

MICHAEL S. CAZZARI
Town Supervisor

ROBERT F. SCHANIL, JR.
Town Councilman
Deputy Supervisor

STEPHEN J. BARANOWSKI
Town Councilman
FRANK D. LOMBARDI
Town Councilman
SUZANNE MC DONOUGH
Town Councilwoman

TOWN OF CARMEL
TOWN HALL



60 McAlpin Avenue
Mahopac, New York 10541
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ANN SPOFFORD
Town Clerk

KATHLEEN KRAUS
Receiver of Taxes

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

TOWN BOARD VOTING MEETING
Wednesday, April 5, 2023 7:00pm

PLEDGE OF ALLEGIANCE - MOMENT OF SILENCE

- **Roll Call Attendance**
- **Public Comments on Town Related Business (Five (5) Minutes Maximum for Town Residents, Property Owners & Business Owners Only)**

Town Board Voting Meeting:

1. Res: Awarding Bids for Miscellaneous Highway Department Materials
 2. Res: Authorizing Fund Balance Modifications Office of the Town Comptroller
 3. Res: Accepting Proposal for Insurance
 4. Res: Authorizing Payment to East of Hudson Watershed Corporation
 5. Amended Res: Extending Radio Equipment Rental Agreement-Town of Carmel Highway Department
 6. Res: Authorizing Request for Proposal for the Upgrade and Maintenance of Internet Technology Systems and Equipment – Town of Carmel Town Hall, Police Department Recreation and Highway Department
 7. Res: Authorizing Settlement of Litigation
 8. Res: Authorizing Advertisement for Bids
 9. Res: Scheduling of Public Hearing Pursuant to New York Eminent Domain Procedure Law Article 2, Section 202 (May 3, 2023)
 10. Res: Amending and Adopting User Fee Schedule
 11. Res: Declaring Water Emergency Pursuant to Section 151-22 of the Town Code of the Town of Carmel Water District Numbers 1,8,10 and 13
 12. Res: Authorizing Deputy Highway Superintendent to Proceed with the Purchase of Dump Truck
- **Motion to Move into Executive Session**
Executive Session:
 1. Gregory Folchetti, Esq, Town Attorney – Litigation
 2. Richard Franzetti, PE, Town Engineer – Personnel
 - **Motion to Adjourn Meeting**

RESOLUTION #1

**RESOLUTION AWARDING BIDS FOR MISCELLANEOUS
HIGHWAY DEPARTMENT MATERIALS**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for Highway Spring 2023 materials, and

WHEREAS Highway Superintendent Michael Simone has recommended the awarding of the bids as per the attached memo dated March 7, 2023 and,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for the foregoing materials to the lowest responsible bidders who met specifications (after adjustment for mileage in the case of FOB plant bids) as attached hereto and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

TOWN OF CARMEL HIGHWAY DEPARTMENT

Carmel Highway Department
55 McAlpin Avenue
Mahopac, NY 10541

MICHAEL SIMONE
Superintendent of Highways

845.628.7474
FAX 845.628.1471

MSimone@bestweb.net

M E M O R A N D U M

TO: TOWN BOARD
FROM: MICHAEL SIMONE - HIGHWAY SUPERINTENDENT
RE: HIGHWAY SPRING MATERIAL BID AWARDS
DATE: March 16, 2023 - REVISED

As there continues to be many issues in the supply chain and in delivery, I am recommending that some of the materials be awarded to more than one-vendor as follows:

<u>GRANULAR BASE - ITEM 4</u>	<u>Putnam Materials</u>	<u>Thalle Industries, Inc</u>
FOB	\$16.00	\$15.50
DELIVERED	\$23.50	\$24.00

Stone quality differs - each order will depend on specific need for job.

<u>RUN OF BANK GRAVEL</u>	<u>Red Wing Properties</u>
FOB	\$21.00
DELIVERED	\$27.00

<u>ROAD OILS, CUTBACKS, ETC.</u>	<u>NO BIDS</u>
MEDIUM CURING CUTBACKS	No Bid
RAPID CURING CUTBACKS	No Bid
PENETRATION ASPHALT	No Bid
CATIONIC	No Bid

<u>CRUSHED GRAVEL</u>	<u>Putnam Materials</u>	<u>Thalle Industries</u>
1 1/2" FOB plant	\$21.75	\$24.00 PER TON
1 1/2" DELIVERED	\$29.25	\$32.50 PER TON
3/4" FOB plant	\$21.75	\$23.00 PER TON
3/4" DELIVERED	\$29.25	\$31.50 PER TON
3/8" FOB plant	NO BID	\$24.00 PER TON
3/8" DELIVERED	NO BID	\$32.50 PER TON
1/4" FOB plant	NO BID	\$24.00 PER TON
1/4" DELIVERED	NO BID	\$32.50 PER TON

TOWN OF CARMEL HIGHWAY DEPARTMENT

<u>BITUMINOUS CONCRETE - IN-PLACE</u>	<u>KECT CONST.</u>	<u>CLOVE EXCAVATORS</u>	<u>INTER-COUNTY</u>
TYPE 3 BINDER COURSE - per Ton			
IN-PLACE	\$103.90	\$105.00	\$103.48
IN-PLACE with TACK COAT	\$108.00	\$108.00	\$106.82
IN-PLACE with KEYS	\$108.00	\$107.00	\$104.73
TYPE 6F3 TOP COURSE - per Ton			
IN-PLACE	\$103.00	\$102.50	\$103.42
IN-PLACE with TACK COAT	\$108.00	\$108.00	\$106.62
IN-PLACE with KEYS	\$108.00	\$107.00	\$104.73
TYPE 7F3 TOP COURSE - per Ton			
IN-PLACE	\$112.00	\$112.50	\$108.98
IN-PLACE with TACK COAT	\$117.00	\$115.50	\$112.32
IN-PLACE with KEYS	\$117.00	\$114.50	\$110.23
TYPE 9.5 MM SUPERPAVE TOP F3 - per Ton			
IN-PLACE	\$112.00	\$112.50	\$108.98
IN-PLACE with TACK COAT	\$117.00	\$115.50	\$112.32
IN-PLACE with KEYS	\$117.00	\$114.50	\$110.23
TYPE 12.5 MM SUPERPAVE TOP F3 - per Ton			
IN-PLACE	\$106.00	\$105.00	\$103.48
IN-PLACE with TACK COAT	\$112.00	\$108.00	\$106.82
IN-PLACE with KEYS	\$112.00	\$107.00	\$104.73
TYPE 19.0 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$106.00	\$105.00	\$103.48
IN-PLACE with TACK COAT	\$112.00	\$108.00	\$106.82
IN-PLACE with KEYS	\$112.00	\$107.00	\$104.73
TYPE 25.0 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$106.00	\$105.00	\$103.48
IN-PLACE with TACK COAT	\$112.00	\$108.00	\$106.82
IN-PLACE with KEYS	\$112.00	\$107.00	\$104.73
TYPE 37.5 MM SUPERPAVE BINDER - per Ton			
IN-PLACE	\$106.00	\$105.00	\$103.48
IN-PLACE with TACK COAT	\$112.00	\$108.00	\$106.82
IN-PLACE with KEYS	\$112.00	\$107.00	\$104.73
TYPE 6.3 POLYMER MODIFIED TOP - per Ton			
IN-PLACE	\$127.00	\$140.00	\$126.48
IN-PLACE with TACK COAT	\$133.00	\$145.00	\$129.82
IN-PLACE with KEYS	\$133.00	\$142.00	\$127.73
TYPE 1 BASE WARM MIX - per Ton			
IN-PLACE	\$110.00	\$111.00	\$107.48
IN-PLACE with TACK COAT	\$116.00	\$114.00	\$110.82
IN-PLACE with KEYS	\$116.00	\$113.00	\$108.73
TYPE 3 BINDER WARM MIX - per Ton			
IN-PLACE	\$110.00	\$111.00	\$107.48
IN-PLACE with TACK COAT	\$116.00	\$114.00	\$110.82
IN-PLACE with KEYS	\$116.00	\$113.00	\$108.73
TYPE 6F3 TOP WARM MIX - per Ton			
IN-PLACE	\$110.00	\$111.00	\$107.48
IN-PLACE with TACK COAT	\$116.00	\$114.00	\$110.82
IN-PLACE with KEYS	\$116.00	\$113.00	\$108.73

<u>BITUMINOUS CONCRETE - F.O.B.</u>	<u>Peckham Materials</u>	<u>Thalle Industries</u>
BINDER COURSE - TYPE 3	\$ 88.00	\$ 81.00 PER TON
TOP COURSE - TYPES 6F	\$ 88.00	\$ 81.00 PER TON
TOP COURSE - TYPES 7F	\$ 94.00	\$ 89.00 PER TON
CURB MIX	\$110.00	XXXXXXX PER TON

ALL Asphalt Prices Bid @ NYS DOT Base Price \$608.00 (February 2023)

TOWN OF CARMEL HIGHWAY DEPARTMENT

ALUMINUM CULVERT PIPE

CHEMUNG Supply Corporation

DIAMETER X GAGE BY FOOT	PLAIN FOB/Delivered	PERFORATED
6" X 16	\$18.00	\$18.50
8" X 16	\$21.00	\$22.00
10" X 16	\$23.00	\$24.00
12" X 16	\$27.03	\$28.03
15" X 16	\$33.31	\$35.10
18" X 16	\$40.58	\$43.15
21" X 16	\$48.65	\$49.90
24" X 16	\$54.99	\$56.05
30" X 14	\$70.64	\$73.14
36" X 14	\$118.58	\$121.74

STEEL CULVERT PIPE

CHEMUNG Supply Corporation

DIAMETER X GAGE BY FOOT	PLAIN Same FOB/Delivered	PERFORATED
6" X 18	\$18.00	\$18.50
8" X 16	\$19.50	\$20.99
10" X 16	\$21.60	\$22.44
12" X 16	\$22.03	\$22.94
15" X 16	\$26.67	\$27.40
18" X 16	\$33.72	\$34.10
21" X 16	\$39.46	\$40.50
24" X 16	\$53.85	\$54.44
30" X 14	\$69.69	\$70.14
36" X 14	\$88.44	\$97.19

TOWN OF CARMEL HIGHWAY DEPARTMENT

POLYETHYLENE DRAINAGE PIPE AWARD ALL

Carmel WinWater Works ~ Chemung Supply Corp ~ Expanded Supply

DIAMETER BY FOOT	CORRUGATED FOB/Delivered	SMOOTH
4"	\$ 0.89	\$ 2.15
6"	\$ 2.36	\$ 4.61
8"	\$ 4.44	\$ 7.23
10"	\$ 9.64	\$10.36
12"	\$10.70	\$ 9.85
15"	\$16.06	\$12.79
18"	N/A	\$18.89
24"	N/A	\$29.23
30"	N/A	\$43.85
36"	N/A	\$57.06
DIAMETER	ELBOW	TEE
4"	\$22.35	\$26.79
6"	\$36.84	\$46.90

TOWN OF CARMEL HIGHWAY DEPARTMENT

PRECAST KNOCKOUT CATCH BASINS WITH CAST IRON FRAMES & GRATES

		TYPE	<u>Carmel WW</u> Concrete	<u>Expanded Supply</u> Concrete
BASINS		24"H X 24" X 24"	\$250.00	\$235.00
		30"H X 24" X 24"	NO BID	NO BID
		36"H X 24" X 24"	\$312.50	\$260.00
Tops	Flat Type	24" X 24" X 4"	\$290.00*	\$260.00
	Curb Back	7" X 32" X 32"	NO BID	NO BID
BASIN		36"H X 30" X 30"	\$312.50	\$280.00
Tops	Flat Type	4" X 30" X 30"	\$423.75*	\$375.00
	Curb Back	8" X 36" X 34"	\$595.00*	\$645.00
BASINS		30"H X 30" X 48"	\$343.73	\$315.00
		48"H X 30" X 48"	\$375.00	\$335.00
Tops	Flat Type	4.5" X 30" X 48"	\$821.25*	\$660.00
	Curb Back	12" X 30" X 48"	\$867.50*	\$660.00
BASINS		36"H X 36" X 48"	NO BID	NO BID
		48"H X 36" X 48"	NO BID	NO BID
Tops	Flat Type	8" X 45" X 56"	NO BID	NO BID
	Curb Back	12" X 45" X 56"	NO BID	NO BID
BASINS		36"H X 45" X 56"	NO BID	NO BID
		48"H X 45" X 56"	NO BID	NO BID
Tops	Flat Type	8" X 45" X 56"	NO BID	\$600.00
	Curb Back	12" X 45" X 56"	NO BID	\$605.00

* See Spec

Pickup/Delivered - SAME PRICE

TREE FELLING & TRIMMING

New England Property Maintenance

DAILY	\$2,200.00	
HOURLY	\$ 275.00	- When truck & chipper is provided for final cleanup

cc Town Attorney
Town Clerk
Town Comptroller

RESOLUTION #2

**RESOLUTION AUTHORIZING FUND BALANCE MODIFICATIONS
OFFICE OF THE TOWN COMPTROLLER**

WHEREAS the Town Comptroller has reviewed the Draft Year End Fund Balance Analysis for years 2015-2022 with the Town Board which are detailed and explained on the attached Schedule;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the increases and decreases of reserves for the Compensated Absences Fund and Capital Purposes Fund, in the General and Highway Fund for the years 2015-2022, as shown on itemized on the schedule is attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

TOWN OF CARMEL
GENERAL AND HIGHWAY FUND COMBINED FUND EQUITY (YEARS 2015-2022)

** unaudited **

DESCRIPTION	2015	2016	2017	2018	2019	2020	2021	2022
GENERAL FUND								
RESERVE FOR PREPAID EXPENSES	393,897	389,280	408,839	371,705	382,894	383,078	465,418	494,878
RESERVE FOR ENCUMBRANCES	118,210	152,275	378,818	500,516	547,344	825,197	977,560	1,150,263
RESERVE FOR COMPENSATED ABS	1,000,000	1,440,000	1,615,000	1,785,000	1,815,000	1,815,000	1,815,000	1,700,000
DESIGNATED FOR TAX CERTIORARI	770,000	770,000	770,000	770,000	1,070,000	1,070,000	1,170,000	1,170,000
DESIGNATED FOR RETIREMENT CONTRIBUTIONS	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
DESIGNATED FOR CAPITAL PROJECTS	500,000	750,000	1,000,000	1,500,000	2,000,000	2,000,000	3,000,000	3,250,000
DESIGNATED RESERVE VEHICLE PURCHASES	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
UNRESERVED DESIGNATED EQUITY-FY	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
UNRESERVED DESIGNATED EQUITY - SUBSEQUENT YEARS BUDGET	-	-	-	-	360,000	110,000	475,000	450,000
UNRESERVED UNDESIGNATED EQUITY**	2,172,921	2,881,689	3,487,762	3,319,837	2,949,458	3,634,305	3,775,415	3,891,672
TOTAL GENERAL FUND EQUITY	\$ 5,705,028	\$ 7,133,244	\$ 8,410,419	\$ 8,997,058	\$ 9,874,696	\$ 10,587,580	\$ 12,428,393	\$ 12,856,813
HIGHWAY FUND								
RESERVE FOR PREPAID EXPENSES	112,500	97,000	128,875	120,500	126,250	127,561	134,875	87,750
RESERVE FOR CAPITAL PURPOSES	150,000	150,000	100,000	250,000	190,000	850,000	850,000	850,000
RESERVE FOR COMPENSATED ABSENCES	300,000	300,000	300,000	300,000	325,000	375,000	375,000	400,000
RESERVE FOR SNOW REMOVAL/ROADS	450,000	600,000	750,000	750,000	750,000	750,000	750,000	750,000
UNRESERVED DESIGNATED EQUITY	111,856	296,914	474,431	298,687	295,526	544,957	1,203,253	1,152,648
UNRESERVED UNDESIGNATED EQUITY								
TOTAL HIGHWAY FUND EQUITY	\$ 1,124,356	\$ 1,443,914	\$ 1,753,306	\$ 1,719,187	\$ 1,686,776	\$ 2,647,518	\$ 3,313,128	\$ 3,240,398
TOTAL GENERAL & HIGHWAY EQUITY	\$ 6,829,384	\$ 8,577,158	\$ 10,163,725	\$ 10,716,245	\$ 11,561,472	\$ 13,235,098	\$ 15,741,521	\$ 16,097,211

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RESOLUTION #3

RESOLUTION ACCEPTING PROPOSAL FOR INSURANCE

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of Brown & Brown of NY, Inc., Mahopac, NY to provide liability insurance to the Town of Carmel for the period of April 1, 2023 through March 31, 2024 in form as is on file in the office of the Town Supervisor, and

BE IT FURTHER RESOLVED that Town Supervisor Michael Cazzari is hereby authorized to sign all necessary documentation required to accept such proposal.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #4

**RESOLUTION AUTHORIZING PAYMENT TO
EAST OF HUDSON WATERSHED CORPORATION**

RESOLVED, that upon the recommendation and determination of Town Engineer Richard J. Franzetti, P.E., the Town Board of the Town of Carmel hereby authorizes payment of the sum of \$21,985.02 to the East of Hudson Watershed Corporation (EOHWC) for 2022 operation and maintenance of stormwater retrofit projects in accordance with the Town of Carmel’s overall phosphorus reduction requirements, as well as in accordance with the Operations and Maintenance Policy for EOHWC previously adopted by the Carmel Town Board and the invoice from EOHWC dated March 13, 2023.

Resolution _____

Offered by: _____

Seconded by:

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #5

**AMENDED RESOLUTION EXTENDING RADIO EQUIPMENT RENTAL AGREEMENT-
TOWN OF CARMEL HIGHWAY DEPARTMENT**

WHEREAS, on February 7, 2018 Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, authorized entry into a rental agreement for radio equipment for Town of Carmel Highway Department vehicles and facilities for a term not to exceed five years at a monthly cost of \$2,160.00, with Goosetown Communications, Congers, NY;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael J. Simone, hereby authorizes extension of the existing agreement for a period of five (5) years commencing immediately in accordance with the proposal dated March 1, 2023; and

BE IT FURTHER RESOLVED, that the Town Board waives the application of its adopted procurement policy in connection with this authorization; 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>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #6

RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS FOR THE UPGRADE AND MAINTENANCE OF INTERNET TECHNOLOGY SYSTEMS AND EQUIPMENT TOWN OF CARMEL TOWN HALL, POLICE DEPARTMENT, RECREATION AND HIGHWAY DEPARTMENT

BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes, Chief of Staff, Anne Pasquerello to request for proposals for the upgrade and maintenance of Internet Technology Systems and its equipment for Carmel Town Hall Departments, Police Department, Recreation and Parks Department and Highway Department.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #7

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 500905/2018, 501253/2019 and 500998/2020 certain lawsuits entitled “Lake Mahopac Condo and Lake Mahopac Units Rental Corp. vs. The Town of Carmel” regarding the tax assessment for the property known and designated Town of Carmel Tax Maps No. 76.30-1-15-.101 through 76.30-1-15-.146, 76.30-1-8 and 76.30-1-16; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, and certiorari counsel Costello & Folchetti. LLP, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as recommended; and

BE IT FURTHER RESOLVED that certiorari Counsel Costello & Folchetti, LLP hereby authorized to sign, on behalf of the Town of Carmel, the stipulation of settlement and corresponding consent judgment reflecting the terms of the settlement.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #8

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS

RESOLVED that Michael J. Simone, Town of Carmel Superintendent of Highways is hereby authorized to advertise for bids for the Birch Road Culvert Rehabilitation project; and

BE IT FURTHER RESOLVED that upon finalization and completion of bid specifications, the Superintendent of Highways 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>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #9

RESOLUTION AUTHORIZING SCHEDULING OF PUBLIC HEARING

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of Town of Carmel Water District #2, hereby authorizes the scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday May 3, 2023, at 7:00 p.m. or as soon thereafter that evening as possible, pursuant to New York Eminent Domain Procedure Law Article 2, §202; and

BE IT FURTHER RESOLVED, that the purpose of said public hearing shall be the discussion and consideration of the acquisition by Carmel Water District #2, pursuant NY Eminent Domain Procedure Law, the real property and improvements located at 1760 Route Six in the Town of Carmel, also known and designated as Town of Carmel Tax Map No.55.6 Block 1 Lot 31 for the design, placement and construction of a new water treatment plant facility for Carmel Water District #2, and whether such proposed acquisition is in furtherance of the public purposes of providing and constructing a new water treatment plant facility for Carmel Water District #2 and the residents and users located within such district; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized and instructed to publish and post the necessary notices in the official daily newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #10

RESOLUTION AMENDING 2023 USER FEE SCHEDULE

RESOLVED that the Town Board of the Town of Carmel hereby amends, effective immediately, the Town of Carmel User Fee Schedule for Fiscal Year 2023 in form as attached hereto and made a part hereof.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED REVISED ADOPTED 2023 USER FEES	
TOWN CLERK'S OFFICE		
Certification:		
Registrar's Certification (Birth/Death)	10.00	
Town Clerks Certification (Marriage/Other)	10.00	
Genealogy Fee Schedule:		
	1 - 3 years - \$22.00	
	4 - 10 years - \$42.00	
	11 - 20 years - \$62.00	
	21 - 30 years - \$82.00	
	31 - 40 years - \$102.00	
	41 - 50 years - \$122.00	
	51 - 60 years - \$142.00	
	61 - 70 years - \$162.00	
Copies:		
Copies of Town Ordinance or Other Documents - Per Page	0.25	
Facsimile/Fax - Per Page	2.00	
Map (Zoning, Election, Other) - Black & White/Color	10.00/15.00	
USB Flash Drive	10.00	
Licenses:		
Auctioneering License - Annual	300.00	
Auctioneering License - One Day	150.00	
Annual Dog License Fee - spayed/neutered	7.50	
Annual Dog License Fee - unspayed/un-neutered	15.50	
Garbage Carting License - Renewal *	2,000.00	* Plus \$150 per truck inspection annually
Garbage Carting License - NEW *	2,500.00	* Plus \$150 per truck inspection annually
Marriage License	40.00	
Marriage License - Active Duty Members of US Armed Forces	waived	
One-Day Marriage Officiant License	25.00	
Miscellaneous:		
Cemetery Grave Marker - Each	100.00	
Dog Pick-Up	-	
Dog Shelter Fee - First Impoundment	25.00	+ 20.00 Each Additional 24 Hours
Second Impoundment - within one year	50.00	+ 20.00 Each Additional 24 Hours
Third Impoundment - within one year	60.00	+ 20.00 Each Additional 24 Hours
Subsequent Impoundment - within one year	70.00	+ 20.00 Each Additional 24 Hours
Petition to Amend Zoning Ordinance	5000.00	
Permits:		
Canvassing/Soliciting Permit - 3 Months	25.00	
Public Assembly Permit - Each Event	200.00	
Sound Amplification Permit Commercial	100.00	per day
Sound Amplification Permit Residential	50.00	per day
Town Code:		
Annual Town Code Book Supplement	75.00	
Code Book	598.00	

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED REVISED ADOPTED 2023 USER FEES	
POLICE DEPARTMENT		
Accident Report - Business	0.25	per page
Accident Report - Personal	0.25	per page
Finger Printing Service - Per Person	100.00	
Photograph	20.00	per photo
Police Special Escort Service - Per Hour	-	
Special Event or Special Services - Per Hour	150.00	with Town Contract
CD of Photographs from Casefile	50.00	
Police Youth Camp	100.00	per camper
Tow Application Fee	250.00	Annual Application Fee
Vehicle Impound Fee	100.00	per vehicle
ALARM ORDINANCE		
Alarm Permit - 1 Year - Residential & Commercial	40.00	
One False Alarm	-	
Two False Alarms	-	
Three False Alarms	50.00	
Four False Alarms	100.00	
Five False Alarms	300.00	
Six-Nine False Alarms	400.00	
Ten or more False Alarms	500.00	
		* All alarm fees: 10% of outstanding balance after 90 days past due.
HIGHWAY DEPARTMENT		
Driveway Bond - "Refundable"	750.00	
Driveway Permit - Includes two Inspections	215.00	
Road Opening Bond - "Refundable" - Entire Road	1,000.00	
Road Opening Bond - "Refundable" - Half Road	500.00	
Road Opening Permit	215.00	

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED REVISED ADOPTED 2023 USER FEES	
PARKS & RECREATION DEPARTMENT		
Camp:		
Playground Camp grade 2 - 8; 9:00 am - 3:00 pm	600.00	Non-Resident \$1,200.00
Primary Camp grade K - 1; 9:30 am - 2:30 pm	650.00	Non-Resident \$1,300.00
Camp Extended Day	250.00	
Classes/Lessons:		
Additional Swimming Lessons	\$75	Residents only
Adult Classes	\$65.00 - \$325.00	* plus \$35.00 non residents
CPR Review	\$75	Non-Resident \$110.00
Lifeguard Training Aid/Safety	\$380.00	Non-Resident \$415.00
Lifeguard Training Review	\$195.00	Non-Resident \$230.00
Youth Classes	FREE - \$180.00	* plus \$35.00 non residents
RTE - Responding to Emergencies	225.00	Non-Resident \$260.00
Swimming Lessons Including Permit	145.00	Residents only
Facilities Rental:		
Ballfield Rental - 2 Hour Limit	\$150.00/\$250.00 w/lights	
Boat Rental Fee	5.00	
Civic - Building Rental	200.00	+Supervisor Hourly Rate
Group Picnic/Pavilion	150.00	Residents Only
Private Building Rental	300.00	+Supervisor Hourly Rate
Sycamore Park Concession [Seasonal]	3,500.00	
ID/Permits: "Residents Only"		
Lake Access Card	50.00	
Family Beach Day Pass	20.00	
Adult Swimming Permit	100.00	
Daily Adult Beach Fee	8.00	
Daily Adult Guest Beach Fee	10.00	
Daily Youth Beach Fee	7.00	
Daily Youth Guest Beach Fee	9.00	
Family Swimming Permit	200.00	
Family Tennis Permit	80.00	
Resident Registration Fee	6.00	
Senior Resident Registration Fee	No charge	
Nanny Registration Fee	12.00	
Nanny Swim Permit	100.00	
Individual Tennis/Pickleball Permit	50.00	
Tennis/Pickleball Guest Fee	6.00	
Youth Swimming Permit	80.00	
Dog Park:		
Sycamore Dog Park User Fee - Resident	30.00	Annual
Sycamore Dog Park User Fee - Non-Resident	80.00	Annual
Vendor Space Fee		
	\$20.00 per event	10'x10' Vendor Space for Special Events
	\$250.00 / Half Season	10'x10' Vendor Space for Farmers Market 12 weeks
	\$500.00 / Full Season	10'x10' Vendor Space for Farmers Market 24 weeks
		10'x10' Concession Vendor Space for Farmers Market - * Different
	\$20.00 / Date	Concession Vendors featured weekly
	\$360.00 / Full Season	10'x10' Craft Vendor Space for Farmers Market 12 weeks max.
	\$40.00 / Date * Per day	10'x10' Craft Vendor Space for Farmers Market
Registration Cancellation Processing Fee	25% of program fee	Fee incurred if participant cancels their registration less than 5 days prior to class start date
Returned Deposited Bad Check - each item	20.00	

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED	REVISED	ADOPTED
FEE DESCRIPTION	2023 USER FEES		
BUILDING & CODES DEPARTMENT			
Accessory Apartment Permit		1,000.00	
Bed & Breakfast Special Application		1,000.00	
Building Permits -- Flat Rate PLUS Estimated Cost of Construction		125.00	Flat Rate PLUS
Estimated Cost of Construction -- Calculated as:		15.00	per \$1,000 Calculated Estimated Cost
Residential -- New construction		100.00	per sq. ft.
Residential -- Finish existing space to living space		25.00	per sq. ft.
Commercial		200.00	per sq. ft.
Commercial - Garage		75.00 - 80.00	per sq. ft.
Decks		50.00	per sq. ft.
Garage		75.00	per sq. ft.
Shed		25.00	per sq. ft.
Building Permits -- After structure is built		250.00	New Fee
Certificates of Compliance		80.00/150.00	Residential/Commercial
Certificates of Occupancy		80.00/150.00	Residential/Commercial
Excavation or Fill Permit for the first 2,000 cubic yards		200.00	Plus \$100 for each additional 1,000 CY
Inspection Fee for Clearance of Title Search Violation		200.00	Each Inspection
Mother/Daughter Permit		500.00	
Plumbing Permit Per Fixture		25.00	\$100.00 minimum fee
Plumbing/ Air Conditioning Inspection			
Re-Inspection Fee When Inspection Requested but Job Not Ready		250.00	Paid in Advance of 2nd Inspection
Sign Permit		150.00	
Swimming Pool Permit - Above Ground		250.00	
Swimming Pool Permit - In Ground		500.00	
HVAC Fee		125.00	Flat Rate plus
		20.00	per \$1,000 Estimated Cost of Installation
Electrical Inspection Fee		100.00	
Title Search		275.00/425.00	Residential/ Commercial + \$100 per establishment
Zoning Letter		100.00	
Outdoor Dining Annual Fee		100.00	Annual Fee
Outdoor Dining (fee per 10 or more seats)		+ 50.00/up to 10 seats	An add'l \$50.00 for 11 or more seats
Fire Inspection: Multifamily / Commercial		150.00 / 100.00	Commercial \$100 per establishment
Blasting Permit		300.00	per month
Operational Permits *		100.00	
* (NYS DOS requires towns to issue permits for storage of certain materials and certain uses)			
Natural Gas Inspections			
Residential		125.00	(5 Fixtures) \$10 each additional
Commercial		175.00	(5 Fixtures) \$20 each additional
Liquid Propane Gas Inspections			
Residential		125.00	(5 Fixtures) - \$10 each additional
Commercial		175.00	(5 Fixtures) - \$20 each additional

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED REVISED ADOPTED 2023 USER FEES	
ENVIRONMENTAL CONSERVATION REVIEW BOARD		
ECB Wetlands Marker	25.00	
Permit Renewal/Extension Fee	200.00	\$200.00 for each one year permit renewal/extension;
Application Withdrawal	100.00	
Letter of Maintenance	100.00	
Letter of Permission (In lieu of application)	150.00	
Major Interagency Review - Over 5 Acres - Per Acre or Part Thereof	150.00	Total Wetland Include. 100' Control Area (per acre)
Minor Interagency Review - Up to 5 Acres - Per Acre or Part Thereof	125.00	Total Wetland Include. 100' Control Area (per acre)
Private Consultation/Conference with Wetland Inspector Per Hour	200.00	
Public Hearing	minimum \$200.00 or cost	
SEQR - DEIS	1%	of Bond
Site Plan Inspection - Single Lot - Per Acre or Part Thereof	300.00	Total Wetland Include. 100' Control Area (per acre)
Subdivision Plan Inspection - Per Acre or Part Thereof	300.00	Total Wetland Include. 100' Control Area (per acre)
Tree Cutting - Up to 5 Acres	500.00	Escrow to be determined by Professional Forester
Tree Cutting - 5 to 25 Acres	1,000.00	Escrow to be determined by Professional Forester
Tree Cutting - Over 25 Acres	1,500.00	Escrow to be determined by Professional Forester
Minor Wetland Permit Application - for projects disturbing up to 1,000 sq ft in the 100 ft buffer area.	225.00	
* Escrow Fee for Minor Project	500.00	
Major Wetland Permit Application - for projects disturbing 1,000 sq ft or greater in the 100 ft buffer area or any disturbance in the buffer.	500.00	*plus \$100 for each add't 1,000 sq ft disturbance (or part thereof) in the 100 ft buffer. Maximum fee \$1,000
* Escrow Fee for Major Project	2,500.00	*as determined by the Town's Wetland Inspector
Wetland Determination for Health Dept	200.00	
Floodplain Permit Fee	minimum \$250.00	maximum \$500
ZONING BOARD OF APPEALS		
280A Exemption	400.00	
Application Withdrawal	100.00	
Area Variance Application	200.00	
Bed and Breakfast Special Permit Application	400.00	
Interpretation of Ordinance	400.00	
Use Variance Application	400.00	
Computer address labels for variance mailing	50.00	
NOTIFICATION SIGN	50.00	per sign
PLANNING BOARD		
PLANNING SUBDIVISION FEES:		
Sketch fee	1,250.00	One time fee
Preliminary Fees		
Major Subdivision	5,500.00	Plus \$950 per lot
Minor Subdivision	3,500.00	Plus \$950 per lot
"Extension of Preliminary Sub-division"	2,500.00	
Final Fees:		
Amendment to Final Plat	2,500.00	
Major Subdivision	2,500.00	Plus \$750 per lot
Minor Subdivision	2,500.00	Plus \$750 per lot
Re-approval of Final Approval	2,500.00	(Does not include SEQR fees)
Extension of final approval	2,500.00	
OPEN DEVELOPMENT REVIEW FEE	3,500.00	
LOT LINE ADJUSTMENT FEE	3,500.00	

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED	REVISED	ADOPTED
	2023 USER FEES		
SITE PLAN FEES:			
Commercial Site Plan -- Flat Rate PLUS Parking Spaces	2,000.00		Plus \$100 per Parking Spaces
Residential Site Plan -- Flat Rate PLUS Unit Fee	3,000.00		PLUS \$500 per Dwelling Unit
Amendment to Previous Approved Site Plan -- with no new parking spaces	3,000.00		
Amendment to Previous Approved Site Plan -- with new parking spaces	3,000.00		Plus \$100 per Parking Spaces
Re-grant of Site Plan Approval	3,000.00		
Extension of Site Plan Approval	2,000.00		
SPECIAL SITE PLAN FEES			
Boat House/Bathhouse	1,000.00		
Parking Lot	1,000.00		
Pools/Tennis Courts/ Playgrounds	1,000.00		
Residential Barns	1,000.00		
Residential Dock	1,000.00		
Residential Horse Riding Ring	1,000.00		
Home Office	1,000.00		
LANDFILL, SURFACE GRADING & OTHER EXCAVATION			
Up to 2 Acres	300.00		
From 2 to 5 Acres	600.00		
Over 5 Acres	900.00		Plus \$40.00/Acre
ARCHITECTURAL REVIEW			
New Commercial Structure Review	300.00		
Modification to Existing Commercial Structure Review	200.00		
Other Structure or Sign Review	100.00		
Single Family Residential Structure Review	150.00		
Two or More Family Residential Structure Review	150.00		Plus 50.00 each Additional Unit over two
PLANNING/MISCELLANEOUS FEES:			
Engineering Fee (Site Plans & Subdivisions) - Technical Review and Construction Inspections		5%	% of Bond Amount
Public Hearings Including Bond Returns and Reductions	250.00		Per Hearing
Planning Board SEQR Escrow Fees - DEIS	2.00%		Not to exceed 2% of Project Value
Planning Board SEQR Escrow Fees - FEIS	2.00%		Not to exceed 2% of Project Value
Recreation Fee in Lieu of Parklands	8,500.00		Per Residential Lot
Recreation Fee Sr. Cit. Multi Family Dwelling/Apt.	3,500.00		Per Dwelling/Apartment for site plan with approvals originating prior to 12/31/15
Recreation Fee Sr. Cit. Multi Family Dwelling/Apt.	6,500.00		Per Dwelling/Apartment for site plan with approvals originating after 1/1/16
Recreation Fee Multi Family Developments	7,000.00		Per Dwelling
Computer address labels	50.00		
NOTIFICATION SIGN	50.00		per sign

TOWN OF CARMEL PROPOSED REVISED ADOPTED USER SERVICE FEES --
FISCAL YEAR 2023

FEE DESCRIPTION	PROPOSED REVISED ADOPTED 2023 USER FEES	
DEPARTMENT MISCELLANEOUS TOWN SERVICES:		
Computer Labels	0.05	Each Label - 5.00 Minimum
Computer Report of Tax Parcels	0.25	Per Page - 5.00 Minimum
Copies of Plans/Maps - 24" x 36" black/white or color	10.00 black/white, 15.00 color	
Copies of Records/Documents	0.25	Per Page
Mail Reminder Notices	2.00	
Returned Deposited Bad Check - Each Item	20.00	
Tax or Record Search and Copy	5.00	
Tax or Record Search and Copy with Letter	10.00	
Floodplain Permit	250.00	
SPECIAL DISTRICTS		
PARK DISTRICTS:		
Building Rental - District Resident	350.00	
Building Rental - Non-District Resident	N/A	
Building Rental Deposit - "Refundable"	350.00	
SEWER DISTRICTS:		
Sewer System Service Application, including one inspection	250.00	Residential
(where Street Lateral to Curb Line exists)	500.00	Commercial
Sewer System Connection Additional Inspection - Each Inspection	50.00	
Sewer Sludge Dumping Fee, each 1000 gallons	200.00	
Out of District Application Fee - Residential	4,000.00	
Out of District Application Fee - Commercial	5,000.00	
Pretreatment Permit Exceedence Surcharge	500.00	
WATER DISTRICTS:		
Water System Service Application, including one inspection	250.00	Residential
(where water line curb box exists)	500.00	Commercial
Water System Connection Additional Inspection - Each Inspection	50.00	
New Badger Water Meter Purchase - 3/4"	Base \$100.00	Residential 3/4"
	Encoder - \$100.00	
	Endpoint \$300.00	
	Total - \$500.00	
New Badger Water Meter Purchase - 1" or greater	***At Replacement Cost***	plus 15%
Water Meter Replace Due To Customer's Damage	\$500.00 for 3/4" meter replacement cost	plus 15% for all other size meters
Water Meter Test, by written request of consumer	200.00	* If test shows the meter failed no cost; if test shows meter functions then fee applies
Water service turned on or off	50.00	
Water sprinkler tap - Annual Fee	200.00	
Final Bill Fee	35.00	
Bulk Water Sales	10 times the normal in district rate	Minimum fee \$300.00
Out of District Application Fee - Residential	4,000.00	
Out of District Application Fee - Commercial	5,000.00	
Water Bill Adjustment from Estimate to Actual	25.00 after 2nd adjustment	
Water Consumption Manual Read Assessment for Non-cellular meters.	\$300.00 Residential/\$600.00 Commercial	Billed Semi-Annual
Install Meter Pit at Residence/Business	****Repalcement Cost****plus 25%	

RESOLUTION #11
RESOLUTION DECLARING WATER EMERGENCY
PURSUANT TO SECTION 151-22 OF THE TOWN CODE
CARMEL WATER DISTRICT NUMBERS 1, 8, 10 AND 13

WHEREAS, that the Town Board of the Town of Carmel, has been advised by Town Engineer Richard J. Franzetti, P.E., that a water emergency exists within the aforesaid water district numbers 1, 8, 10 and 13;

NOW THEREFORE BE IT RESOLVED that pursuant to Section 151-22 (A) of the Town Code of the Town of Carmel, the Town Board, acting as Commissioners of Carmel Water Districts #1, #8, #10 and #13, hereby declares a water emergency with respect to and within Carmel Water Districts #1, #8 #10 and #13; and

BE IT FURTHER RESOLVED, that pursuant to Town Code §155-22 (B), during the period of said emergency as declared herein, the use of water for any of the following nonessential purpose(s) as enumerated in §155-22(C) shall be prohibited:

- (1) THE WASHING OF MOTOR VEHICLES, EXCEPT FOR WINDSHIELDS, MIRRORS AND THE LIKE.**
- (2) THE CLEANING OR WASHING OF THE OUTSIDE OF BUILDINGS OR OTHER STRUCTURES BY THE USE OF WATER OR STEAM.**
- (3) THE BLEEDING OF SUPPLY LINES FOR THE PURPOSE OF MAINTAINING A CONSTANT FLOW TO PREVENT FREEZING.**
- (4) THE FLOODING OF OUTDOOR SKATING RINKS.**
- (5) THE OPERATION OF SWIMMING POOLS, PORTABLE AND OTHERWISE, EXCEPT SWIMMING POOLS DESIGNED AND USED EXCLUSIVELY FOR MEDICAL TREATMENT.**
- (6) THE USE OF AUTOMATIC PLUMBING FLUSH FIXTURES OR APPARATUS, AND THE MAINTENANCE OF CONSTANT FLOW FROM SHOWERS AND SIMILAR APPARATUS.**
- (7) THE USE OF HOSE, SPOUT AND SIMILAR PRESSURE-BATHING APPARATUS, AND THE MAINTENANCE OF CONSTANT FLOW FROM SHOWERS AND SIMILAR APPARATUS.**
- (8) THE NEW INSTALLATION OF REFRIGERATION AND/OR AIR-CONDITIONING EQUIPMENT REQUIRING THE USE OF WATER.**
- (9) THE WATERING OF LAWNS AND PRIVATE GARDENS AND THE OPERATION OF ORNAMENTAL PONDS, POOLS AND FOUNTAINS.**

BE IT FURTHER RESOLVED that the Town Clerk is directed to publish this resolution in the official newspapers of the Town and to post said resolution on the official bulletin Board of the Town.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	NO
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____

RESOLUTION #12

**RESOLUTION AUTHORIZING DEPUTY HIGHWAY
SUPERINTENDENT TO PROCEED WITH THE PURCHASE
OF DUMP TRUCK**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Deputy Highway Superintendent Michael Martin to proceed to purchase one 2015 International 7600 Dump Truck, Town of Stafford Highway Department, NY, at an aggregate unit cost not to exceed \$19,999.00 from Auctions International Item #32279

BE IT FURTHER RESOLVED that Town of Carmel Deputy Highway Superintendent Michael Martin is hereby authorized to sign all necessary documents to purchase said vehicle; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget revisions to effect the aforesaid purchase transactions authorized herein.

Resolution

Offered by: _____

Seconded by: _____

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Stephen Baranowski	_____	_____
Frank Lombardi	_____	_____
Suzanne McDonough	_____	_____
Robert Schanil	_____	_____
Michael Cazzari	_____	_____