

**KENNETH SCHMITT**  
Town Supervisor

**SUZANNE MC DONOUGH**  
Town Councilwoman  
Deputy Supervisor

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

**TOWN OF CARMEL**  
TOWN HALL

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

**ANN SPOFFORD**  
Town Clerk

**KATHLEEN KRAUS**  
Receiver of Taxes

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

**TOWN BOARD VOTING MEETING**  
**Wednesday, December 1, 2021 7:00pm**

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**PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE**

**Town Board Voting Meeting:**

1. Res: Authorizing Acceptance of Proposal for the Geese Depredation Services– Lake Mahopac Park District, Lake Casse Park District and Recreation Department
  2. Res: Adopting Amended Application and Fee Schedule Pursuant to Town Code Chapter 140 “Towing and Storage”
  3. Res: Accepting Proposal and Authorizing Purchase and Installation of Fencing - Airport Park Ballfields
  4. Res: Authorizing Award of Contract for Painting of Reflectorized Pavement Stripes – Town of Carmel Highway Department
  5. Res: Authorizing Advertisement for Bids for Grass Cutting Services
- **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 ACCEPTANCE OF PROPOSAL GEESE DEPREDATION SERVICES

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of the Lake Mahopac Park District and the Lake Casse Park District, and upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby accepts, the proposal dated June 2019 from various wildlife management professionals, for the depredation of geese populating Lake Casse, Lake Mahopac and Long Pond Lake at a total cost not to exceed \$19,500.00 together with an additional processing cost of \$16.00 per unit harvested; and

BE IT FURTHER RESOLVED, that such activity be conducted in accordance with the current permit for such activity issued to the Town of Carmel by the United States Department of Fish and Wildlife; and

BE IT FURTHER RESOLVED, that the cost for such activity be proportionally allocated among the respective Lake Park Districts and Town General Fund in accordance with the services rendered to each 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	_____	_____

## **RESOLUTION #2**

### **RESOLUTION ADOPTING AMENDED APPLICATION AND FEE SCHEDULE PURSUANT TO TOWN CODE CHAPTER 140 “TOWING AND STORAGE”**

RESOLVED, that the Town Board of the Town of Carmel, pursuant to the request of Lt. John R. Dearman, Jr., hereby adopts the amended application form and fee schedule pursuant to Town of Carmel Town Code §140 relating to issuance of Tow Licenses pursuant to the aforesaid Chapter, such application and fee schedule to be in general form as attached hereto; and

BE IT FURTHER RESOLVED that Town of Carmel Chief of Police Anthony R. Hoffmann is hereby authorized to utilize said form for all applications submitted pursuant to Town Code §140.

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	_____	_____



**TOWN OF CARMEL**  
**POLICE DEPARTMENT**  
 60 MCALPIN AVENUE, MAHOPAC, NY 10541  
 TEL. (845)628-1300 FAX (845)628-2597  
 WWW.CARMELNY.ORG/POLICE-DEPARTMENT

ANTHONY  
 HOFFMANN  
 CHIEF OF POLICE

Official Use Only

Official Use Only

License Fee \$250.00  
 Date collected: \_\_\_\_\_  
 Cash \_\_\_ Bank Check \_\_\_ CC \_\_\_

Date Received: \_\_\_\_\_  
 Date Reviewed: \_\_\_\_\_  
 Approved  Denied

**APPLICATION FOR TOW LICENSE**

**I. Applicant Data:**

**A. Name:** \_\_\_\_\_

**B. Address:**

\_\_\_\_\_

Street Address      City/Town      State      Zip Code

Residence Telephone number (\_\_\_\_) \_\_\_\_\_

Area Code      Number

**C. Corporation or Business Name:** \_\_\_\_\_

**D. Business Address:**

\_\_\_\_\_

Street Address      City/Town      State      Zip Code

Business Telephone number (\_\_\_\_) \_\_\_\_\_

Area Code      Number

Business hours \_\_\_\_\_ Email: \_\_\_\_\_

Off Hours Telephone number (\_\_\_\_) \_\_\_\_\_

(If different than business telephone) Area Code      Number

**E. Address of Storage Facility:** (If different than business address)

\_\_\_\_\_

Street Address      City/Town      State      Zip Code

**F. List storage facility's security features** (i.e. fenced, alarmed, surveillance system)

\_\_\_\_\_

**G. Size of storage lot** \_\_\_\_\_, **number of spaces** \_\_\_\_\_.

- H. Does the storage facility maintain inside storage space? Yes \_\_\_\_ No \_\_\_\_ .
- I. Does the storage facility maintain outside storage space? Yes \_\_\_\_ No \_\_\_\_ .
- J. Does the Applicant own the premises where the storage facility is located? Yes \_\_\_\_ No \_\_\_\_
- K. If No, List the Name and address of the property owner and supply a copy of the lease or rental agreement for the premises:

