

**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 5th day of May, 2021 at 7:05 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.

Supervisor Schmitt announced that the Town Board met in Executive Session at 6:15 p.m. for an update from Councilman Lombardi and Councilman Schanil regarding the ongoing IBTA contract negotiations.

MINUTES OF TOWN BOARD MEETING HELD ON 4/7/2021 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilwoman McDonough and Councilman Schanil, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on April 7th, 2021 were accepted as submitted by the Town Clerk.

POLICE DEPARTMENT - PURCHASE AND INSTALLATION OF DIGITAL LICENSE PLATE READERS UNDER NEW YORK STATE CONTRACT AUTHORIZED - DIGITAL SURVEILLANCE SYSTEMS, INC. - NOT TO EXCEED \$39,716.47
AMENDED 05-19-2021

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Anthony Hoffmann to proceed with the purchase and installation of two (2) new fixed license plate reader units (LPR) and one (1) mobile license plate reader (LPR) for a patrol vehicle from Digital Surveillance Systems, Inc., Buffalo, NY at a total cost not to exceed \$39,716.47 under New York State Contract PT68787; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign all necessary documents to purchase said equipment from the vendor set forth herein in accordance with the bid/contract quotation dated April 1, 2021; and

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

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>

CARMEL WATER DISTRICT #14 - EMERGENCY PAYMENT FOR REPAIRS AND SERVICES ACKNOWLEDGED - BEE AND JAY - \$12,957.75

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs, all as fully detailed in the memoranda of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated April 14, 2021, as attached hereto and made a part thereof.

(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>

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 

Date: April 14, 2021

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 \$10,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- CWD 14 ~ Red Mill Well Pump Failure

On April 6, 2021, Bee and Jay, the operator for the CWD 14 alerted the Engineering Department that the main pump serving this district failed due to power surges. Attached is an invoice in the amount of \$12,957.75 to replace the well pump.

This invoice has been submitted to insurance for reimbursement.

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

(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: Engineering

Vendor names: Bee and Jay

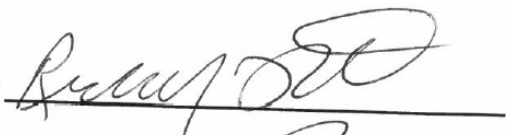
Nature of emergency: Red Mills Pump Station

Estimated cost: See attached invoice

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:



BEE & JAY

P.O. Box 78 - 719 Route 6 - Mahopac, NY 10541
p: 845.628.3924 f: 845.628.4062
e: service@beeandjay.com

BILL TO:

Town of Carmel, CWD# 14
Engineering Department
60 McAlpin Avenue
Mahopac, NY 10541

SERVICE LOCATION:

Red Mills Pump Station
Mahopac, NY

INVOICE

DATE	INVOICE #
4/8/2021	97628

www.BEEANDJAY.com

(Cont.)

PROFESSIONAL SERVICE 57 YEARS 1964-2021				Master Plumbers Lic.#s W.C. 556 P.C. 363		
CUSTOMER #		TERMS	MECHANIC	SERVICE DATE	WORK ORDER #	
845 628 2087		Due Upon Receipt	EK	4/6/2021	39846	
ITEM	QTY/HRS	DESCRIPTION			RATE	AMOUNT
Description		CWD# 14 Red Mills Pump Station - 4/6 Emergency Main pump failure. Switched over to back up emergency well, filled system, tested and found main 7.5 hp submersible pump burnt out. 4/7/2021- Pulled and replaced 7.5 hp submersible complete and restored into system.				
Labor TOC Tech	2	1- Tech Plb 4/6/2021			185.00	370.00T
Labor TOC Tech	5	1- Tech Plb 4/6/2021			185.00	925.00T
Labor TOC Tech	7	1- Tech Plb 4/7/2021			185.00	1,295.00T
Labor TOC Lab...	7	1-Laborer 4/7/21			140.00	980.00T
Material		1- Goulds 7.5 hp Motor			2,172.00	2,172.00T
Material		1- Goulds Pump End			3,586.00	3,586.00T
Material		120 Feet 2" SCH 120 Pipe			1,078.00	1,078.00T
Material		130 Feet 8-4 Sub Cable			715.00	715.00T
Material		1- 2x5 Br Nipple			79.75	79.75T
Material		10 Rolls Tape			50.00	50.00T
Material		2- Sets Heat Shrinks			44.00	44.00T
Material		1- 2" Line Check			163.00	163.00T
Boom Truck		Boom Truck			1,500.00	1,500.00T
		Certificate on File			0.00%	0.00
					Total Due\$12,957.75	

** Invoices not paid when due will be subjected to a finance charge of 1.5% per month

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WE ACCEPT ALL MAJOR CREDIT CARDS !!
CARD TYPE: VISA MASTERCARD AMERICAN EXPRESS DISCOVER DINER'S CLUB OTHER _____
CARDHOLDER/NAME: _____ SIGNATURE: _____
CARD# _____ EXP. DATE: _____ CID # _____
EMAIL: _____

MAHOPAC VOLUNTEER FIRE DEPARTMENT - ADDITIONS / DELETIONS / MODIFICATIONS OF THE ACTIVE LIST AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the addition of the following names to the active list of the Mahopac Volunteer Fire Department:

Brian Whitten, Mahopac, NY
Keira M. Sullivan, Mahopac, NY

AND BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the deletion of the following names to the active list of the Mahopac Volunteer Fire Department:

Kurt M. Beger;
Janine Angelo;
Michael Podeia;
Nythia Thomas;
Samantha Brown;
William Frake, III
Maxwell Senger;
Kellianne Carmaretta;
Joseph Bilotto;

AND BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the modification of the status of the following individuals from Active to Exempt as members of the Mahopac Volunteer Fire Department:

Lucas Peterson
Christopher Pfaffenberger

5 MAY 2021
TOWN BOARD MEETING

(Cont.)
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>

Supervisor Schmitt congratulated the new and exempt members of the Mahopac Volunteer Fire Department. He acknowledged the service of those leaving the department which included Kurt M. Beger and Janine Angelo who recently passed away.

LAKE SECOR PARK DISTRICT - MAILING OF NEWSLETTER AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Secor Park District, hereby authorizes the mailing of the Spring 2021 newsletter as prepared by the Lake Secor Park District Committee to all properties within the district and further directs that the cost thereof be charged as a district expense.

Resolution
Offered by: Councilman 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>

Supervisor Schmitt pointed out that the costs associated with the newsletter will be paid for by the residents in the Lake Secor Park District.

LAKE SECOR PARK DISTRICT - RATES SET FOR 2021 SEASONAL EMPLOYEES

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Secor Park District, hereby sets the following rates for Lifeguards in 2021.

POSITION	MAXIMUM RATE OF PAY
Lifeguard	\$13.00 to \$17.00/hr
Head Guard	\$20.00/hr

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>

LAKE SECOR PARK DISTRICT - APPOINTMENT MADE TO ADVISORY BOARD - RAYMOND SOCHOR

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Secor Park District, hereby appoints Raymond Sochor to the Town of Carmel Lake Secor Park District Advisory Board effective immediately.

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>

RESOLUTION FROM 2/17/2021 AMENDED - REFUND OF BUILDING PERMIT FEE AUTHORIZED - UNITED PUMP & TANK INC.

RESOLVED that, upon the recommendation of Town of Carmel Director of Codes Enforcement Officer Michael Carnazza, the Town Board of the Town of Carmel hereby authorizes the refund of the fee paid for permit application previously paid for #20-1311 by United Pump & Tank Inc., Wallkill, NY in the amount of \$660.00.

