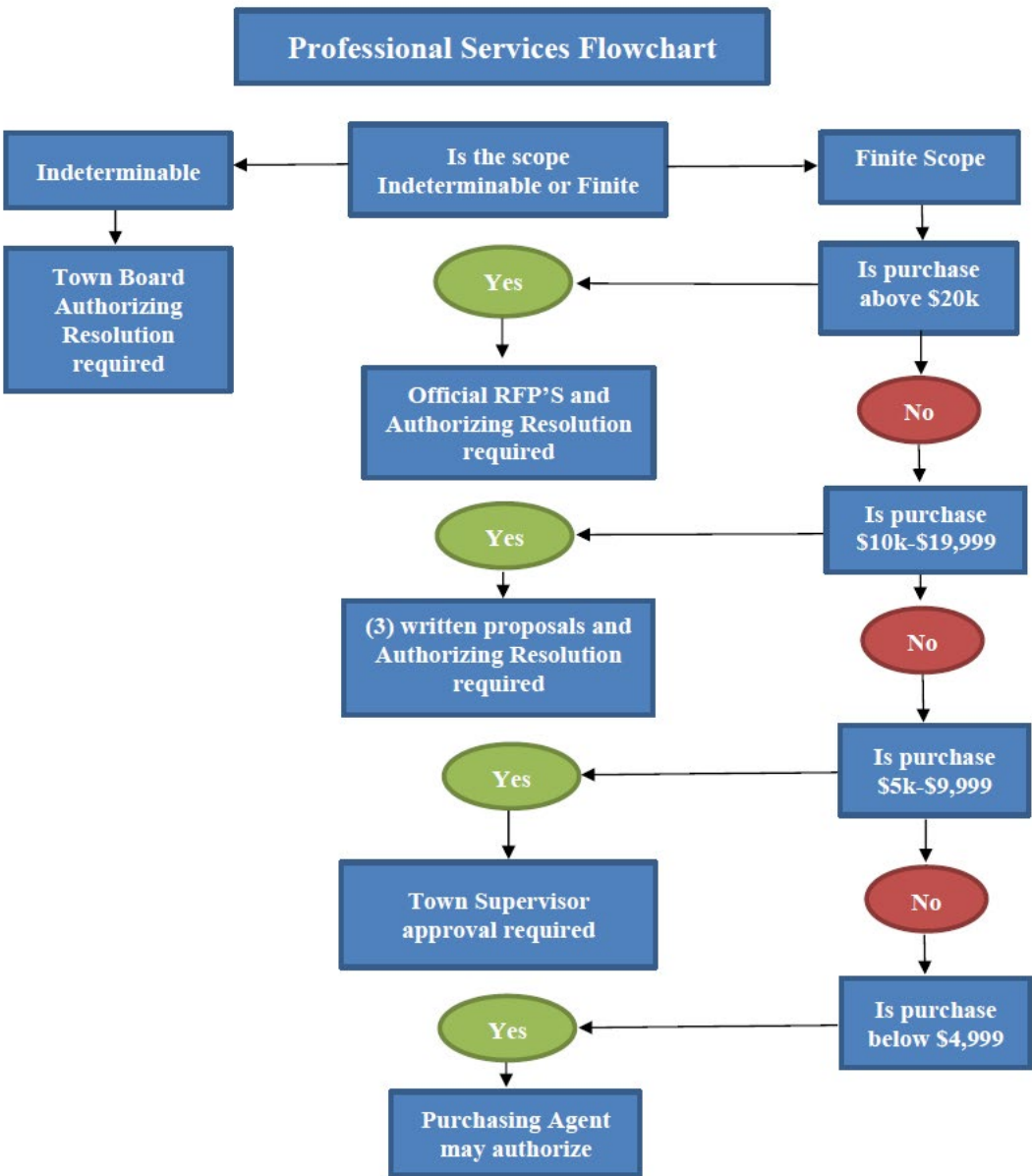
PROFESSIONAL SERVICES - continued

INDETERMINABLE

At the time of engagement of the professional service, the duration and/or scope and ultimate cost cannot be determined. A Town Board resolution is required to engage the Professional.

Example:

- The Town wishes to engage a law firm for representation in a lawsuit. The very nature of litigation makes it impossible to determine how long it will go on or what level of effort will be required to prosecute or defend the lawsuit.