\_\_\_\_\_

Name                      Street Address                      City/Town                      Zip Code

- L. List all Officers, Directors, Registered Agent or Stockholders owning more than 10%:

Relationship	Name	Street Address	City, State, Zip code

- II. Tow Vehicles Registered to the Applicant: (Attach copies of listed vehicles NYS Registrations)

Vehicle Year	Vehicle Make	Type of Tow Vehicle	License Plate Number	Vehicle Identification Number

**III. List of Tow Operators:** (Attach copies of listed operators NYS Drivers Licenses)

Name of Driver	Street Address	City, State, Zip code	Driver's License Number

**IV. Applicant's Affirmations:**

I swear (or affirm):

- A. As Applicant I have read and I am familiar with all the provision of chapter 140 of the Town of Carmel Local Law titled "Towing and Storage"; I hereby agree to abide by the fees and procedures required by this local law at all times.

Initials \_\_\_\_\_

- B. As Applicant I agree that the Chief of Police or his/her designee may at any reasonable time conduct an inspection of the towed vehicles or storage facility of any applicant or licensee for the purpose of determining compliance with chapter 140 of the Town of Carmel Local Law "Towing and Storage". The Town of Carmel Police Department may have a Commercial Vehicle Safety Bureau Inspector from the New York State Department of Transportation inspect any tow truck at any time throughout the licensing period.

Initials \_\_\_\_\_

- C. As Applicant I affirm that neither myself nor any tow vehicle operator has any criminal convictions or prior motor vehicle infractions which might adversely affect public safety or welfare. I have attached a copy of the Drivers License for all tow operators listed in this application.

Initials \_\_\_\_\_

- D. As Applicant I affirm that I own, lease, operate and maintain a registered, working New-York-State-licensed motor vehicle repair facility within the Town of Carmel. If the premise on which the motor vehicle repair facility is situated is not owned by the Applicant, a copy of the written lease for the use of the premises or facility is attached to this application.

Initials \_\_\_\_\_

- E. As Applicant I have attached a copy of the Department of Treasury IRS form W-9 (Request for Taxpayer Identification Number and Certification), for the Applicant's business.

Initials \_\_\_\_\_

- F. As Applicant I affirm that all tow trucks and equipment are in safe and sound condition and in compliance with all applicable laws, rules and regulations. I have attached a copy of the vehicle registrations for all tow vehicles listed in this application.

Initials \_\_\_\_\_

- G. As Applicant I agree to provide on-call towing and storage services 24 hours per day, every day of the year.

Initials \_\_\_\_\_

- H. As Applicant I agree that the fees and procedures required by chapter 140 of the Town of Carmel Local Law "Towing and Storage" shall be complied with at all times.

Initials \_\_\_\_\_

- I. As Applicant I affirm that I have met the insurance requirements required by chapter 140 of the Town of Carmel Local Law "Towing and Storage" and I have attached copies of all insurance certificates to this application.

Initials \_\_\_\_\_

- J. The Applicant agrees to be solely responsible for the payment of its employee's unemployment, social security and other payroll taxes including contributions from them when required by law.

Initials \_\_\_\_\_

- K. The Applicant hereby agrees to hold harmless and indemnify the Town of Carmel, its officers, employees and agents from any and all liability claims, losses or damage arising or alleged to arise from the performance of the towing services requested of or rendered by the licensee. The foregoing indemnification language shall be incorporated in the general comprehensive liability policy required in chapter 140 of the Town of Carmel Local Law "Towing and Storage".

Initials \_\_\_\_\_

**Additional space is provided below if needed for completing answers to any of the preceding questions. Number such answers to correspond to the questions. If any further space is required, attach additional sheets to this size paper.**



State of New York

County of \_\_\_\_\_ S.S.:

I, \_\_\_\_\_, being duly sworn, do hereby depose and say that I am the above named person and that I have completed the foregoing application, including all additions thereto, and that I understand the contents. I further state that the answers contained herein are complete and correct in every respect. I understand that any material misrepresentations of fact may be cause for rejection of the application or disqualification and prosecution.

**Notice: Pursuant To Section 210.45 Of The New York State Penal Law, It Is A Crime Punishable As A Class "A" Misdemeanor To Knowingly Make A False Statement Herein.**

\_\_\_\_\_  
Signature of Applicant in Presence of  
Notary Public

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public or Commissioner of Deeds

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**ALLOWABLE RATE SCHEDULE**  
**Light Duty Equipment** (up to 10,000 lbs. GVWR)  
 Rates for Towing and Emergency Road Service

Item	Charge RATE (Any/All Taxes & Tolls are Additional)
<b>A. BASIC ROAD SERVICE</b> (standard service call charges excluding towing)	
1. Gasoline delivery ONLY	\$100.00 + retail cost of gas
2. Removing flat tire & replacing spare tire	\$100.00
3. Winching (does not include normal lift/hoist for towing purposes under B)	\$100.00 per ½ hour
4. Vehicle without keys additional labor must be noted by Police Dept.	\$50.00
5. Dispatched tow truck but no service provided	\$50.00 Flat rate
<b>B. INITIAL TOWING FEE (includes motor cycles) 8:00 am – 6:00 pm</b>	
1. Night 6:01 pm – 7:59 am or Weekends and Holidays	\$185.00 Flat rate \$225.00 Flat rate
<b>C. ADDITIONAL TOWING FEE</b>	
1. Towing other than back to the yard location (first 3 miles are included)	\$8.50 per mile
2. Clean Up Fee	\$35.00 per ½ hour
<b>D. STORAGE FEE (first 24 hours no charge)</b>	
1. Rate per calendar day – only after 24 hours –	\$65.00 Inside or Outside
<b>E. YARD AND ADMINISTRATIVE FEES</b>	
1. Fees are applicable only after the vehicle has been at the Tow Yard for a minimum of 10 days.	\$50.00 Yard and \$50.00 Administrative fee. Tow operators may charge applicable fees in those instances where the justification of the fee can be appropriately documented.

Miscellaneous Provisions:

1. The restoring of a vehicle to the pavement that *does not require towing* is charged only under section “A” Service Call. If the vehicle *requires towing* from the scene then those actions are chargeable under both “A” and “B”.
2. Towed vehicles must be available for access, inspection and/or release to the motorist, the motorist/vehicle owner’s designees, any and all involved insurance agents/inspectors, and the department personnel during normal business hours Monday – Saturday 9 am – 5 pm. Should the storage location not be available when the motorist, vehicle owner/designee or insurance agent arrives on site during the prescribed business hours, the storage fee shall be waived for that 24 hour period and any subsequent 24 hour period(s) until the storage location reopens again during regular business hours.

## Chapter 140. Towing and Storage

### § 140-4. Application for license; application fee.

- A. Applicants for a license under this chapter shall file with the Town of Carmel Clerk a sworn application on a form to be furnished by the Clerk which shall include the following information and certification:
- (1) The full name and address of the applicant. If the application is made for a corporation, it shall state the names and addresses of the officers and directors thereof, its registered agent and the names and residential addresses of every stockholder owning more than 10% of the issued stock.
  - (2) The year, make and type of each tow vehicle used in said business, its vehicle identification number, registration number and registered owner.
  - (3) The address where the tow vehicle or vehicles shall be regularly garaged, the telephone number or numbers and the hours during which service is available at those numbers and the names, addresses and New York driver license numbers of all operators.
  - (4) The location, size and security features of the storage lot or space in which towed vehicles will be stored, including the number of spaces available. The storage lot shall be designated either as:
    - (a) "Inside building," a vehicle storage facility that is completely indoors, having one or more openings in the walls for storage and removal of vehicles that are secured by a locking device on each opening; or
    - (b) "Outside secured," a vehicle storage facility that is not indoors and is secured by a fence, walls or other man-made barrier that is at least six feet high. The facility is to be lighted at night so that all vehicles may be plainly visible.
  - (5) The name and address of the insurance carriers and the policy numbers of all insurance policies as required by § 140-9 of this chapter.
  - (6) A certification that on-call towing and storage services will be available 24 hours per day, every day of the year.
  - (7) A certification that the fees and procedures required by this chapter shall be complied with at all times.
  - (8) A statement that the Chief of Police or his/her designee may at any reasonable time conduct an inspection of the towed vehicles or storage facility of any applicant or licensee for the purpose of determining compliance with this chapter. The Town of Carmel Police Department may have a Commercial Vehicle Safety Bureau Inspector from the New York State Department of Transportation inspect any tow truck at any time throughout the licensing period.
  - (9) Such other information as the Town of Carmel Clerk or Chief of Police may reasonably prescribe.

## Chapter 140. Towing and Storage

### § 140-5. Application review.

- A. The Town of Carmel Clerk shall forward all complete applications to the Chief of Police, who shall conduct or cause to be conducted such investigation as he deems necessary to determine the truth and accuracy of the information contained in the application and whether the applicant meets the following minimum standards:
- (1) Neither the applicant nor any tow vehicle operator has any criminal convictions or prior motor vehicle infractions which might adversely affect public safety or welfare.
  - (2) The applicant must own, lease, operate and maintain a registered, working New-York-State-licensed motor vehicle repair facility within the Town of Carmel. If the applicant does not own the premises on which the motor vehicle repair facility is situated, a written lease for the use of the premises or for service from the motor vehicle repair facility must be provided.
  - (3) The applicant has the ability to respond to the scene in response to any request for assistance within 25 minutes after notification.
  - (4) The applicant can provide on-call towing services 24 hours per day, every day of the year.
  - (5) The tow trucks and equipment are in safe and sound condition and in compliance with all applicable laws, rules and regulations. All applicants must meet minimum standards of operator performance, including but not limited to standards concerning the adequacy of the applicant's equipment and storage facilities and availability.
  - (6) The applicant owns or has a valid lease to a storage facility within the Town of Carmel, in an area legally zoned for such use, and such storage facility shall have a minimum capacity of 20 passenger automobiles and will be either an inside building or outside secured facility as defined in § 140-2A(4) above for storage of all vehicles towed or impounded.
  - (7) The applicant is in compliance with and/or has the ability to comply with all other requirements and standards set forth herein.
  - (8) Storage facility must meet local zoning requirements.
- B. In addition to the minimum standards of performance referred to in the preceding subsection, all applicants are subject to disqualification if found deficient in any one of the following areas:
- (1) The applicant provided false or inaccurate information on the application form.
  - (2) The applicant lacks experience and/or does not have good references from prior customers of the applicant's towing and storage services.
- C. The Chief of Police shall endorse his/her approval or disapproval of the application within 30 days of receipt by him. If the application is disapproved, the reasons therefor shall be set forth in writing. The Town of Carmel Clerk shall notify the applicant in writing that the application has been granted or denied. If the application is denied, the reasons for such denial shall be set forth in the notice, along with the applicant's right to appeal the denial to the Town of Carmel Town Board pursuant to § 140-6.

# RESOLUTION #3

## RESOLUTION ACCEPTING PROPOSAL AND AUTHORIZING PURCHASE AND INSTALLATION OF FENCING AIRPORT PARK BALLFIELDS

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks James R. Gilchrist hereby accepts the proposal of WBE Fence Company, Brewster, NY and authorizes the purchase and installation of fencing and gate equipment at the Airport Park Ballfields at a cost not to exceed \$11,986.00 and in accordance with the proposal dated August 12, 2021; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of these proposals upon the terms authorized herein.

### 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 #4

## 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, 2021 to through August 31, 20122 from Atlantic Pavement Marking, Prospect, CT under Putnam County Bid No. RFP-20-21.

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 #5

## RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS

RESOLVED that Director of Recreation and Parks James R. Gilchrist is hereby authorized to advertise for bids for grass cutting services to be provided at Airport Park, Camarda Park, Jimmy McDonough Memorial Park, Chamber Park, Red Mills Park, Carmel Town Hall, Carmel Highway Department, Carmel Historical Building and 33 McAlpin Avenue property and

BE IT FURTHER RESOLVED that upon finalization and completion of bid specifications, the Director of Recreation and Parks is to furnish detailed specifications for the above to the Town Clerk Ann Spofford which are to be used in conjunction with the Town's general bid conditions and specifications.

### 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	_____	_____