

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 5, 2020 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

6:40pm Executive Session:

1. Candidate Interviews- Planning and ECB Boards

**BRETT BOWDEN, TEMPLE BETH SHALOM- COMMEMORATING THE
75TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ (1/27/2020)**

Town Board Voting Meeting:

- Accept Town Board Minutes January 15, 2020
1. Res: Making Appointment to Town of Carmel Environmental Conservation Board
 2. Res: Making Appointment to Town of Carmel Planning Board
 3. Res: Authorizing Deletions to the Active List of the Mahopac Volunteer Fire Department
 4. Res: Authorizing Signing of Change Order #1 Landscaping/Grass Cutting Contract – Town Parks
 5. Res: Authorizing Renewal of Licensing Agreement with ASCAP (American Society of Composers, Authors and Publishers)
 6. Res: Authorizing Advertising for Bids Summer Bus Transportation Program – Department of Recreation and Parks
 7. Res: Accepting Proposal for Professional Services – Phase III Airport Park Improvements
 8. Res: Authorizing Attendance at Seminar
 9. Res: Authorizing Purchase of Pressure Regulating Valve- Carmel Sewer District #2
 10. Res: Authorizing Emergency Purchase Carmel Sewer District #2
 11. Res: Authorizing Advertisement for Bids
 12. Res: Authorizing Purchase of Sander Unit Town of Carmel Highway Department

13. Res: Accepting Proposal for Professional Services Tank Inspection and Re-Certification Services Carmel Highway Department

14. Res: Authorizing Emergency Repairs Town of Carmel Highway Department

15. Res: Authorizing Emergency Repairs Town of Carmel Highway Department

16. Res: Pursuant to Town of Carmel Town Code §156-76

17. Res: Accepting Proposal for Special Counsel Services

18. Res: Authorizing Commencement of Litigation

19. Res: Authorizing Entry into Contracts

- **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**

Executive Session:

1. Gregory Folchetti, Town Legal Counsel - Pending Litigation Update

RESOLUTION #1

RESOLUTION MAKING APPOINTMENT TOWN OF CARMEL ENVIRONMENTAL CONSERVATION BOARD

RESOLVED, that the Town Board of the Town of Carmel hereby appoints Anthony Federice to the Town of Carmel Environmental Conservation Board for a term commencing immediately and concluding June 13, 2020.

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 MAKING APPOINTMENT TOWN OF CARMEL PLANNING BOARD

RESOLVED, that the Town Board of the Town of Carmel hereby appoints Victoria Causa to the Town of Carmel Planning Board for a term commencing immediately and concluding December 31, 2026.

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 DELETIONS TO THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER FIRE DEPARTMENT

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the removal of the following names from the active list of the Mahopac Volunteer Fire Department:

- THEODORE MARTINE
- MARLENA WHITBECK
- DREW KINASH, JR.
- BRIANA SPECKMAN
- JAMIE FIELDALE
- MAX MORENO (Deceased)

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 SIGNING OF CHANGE ORDER #1
LANDSCAPING/GRASS CUTTING CONTRACT – TOWN PARKS**

WHEREAS, on March 21, 2018 the Town of Carmel has previously authorized entry into a contract for landscaping and grass-cutting services at various Town of Carmel park facilities with Greenway Property Services, Rye Brook, NY;

NOW, THEREFORE, BE IT 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 authorizes Deputy Supervisor Suzanne McDonough to sign Change Order #1 to the aforementioned contract, resulting in an overall contract price increase of \$8,275.00 annually for contract years 2020 and 2021; 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 #5

RESOLUTION AUTHORIZING RENEWAL OF LICENSING AGREEMENT WITH ASCAP

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the License Agreement with ASCAP for public performances of copyrighted music for the year 2020 at an annual rate of \$363.00; and