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>

CARMEL SEWER DISTRICT #1 - PROPOSAL ACCEPTED AND ENTRY INTO AGREEMENT FOR ENGINEERING CONSULTING AND DESIGN SERVICES AUTHORIZED - J. ROBERT FOLCHETTI ASSOCIATES, LLC

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of Town of Carmel Sewer District #1, hereby authorizes entry into a contract with J. Robert Folchetti Associates, LLC, Brewster, NY for services to be rendered in negotiations with the City of New York/City of New York Department of Environmental Protection for the proposed Carmel Sewer District #1 Wastewater Treatment Plant acquisition and expansion which commenced in June, 2017, as well as wastewater treatment plant and collection system design and construction administration services rendered subsequent to such acquisition, said contract to be in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the parties agree that all payments due and owing to J. Robert Folchetti Associates, LLC, shall be made on a pass-through basis as and when received and collected by the Town of Carmel. The parties agree that the Town of Carmel shall not be responsible for making any direct payments to JFRA other than those contained in the subsequent agreement between the NYCDEP and the Town of Carmel.

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to accept said proposal and to execute the referenced contract and any other documentation necessary to effect the authorization contained herein.

(Cont.)

Resolution

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

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

AGREEMENT

THIS AGREEMENT, made this __ day of April, 2021, by and between the TOWN OF CARMEL, with offices at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 (hereinafter referred to as the "TOWN"), and J. ROBERT FOLCHETTI & ASSOCIATES, LLC (hereinafter referred to as "JRFA"), whose address is 31 Sodom Road, Brewster, N.Y.

WITNESSETH:

WHEREAS, the TOWN desires to secure the services of a licensed professional engineer to provide consulting engineering services to the TOWN for the purpose of negotiating the transfer of ownership of the NYCDEP owned Mahopac Wastewater Treatment Plant to the Town along with the payment by NYCDEP of estimated district formation, design, and construction costs to the Town; and;

WHEREAS, JRFA is an experienced engineering Firm duly licensed by the State of New York, and has previously negotiated such a transfer and payment of similar costs by NYCDEP to a neighboring Putnam County community, and has previously designed the improvements necessitated by such transfers, and is willing to be retained as consulting and design engineer for the TOWN in connection with the transfer of ownership of the NYCDEP owned Mahopac Wastewater Treatment Plant to the TOWN;

NOW THEREFORE IT IS AGREED:

SECTION I - EMPLOYMENT

JRFA is hereby retained to provide consulting engineering services to the Town in form, scope and detail as outlined below.

Basic Services: The Parties hereby agree that JRFA shall perform all basic services for such compensation as set forth in Section II herein. Basic services shall include, but not be limited to, the following:

1. Develop scope of Town of Carmel terms (VOB is the model)
2. District Formation
 - 2.1 Identify district limits, properties, and flow basins
 - 2.2 Develop flow estimates by drainage basin
 - 2.3 Preliminary Layout
 - 2.3.1 Gravity Sewer
 - 2.3.2 Pump Stations & Force Mains
 - 2.4 Assess impact on:
 - 2.4.1 CSD1 Sewer capacity
 - 2.4.2 White Sail PS Capacity
 - 2.5 Preliminary Identification of construction permits
 - 2.6 Cost Estimate
3. WWTP Expansion
 - 3.1 Evaluate current DEP plant & processes
 - 3.1.1 Unit Process treatment age & efficiency

(Cont.)

- 3.1.2 Capability to meet new permit requirements
- 3.1.3 Life expectancy
- 3.1.4 Expandability
- 3.1.5 Permit limits and future requirements
- 3.1.6 Site capacity
- 3.2 Cost Estimate
- 4. Negotiations and Contract Terms
 - 4.1 Lead negotiations along with council and counsel
 - 4.2 Attend all negotiation sessions
 - 4.3 Review all drafts of Contract until signing

Capital Projects: The Parties hereby agree that all engineering work, including design, bid assistance and construction related to the Mahopac WWTP, the diversion and the associated collection system resulting from any subsequent agreement between NYCDEP and the TOWN as a result of these negotiations shall be awarded to JRFA.

The parties further agree that the scope and price for engineering services rendered in connection with these capital projects for such work shall be as reflected in the cost estimates and payments agreed to be made to the TOWN by NYCDEP in the subsequent agreement between the NYCDEP and the TOWN.

SECTION II - COMPENSATION

JRFA agrees to provide the *Basic Services* identified in Section I above at no cost in exchange for the award of the engineering work as identified in the *Capital Projects* paragraph above. Any fees due and owing to JRFA as a result of the subsequent agreement between NYCDEP and the TOWN shall be made by the TOWN upon receipt of said funds from NYCDEP. Accordingly, the parties agree that all payments due and owing to JRFA shall be made on a pass-through basis as and when received and collected by the TOWN. The parties agree that the TOWN shall not be responsible for making any direct payments to JRFA other than those contained in the subsequent agreement between the NYCDEP and the TOWN.

SECTION III - INDEMNIFICATION

TOWN agrees to JRFA and hold JRFA harmless from any and all judgments, losses, costs and expenses and the like, including attorney's fees incurred by reasons of the action or omission of JRFA or his agents, servants or employees, in connection with JRFA's provision of services under this agreement except for intentional negligence. Nonetheless, JRFA agrees to maintain professional malpractice insurance at all times during this agreement in a minimum amount of Two Million and no/hundredths (\$2,000,000.00) dollars.

SECTION IV- JRFA NOT AN EMPLOYEE

It is further understood and agreed by the TOWN that JRFA shall serve in the capacity of an independent contractor. JRFA agrees not to hold themselves out as an officer or employee of the TOWN nor shall they make any claim against the TOWN as an officer or employee thereof for such benefits as Workers Compensation coverage, Unemployment Insurance benefits, Social Security coverage or Retirement Membership or Credit or any other benefits accruing to said officers or employees of the TOWN. Nothing contained herein shall be deemed to prohibit the TOWN from providing said benefits if it is legally permissible and if the TOWN elects to do so.

SECTION V – AUDIT

All billing under this Contract shall be subject to audit by the Town at JRFA's offices during regular business hours. JRFA shall permit the TOWN'S representative to have access to all necessary books, records and information to verify such billing for a period of one (1) year beyond date of TOWN'S receipt of billing.

SECTION VI – ENTIRE AGREEMENT

This Agreement contains the entire Agreement between the parties and replaces the current consulting agreement between John E. Folchetti, PE, JRFA, and the Town. All existing contracts for capital projects remain unaffected by this replacement.

(Cont.)

SECTION VII – GOVERNING LAW

This Agreement shall be governed and interpreted pursuant to the laws of the State of New York.

TOWN OF CARMEL

By: _____
KENNETH SCHMITT, SUPERVISOR DATE
TOWN OF CARMEL

By: _____
JOHN E. FOLCHETTI, P.E. DATE
J. ROBERT FOLCHETTI
& ASSOCIATES, LLC

Councilman Lombardi offered the resolution as amended from originally drafted and posted.

Councilman Schanil indicated that he was very much in favor of the Town taking over the wastewater treatment facility and that he believed John Folchetti to be an outstanding engineer. However, he stated that the Town’s Procurement Policy should have been followed with the issuance of a Request for Proposal (RFP), or if using professional services, the vendor should have been paid for his time negotiating a contract or negotiating the takeover from the City of New York.

Supervisor Schmitt explained that the City of New York Department of Environmental Protection will be paying for all costs associated with the contract, not the Town of Carmel taxpayers. For that reason, he said, the resolution was written the way it was and why he voted in favor of it.

Councilman Lombardi noted that this is the first step in the process, long requested by property owners, of finally getting sewer and water down the Route 6 corridor. He explained that this will benefit existing businesses and encourage new development.

Supervisor Schmitt added that negotiations with the City of New York that began in June of 2017 which were paused when the pandemic struck, resumed several months ago. He reported that the Town is very close to having an agreement in principle for the takeover of the NYCDEP owned wastewater treatment plant located across the street from the Town Hall. Supervisor Schmitt stated that John Folchetti of JRFA was and continues to be a very big part of the negotiations.

SUBMISSION OF GRANT APPLICATION AUTHORIZED - HUDSON VALLEY GREENWAY PLANNING GRANT PROGRAM - “SWAN COVE WATERFRONT REVITALIZATION PLANNING PROJECT”

WHEREAS, the Town of Carmel intends to apply for a grant under the Hudson River Valley Greenway Grant Program for the project currently entitled “Swan Cove Waterfront Revitalization Planning Project”, to be located within the Town of Carmel;
NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and approves the submission an application for a grant under the Hudson River Valley Greenway Grant Program for the project currently entitled “Swan Cove Waterfront Revitalization Planning Project”, said application to be in form as attached hereto and made a part hereof; and
BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute said Grant Application in accordance with the provisions thereof.

(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>



**Hudson River
Valley Greenway**

BARNABAS MCHENRY
Chairman
Greenway Council

KEVIN BURKE
Chairman
Greenway Conservancy

SCOTT KELLER
Executive Director

Hudson River Valley Greenway Planning Grant Application

Note: You must save this form to your computer before filling it out.
Forms must be completed using Adobe Acrobat 7.0 or higher.

Part A – Grant Type

Please select the category of Hudson River Valley Greenway Grant program to which you are applying:

- ☐ Greenway Community Grant Program: Open to all designated Greenway Communities
- ☒ Greenway Compact Grant: Open to communities that have adopted an approved Greenway Compact Plan

For a map of the Greenway Communities and Compact Communities, please visit
hudsongreenway.ny.gov/greenway-area-map.

Part B – Applicant Information

1. Lead Applicant Community: (Fiscal Agent)

Town of Carmel

In County: Putnam

NYS Vendor ID#: 1000002103

Federal Tax ID#: 14-6002109

Co-Applicant(s):

In County:

In County:

In County:

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

(Cont.)

2. Signatory & Lead Contact Information

Signatory of Lead Applicant Community

Name: Kenneth

Title: Schmitt

Mailing Address: 60 McAlpin Rd

City: Mahopac

State: NY

Zip: 10541

Phone: (845) 628-1500

Email: ks@ci.carmel.ny.us

Lead Contact Person (if different from Signatory)

Name: Jim

Title: Gilchrist

Mailing Address: 790 Long Pond Road

City: Mahopac

State: NY

Zip: 10541

Phone: (845) 628-7888

Email: jrg@ci.carmel.ny.us

Part C – General Project Information

1. Project Name: Swan Cove Waterfront Revitalization Planning Project

2. Project Location (Site Address): 953 South Lake Blvd.

City/Town/Village(s): Carmel

State: NY

Zip: 10541

County/Countries: Putnam

3. Applicant's Interest in Property (e.g. own, lease, easement, etc.):

Own

4. Please list any local, state, and federal permits or reviews that are necessary for this project, and indicate whether you have applied for these:

5. Letters of Support: Below, please list the names of the organizations providing any attached support letters demonstrating that the project is endorsed by project site owners (if not applicant), co-applicants, involved state or federally operated sites or municipalities, and any other individuals or organizations.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

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Part D – Project Description & Consistency with Greenway Goals

1. Please provide a brief, 50-word summary of the proposed project.

The project focuses on the revitalization of the Town of Carmel's Swan Cove Waterfront, which will create a vibrant community park on Lake Mahopac's shore. This grant will fund final design and development of construction documents for bidding. The park will include paths and bridges, recreational facilities, and seating areas.

2. Please choose only one of the following project types:

- ☐ Open-space inventory/preservation
- ☐ Natural resource inventory/preservation
- ☐ Recreational/trail
- ☒ Other, please specify: waterfront revitalization
- ☐ Comprehensive/master planning

Date of last comp/master plan or update: currently in updating process; last plan from 2000

(Cont.)

Will this project produce a plan or planning document? Yes

If “yes”, include a proposed timetable for implementation (after completion of the document or plan), a description of the implementation steps, and whether funding sources for the implementation have been identified or secured. (100 words or fewer).

After final design and the development of construction documents are complete, the Town will formally bid the project for construction. Public bidding is anticipated to take 3 months, followed by the construction itself, which will finish within 9 months. Final site inspections will take no longer than one month before the park is open to the public.

The Town of Carmel has secured approximately \$100,000 in funding to date for the Swan Cove revitalization project. The Town plans to continue applying to federal, state, and charitable grants to offset any taxpayer burden, but is committed to project development as described.

3. If your municipality is a participating [Greenway Compact](#) community and applying under the **Greenway Compact Grant Program**, please describe the consistency with your county’s [Greenway Compact](#). List the name of the approved regional or county Greenway Compact Plan, and demonstrate how this project is consistent with the plan by citing specific sections or pages (100 words or fewer).

Our project aligns with “Putnam County Pathways: The Greenway Planning Program Linking Putnam’s Open Space, Historic, Cultural and Economic Resources.” For example, one of the Compact’s planning principles is to “Renew Putnam’s ‘Main Streets’ and traditional commercial core areas” (p. 8). The principle addresses the Town of Carmel and identifies the Lake Mahopac area as a core main street. The Swan Cove revitalization project, located on the shore of Lake Mahopac, thus contributes directly to this goal. It will create a new attraction at Lake Mahopac, drawing visitors to the park and encouraging economic activity at the adjacent commercial area.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

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4. Please describe (1) The purpose of the project, location, need, and the deliverable that will be produced with Greenway grant funds; (2) How the proposed project advances each of the five [Greenway Criteria](#); (3) If the project is an intermunicipal or collaborative effort, briefly describe the partnerships and how the project reinforces regional planning or cooperation. Please attach photographs, maps, renderings, etc., if applicable. If your description will not fit in the space below, attach a narrative of no more than 2 pages, in no smaller than size 10 font.

Please see attached narrative.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

4

Community Risk and Resiliency Act (CRRA)

The Community Risk and Resiliency Act (CRRA) of 2014, along with the Smart Growth Public Infrastructure Policy Act prohibits New York State agencies from approving, undertaking, supporting, or funding public infrastructure projects unless the projects are consistent with mitigation of future physical risk from sea-level rise, storm surges, and flooding. Your participation in this grant program is pursuant to this requirement and you acknowledge that if your project is one that seeks to build physical infrastructure it will be consistent with the criteria listed. Full information on the CRRA can be found at <https://www.dec.ny.gov/energy/102559.html>.



Check here to acknowledge the above.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

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(Cont.)

Part E – Project Timeline

Briefly list the proposed work program, by task or phase, associated with the project to be funded under this grant request. **This grant can only cover work performed and completed after the award date. This date also applies to all match counted toward awards.**

Project Start Date: 7/1/2021 Expected Project Completion Date: 6/30/2022

	Description	Start Date	Completion Date
Phase/Task 1:	Develop project master plan	7/1/2021	9/30/2021
Phase/Task 2:	Conduct technical assessments	10/1/2021	11/30/2021
Phase/Task 3:	Complete a detailed line-item budget estimate	12/1/2021	12/31/2021
Phase/Task 4:	Finalize conceptual plan	1/1/2022	3/31/2022
Phase/Task 5:	Develop final construction plans and documents for RFP	4/1/2022	6/30/2022
Phase/Task 6:			
Phase/Task 7:			
Phase/Task 8:			
Phase/Task 9:			
Phase/Task 10:			

Budget: For your application to be considered complete and accepted, you must fill out the Budget Summary Excel file. Please send this Excel file. Do not print out and scan.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

Part F - Approved Municipal Resolutions

1. *Greenway Community* Resolution or Greenway Compact Local Law:

Please attach a copy of the adopted municipal resolution endorsing the community's designation as a *Greenway Community*. A municipality must be a *Greenway Community* to receive funding under the Greenway Communities Grant program. For municipalities applying for a Greenway Compact Communities Grant, please attach a copy of the local law by which your community adopted the relevant county or regional Greenway Compact Plan. Applicants may call the Greenway office to ask if the Greenway already has this on file.

2. Municipal Grant Request Resolution:

All applicants are required to pass a resolution by the governing body authorizing the grant application.

(Cont.)

Note: If your board does not meet until after the application deadline, please complete the following:

The municipal board will be considering a resolution for this project to be voted on the following date:
May 19. The resolution will be sent to the Greenway office within 48 hours of this meeting date.

Sample Municipal Resolution

WHEREAS, the _____ (name of municipality) is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for a project entitled _____ (Project Name from Part C #1) to be located in _____ (town/village or city),

NOW, THEREFORE, be it resolved that the governing board of _____ (municipality) hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as _____ (Project Name from Part C #1) and located within this community.

_____ Date of Adoption
_____ Name of Municipal Clerk
_____ Signature

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

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Part G - Certification

Elected Official Certification: Please read and sign the following. Digital Signatures are acceptable.
Unsigned applications will not be considered for funding

"I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal law."

Signature: _____
Print Name: Kenneth Schmitt
Title: Town of Carmel Supervisor
Date: 5/5/2021

Applications must be emailed by the close of business on due date to
grants@hudsongreenway.ny.gov
Late, incomplete or faxed applications will not be accepted.

Please call to confirm receipt of emailed applications (518-473-3835). Please use PDF format for all additional materials (support letters, maps, pictures, financial statements etc). Electronic signatures are acceptable. When completing a PDF application, [Adobe Reader](#) is required.

Please use subject line "Hudson River Valley Greenway Planning Grant for (NAME OF APPLICANT)"

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

(Cont.)

Application Requirements & Checklist

Please note: Applicants must complete or release previously awarded projects through the Hudson River Valley Greenway Planning Grant Program before being eligible to receive funding in this round.

You must submit the following by the deadline. Failure to include any of the required elements will make your application ineligible for consideration.

- ☐ 1) **Email Submission:** A complete electronic copy of all application materials (listed in 2-8 below), a single PDF document is preferred and should be emailed to grants@hudsonongreenway.ny.gov. Attach original Excel budget as separate file.
- ☐ 2) **Completed Application forms including signature by Elected Official (see Part G)**
- ☐ 3) **Completed Budget Summary Excel File** (do not print out and scan)
- ☒ 4) **Financial Information:** Municipalities must include Federal Tax ID# (see Part B)
- ☐ 5) **Greenway Community Resolution or Greenway Compact Local Law (see Part F)**
- ☐ 6) **Resolution(s):** All applicants are required to pass a resolution by the governing body authorizing the grant application. The applicant municipality must obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located. Include the signed and dated resolution in your application.
Note: If your Board does not meet until after the application deadline, please complete the certification in Part F on page 5.
- ☐ 7) **Support Letters:** The applicant must include support letters demonstrating that the project is endorsed by co-applicants, project site owners (if not applicants), and all involved state or federally operated sites or any municipalities.
- ☐ 8) **Supporting Information:** Where appropriate, include photos, plans, drawings and other documents that highlight the need for this project. Any additional evidence of support including materials that indicate that the proposal is a part of a larger initiative; news clippings, award announcements, and any other evidence of the project's impact and support in the community from entities that will benefit from the project, are encouraged but are not required.
- ☐ 9) **Ownership Interest:** Include documentation of ownership interest in the property (deed) if applicable, and, if the applicant is not the landowner, a written agreement with the landowner.
- ☐ 10) **Legal Compliance:** Please indicate that you have applied for all local, state and federal permits. Your project must comply with all local, state and federal laws and requirements. Funds will be contingent on proof of such permits.

Applications must be received by close of business on deadline. 2021 deadlines are May 7, Sep 10, & Nov 8.

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Supervisor Schmitt indicated that the \$25,000 grant will go towards improvements at the Swan Cove site.

Councilman Schanil acknowledged the efforts of the Town staff and consultants involved with the grant application.

HOMETOWN HEROES MILITARY BANNER PROGRAM

On behalf of the local committee members present, Gail Driscoll Silke of Carmel spoke regarding the Hometown Heroes Military Banner Program. To honor military members who are currently serving or who have served our country, beautiful banners will be displayed throughout Carmel and Kent from Memorial Day through Veterans Day. The cost to sponsor a banner is \$200 and proceeds will benefit veteran's organizations.

PUBLIC COMMENTS - AGENDA ITEMS

John Butler, hamlet of Carmel resident, expressed his concerns regarding the contract authorized with J. Robert Folchetti Associates, LLC for services in connection with the City of New York/City of New York Department of Environmental Protection for the proposed Carmel Sewer District #1 wastewater treatment plant acquisition and expansion. Mr. Butler questioned why bids were not solicited in connection with the contract. He also questioned how the contract was awarded to the vendor who is negotiating with New York City suggesting that by doing so, the vendor is negotiating the contract for themselves. Mr. Butler proposed that there is no value associated with the contract as the vendor is in the process of negotiating their own contract, and that although there is no cost to the Town in terms of cash associated with the contract, there is liability in terms of exposure identified in the contract under Section III - Indemnification.

James Carmody echoed Mr. Butler's concerns and reiterated his question as to why competitive bids were not solicited.

Supervisor Schmitt clarified that because the contract relates to professional services, the process would have involved a Request for Proposal (RFP), not a bid solicitation. He stated that this is a very unique situation and that the engineer along with his firm, had success with the City of New York regarding a similar project in the village of Brewster. Supervisor Schmitt explained that the Procurement Policy may be waived with respect to RFPs if it is determined to be justified and warranted.

Councilman Lombardi pointed out that in the history of Putnam County, this has been done one time; where the City of New York gave a wastewater treatment plant to a municipality for free and agreed to pay for everything that goes along with it, now and into the future. He went on to emphasize the importance of municipal sewer and water for future commercial development.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

Jim Rathschmidt, Mahopac resident, reported on a garbage removal problem. He stated that the garbage trucks with mechanical sideload arms collecting throughout his neighborhood have been spilling rubbish along the roadways and have not been cleaning it up.

Councilman Lombardi explained that the current contract for town-wide garbage pickup expires at the end of this year and that this issue, along with other complaints in connection with refuse collection submitted to the Engineering Department, are being reviewed by the Town Board to see how they can be addressed and corrected in a future contract. Discussion ensued.

John Butler expressed his frustration with a notification distributed in the neighborhood of Kelly Ridge Road regarding water main lining work scheduled to commence forty-eight hours later. He commented on how the notification, which he found flying about on his lawn, should have provided much greater detail about the upcoming project and should have been mailed directly to the impacted residents.

John E. Folchetti, P.E., the consulting engineer in charge of the project, apologized to Mr. Butler. Mr. Folchetti explained that he met with the contractor last week to ensure that the document Mr. Butler received, as well as a second document detailing the process, were circulated to the impacted residents. He assured Mr. Butler that it would not happen again and that the contractor will be required to go door to door with the information as they go forward with every phase of the project. Discussion followed.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Barile expressed his support of New York State's recently adopted legislation legalizing recreational adult-use cannabis and spoke regarding the potential financial benefit to the Town by allowing retail dispensaries. He proposed that all candidates currently running for public office should be required to state their position on the issue before the election.

Councilwoman McDonough announced that the Town of Carmel's Farmer's Market continues on Sundays from 9:00 a.m. to 1:00 p.m. at Swan Cove. A brief discussion followed regarding ways to improve the parking.

Councilman Barile added to his earlier comments that he supported allowing marijuana retail dispensaries as long as the Town can control their location.

Councilman Schanil expressed his concerns with regard to the legislation. He suggested that the revenue may not be worth the problems that can be associated with retail dispensaries, citing marijuana candies offered at some dispensaries that appear to be marketed toward children.

Councilman Schanil recommended utilizing the Town's two portable electronic message boards on Kelly Ridge Road to convey water main project information to the impacted residents in Carmel Water District #2 and to direct them to the Town's website for further details. A short discussion ensued.

Councilman Lombardi announced that on May 16, 2021 from 12:00 p.m. to 3:00 p.m. Mario DiNardo and Marianne Chaluian will be providing free pizza at 225 Route 6 in Mahopac to police officers and their families.

Councilman Lombardi indicated that he gave his opinion opposing the legislation legalizing recreational adult-use cannabis at a prior meeting and that most of the people who provided feedback to him afterward agreed with him. He expressed his doubt as to whether the Town would actually profit financially from allowing retail dispensaries.

On behalf of the Town Board, Councilman Lombardi wished a Happy Mother's Day to all.

In honor of National Police Week, Councilman Schanil expressed appreciation to all active and retired law enforcement officers for their service.

Supervisor Schmitt thanked all the many volunteers who participated in the very successful town-wide cleanup throughout the last two weeks. He cited the tremendous amount of debris removed from the shoulders of the roadways and urged the public to refrain from littering.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Barile, with all Town Board members present and in agreement, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk