

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
JOHN D. LUPINACCI
Town Councilman
JONATHAN SCHNEIDER
Town Councilman

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

TOWN BOARD VOTING MEETING
Wednesday, November 7, 2018 7:00pm

Pledge of Allegiance – Moment of Silence

6:00pm Executive Session:

1. Town Assessor – Personnel Budget F/Y 2019

Public Hearing #1: On the Preliminary Budget Fiscal Year Ending 2019 Including General Town Fund, Highway Funds, as well as all Water Districts, Sewer Districts, Park Districts, Fire Protection Districts, Garbage District and Lighting Districts

Public Hearing #2: On Fire Protection Contracts and the Ambulance District Contracts

Town Board Voting Meeting:

- Accept Town Board Minutes, September 26, and October 3, 17, 2018
1. Res: Acknowledging Designation of Deputy Superintendent of Highways
 2. Res: Making Appointment to Town of Carmel Zoning Board of Appeals
 3. Res: Making Appointment to Town of Carmel Environmental Conservation Board
 4. Res: Authorizing Execution of Memorandum of Agreement with the Duration of January 1, 2018 through December 31, 2021 Between CSEA, Local 1000 AFSCME, AFL-CIO. Town of Carmel Unit, Putnam County, Local 840 and Town of Carmel
 5. Res: Authorizing Filing of Semi-Annual MS4 Stormwater Report
 6. Res: Submission of Application for Grant Funding – Department of Recreation and Parks
 7. Res: Submission of Application for Grant Funding – Town of Carmel Police Department
 8. Res: Authorizing Request for Proposals Project Plans and Specifications Roof Repairs Carmel Water and Sewer Districts
 9. Res: Authorizing Award of Contract for Painting of Reflectorized Pavement Stripes Town of Carmel Highway Department
 10. Res: Accepting Proposal for Credit Card Processing
 11. Res: Authorizing Placement of Cemetery Markers – Hill Cemetery-Town of Carmel
 12. Res: Authorizing Commencement of Litigation
- **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 Speaker for Town Residents, Property Owners & Business Owners Only)**
 - **Town Board Member Comments**
 - **Adjournment**

Ann Spofford
Town Clerk
Town of Carmel

Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Telephone: 845.628.1500
Fax: 845.628.7434

NOTICE OF PUBLIC HEARING
TOWN OF CARMEL PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing on the 7th day of November, 2018 at Town Hall, 60 McAlpin Avenue, Mahopac, New York, at 7:00 p.m. or as soon thereafter that evening as possible in regard to the Preliminary Budget for the fiscal year 2019 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Protection Districts, Garbage District and Lighting Districts, and

BE IT FURTHER NOTICED that pursuant to Section 108 of the Town Law, the proposed salaries of the following officials for fiscal year 2019 are hereby specified as follows: Supervisor: \$124,800.00; Town Council Members (ea): \$21,840.00; Town Clerk \$95,160.00; and Highway Superintendent \$128,960.00;

AND BE IT FURTHER NOTICED, that the Preliminary Budget for the Town of Carmel has been completed and filed in the Office of the Town Clerk, Town Hall, 60 McAlpin Avenue, Mahopac, New York, where it is available for public inspection during office hours.

At said Public Hearing, any resident may be heard in favor of or against the Preliminary Budget as compiled or for or against any item or items contained therein. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

Ann Spofford
Town Clerk
Town of Carmel

Town Hall
60 McAlpin Avenue
Mahopac, New York 10541

Telephone: 845.628.1500
Fax: 845.628.7434

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2019, to be held on the 7th day of November, 2018 at the Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:

<u>Contractor</u>	<u>Services</u>	<u>Not to Exceed</u>
Mahopac Falls Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #1	\$ 794,000.00
Mahopac Volunteer Fire Department, Inc.	Fire Protection-Fire Protection Dist. #2	\$1,225,000.00
Carmel Fire District & Carmel Fire Department, Inc.	Fire Protection-Fire Protection Dist. #3	\$ 803,500.00
Carmel Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$ 150,000.00
North Salem Volunteer Ambulance Corps	Ambulance Services- Carmel Ambulance District #1	\$ 12,900.00

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board
of the Town of Carmel
Ann Spofford, Town Clerk

RESOLUTION #1

**RESOLUTION ACKNOWLEDGING DESIGNATION
DEPUTY SUPERINTENDENT OF HIGHWAYS**

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the appointment by Highway Superintendent Michael Simone of Michael Martin as Deputy Highway Superintendent retroactive to November 5, 2018, at an annual salary of \$95,000.00

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #2

**RESOLUTION MAKING APPOINTMENT
TO TOWN OF CARMEL ZONING BOARD OF APPEALS**

RESOLVED that the Town Board of the Town of Carmel hereby appoints John Starace to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2019.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	NO
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #3

RESOLUTION MAKING APPOINTMENT TO TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD

RESOLVED that the Town Board of the Town of Carmel hereby appoints Julie McKeon to the Town of Carmel Environmental Conservation Board for a term commencing immediately and expiring June 12, 2019.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	NO
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #4

**RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT
WITH A DURATION OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021
BETWEEN CSEA, LOCAL 1000, AFSCME, AFL-CIO, TOWN OF CARMEL UNIT,
PUTNAM COUNTY, LOCAL 840 AND THE TOWN OF CARMEL**

RESOLVED, that the Town Board of the Town of Carmel hereby ratifies and accepts the Memorandum of Agreement dated October 25, 2018 between the Town of Carmel and CSEA Local 1000, AFSCME, AFL-CIO, Town of Carmel Unit, Putnam County, Local 840 (“CSEA”) for the period of January 1, 2018 through December 31, 2021, which is attached hereto (“MOA”). The MOA was ratified on October 31, 2018 by the Town employees in the bargaining unit represented by the CSEA. The Town Board hereby authorizes the Town Supervisor to execute a Collective Bargaining Agreement that is consistent with the terms of the Collective Bargaining Agreement between the CSEA and the Town with duration of January 1, 2013 to December 31, 2017, as modified by the MOA.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

Memorandum of Agreement
between Town of Carmel and Civil Service Employees Association, Inc.,
Local 840, AFSCME, AFL-CIO
October 25, 2018

THIS AGREEMENT, made and entered into this 25th day of October 2018 by and between the **Town of Carmel** (hereinafter referred to as “the Town”), and **Civil Service Employees Association, Inc., Local 840, AFSCME, AFL-CIO** (hereinafter referred to as the “Union”), and

WHEREAS, the Employer and the Union are parties to a Collective Bargaining Agreement effective for the period of January 1, 2013 through December 31, 2017; and

WHEREAS, the Employer and the Union have negotiated in good faith on the terms of a successor agreement;

WHEREAS, this Memorandum of Agreement is subject to the ratification of the Town of Carmel Town Board and members of the Union employed by the Town. The negotiating committees of both the Town and the Union shall support and endorse the Memorandum of Agreement for ratification by their respective parties;

WHEREAS, once ratified by the Town of Carmel Town Board and members of the Union employed by the Town, the parties agree that this Memorandum of Agreement shall have the full force and effect of the Collective Bargaining Agreement between the parties. The parties shall prepare a revised Collective Bargaining Agreement based on this Memorandum of Agreement

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Continuation of old Agreement. Except as specifically set forth herein, or as may be required for the consistency of dates and other non-substantive matters, all terms and conditions of the expired Collective Bargaining Agreement shall be continued for the duration of the successor agreement.
2. Article I, Recognition: The following title are added to the bargaining unit:

Principal Office Assistant - Group 4
Senior Account Clerk II - Group 8
Assistant Building Inspector – Group 9

The parties will update the included and excluded titles.

3. Article I, Recognition: The Clerk to Town Justice titles will be removed from the titles included in the bargaining unit. The CSEA will not challenge the removal of these titles, or seek their inclusion in the bargaining unit, while the incumbents on the date this Memorandum of Agreement is signed, hold those positions.