BE IT FURTHER RESOLVED that the James Gilchrist, Director of Recreation and Parks, is hereby authorized to sign any necessary documents and/or reports concerning said renewal 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 AUTHORIZING ADVERTISING FOR BIDS
SUMMER BUS TRANSPORTATION PROGRAM
DEPARTMENT OF RECREATION AND PARKS**

RESOLVED that, pursuant to the request of James R. Gilchrist, Director of Recreation and Parks, Town Clerk Ann Spofford is hereby authorized to advertise for bids for bus transportation for the Town of Carmel Recreation and Parks 2020 Summer Camp Program; and

BE IT FURTHER RESOLVED that the Director of Recreation and Parks is to furnish detailed specifications for the above to 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 #7

**RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES
PHASE III AIRPORT PARK IMPROVEMENTS**

RESOLVED THAT the Town Board of the Town of Carmel, hereby accepts the proposal of Insite Engineering, Surveying and Landscape Architecture, P.C., Carmel NY for the services required in connection with the update of design documents and provision of construction administration services for Phase III improvements to be constructed at Airport Park in accordance with the proposal of January 15, 2020 at a cost not to exceed \$42,000.00; 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 #8

RESOLUTION AUTHORIZING ATTENDANCE AT SEMINAR

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Engineer Richard J. Franzetti, P.E. to attend the New York State Water Environment Association Seminar being held February 4, 2020 in New York, NY; 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 #9

**RESOLUTION AUTHORIZING PURCHASE OF PRESSURE REGULATING VALVE
CARMEL SEWER DISTRICT #2**

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes purchase of a pressure regulating valve for CSD#2 microfiltration units from Miller Energy, Inc., South Plainfield, NJ at a cost not to exceed \$5,892.75 in accordance with the proposal dated December 26, 2019; 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 #10

**RESOLUTION AUTHORIZING EMERGENCY PURCHASE
CARMEL SEWER DISTRICT #2**

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation of Town Engineer Richard J. Franzetti, hereby authorizes the emergency purchase of a comminutor unit for the Mechanic Street pump station facility from GP Jager, Inc., Boonton, NJ at a cost not to exceed \$18,188.94 in accordance with the proposal dated January 8, 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 AUTHORIZING ADVERTISEMENT FOR BIDS

RESOLVED that, Town Clerk Ann Spofford is hereby authorized to advertise for bids for the replacement/re-construction of the roof at the sand filter facility at the Carmel Sewer District #2 wastewater treatment plant; and

BE IT FURTHER RESOLVED that upon finalization and completion of bid specifications, Town Engineer Richard J. Franzetti, P.E. is to furnish detailed specifications for the above to the Town Clerk 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	___	___

RESOLUTION #12

**RESOLUTION AUTHORIZING PURCHASE OF SANDER UNIT
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED, the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby authorizes purchase of a Tornado Sander unit from Hudson River Truck & Trailer, Poughkeepsie, NY 12603 at a cost not to exceed \$5,895.00 in accordance with the proposal dated December 17, 2019; 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 #13

**RESOLUTION ACCEPTING PROPOSAL FOR PROFESSIONAL SERVICES
TANK INSPECTION AND RE-CERTIFICATION SERVICES
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 accepts the proposal of American Petroleum Equipment & Construction Company (APECCO), Walden, NY, to perform fuel tank inspection and re-certification services as required by the NY State Departments of Environmental Conservation at the Old Route 6 Town of Carmel Highway facility; and

BE IT FURTHER RESOLVED that such services are hereby authorized at cost not to exceed \$6,187.00 in accordance with the proposal dated January 7, 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 # 14

**RESOLUTION AUTHORIZING EMERGENCY REPAIRS
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED, the Town Board of the Town of Carmel and upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby authorizes the performance of emergency repairs for Highway Truck #28 to Ben Funk, Inc., Hudson, NY at a cost not to exceed \$10,296.22 in accordance with the proposal dated January 9, 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

