

KENNETH SCHMITT
Town Supervisor

TOWN OF CARMEL
TOWN HALL

ANN SPOFFORD
Town Clerk

SUZANNE MC DONOUGH
Town Councilwoman
Deputy Supervisor

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Mahopac, New York 10541
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KATHLEEN KRAUS
Receiver of Taxes

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

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

TOWN BOARD VOTING MEETING
Wednesday, June 2, 2021 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

6:30pm Executive Session:

1. Councilmen Barile & Schanil – PBA Negotiations Update

Town Board Voting Meeting:

- Accept Town Board Minutes May 5, 2021
- 1. Res: Authorizing Execution of Stipulation of Settlement
- 2. Res: Waiving of Building Department Fees
- 3. Res: Authorizing Entry into Addendum to Agreement with County of Putnam Special Patrol Officers
- 4. Amended Resolution Authorizing Contract for 2021 Tree Felling and Trimming Town of Carmel Highway Department
- 5. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for Spins Bowl, Carmel, LLC
- 6. Res: Waiving the Notice Requirement in Section 64 of the New York State ABC Law with Respect to a Liquor License for Lake House Restaurant and Bar Corp.
- 7. Res: Accepting Donation of Vacation Time by Town of Carmel Employee
- 8. Res: Accepting Donation of Sick Time by Town of Carmel Employees
- **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/Announcements**
- **Adjournment**

RESOLUTION #1

RESOLUTION AUTHORIZING EXECUTION OF STIPULATION OF SETTLEMENT

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: _____

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 WAIVING BUILDING DEPARTMENT FEES

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: _____

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 ENTRY INTO ADDENDUM TO
AGREEMENT WITH COUNTY OF PUTNAM
SPECIAL PATROL OFFICERS**

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 MaryAnn Maxwell is hereby authorized to make any and all necessary budget modifications required in connection with this authorization.

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	_____	_____

**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.

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.

Date

TOWN OF CARMEL
60 McAlpin Avenue
Mahopac, New York 10541

By: _____
Please Print Name & Title

ACKNOWLEDGMENT OF TOWN:

STATE OF NEW YORK)
) ss.:
COUNTY OF PUTNAM)

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.

Notary Public

RESOLUTION #4

**AMENDED RESOLUTION AUTHORIZING CONTRACT FOR
2021 TREE FELLING AND TRIMMING
TOWN OF CARMEL HIGHWAY DEPARTMENT**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for various highway materials and services for the Town Highway Department for fiscal year 2021, including tree felling and trimming services, and

WHEREAS such bids were received and opened and Highway Superintendent Michael Simone recommended the awarding of the bids (after equalizing all FOB bids based on distance to the Town Highway Department yard), as set forth herein; and

WHEREAS, on May 19, 2021 the Town Board, upon the recommendation of the Highway Superintendent, authorized the award of such bids to the low responsible bidders meeting specifications; and

WHEREAS bid for tree felling and trimming services in 2021 was awarded to Michael Naglieri, Mahopac, NY, principal owner of Mantree, Inc;

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 infiscal year 2021 and awards same to Mantree, Inc., Mahopac, NY at daily rate of \$2,395.00and an hourly rate of \$299.37.

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 #5

RESOLUTION WAIVING THE NOTICE REQUIREMENT 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: _____

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 WAIVING THE NOTICE REQUIREMENT 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

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: _____

Seconded by: _____

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

RESOLUTION #7

RESOLUTION ACCEPTING DONATION OF VACATION TIME BY TOWN OF CARMEL EMPLOYEE

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: _____

Seconded by: _____

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

RESOLUTION #8

**RESOLUTION ACCEPTING DONATION OF SICK TIME
BY TOWN OF CARMEL EMPLOYEES**

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

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	_____	_____