(Cont.)

TOWN OF CARMEL  
Procurement Policy

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SECTION VI. PIGGYBACKING

GML 103(16) authorizes political subdivisions to purchase apparatus, material, equipment and supplies and to contract for services related to the installation, maintenance and repair of those items through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision of district therein. In purchasing, this concept is known as “piggybacking”. While the above authorizes “piggybacking” on United States contracts and contracts of “any state”, by adoption of this procurement policy, the Town Board limits the application of “piggybacking” to only contracts of the State of New York or any municipal instrument of the State of New York (county, town, village or school district).

There are five prerequisites to the Piggybacking option:

1. In accordance with this policy, the contract must have been let by an Agency of the State of New York or political subdivision thereof (the Host). This is straight forward.
2. The contract must have been made available for use by other governmental entities. For this, you will need to examine the documents that were used by the Host in the procurement process. There must be language indicating in the solicitation that the Vendor understands that the bid price for a particular item will be extended to other entities. It is not enough that the Vendor unilaterally extends the pricing to the Town of Carmel.
3. You must compare the bid process followed by the Host with the process adopted by the Town of Carmel. In the case of Public Bids procured in compliance with GML 103, you may presume that the Host followed the law, which is the same law that the Town of Carmel is required to follow. However, in procurements that were made below the statutory thresholds (\$35,000 and \$20,000), you must look to the process followed by the Host and determine if that process substantially conforms to the Town of Carmel’s Procurement Policy in both monetary thresholds and authorizing authority (Purchasing Agent, Supervisor, Town Board). This is not a perfect test as procurement policies vary, but there should be a written explanation of why the procurement substantially complies with the Town’s policy.
4. Staleness- The cost of goods and services vary with time. Most of the time costs go up, but there are instances where prices decrease. The Purchasing Agent should look to the market conditions at the time of purchasing to ensure that the “piggyback” provides for pricing that is comparative to current pricing.
5. Monetary thresholds- Piggybacking does not eliminate Town Board Authorization where the procurement exceeds monetary thresholds. For Purchases and Public Work above \$10,000 a Town Board Authorizing Resolution is required.

**If a Purchasing Agent is uncertain as to whether the Piggybacking can be utilized contact Comptroller’s Office for guidance.**

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SECTION VII. THE PURCHASING PROCESS

The purchasing process is designed to provide a system of internal control over purchasing, to ensure that the proper authorizations are obtained before items are purchased, and to ensure that Town of Carmel’s Procurement Policy is followed. A number of forms are generated as part of the purchasing process to document the validity of the purchases. It is imperative as a local government that we remain transparent in our fiscal matters.

(Cont.)

**I. REQUISITIONS**

*The REQUISITION initiates a request to purchase goods or services from a vendor.* Once all required quotes, bids, contracts, and resolutions are obtained a requisition must be entered into the KVS Financial Software System by the designated department representative. When entering a requisition written quotes are required to be uploaded in the “Attachments” tab. Verbal quotes may be noted in the “Memo” tab or uploaded in the “Attachments” tab using the Verbal Quotes Form (see EXHIBIT “C”). If the purchase is a sole source or emergency this must be indicated on the description line. At this time the correct appropriation number must be entered. If an account is over budget, a budget transfer request must be submitted to the Comptroller’s Office before proceeding. Upon completion of entering a requisition, an email will be sent to the authorized departmental purchasing agent for approval. Upon department approval the requisition will be reviewed by the Comptroller’s Office. If the department does not have access to KVS an email must be sent to the Comptroller’s Office with the details of the requested purchase.

**II. PURCHASE ORDERS**

Once a requisition has been fully approved, a purchase order will be created and a system generated email will be sent to the department representative that created the requisition. If the department does not have access to KVS once the requisition is approved a purchase order will be emailed to the departmental personnel requesting the purchase.

*At this point the goods or services can be purchased from the vendor.*

**III. VOUCHERS/VENDOR CLAIM FORMS**

The department representative should timely provide to the Comptroller’s Office the documents needed to approve and pay vendors’ invoices. These documents must include the purchase order, all invoices associated with the purchase, and a vendor claim form signed by the vendor and approved by the authorized departmental purchasing agent. Any required quotes, bids, contracts or resolutions must be attached to the submitted paperwork.