4. Article X, Salaries, Section A, Salaries and Appendices: Replace the salary schedules appended to the expired agreement with revised salary schedules to reflect the following wage increases:

<u>Effective date</u>	<u>Increase</u>
January 1, 2018	2.0 percent
January 1, 2019	2.25 percent
January 1, 2020	2.0 percent
January 1, 2021	2.25 percent

5. MORTGAGE TAX REVENUE WAGE SUPPLEMENT

A. Effective April 2019 (based upon 2018 mortgage tax revenue results) and for the remainder of this Agreement, the parties shall enter into the following wage supplement benefit based upon the Town's mortgage tax revenue. If the Town experiences a \$200,000.00 increase from the prior year's mortgage tax revenue "benchmark," employees shall receive a 0.25% salary increase to their base rate of pay effective the first full payroll period following April 15 of the following year (e.g., Town's mortgage tax revenue for 2017 was \$800,000.00. In early 2019, it is determined that the Town's 2018 mortgage tax revenue rose to \$1,000,000.00. As such, employees would be eligible for a salary increase of 0.25% effective the first full pay period after April 15, 2019).

B. The mortgage tax revenue benchmark shall be set at \$200,000.00 greater than the Town's prior year's mortgage tax revenue, except in years where the mortgage tax revenue goes down from the prior year. In a "down year" the subsequent benchmark shall be set at \$200,000.00 greater than the highest mortgage tax revenue year in the prior two years. (e.g., Town's mortgage tax revenue for 2018 is \$800,000.00 meaning the 2019 benchmark is \$1,000,000.00. In 2019, the mortgage tax revenue comes in at \$700,000.00 (no supplemental wage increase for 2019); therefore, the 2020 benchmark is \$1,000,000.00 (using 2018's, not 2019's, mortgage tax revenue figure).

C. The mortgage tax revenue wage supplement benefit shall cease upon expiration of this Agreement (i.e. the final possible wage supplement to be paid out will be in April 2021).

6. Shift Differential: Starting on January 1, 2019, Civilian Dispatchers who work the 3:30 p.m. to 11:30 p.m. ("C Tour") and 11:30 p.m. to 7:30 a.m. ("A Tour") shifts shall receive a shift differential of \$.25 per hour. Starting on January 1, 2021, Civilian Dispatchers who work C Tour and A Tour shall receive a shift differential of \$.50 per hour. Only those hours worked on the A Tour and C Tour shall be subject to the shift differential. Civilian dispatchers who are called in to relieve dispatchers scheduled for the A tour and/or the C tour shall be eligible to receive the shift differential. Civilian dispatchers who work the shift that starts on or about 11:00 a.m. and that ends on or about 7:00 p.m. shall not be eligible for any shift differential for the hours worked on that shift. Shift

differential will not be paid for vacation, holiday, sick leave, bereavement leave, personal leave, jury duty leave, or any other paid or unpaid time off.

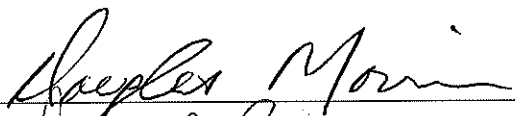
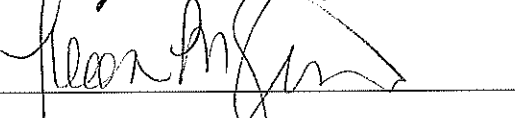
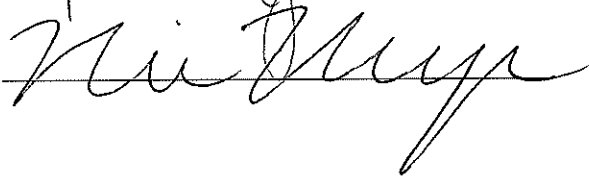
7. Article XII – Duration:

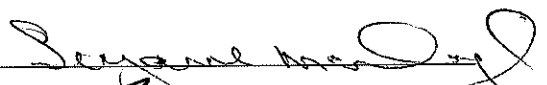
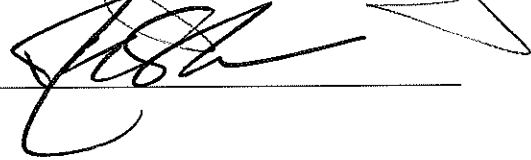
Modify section to reflect contract duration of January 1, 2018 to December 31, 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

For Civil Service Employees Association, Inc.,
Local 840, ASFSCME, AFL-CIO

For Town of Carmel

RESOLUTION #5

**RESOLUTION AUTHORIZING FILING OF
SEMI-ANNUAL MS4 STORMWATER REPORT**

WHEREAS the Town Board has been presented with a draft semi-annual MS4 Stormwater Report prepared by the Town of Carmel Engineering Department; and

WHEREAS an opportunity for public comment on the draft annual report was received by the Town Board and the Town Board has considered any comments to such report comments;

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor, Kenneth Schmitt is hereby authorized to sign and file said report as drafted by Town Engineer Richard J. Franzetti, P.E.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #6

**RESOLUTION SUBMISSION OF APPLICATION FOR
GRANT FUNDING – DEPARTMENT OF RECREATION AND PARKS**

RESOLVED that the Town Board of the Town of Carmel, upon the request of James R. Gilchrist, Town of Carmel Director of Recreation and Parks, hereby authorizes the submission of the 2019 Municipal Funding Grant Application to the New York State Office of Children and Family Services for Recreation Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #7

**RESOLUTION SUBMISSION OF APPLICATION FOR
GRANT FUNDING – TOWN OF CARMEL POLICE DEPARTMENT**

RESOLVED that the Town Board of the Town of Carmel, upon the request of Town of Carmel Police Detective Frank Chibbaro, hereby authorizes the submission of the 2019 Municipal Funding Grant Application to the New York State Office of Children and Family Services for Youth Bureau Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #8

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS
PROJECT PLANS AND SPECIFICATIONS
ROOF REPAIRS CARMEL WATER AND SEWER DISTRICTS**

RESOLVED, THAT the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Town Engineer Richard J. Franzetti, P.E. and as Commissioners of Town of Carmel Water Districts #8 and #9, as well as Carmel Sewer District #2, hereby authorization issuance of Request for Proposals for preparation of project plans and specifications for roof repairs required at the treatment plant locations for the referenced sewer and water districts.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #9

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PAINTING OF
REFLECTORIZED PAVEMENT STRIPES
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the award of bid contract for painting of reflectORIZED pavement stripes on Town of Carmel roads for the period of September 1, 2018 to through August 31, 2019 from Atlantic Pavement Marking, Prospect, CT under Putnam County Bid No. RFP-31-17.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #10

**RESOLUTION ACCEPTING PROPOSAL FOR
CREDIT CARD PROCESSING**

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks, James R. Glichrist, hereby authorizes entry into Credit Card Processing Agreement with Community Pass, Ridgewood, NJ for processing of credit card payments for Department of Recreation and Parks programs; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign and all necessary documentation required to accept this proposal on the terms authorized herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #11

**RESOLUTION AUTHORIZING PLACEMENT OF CEMETERY MARKERS
HILL CEMETERY- TOWN OF CARMEL**

WHEREAS the Town of Carmel is the record owner of the Hill Family Cemetery;
and

WHEREAS, Mr. Charles Hill and Ms. Julie Hill have requested permission of the
Town Board of the Town of Carmel for placement of cemetery markers at the Hill
Cemetery; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of
Carmel hereby grants permission for the placement of cemetery markers for Mr. Charles
Hill and Ms. Julie Hill at the referenced Hill Cemetery in general conformance and
accordance with terms and specifications contained within letter request dated October
11, 2018; and

BE IT FURTHER RESOLVED that such matters and activity authorized herein
shall be conducted in conformance with all provisions of New York State Law.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___

RESOLUTION #12

RESOLUTION AUTHORIZING COMMENCEMENT OF LITIGATION

RESOLVED, that the Town Board of the Town of Carmel, hereby authorizes Town Counsel Gregory L. Folchetti, 1875 Route Six, Carmel, NY, to commence litigation for the purposes of quieting title to certain real property reputed to be owned by Mahopac Estates, Inc., and adjacent to the Crane Road Ballfields; and

BE IT FURTHER RESOLVED, that such services are hereby authorized at a rate of \$205.00 per hour.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	___	___
Jonathan Schneider	___	___
John Lupinacci	___	___
Suzanne McDonough	___	___
Kenneth Schmitt	___	___