

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, February 19, 2020 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

Town Board Work Session:

- Accept Town Board Minutes, February 5, 2020
- 1. Res: Adopting Mutual Aid and Rapid Response Plan – County of Westchester Police Departments
- 2. Res: Authorizing Submission of Grant Disbursement Agreement to New York State Dormitory State and Municipal Facilities Program – Project ID #12952
- 3. Res: Accepting Conveyance of Real Property from County of Putnam
- 4. Res: Authorizing Attendance at Seminar (GFOA Conference)
- 5. Res: Authorizing Partial Return for Application Fee- Town of Carmel Zoning Board of Appeals
- 6. Res: Accepting Proposal and Authorizing Entry into Licensing Agreement for Professional Services
- 7. Res: Accepting Proposal for Professional Services - Town of Carmel Website Hosting and Services
- 8. Res: Acknowledging Emergency Repairs – Carmel Water and Sewer Districts
- 9. Res: Authorizing Advertising for Bids
- 10. Res: Acknowledging and Authorizing Emergency Purchase Town of Carmel Highway Department
- 11. Res: Accepting Proposal for Professional Services Town of Carmel Highway Department
- 12. Res: Requesting Amendments to New York State's Criminal Justice Reforms
- 13. Res: Acknowledging Receipt of Notice of Availability of Records and Docket Town of Carmel Justice Court

14. Res: Authorize Purchase of Skate Park Equipment Town of Carmel Department of Recreation and Parks
15. Order Calling Pubic Hearing in the Matter of the Increase and Improvement of Facilities of Lake Casse Park in the Town of Carmel, Putnam County, New York (March 11, 2020)
16. Order Calling Pubic Hearing in the Matter of the Increase and Improvement of Facilities of Lake Teakettle Park in the Town of Carmel, Putnam County, New York (March 11, 2020)
17. Resolution Amending the Process for the Town Engineer to Undertake Action to Cap All Connections to Sewer District Number 1 From 825 South Lake Blvd.

- **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 ADOPTING MUTUAL AID AND RAPID RESPONSE PLAN COUNTY OF WESTCHESTER POLICE DEPARTMENTS

RESOLVED, that the Town Board of the Town of Carmel, acting as Police Commissioners of the Town of Carmel Police Department, and upon the recommendation of Chief of Police Michael S. Cazzari, hereby adopts the terms and provisions of the Mutual Aid and Rapid Response Plan of the Police Departments of Westchester County, New York dated May 9, 2019; and

BE IT FURTHER RESOLVED, that Chief of Police Michael S. Cazzari is hereby authorized to sign said plan on behalf of the Town of Carmel Police Department

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 AUTHORIZING SUBMISSION OF GRANT DISBURSEMENT AGREEMENT TO NEW YORK STATE DORMITORY STATE AND MUNICIPAL FACILITIES PROGRAM PROJECT ID #12952

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the execution and submission of the Grant Disbursement Application/Agreement for New York State Municipal Facilities Program Project ID #12952 for the Purchase and Installation of Video Surveillance Equipment for the Carmel Police Department, said agreement to be in form as is on file in the Office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough and Town of Carmel Chief of Police Michael Cazzari are hereby authorizes to execute the Grant Disbursement Application in accordance with the provisions thereof.

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 ACCEPTING CONVEYANCE OF REAL PROPERTY FROM COUNTY OF PUTNAM

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Lake Teakettle Park District, hereby accepts the conveyance of the parcels known and designated as Town of Carmel Tax Map Nos. 76.17-2-54 and 76.17-2-55 from the County of Putnam in exchange for the sum of \$1.00 (ONE DOLLAR) in accordance with Resolution No. 236 of 2007 and Resolution No. 47 of 2008 duly passed by the Putnam County Legislature; and

BE IT FURTHER RESOLVED that Deputy Supervisor Suzanne McDonough is hereby authorized to executed any conveyance documentation required in connection with the authorized actions hereunder; and

BE IT FURTHER RESOLVED that the costs of recording said conveyance instruments are authorized to be paid from Lake Teakettle Spout Park District budget.

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 ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Comptroller, Mary Ann Maxwell and Senior Account II, Clerk Michelle Tenefrancia to attend the 2020 New York State GFOA Annual Conference in Albany, NY, April 1, 2020 through April 3, 2020; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

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 PARTIAL RETURN OF APPLICATION FEE TOWN OF CARMEL ZONING BOARD OF APPEALS

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 refund of the sum of \$300.00 To Leslie and Ernest Palmieri, Amawalk, NY from the total application fee previously paid for interpretation of the Town of Carmel Zoning Code.

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 ACCEPTING PROPOSAL AND AUTHORIZING ENTRY INTO LICENSING AGREEMENT FOR PROFESSIONAL SERVICES

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Assessor Glenn Droese, hereby authorizes the acceptance of the proposal of Pictometry International Corp., Rochester, NY and authorizes entry into a agreement for aerial photogrammetry and imagery to be utilized by the Office of the Town Assessor, at an overall cost not to exceed \$64,502.00, said contract to be in form as is currently on file in the Office of the Town Supervisor;

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Deputy Town Supervisor Suzanne McDonough is hereby authorized to execute any and all necessary contract documentation to effect acceptance of this proposal 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 #7

RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES TOWN WEBSITE HOSTING AND SERVICES

RESOLVED THAT the Town Board of the Town of Carmel hereby accepts the proposal of Civic Plus, Boxborough, MA and authorizes entry into a licensing agreement for annual Town of Carmel website hosting and related services in accordance with the proposal dated January 15, 2020 and at an annual cost not to exceed \$4,568.75; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of 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 #8

RESOLUTION ACKNOWLEDGING EMERGENCY REPAIRS CARMEL WATER AND SEWER DISTRICTS

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of the various water and sewer districts of the Town of Carmel, hereby acknowledges the emergency performance of water and sewer district collection system/distribution system and treatment facilities repairs as fully detailed in the memorandum of Town Engineer Richard J. Franzetti, P.E. to the Town Board dated February 6, 2020, as attached hereto and made a part thereof.

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	_____	_____

Richard J. Franzetti, P.E.
Town Engineer




(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

MEMORANDUM

To: Carmel Town Board

From: Richard J. Franzetti P.E. Town Engineer 

Date: February 6, 2020

Re: Emergency Repairs/Services

This memorandum is being presented to the Town Board to advise the Board of emergency invoices that were submitted for payment in excess of \$5,000.00 for services rendered. The following provides a brief a summary of the work that was performed.

- Carmel Water District 8 – Saddle Repairs 15 and 20 Tanager Road

On December 8, 2019 Bee and Jay, the operators for CWD 8, notified the Engineering Department that two (2) saddles were leaking in the vicinity of 15 and 20 Tanager Road. Attached is an invoice in the amount of \$6,276.76 for Kuck Excavating to make this repair.

- Carmel Water District 2

Water leak 2 East Collier

On December 22, 2019 Inframark, the operators for CWD 2, notified the Engineering Department of a leak a 2 East Collier Drive. Attached is an invoice in the amount of \$8,648.36 for Kuck Excavating to make this repair.

Water leak 2 North Road

On January 10, 2020 Inframark, the operators for CWD 2, notified the Engineering Department of a leak at 2 North Road. Attached is an invoice in the amount of \$7,509.19 for Kuck Excavating to make this repair.

- Carmel Sewer District 2 – Lindy Drive Lift station

On January 7, 2020 Inframark, the operators for CWD 2, notified the Engineering Department of an unsafe condition related to accessing the Lindy Drive lift station as the roadway had washed out. Attached is an invoice in the amount of \$5,701.96 for Kuck Excavating to make this repair.

02-06-2020
Emergency Repairs/Services

- Town Hall – Police Department Lighting

On January 6, 2020 L&R electric was contacted by the Town to repair the lights in the Police Department parking lot. Attached is an invoice in the amount of \$5,400.00 for L&R to make this repair

We request that this memorandum be put into the agenda as a matter of record.

Emergency Invoices ~ Summary Report

District	Vendor	Invoice	Date of Repair	Emergency Repair	Cost
602	Ed Kuck	TOC 107-19	12/22/2019	Water Main	8,648.36
608	Ed Kuck	TOC 103-19	12/8/2019	Saddles	6,276.76
602	Ed Kuck	TOC 005-20	1/10 - 1/11/20	Steel Main Circular Crack	7,509.19
702	Ed Kuck	TOC 004-20	1/7/2020	Access Road Repair	5,701.96
TH	L&R Electric	569	1/6/2020	Light Repairs	5,400.00
					33,536.27

Ed Kuck Excavating Inc

20 Day Road
Carmel, NY 10512

INV # 107-19 ✓
CWD #2
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vera

EMERGENCY: 6 inch steel water break

Respond as per: Inframark

Job Location: #2 East Collier Drive

Work Completed on: 12/22/2019 SUNDAY OT 1-1/2 RATE

Start time: 2:30 PM

End Time: 10:30 PM

Job Description:

- Locate leak and drill holes to pinpoint location
- Saw cut road, hammer blacktop, excavate & expose main
- Installed 6 inch repair clamp
- Backfill & compact with Item 4
- Blacktop restoration to follow

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hrs	\$85.00 per hour	680.00
Dump Truck	8 hrs	\$90.00 per hour	720.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	70.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Jumping Jack	Day rate	\$70.00	70.00
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	250.00
Machine operator	8 Hrs X 1 man OT	\$276.27- 1-½	2210.16
Laborers	8 Hrs X 2 men OT	\$238.95 1-½	3823.20
Item 4	15 yards	\$40.00 per yard	600.00
Seed		\$96.00 bag	
Top soil		\$	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$8,648.36

Ed Kuck Excavating Inc
20 Day Road
Carmel, NY 10512

INV # 103-19
CWD #8
REQ #
Vendor 0670
Tax ID - 133851002

Attention: Rob Vera

Emergency – Two ¾" X 8" Saddle Repairs

Respond as per: BEE & JAY

Job Location: #15 & #20 TANAGER ROAD

Work Completed on: 12/8/2019 SUNDAY JOB OVERTIME RATE - 1-1/2

Start time: 8:00 AM

End Time: 4:00 PM

Job Description:

- Locate water leak along shoulder of road
- Trace out 2 service lines
- Locate 2 rotted saddles on main
- Excavate, expose & replace saddles
- Reconnect saddles to existing service lines
- Backfill & compact disturbed area with Item 4
- Lawn restoration to follow

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hrs	\$85.00 per hour	680.00
Dump Truck	8 hrs	\$90.00 per hour	720.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Locater	Day rate	\$50.00	50.00
Machine Hammer	Day rate	\$250.00	
Machine operator	1 man x 8 hours SUNDAY	\$276.27 per hour 1-1/2	2,210.16
Laborers	1 man x 8 hours SUNDAY	\$238.95 per hour 1-1/2	1,911.60
Item 4	12 yards	\$40.00 per yard	480.00
Seed		\$96.00 bag	
Top soil		\$	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$6,276.76

Ed Kuck Excavating Inc

20 Day Road
Carmel, NY 10512

INV # TOC: 005-20

CWD #2

REQ #

Vendor 0670

Tax ID - 133851002

Attention: Rob Vera

EMERGENCY: 8" STEEL MAIN CIRCULAR CRACK

Respond as per: INFRAMARK

Job Location: #2 North Road

Work Completed on: 1/10/2020-1/11/-2020

Start time: 9:00pm

End Time: 4:00 AM 7 hours OT

Job Description:

- Saw cut road to expose 8 inch water main
- Repaired leak with repair clamp
- Backfilled with Item 4 and compact

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	7 hours	\$85.00 per hour	595.00
Dump Truck	7 hours	\$90.00 per hour	630.00
Support Vehicle	Day rate	\$155.00	155.00
Chop Saw	Day rate	\$ 70.00	70.00
Jumping Jack	Day rate	\$70.00	70.00
Plate tamper	Day rate	\$70.00	
Mud Sucker	Day rate	\$70.00	70.00
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	
Machine operator	7 Hrs X 1 man OT	\$276.27	1933.89
Laborers	7 Hrs X 2 men OT	\$238.95	3,345.30
Item 4	16 yards	\$40.00 per yard	640.00
Seed		\$96.00 bag	
Top soil		\$50.00	
Blacktop		\$114.00 per ton	
Hay		\$15.36 bag	
Total			\$7,509.19

Ed Kuck Excavating Inc

20 Day Road
Carmel, NY 10512

Attention: Rob Vera

INV # TOC-004-20

SD# 2

REQ #

Vendor 0670

Tax ID - 133851002

EMERGENCY: ACCESS ROAD REPAIR

Respond as per: INFRAMARK

Job Location: Lindy – Sewer Lift Station

Work Completed on: 1/7/2020

Start time: 8:00 AM

End Time: 4:00 PM 8 HRS

Job Description:

- Access road repair

Materials / Equipment/ Labor	Total Hrs,yds,qty	Price per yd, qty, day	Total
Track Hoe MR55	8 hours	\$85.00 per hour	✓ 680.00
Dump Truck	8 hours	\$90.00 per hour	✓ 720.00
Support Vehicle	Day rate	\$155.00	✓ 155.00
Chop Saw	Day rate	\$ 70.00	
Jumping Jack	Day rate	\$70.00	
Plate tamper	Day rate	\$70.00	✓ 70.00
Mud Sucker	Day rate	\$70.00	
Locater	Day rate	\$70.00	
Machine Hammer	Day rate	\$250.00	
Machine operator	8 Hrs X 1 man	\$184.18	1473.44
Laborers	8 Hrs X 2 men	\$159.30	✓ 2548.80
Item 4		\$40.00 per yard	
Seed	¼ bag	\$96.00 bag	✓ 24.00
Top soil		\$50.00	
Blacktop		\$114.00 per ton	
Hay	2 bags	\$15.36 bag	✓ 30.72
Total			\$5,701.96✓

Invoice #569

L&R Electric Inc.

Residential and Commercial

Licensed, Insured & bonded

84 Chief Ninham Cir

Carmel NY 10512

Office #845-494-1878

Fax #845-306-7512

Email: LandRelectric@Gmail.com

Date 1/6/20

Bill to: Town of Carmel (EMERGENCY LIGHT REPAIR & REPLACEMENT
FOR SAFTEY OF POLICE DEPT

Project- Town hall parking lot lights

Job Details:

- Replace 2 light fixtures on high pole light (police station) rusted bolts to mount plate
- 3 pole lights take down and replace mounting plate and brackets for new lights (police station)
- Repair 2 pole mounts for safty of pole falling down
- Replace light to gas staion pump and repair rusted mounts
- Top parking lot replace 3 heads, rewire corrosion wires take mounting bracket down water damage!
- Make up mounting plate for light fixture to Columbus satchel
- Adjust light at night for better cover rage

Total \$5400

Balance Due \$ 5400

Please send payment to:

L&R Electric Inc.

84 Chief Ninham Cir.

Carmel, NY 10512.

RESOLUTION #9

RESOLUTION AUTHORIZING ADVERTISING FOR BIDS

RESOLVED that, pursuant to the request of Michael Simone Town of Carmel Highway Superintendent, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the purchase of the following items for fiscal year 2020:

- Crushed Gravel
- Granular Base (Item 4)
- Run of Bank Gravel
- Bituminous Concrete
- Road Oils, Cut Backs, etc.
- Catch Basins & Sumps with Tops
- Tree Felling & Trimming
- Steel Culvert Drainage Pipe
- Aluminum Culvert Drainage Pipe
- Polyethylene Drainage Pipe

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the Town Clerk Ann Spofford 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	_____	_____

RESOLUTION #10

RESOLUTION ACKNOWLEDGING AND AUTHORIZING EMERGENCY PURCHASE TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED, that the Town Board of the Town of Carmel and upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby acknowledges and authorizes the emergency purchase of vehicle repair parts for Highway Truck #49 from Camerota Truck Parts Enfield, CT at a cost not to exceed \$11,100.00 in accordance with the proposal dated January 30, 2020; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of 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 #11

RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES TOWN OF CARMEL HIGHWAY DEPARTMENT

RESOLVED THAT the Town Board of the Town of Carmel hereby accepts the proposal of American Petroleum Equipment & Construction Company (APECCO), Walden, NY, for crane services provided in connection with tank removal at Town of Carmel Highway Department in accordance with the proposal dated January 24, 2020 and at a cost not to exceed \$6,000.00; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of 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 #12

RESOLUTION REQUESTING AMENDMENTS TO NEW YORK STATE'S CRIMINAL JUSTICE REFORMS

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city, town and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities, towns and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the Town of Carmel supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities, towns and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order;
- Judges must be given the discretion to order pre-trial detention.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Town of Carmel be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senator Peter Harkham and Assembly Member Kevin Byrne the New York State Conference of Mayors, and local media outlets.

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 #13

RESOLUTION ACKNOWLEDGING RECEIPT OF NOTICE OF AVAILABILITY OF RECORDS AND DOCKET TOWN OF CARMEL JUSTICE COURT

RESOLVED, that the Town Board of the Town of Carmel hereby acknowledges receipt of notice from Town Justices Thomas J. Jacobellis and Daniel Miller, that the 2019 records and dockets of said Court have been made available for inspection by the Town Board pursuant to NY Uniform Justice Court Act §2019-a.

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 #14

RESOLUTION AUTHORIZING PURCHASE OF SKATE PARK EQUIPMENT TOWN OF CARMEL DEPARTMENT OF RECREATION AND PARKS

RESOLVED, the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks James Gilchrist, hereby authorizes purchase of skate ramp equipment from Rampage, LLC, Trumbull, CT at a cost not to exceed \$8,180.00 in accordance with the proposal dated January 20, 2020; and

BE IT FURTHER RESOLVED that Deputy Town Supervisor Suzanne McDonough is hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of 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 #15

ORDER CALLING PUBLIC HEARING IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF LAKE CASSE PARK IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Carmel has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Lake Casse Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dam at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having hereby been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant adverse impact pursuant to 6 NYCRR Part 617.5(c)(2); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Lake Casse Park District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Lake Casse Park District, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. Town Clerk Ann Spofford is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the Town of Carmel, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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	_____	_____

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Lake Casse Park District, in said Town, consisting of the reconstruction of dam at Lake Casse, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$228,206.

Said capital project has been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in any significant adverse environmental impacts.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,
February __, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CARMEL, PUTNAM COUNTY NEW YORK

RESOLUTION #16

ORDER CALLING PUBLIC HEARING IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF LAKE TEAKETTLE PARK IN THE TOWN OF CARMEL, PUTNAM COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Carmel has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Teakettle Park District, in the Town of Carmel, Putnam County, New York, being the reconstruction of dams at Teakettle Lake, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having hereby been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant adverse impact pursuant to 6 NYCRR Part 617.5(c)(2); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Teakettle Park District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Teakettle Lake Park District, in the Town of Carmel, Putnam County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. Town Clerk Ann Spofford is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the Town of Carmel, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This order shall take effect immediately.

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	_____	_____

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on March 11, 2020, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Lake Teakettle Park District, in said Town, consisting of the reconstruction of dams at Lake Teakettle, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$157,206.

Said capital project has been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, said regulations provide will not result in any significant adverse environmental impacts.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,
February __, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
CARMEL, PUTNAM COUNTY NEW YORK

RESOLUTION #17

RESOLUTION AMENDING THE PROCESS FOR THE TOWN ENGINEER TO UNDERTAKE ACTION TO CAP ALL CONNECTIONS TO SEWER DISTRICT NUMBER 1 FROM 825 SOUTH LAKE BLVD.

WHEREAS, on December 18, 2019, the Town Board hereby authorized the Town Engineer to enter into a contract that provides for services and to henceforth obtain all permits and undertake all such actions necessary in order for the second line which originates at 825 S. Lake Blvd (hereinafter, "Property") and enters the Sewer District Number 1 sewer main somewhere between the MCP97 – Clark Place Manhole and the downstream MCP96 Manhole to be excavated and capped and to cause the current or future Town sewer district maintenance contractor to cap the connecting line which enters Sewer District Number 1 in the MCP97 – Clark Place Manhole; Absent the declaration of a public health or safety emergency as determined by the Town Engineer or any other regulatory authority, such contract to be procured through a request for proposals; and

WHEREAS, the Town Board further required that in the event that use of such lines had not been discontinued nor had the Property Owners obtained all necessary approvals to use any such line, the Town Engineer was directed to cap all such lines no later than February 18, 2020; and

WHEREAS, on February 17, 2020, the Property Owners submitted a "Ten-day compliance plan addressing the Notice of Violation and Cease and Desist, dated December 18, 2019" which set forth a proposed set of actions which the Property Owners intend to undertake in order to seek regulatory compliance of the connecting line originating at the Property and

WHEREAS, the Property Owners have proposed an extension of time to March 21, 2020 to complete certain actions in connection with the Property Owner's February 17, 2020 submission;

WHEREAS, the Town is reviewing the Property Owners' February 17, 2020 submission and is coordinating with other regulatory agencies regarding the same; and

WHEREAS, additional time is necessary to permit the review and conferral process in connection with the Property Owners' February 17, 2020 submission; and

BE IT RESOLVED that the Town Board's December 18, 2019 Resolution be superseded and amended as follows; and

BE IT FURTHER RESOLVED that the Town Board hereby authorizes the Town Engineer to enter into a contract that provides for services and to henceforth obtain all permits and undertake such actions necessary in order for the line which originates at the Property and enters the Sewer District Number 1 sewer main somewhere between MCP97 – Clark Place Manhole and the downstream MCP96 Manhole to be excavated and capped and to cause the current or future Town sewer district maintenance contractor to cap the connecting line which enters Sewer District Number 1 in the MCP97 – Clark Place Manhole; Absent the declaration of a

public health or safety emergency as determined by the Town Engineer or any other regulatory authority, such contract to be procured through customary competitive process such as a request for proposals or bid solicitation; and

BE IT FURTHER RESOLVED that in the event that the Property Owners have not taken the necessary steps to cease all outflow from the Property through the connecting line between MCP97 – Clark Place Manhole and the downstream MCP96 Manhole and the connecting line in the MCP97 Clark Place Manhole prior to March 21, 2020 or otherwise received all permits and approvals required by law to utilize any such connection, the Town Board directs the Town Engineer to complete the capping of all lines which divert wastewater from the Property to Sewer District Number 1 on or after March 21, 2020; and

BE IT FURTHER RESOLVED, that the Town Engineer shall notify the Property owners 7 calendar days prior to the initiation of the work provided for in the foregoing contract and that the work provided for in that contract will be performed; and

BE IT FURTHER RESOLVED, that the Town reserves all rights to seek recovery of any payment of all such expenditures authorized by this Resolution.

Resolution

Offered by:

Seconded by:

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