**SECTION VIII. RESPONSIBLE PURCHASING AGENTS**

Pursuant to Chapter 402 of the Laws of 2007, effective August 2020, as required under Section 104 of the NYS General Municipal Law, the Town is including the names of the municipal officials responsible for purchasing decisions, as follows:

<u>Position Title</u>	<u>Position Incumbent</u>
Town Supervisor	Kenneth Schmitt
Town Deputy Supervisor	Suzanne McDonough
Town Board	Frank Lombardi
Town Board	Michael Barile
Town Board	Robert Schanil
Town Justice	Daniel Miller
Town Justice	Thomas Jacobellis
Court Clerk	Patricia Genna
Comptroller	Mary Ann Maxwell
Town Assessor	Glenn Droese
Town Clerk	Ann Spofford
Deputy Town Clerk	Alice Daly
Receiver of Taxes	Kathleen Kraus
Deputy Receiver of Taxes	Gary Kiernan
Town Civil Engineer	Richard Franzetti
Town Engineering Project Coordinator	Robert Vara
Principal Account Clerk	Eileen Brennan
Highway Superintendent	Michael Simone
Deputy Highway Superintendent	Michael Martin
Chief of Police	Anthony Hoffmann
Lieutenant	John Dearman
Lieutenant	Stephen Kunze
Codes Enforcer	Michael Carnazza
Director of Parks and Recreation	James Gilchrist

(Cont.)

UPDATING THE POLICIES AND PROCEDURES

The Town Board shall annually review these policies and procedures. The Comptroller’s Office shall be responsible for conducting an annual review of the Procurement Policy and for evaluation of the internal control structure established to ensure compliance with the procurement policy.

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EXHIBIT “A”  
**Sole Source Justification Form**  
**Town of Carmel Procurement Policy**

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**Procurement Policy, Section V: Sole Source Procurement**

A sole source procurement is justified when there is only one good or service that can reasonably meet the need *and* there is only one vendor who can provide the good or service.

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Department: \_\_\_\_\_

Vendor name: \_\_\_\_\_

Goods or Services: \_\_\_\_\_

State the basis for identifying this vendor as a sole source, check any that apply:

- ☐ The vendor is the manufacturer of the product and has no distributors.
- ☐ The vendor is the only reseller of the manufacturer’s product in this geographic region.
- ☐ Item to be purchased is a supply for equipment which is under warranty, and use of any product other than specified will void the warranty.
- ☐ Item is proprietary and is additional product or software which must work with an existing system.
- ☐ This purchase will exceed \$10,000 and will require a Town Board Authorizing Resolution.
- ☐ Other (provide explanation):

Purchasing Agent’s signature for approval: \_\_\_\_\_

Department Head’s signature for approval: \_\_\_\_\_

(Cont.)

EXHIBIT “B”  
Emergency Justification Form  
Town of Carmel Procurement Policy

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: \_\_\_\_\_  
Vendor names: \_\_\_\_\_  
Nature of emergency: \_\_\_\_\_  
Estimated cost: \_\_\_\_\_

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: \_\_\_\_\_

Department Head’s signature for approval: \_\_\_\_\_

EXHIBIT “C”  
Verbal Quotes Form  
Town of Carmel Procurement Policy  
Purchase Contracts \$2,000-\$4,999 ~ Public Work Contracts \$3,000-\$5,999

(Cont.)

Date: \_\_\_\_\_

Department: \_\_\_\_\_

Quotes received by: \_\_\_\_\_

Vendor:	1.		2.		3.	
Telephone Number:						
Contact Person's Name:						
Description	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount

Supervisor Schmitt indicated that the renewed Procurement Policy includes the name of the newly appointed Chief of Police Anthony Hoffmann.

**POLICE DEPARTMENT - CONTRACT AWARDED UNDER NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACT FOR PURCHASE OF MOTOR VEHICLE FUEL - GLOBAL MONTELLO GROUP CORP.**

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Lt. John R. Dearman, Jr., hereby authorizes the award of bid contract for purchase of motor vehicle fuel for the Town of Carmel Police Department for the period commencing retroactive to December 18, 2020 through December 16, 2021 to Global Montello Group Corp., Waltham, MA under New York State Office of General Services Contract No. 05600, Award No. 23092 at the per-gallon prices of \$2.2141 for regular grade; \$2.2690 for mid-range grade and \$2.3578 for premium grade.

