

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 2nd day of June, 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.

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

MINUTES OF TOWN BOARD MEETING HELD ON 5/5/2021 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on May 5th, 2021 were accepted as submitted by the Town Clerk.

TOWN COUNSEL GREGORY L. FOLCHETTI AUTHORIZED TO EXECUTE STIPULATION OF SETTLEMENT - GUITANO V. CORRADO - PUTNAM COUNTY SUPREME COURT INDEX NO. 500633/2019

RESOLVED that the Town Board of the Town of Carmel hereby appoints Town Counsel Gregory L. Folchetti to execute the stipulation of settlement in the matter of Guitano v. Corrado, Putnam County Supreme Court Index No. 500633/2019, said stipulation of settlement to be in form as is on file in the Office of the Town Supervisor.

Resolution

Offered by: Councilman Schanil
Seconded by: Councilman Lombardi

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

BUILDING DEPARTMENT FEES WAIVED - PUTNAM COUNTY VETERANS HOME - 91 DREWVILLE ROAD - TM #65.8-1-5

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Codes Enforcement Michael Carnazza, hereby authorizes a partial waiver of building department fee for generator gas connection installation in the amount of \$150.00 for the premises at 91 Drewville Road, Town of Carmel Tax Map No. 65.8-1-5, Putnam County Veterans Home.

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> |

(Cont.)

Supervisor Schmitt noted that the Director of Codes Enforcement Officer Michael Carnazza requested the waiver on behalf of the veterans at the Putnam County Veterans Home.

COUNTY OF PUTNAM SPECIAL PATROL OFFICERS - ENTRY INTO ADDENDUM TO AGREEMENT AUTHORIZED

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the entry into an addendum to the existing agreement with the County of Putnam for the provision of Special Patrol Officers in the Town Hall facility, said agreement dated April 19, 2021, said amendment 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 sign said addendum to the referenced agreement and any related documentation thereto; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget modifications required in connection with this authorization.

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> |

Contract # 2021059

**ADDENDUM
to
AGREEMENT**

THIS ADDENDUM, made by and between the TOWN OF CARMEL, a municipal corporation located at 60 McAlpin Avenue, Mahopac, New York 10541 (hereinafter referred to as the “Town”), and COUNTY OF PUTNAM, a municipal corporation of the State of New York, having an office and place of business at 40 Gleneida Avenue, Carmel, New York 10512 (hereinafter referred to as the “County”) and THE SHERIFF OF PUTNAM COUNTY, a constitutional officer in and for the County of Putnam, having an office at 3 County Center, Carmel, New York 10512 (hereinafter referred to as the “Sheriff”).

WHEREAS, the parties entered into an Agreement numbered 2021059 (hereinafter referred to as the “Original Agreement” and incorporated by reference herein) on/about April 19, 2021, wherein the Town desired to obtain certain specified professional services from the County and the Sheriff and the County and Sheriff are willing to provide such professional services, as more fully described in the Original Agreement; and

WHEREAS, the parties hereto wish to amend the Original Agreement; and

WHEREAS, the parties wish to revise the Town’s payment to the County for services rendered pursuant to paragraph “FIRST” of the Original Agreement.

(Cont.)

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: Paragraph "SECOND" subsections 1 and 2 are hereby amended to read in its entirety as follows:

For the services rendered pursuant to paragraph "FIRST," the Town shall pay the County as follows:

1. a onetime payment of Two Thousand One Hundred Thirty Dollars (\$2,130.00) per individual SPO for services related to investigative background checks and purchasing. Should a replacement SPO be requested by the Town, other than for good cause shown, the Town agrees to compensate the County an additional \$2,130.00 for each such request; and
2. an invoiced monthly payment consisting of:
 - a. Twenty-five Dollars (\$25.00) per hour per SPO for each hour the SPO(s) are carrying out his/her duties as set forth in Schedule "A" annexed hereto; and
 - b. An annual supervisory fee of Eight Hundred Sixty-nine Dollars (\$869.00) per SPO; and
 - c. The costs of equipment (uniforms, firearms, radio), FICA costs and other training costs; and
 - d. An annual administrative fee of Four Thousand Seven Hundred Forty Dollars (\$4,740.00) to be paid monthly at the rate of Three Hundred Ninety-Five (\$395.00) dollars.

SECOND: In the event the terms and conditions of this Addendum conflict with any other terms and conditions of the Original Agreement and/or any attachments thereto, the terms and conditions of this Addendum shall prevail.

THIRD: All other terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement in Carmel, New York,
on the date hereinabove set forth.

By: _____
Please Print Name & Title

On this _____ day of _____, 2021 before me personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his/her capacity as _____ of _____ and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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**RESOLUTION FROM 5/19/2021 AMENDED AUTHORIZING CONTRACT FOR 2021
TREE FELLING AND TRIMMING - HIGHWAY DEPARTMENT MISCELLANEOUS
MATERIALS AND SERVICES**

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel hereby amends the prior award of the bid for tree felling and trimming services in fiscal year 2021 and awards same to Mantree, Inc., Mahopac, NY at a daily rate of \$2,395.00 and an hourly rate of \$299.37.

(Cont.)

Resolution
Offered by: Councilman Barile
Seconded by: Councilman Lombardi 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> |

NOTICE REQUIREMENT WAIVED IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR SPINS BOWL CARMEL, LLC

WHEREAS, the representatives and/or proprietors of Spins Bowl Carmel, LLC, 23 Old Route Six, Carmel, NY 10512, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

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> |

NOTICE REQUIREMENT WAIVED IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR LAKE HOUSE RESTAURANT AND BAR CORP.

WHEREAS, the representatives and/or proprietors of Lake House Restaurant and Bar Corp., 825 S. Lake Blvd. (Auxiliary Building), Mahopac, NY, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty-day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

(Cont.)

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

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

DONATION OF VACATION TIME FROM EMPLOYEE #1699 TO EMPLOYEE #1545 - APPROVED

RESOLVED that the Town Board of the Town of Carmel approves the donation of 30 vacation days from Employee #1699 to Employee #1545, as is on file within the Office of the Town Supervisor.

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 expressed appreciation to the employee who donated vacation days to allow his coworker who is currently out with a medical condition for an extended period of time, to remain on the payroll.

DONATION OF SICK TIME FROM POLICE DEPARTMENT EMPLOYEES TO EMPLOYEE #2605 - APPROVED

RESOLVED that the Town Board of the Town of Carmel approves the donation of 255.54 sick days from the list of Employees of the Town of Carmel Police Department to Employee #2605, as is on file within the Office of the Town Supervisor.

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> |

Supervisor Schmitt expressed appreciation to the employees who donated their sick days to their coworker who is currently battling a serious medical condition. He wished both employees a speedy recovery.

PUBLIC COMMENTS - AGENDA ITEMS

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

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

Erin Lee Crowley from Mahopac addressed the June 3, 2021 article about her that appeared in the Mahopac News, "Crowley: 'I have nothing to hide' *Candidate says past crimes stem from being a victim of domestic violence*". Ms. Crowley stated that she was physically and emotionally abused, and that the story explains the situation that she and her son were forced to endure. She went on to question the motivation of the chairman of the Carmel Republican Committee Anthony Scannapieco and others involved with hiring a private investigator to seek to discredit her.

Jennifer Maher also addressed the article that appeared in the Mahopac News. Ms. Maher voiced her extreme displeasure with the local media and party politics. She commented that intimidation tactics should not be tolerated on a federal, state or town level.

Councilman Barile addressed the article. He expressed his animosity towards the Carmel Republican Committee chairman as well as anyone else involved who knew what he was doing at the time and condoned it.

From her seat in the audience, Ms. Crowley's mother stated her support of her daughter and her outrage with the article. Discussion ensued.

Thom Iannicari approached the podium. No longer a representative of the Chamber of Commerce, and not a Town resident, he was not recognized to speak because he did not adhere to the Town Board's policy of allowing Town residents, property owners and business owners to speak during the public comment period at meetings. Discussion followed regarding the policy.

Gerard Ahler inquired about the cost to be incurred by the Town with regard to the upcoming e-waste drop-off event.

Councilman Barile replied that the cost of the last e-waste drop-off event was \$50,000 and Supervisor Schmitt stated that the amount was \$15,000. A discussion regarding the expenditure and its history was held.

Jean Hopper suggested that nonresidents have been permitted to speak during the public comment period at Town Board meetings in the past and cited an individual who spoke on the Reproductive Health Act as an example.

Councilwoman McDonough pointed out that the person Ms. Hopper referenced is a Town resident. A brief discussion followed.

Ms. Hopper expressed her concern with regard to the increasing costs associated with the Airport Park construction. She inquired about the final cost of the project.

Supervisor Schmitt stated that the total buildout will be in the area of \$3 million. Discussion ensued regarding the project.

Ms. Hopper acknowledged Councilman Schanil for his efforts in connection with the solicitation of recent grants and offered her services in connection with obtaining Climate Smart funding opportunities.

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Ms. Crowley extended a formal invitation to Supervisor Schmitt, Councilwoman McDonough as well as Town Board candidate Stephen Baranowski to participate in a debate or Q&A to be held at Dante's Restaurant tomorrow at 7:00 p.m.

Supervisor Schmitt stated that he would attend the event. Councilwoman McDonough stated that she would be assisting in the care of her grandchild just recently discharged from the newborn intensive care unit and if she could get there, she would. A brief discussion followed.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilwoman McDonough announced that Assemblyman Kevin Byrne is hosting a Healthy Walk on June 5, 2021 starting at 9:00 a.m. at the Mount Hope Road trail. It will be an informal opportunity for residents to discuss issues facing our region, state and town.

Councilman Barile questioned why the Carmel Police Department recently issued tickets for vehicles parked illegally on South Lake Boulevard near a newly-opened restaurant and not for those vehicles parked illegally on East Lake Boulevard near another restaurant.

Councilman Schanil expressed his support to Erin Crowley and to anyone else impacted by domestic violence. He explained how he took a proactive approach to the crisis when he was a police officer.

Ms. Crowley spoke about her efforts to assist victims of domestic violence and the need for further initiatives in the community.

Supervisor Schmitt announced that an e-waste drop-off and paper shredding event will be held on June 12, 2021 at the Michael Geary In-Line Memorial Rink parking lot on Route 6 from 9:00 a.m. until 2:00 p.m.

Supervisor Schmitt announced that the Department of Recreation and Parks will be presenting a Sock Hop at the Falls featuring old-time rock and roll music on June 13, 2021 from 2:00 p.m. to 5:00 p.m. at the Red Mills Historic Park.

Councilman Lombardi provided an update regarding the Town's response to the illegal dumping occurring at a vacant parcel of land on Union Valley Road. He stated that Director of Codes Enforcement Michael Carnazza has received three proposals for the cleanup which he will present to the Town Board at their next meeting.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk