

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

SUZANNE MC DONOUGH
Town Councilwoman
Deputy Supervisor

60 McAlpin Avenue
Mahopac, New York 10541
Tel. (845) 628-1500 • Fax (845) 628-6836
www.carmelny.org

KATHLEEN KRAUS
Receiver of Taxes

MICHAEL A. BARILE
Town Councilman
FRANK D. LOMBARDI
Town Councilman
ROBERT S. SCHANIL, JR.
Town Councilman

MICHAEL SIMONE
Superintendent of Highways
Tel. (845) 628-7474

TOWN BOARD VOTING MEETING
Wednesday, January 15, 2020 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

Town Board Work Session:

- Accept Town Board Minutes December 18, 2019 & January 2, 2020
- 1. Res: Accepting Proposal of Jackson Lewis, LLP for Labor Counsel Services
- 2. Res: Authorizing Entry into Stipulation of Settlement
- 3. Res: Authorizing Purchase of Vehicle – Town of Carmel Highway Department
- 4. Res: Authorizing Entry into Agreement Partners in Safety Town of Carmel Highway Department
- 5. Res: Authorizing Temporary Seasonal Appointment – Planning Department
- 6. Res: Authorizing Signing of Discharge Monitoring Reports – Carmel Sewer Districts
- **Public Comment (Three (3) Minutes on Agenda Items Only)**
- **Town Board Member Comments**

Open Forum:

- **Public Comments on New Town Related Business (Three (3) Minutes Maximum for Town Residents, Property Owners & Business Owners Only)**
- **Town Board Member Comments**
- **Adjournment**

RESOLUTION #1

**RESOLUTION ACCEPTING PROPOSAL OF JACKSON LEWIS, LLP
FOR LABOR COUNSEL SERVICES**

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of Jackson, Lewis, LLP, White Plains, NY for labor counsel services in year 2020, in accordance with the terms of said proposal dated January 2, 2020; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign said proposal on behalf of the Town.

Offered by: _____

Seconded by: _____

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

RESOLUTION #2

RESOLUTION AUTHORIZING ENTRY INTO STIPULATION OF SETTLEMENT

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index No. Index No. 500960/2018 a certain lawsuit entitled "Pulte Homes of New York, LLC vs. The Town of Carmel" regarding and relating to the posting of a performance bond for the construction of certain amenities and improvements at the premises owned by Pulte Homes in the Town of Carmel; and

WHEREAS, said performance bond is separate and distinct from site plan bonds posted previously in connection with approved site development at said premises; and

WHEREAS, the Town of Carmel has held on deposit the sum of \$756,000 for benefit of the Parkland Trust Fund, representing reaction fees previously paid under protest by Pulte Homes of New York LLC relating to site plan approvals received from the Town of Carmel Planning Board in for the properties known as Town of Carmel Tax Lot#s TM 55.14-1-11.1, 55.14-1-11.2 and 55.14-1-11.3; and

WHEREAS a proposed settlement of the referenced litigation and recreation fee disputes has been negotiated by Counsel Joseph A. Charbonneau, Esq. and Gregory L. Folchetti, and the Town Board wishes to enter into an agreement permanently settling and resolving these matters;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned matters in accordance with the terms and conditions as reflected in the proposed Stipulation of Settlement as negotiated; and

BE IT FURTHER RESOLVED that Deputy Supervisor Suzanne McDonough is hereby authorized to execute the referenced Stipulation of Settlement in general form and substance as is currently on file in the is on form in the office of the Town Supervisor.

Offered by: _____

Seconded by: _____

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

RESOLUTION #3

**RESOLUTION AUTHORIZING PURCHASE VEHICLE
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Highway Superintendent Michael Simone to purchase one (1) 2019 Dodge Ram 2500 4x 4 all-wheel drive vehicle from Robert Green Truck Division, Rock Hill, NY, at a unit cost not to exceed \$43,748.50 under Onondaga County Bid ONGOV-106-19, pursuant to General Municipal Law §103(16); and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign all necessary documents to purchase said vehicle from Robert Green truck Division in accordance with their contract quotations dated December 20, 2019;

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 transactions authorized herein.

Offered by: _____

Seconded by: _____

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

RESOLUTION #4

**RESOLUTION AUTHORIZING ENTRY INTO AGREEMENT
PARTNERS IN SAFETY
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town for Carmel Highway Superintendent Michael Simone to enter into agreement with Partners in Safety, Nanuet, NY, said agreement to be in form as attached hereto and made a part hereof.

Offered by: _____

Seconded by: _____

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



December 4, 2019

Michael Simone
Town of Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541

Dear Mr. Simone,

Enclosed is a copy of your 2020 Service Agreement and an updated employee list for your review. Additionally, we have enclosed a Registration Information sheet that we ask you to complete in order to ensure that your account information is up to date.

To continue services going into next year, please sign and date the bottom section of the Service Agreement and return it with your payment to our corporate address: 800 Route 17M, Middletown, New York, 10940, no later than February 15, 2020. You may also e-mail your signed agreement to Renewal@partnersinsafety.com and mail your payment separately.

Please be advised, the *Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse* will go into effect January 6, 2020. This secure, online database will contain real-time information about commercial drivers' drug and alcohol violations. Employers will be responsible for conducting pre-employment queries, querying the Clearinghouse annually on their current employees, and reporting certain violations and other information. Please visit: <https://clearinghouse.fmcsa.dot.gov/FAQ> for more information.

Due to the introduction of the *FMCSA Clearinghouse*, driver's license numbers will now be required for all drug and alcohol tests in lieu of social security numbers/employee ID numbers. **Please update your driver roster to include driver's license numbers.**

Should you have any questions or concerns, please do not hesitate to call the corporate office at 845-341-0515 ext. 107.

We wish you the best for this Holiday Season and thank you sincerely for your on-going confidence in our services.

Sincerely,

A handwritten signature in black ink, appearing to read "Ursula Clancy", is written over a light blue circular stamp.

Ursula Clancy
President

Rockland County
55 Old Nyack Turnpike, Suite 401
Nanuet, NY 10954
845-624-3882

Corporate Office
800 Route 17M
Middletown, NY 10940
845-341-0515

Westchester County
15 North Broadway, Suite D
White Plains, NY 10601
914-285-0434

New York City
408 West 45th Street
New York, NY 10036
212-727-8637

Complete DOT Program Agreement

Partners in Safety Inc. under the terms and conditions of this agreement shall provide drug and alcohol testing services to the Employer that meet the compliance requirements of the U.S. Department of Transportation as defined in 49 CFR Part 40 and Part 382 and your individual policy.

Complete DOT Program:

\$47.00 per Employee per year

Includes:

- All random drug tests performed by SAMSHA-certified lab
All random alcohol tests using approved evidential breath testing device
GC/MS Confirmation
Medical Review Officer service
Specimen Collection
Overnight shipment of specimen
Random selection of employees
Record Management
Internet Resulting/Updating
Collection Site Management
DOT Audit Assistance
MIS Reports
Monthly Billing
Medical facility invoicing & payment processing
Consultation with medical professionals

Additional Charges:

(Pre-employment, post-accident, reasonable cause or follow-up tests performed during normal business hours). Please note: The use of non-approved medical facilities may result in additional fees.

Table with 2 columns: Description of service and Price per test/person. Includes DOT drug test at lab (\$48.00), DOT drug test with collection at medical facility (\$88.00), Return-to-Duty/Follow-Up drug test (\$78.00-\$108.00), DOT Breath Alcohol test (\$38.00-\$60.00), DOT/19A physical (\$65.00), Split Specimen Testing (\$250.00), and Emergency Service (\$160.00 per hour).

On-site medical services available upon request, minimum volume required.

Professional medical services are provided by Partner in Safety and Medicine, PLLC.

Signature and Title _____

Handwritten signature of Ursula Clancy over a horizontal line.

Client: Town of Carmel Highway Dept. _____

Ursula Clancy, President

Date: _____

Partners In Safety, Inc.

RESOLUTION #5

RESOLUTION AUTHORIZING TEMPORARY SEASONAL APPOINTMENT – PLANNING DEPARTMENT

RESOLVED that the Town Board of the Town of Carmel hereby appoints Rose Trombetta to the position of assistant in the Town of Carmel Planning Department on a temporary seasonal basis commencing immediately.

Offered by: _____

Seconded by: _____

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

RESOLUTION #6

**RESOLUTION AUTHORIZING SIGNING OF
DISCHARGE MONITORING REPORTS– CARMEL SEWER DISTRICTS**

RESOLVED that the Town Board of the Town of Carmel, acting as Commissioners of the various Sewer Districts of the Town of Carmel hereby authorizes Deputy Supervisor Suzanne McDonough to sign Discharge Monitoring Reports (DMRs) to submitted the New York State Department of Environmental Conservation for Carmel Sewer Districts #2, #4, #5, #6 and #7, said reports to be prepared by Inframark, LLC contract operator for said Sewer Districts.

Resolution

Offered by: _____

Seconded by: _____

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