**RESOLUTION AUTHORIZING EMERGENCY REPAIRS
TOWN OF CARMEL HIGHWAY DEPARTMENT**

RESOLVED, the Town Board of the Town of Carmel and upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby authorizes the performance of emergency repairs for Highway Truck #49 by Ben Funk, Inc., Hudson, NY at a cost not to exceed \$18,572.22 in accordance with the proposal dated January 2, 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 #16

**RESOLUTION PURSUANT TO
TOWN OF CARMEL TOWN CODE §156-76**

RESOLVED that the Town Board of the Town of Carmel, pursuant to Carmel Town Code §156-76, hereby refers the Petition for a text amendment to Chapter 156 of the Town Code of the Town of Carmel entitled “Zoning” filed by Centennial Golf Club of New York, LLC dated December 24, 2019, to the Town of Carmel Planning Board for its review, comment and/or recommendation.

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 #17

**RESOLUTION ACCEPTING PROPOSAL
FOR SPECIAL COUNSEL SERVICES**

RESOLVED THAT the Town Board of the Town of Carmel, hereby accepts the proposal of the Pinsky Law Group, Syracuse, NY for the provision of special counsel and legal services in connection with the Town of Carmel and its contracts with various Not-for-Profit contractors, said proposal to be in form as is currently on file in the Office of the Town Supervisor, and at an aggregate annual rate not to exceed \$20,000 (Twenty Thousand Dollars); and

BE IT FURTHER RESOLVED, that the cost of said services shall be apportioned accordingly to the Fire Protection Districts, Ambulance Districts, etc. for which said services shall be provided; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Deputy 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 #18

RESOLUTION AUTHORIZING COMMENCEMENT OF LITIGATION

RESOLVED, the Town Board of The Town of Carmel hereby authorizes Gregory L. Folchetti, 1875 Route Six, Carmel, NY, NY to commence proceedings in the Supreme Court, Putnam County, New York for breach of contract claims against R&S Waste Services, LLC, its successor and/or assigns, relating to all claims of the Town of Carmel and The Town of Carmel Garbage District relating to a certain contract for the Collection of Refuse, Garbage, Recyclable Materials and Bulk Collection; and

BE IT FURTHER RESOLVED, that said legal services are hereby approved at a rate of \$205.00 per hour.

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 #19

RESOLUTION AUTHORIZING ENTRY INTO CONTRACTS

WHEREAS appropriations have been made in the 2020 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS a public hearing was duly held on said contract amounts on November 6, 2019; and copies of said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Deputy Town Supervisor Suzanne McDonough to execute contracts with the following contractors for the services indicated in an amount not to exceed that set forth below:

CONTRACTOR	SERVICES	NOT TO EXCEED AMOUNT
MAHOPAC FALLS VOLUNTEER FIRE DEPARTMENT	FIRE PROTECTION-FIRE PROTECTION DIST. #1	\$794,000.00
MAHOPAC VOLUNTEER FIRE DEPARTMENT	FIRE PROTECTION-FIRE PROTECTION DIST. #2	\$1,249,000.00
CARMEL FIRE FIRE DEPARTMENT	FIRE PROTECTION-FIRE PROTECTION DIST. #3	\$837,500.00
NORTH SALEM VOLUNTEER AMBULANCE CORPS	AMBULANCE SERVICES- CARMEL AMBULANCE DISTRICT #1	\$12,900.00
CARMEL VOLUNTEER AMBULANCE CORPS	AMBULANCE SERVICES- CARMEL AMBULANCE DISTRICT #1	\$180,000.00
PUTNAM COUNTY HUMANE SOCIETY, INC.	DOG SHELTER SERVICES	\$50,635.00
PUTNAM SPCA	DOG CONTROL SERVICES	\$7,500.00
REED MEMORIAL LIBRARY	LIBRARY SERVICES	\$25,000.00
MAHOPAC LIBRARY	LIBRARY SERVICES	\$60,000.00
COUNTY OF PUTNAM	OUTREACH SERVICES	\$5,000.00

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	_____	_____