Resolution

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



**6 JANUARY 2021  
ORGANIZATIONAL MEETING**

**PUBLIC COMMENTS - AGENDA ITEMS**

Local insurance broker Thom Ianniccari echoed Councilman Barile's comments with regard to the designation of the Town's insurance agent. He stated that the resolution puts out a message of discouragement to other sources of insurance for the municipality's policies. Mr. Ianniccari spoke about possible changes to the Town's current insurance policies provided by NYMIR, the need for transparency in the Town's procurement process, how the Town could achieve a savings by changing agencies, and how the incumbent agency is contract bound to only offer NYMIR, whereas independent agents can offer several companies. Mr. Ianniccari requested that the Town Board solicit competitive bids for when the current insurance policies expire.

Councilwoman McDonough referenced the Town's discussions held last year with Mr. Ianniccari and others. She recalled how the Town Comptroller Mary Ann Maxwell concluded that the policies his company proposed were not the same as what the current insurance provider is offering and would not meet the Town's needs. Discussion ensued regarding the matter.

**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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

**PUBLIC COMMENTS - OPEN FORUM**

As a member of the Greater Mahopac-Carmel Chamber of Commerce's legislative advocacy board, Thom Ianniccari inquired about the progress of the park being developed at Swan Cove and the remaining sidewalks proposed in the Mahopac business district.

Supervisor Schmitt reported that the downtown Mahopac revitalization project which includes the park at Swan Cove, the sidewalk improvements, as well as a municipal parking lot, is moving forward. Insite Engineering has completed Phase II of their contracted work, and is now working on Phase III of the project which includes the identification of conceptual elements. He emphasized the importance of this phase as public input will be sought. A discussion followed.

Mr. Ianniccari inquired about the status of the proposed sewer project extending down Route 6.

Supervisor Schmitt stated that the Town has a meeting scheduled for next week with the deputy commissioner of the New York City Department of Environmental Protection and that the Town has had very encouraging dialog with respect to the acquisition of the wastewater treatment plant located across from the Town Hall.

Citing the increasing costs incurred for water district and sewer district repairs, Mr. Ianniccari expressed his support of the Town Board's discussions held last year with regard to the development of a town-wide capital improvement program.

Mr. Ianniccari inquired about the status of the distillery proposed in the hamlet of Carmel.

Supervisor Schmitt stated that the property was bought by the Alexandrion Group two years ago and that he was recently advised that they are moving forward with their plans to develop the site. They have, however, pulled back on the timeline somewhat due to the COVID-19 pandemic.

**TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Supervisor Schmitt announced the details in connection with the upcoming Christmas tree pick-up for residents serviced by AAA Carting & Rubbish Removal.

6 JANUARY 2021  
ORGANIZATIONAL MEETING

(Cont.)

Supervisor Schmitt briefly reported on several ongoing projects that the Town Board will be focusing on this year; the Comprehensive Plan update and Town Code revisions, the downtown Mahopac revitalization project, the major infrastructure improvements commenced in Carmel Water District #2, the proposed acquisition of the wastewater treatment plant in Mahopac, as well as the litigation against New York City with respect to their charges for the purchase of drinking water from Lake Gleneida.

Councilman Lombardi acknowledged the recent passing of distinguished thirty-two-year Planning Board chairman Harold Gary and noted that he was a “true gentleman”.

Supervisor Schmitt acknowledged the recent passing of retired long-time Town of Carmel police officer Paul O’Connor.

Supervisor Schmitt reported that newly appointed Chief of Police Anthony Hoffmann has commenced his duties.

Supervisor Schmitt announced that the Town Board will meet next at their Work Session to be held on January 13, 2021 at 7:00 p.m. at the Carmel Town Hall. He pointed out that in the event that the positivity rates for COVID-19 in the Town continue to climb, board meetings may once again be conducted temporarily virtually via Zoom. Supervisor Schmitt urged all residents to comply with the CDC’s guidelines for the control and spread of COVID-19.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lombardi, with all Town Board members present and in agreement, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk