# TOWN BOARD MEETING TOWN HALL, MAHOPAC, N.Y.

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 5<sup>th</sup> day of August 2015 at 7:08 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

Supervisor Schmitt announced that prior to the commencement of the Voting Meeting, the Town Board met in Executive Session with Police Chief Michael Cazzari to discuss a matter of personnel.

# MINUTES OF TOWN BOARD MEETING HELD ON 7/1/15 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and voting "aye", the minutes of the Town Board meeting held on July 1<sup>st</sup>, 2015 were accepted as submitted by the Town Clerk.

# **BUDGET MODIFICATIONS - #2015-03 - AUTHORIZED**

WHEREAS the Town Comptroller has reviewed the 2015 year-to-date Budget Modifications/Revisions for the period ending June 30, 2015 with the Town Board, which are detailed and explained on the attached Budget Revisions Schedule identified as #2015-03:

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the 2015 year-to-date Budget Modifications/Revisions for the period of ending June 30, 2015 on the attached Schedule identified as #2015-03 which is attached hereto, incorporated herein and made a part hereof.

Councilman Schneider			
Councilman Lombardi			
	YES	NO	
Jonathan Schneider			
John Lupinacci			
Suzanne McDonough			
Frank Lombardi			
Kenneth Schmitt			
	Councilm eider onough li	Councilman Lomba  YES eider X X onough X	

Work Session 1/24/15 BUDGET REVISIONS FOR MAY- JUNE 2015 - #2015/03

Agenda	 	
_	 	

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUI	<u>סע</u>				
1	100-3120-0019	POLICE COMPENSATED ABSENSES		25,000.00	
	100-1989-9877	FUND BALANCE COMPENSATED ABSENSES - PROVIDE FOR POLICE RETIREMENT SICK PAYOUT	. *	25,000.00	
2		ASSESSOR CONTRACT SERVICES	-	250,000.00	
	100-1989-9878	FUND BALANCE FOR CAPITAL PROJECTS - PROVIDE FOR COST RELATED REASSESSMENT PROJECT	*	250,000.00	
		FROM RESERVE FUND BALANCE			
3		CHAMBER PARK IMPROVEMENTS		50,000.00	
-	100-1989-3041	STATE AID-OTHER GOVT - PROVIDE FOR SWING SET FROM STATE GRANT	-	50,000.00	
4		AUDIT CAFR EXPENSES	_	150.00	
	100-1320-0044	AUDIT SPECIAL EXPENSES - TRANSFER FOR CAFR EXPENSES	-		150.00



# (Cont.)

Continue Suprement		- TRANSFER FOR UTILITIES EXPENSE		
14	401-7140-0042	UTILITIES REPAIR RESERVE FUND	2,000.00	2,000 00
AKE CASSS	PARK DISTRICT			
		- TRANSFER FOR CLEAN UP OF SNOW CONTROL MATERIALS		- manusma - 1 m
	500-5142-0049	SNOW CONTROL MATERIALS		7.549.00
13	500-5142-0046	CONTRACTUAL ROAD SWEEPING	7 549.00	
IGHWAY FU	AB			
		tracking the second sec		
	109-1020-0000	- TRANSFER FOR CARMADA PARK BALL FIELDS	-	10.000.0
	the same of the sa	RECREATION ADMIN STAFF	-	15.000.0
12	100-7117-0040	CARMADA PARK CONTRACTUAL EXPENSE RECREATION ADMIN STAFF	37,000.00	22,000.0
		7/10/10/10/10/10/10/10/10/10/10/10/10/10/		
mentiones as their	100-7110-0020	- TRANSFER FOR CONTRACTUAL EXPENSES		5,000.00
11	100-7110-0040	PARK CONTRACTUAL EXPENSES PARK MAINTENANCE EQUIPMENT	5,000.00	5 000 O
- 44	100 7140 6040		6.200.60	
	130-3123-0011	- TRANSFER FOR POLICE OVERTIME EXPENSE		190,440,6
_ 10		POLICE START OVER TIME POLICE PERS SVS-LINIFORM	130,400,00	150,000,00
10	300.8120.0012	POLICE STAFF OVERTIME	150,000,00	
	ļ	- TRANSFER FOR DOWNTOWN MAHOPAC LANDSCAPE CLEANUP		
	100-1990-0040	CONTINGENT ACCOUNT		5,500.0
9		PARK BEAUTIFICATION EXPENSE	5,500,00	
		- TRANSFER FOR INCREASE IN TECH SERVICES CONTRACT		
	100-1990-0040	CONTINGENT ACCOUNT		7,025,0
e	100-1680-0044	INFO TECH CONSULTING	7.025.00	
		ELECTRICAL TRENCH		
der	100-1980-0040	CONTINGENT ACCOUNT - TRANSFER FOR FUEL DISPENSING SYSTEM		920,0
7	100-1620-0045	I am a series and the series are the series and the series and the series are the series and the series and the series are the	650.00	650,0
		- TRANSFER FOR TEMPORARY STAFF	_	
CONTRACTOR OF THE STATE	100-1980-0040	CONTINGENT ACCOUNT		10,000.0
		BUILDING EMPLOYEE BENEFITS	3,500.00	
6	100-1620-0013	BUILDING TEMP STAFF	6,500.00	
To be the second of the second	E TOMM S CROWN OF THE CO.	TIPOTO EN TOTO EN SONSES	.	
	100-1440-0209	- TRANSFER FOR MISC EXPENSES		2,300.50
		RETIREE HEALTH INSURANCE	350.00	2.000.0
		ENGINEERING CONTRACTUAL EXPENSE ENGINEERING TRAINING EXPENSE	1,500.00	

Budget Revisions May June 2015 cover sheat,xis

# TOWN OF CARMEL BUDGET REVISIONS FOR MAY- JUNE 2015 - #2015/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
ÄKE MAHOP	AC PARK DISTR	CI			
15	A CANADON AND DESCRIPTION OF PROPERTY AND ADDRESS OF THE PARTY AND ADDR	CONTRACTUAL EXPENSES LAKE TREATMENT		2.365.00 3.500.00	
	402-7110-0099	REPAIR RESERVE FUND. TRANSFER FOR BOAT DOCKING FEES & BIO MASS STUDY X.			5,865.00
16	Research Committee & a complete of the Com-	CONTRACTUAL EXPENSES		9,776.09	
	402-7110-9888	REPAIR RESERVE APPROPRIATION - PROVIDE FOR GEESE DEPREDATION SERVICES	*	9,776.00	
ARMEL WAT	ER DISTRICTS				
17		EMERGENCY REPAIRS		14,471.86	***************************************
	The state of the s	EMERGENCY REPAIRS		5,495.00	
	610-8310-0047	EMERGENCY REPAIRS		4,784.40	
	613.8310.0047	EMERGENCY REPAIRS		3,189.60	
		INSURANCE RECOVERY		14,471.86	
	A THE RESERVE THE PARTY OF THE	INSURANCE RECOVERY	*	5,495.00	
	610-8310-2681	INSURANCE RECOVERY	*	4,784.40	
caro situa bian interior	613-8310-2681	PROVIDE FOR INSURANCE CLAIM FROM LIGHTNING STRIKE		3,189.60	
ARMEL WAT	ER DISTRICT#1	and the second of the second o	_		
18	601-8310-0047	EMERGENCY REPAIRS		3,500.00	
	4 = M 11 Max - 1			***************************************	3,500.00
		- TRANSFER FOR EMERGENCY REPAIRS			

(Cont.)

CARMEL WA	TER DISTRICT #2		-		
48	000 0000 0000	EMERGENCY REPAIRS		15,000,00	Wildle commence
_ 19 _		CONTRACTUAL EXPENSES	man framework	19.800.00	
		REPAIR RESERVE FUND		19,600,00	34,800 0
	2015-0210-008A	- TRANSFER FOR EMERGENCY REPAIRS/ROOF WELDING	-1-	-	34,0000
		- IKANSPER FOR EMENGENCY REPARAMOUT WELLING			
ARMEL WA	TER DISTRICT #8				
	908-8310-0047	EMERGENCY REPAIRS		10,000.00	
av		APPROPRIATED FUND BALANCE	- 1	10,000,00	
-	000-0310-0303	- PROVIDE FOR EMERGENCY REPAIRS		10,000.00	****
		The state of the s	-1-1		- universe
ARMEL WA	TER DISTRICT #1				
21	010.0310.0047	EUERGENCY REPARS		3,000,00	
		CONTRACTUAL EXPENSES		0,000.00	3,000.00
	1,000,000	- PROVIDE FOR EMERGENCY REPAIRS	-   -		0,000,00
ARMEL WA	TER DISTRICT#1	1	1	-	
22	612-8310-0046	PURCHASE OF WATER	1-1	2,000,00	
		REPAIR RESERVE PUND	1 1	The second secon	2,000,00
		- TRANSFER FOR LOW WATER LEVEL IN TANKS			
ARMEL SE	VER DISTRICT #1		-1-1		
	1				
23	701-5130-0020			23,875.00	
	701-5130-9888	REPAIR RESERVE APPROPRIATION		23,875.00	
		- PROVIDE FOR COMMINUTOR PER RESOLUTION			
24	701 2420 0040	CONTRACTUAL EXPENSES		94 000 50	
<u> </u>		REPAIR RESERVE APPROPRIATION		34,000.00	
	101-0130-9000	- PROVIDE FOR MANI-OLE REPAIRS PER RESOLUTION		34,000.00	
	t	PROVIDES ON INSTRUMENTAL PROPERTY OF		Sandana Mariner of Arm 7	
ARMADA P	ARK CAPITAL FU	NC .			
25	911-7140-0045	CONTRACTED IMPROVEMENTS	-++	100,000.00	
	911-7140-3050		-	100,000.00	
		- PROVIDE FOR DUGOUTS FROM STATE GRANT			
26	911-7140 0045	CONTRACTED IMPROVEMENTS	-	200,000 00	
	911-7140-3050		-   .	200,000.00	
	011-7790-3600	- PROVIDE FOR NEW BUILDING FROM STATE GRANT		200,000,000	
		The same of the sa			

# LAKE MAHOPAC PARK DISTRICT - EMERGENCY EXPENDITURE OF MONIES FROM REPAIR RESERVE FUND AUTHORIZED - NOT TO EXCEED \$9,776.00

WHEREAS, the Town of Carmel has established a Repair Reserve Fund for the Lake Mahopac Park District pursuant to New York General Municipal law §6-d; and

WHEREAS, in cases of emergency, monies in said Repair Reserve fund may be expended by resolution approved by not less than two-thirds of the members of the governing body; and

WHEREAS, it is recommended by the Office of the Town Comptroller that monies in the aforesaid Repair Reserve Fund be used to pay for the cost of emergency repairs:

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel, acting as commissioners of the Lake Mahopac Park District, hereby authorizes the appropriation of monies from the Lake Mahopac Park District Repair Reserve Fund in a sum not to exceed \$9,776.00 for emergency repair expenditures in 2015; and

BE IT FURTHER RESOLVED, that not less than one-half the monies so expended be repaid in fiscal year 2016 and the total amount shall be repaid in full not later than the last day of fiscal year 2017.

BE IT FURTHER RESOLVED that the Office of the Comptroller of the Town of Carmel is hereby authorized to make the necessary budget transfers to accomplish and effect the intent of this resolution.

Resolution			
Offered by:	Counciln	nan Lombai	·di
Seconded by:	Councilman Schneider		
Roll Call Vote		YES	NO
Jonathan Schneider		X	
John Lupinacci		X	
Suzanne McDonough		X	
Frank Lombardi		X	
Kenneth Schmitt		X	

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# CARMEL WATER DISTRICT #1 - TEMPORARY ADVANCEMENT OF GOVERNMENT FUND MONIES - TEMPORARY LOAN FROM GENERAL FUND AUTHORIZED - NOT TO EXCEED \$20,000

RESOLVED, that the Town Board of the Town of Carmel, pursuant to General Municipal Law §209-d, hereby authorizes the temporary advancement of monies from the Town of Carmel General Fund to Carmel Water District #1 at a maximum amount not to exceed \$20,000 to be repaid with the periodic interest rate when revenue sources and/or debt proceeds are received.

<u>Resolution</u>				
Offered by:	Councilm	nan Lupinad	cci	
Seconded by:	Councilm	Councilman Schneide		
		_	_	
Roll Call Vote	YES	NO		
Jonathan Schn	eider	X		
John Lupinacci		X		
Suzanne McDonough		X		
Frank Lombardi		X		
Kenneth Schmi	itt	X		

# <u>POLICE DEPARTMENT - PAYMENT OF 2014 CLAIMS FROM FISCAL YEAR 2015</u> <u>OPERATING FUNDS AUTHORIZED</u>

**WHEREAS** the Town Comptroller's Office has received late voucher claims from the Police Department for expenditures incurred in fiscal year 2014 and which were not encumbered; and

**WHEREAS** the Town Board must authorize and approve the payment of fiscal 2014 claims from funds budgeted for fiscal year 2015,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Carmel hereby authorizes the payment from 2015 fiscal year operating funds for 2014 claims itemized below which are incorporated herein and made a part thereof.

Vendor Thomas Reuters	<u>Amount</u> \$554.16	<u>Date</u> 9/3/2014	Government Fund 100.3120.040	<u>Description</u> L.E. Bulletins
Mondail	\$367.01	1/5/2014	100.3120.045	Alternator & Battery
Advanced Auto Parts	\$1,263.27	5/16/14 to 12/2/2014	100.3120.045	Various Auto Parts
	ncilwoman N ncilman Lup			
Roll Call Vote Jonathan Schneider John Lupinacci Suzanne McDonoug Frank Lombardi Kenneth Schmitt	YES  X  X  X  X  X  X  X  X	NO NO		

# ISSUANCE OF PERMIT FOR DISPLAY OF FIREWORKS AUTHORIZED - CARMEL FIRE DEPARTMENT, INC. - 8/22/15

WHEREAS, the Town Board of the Town of Carmel hereby designates and deems itself a permit authority for the issuance of permission to discharge and display fireworks within the boundaries of the Town of Carmel pursuant to NY Penal Law Section 405 *et seq.*; and

(Cont.)

WHEREAS, the Carmel Fire Department, Inc. has submitted a completed application for permission and a permit to discharge fireworks within the boundaries of the Town of Carmel as part of the 100<sup>th</sup> Anniversary Celebration scheduled for August 22, 2015 and as may be re-scheduled for any "rain date" thereof; and

WHEREAS, a copy of the referenced application is hereby incorporated herein and made a part hereof; and

WHEREAS, it appears that the requirements of NY Penal Law §405 authorizing the issuance of a permit to display fireworks have been complied with;

NOW THEREFORE BE IT RESOLVED, that the Application of the Carmel Fire Department, Inc. dated July 28, 2015 as attached hereto, incorporated herein and made a part hereof is hereby granted in full; and

BE IT FURTHER RESOLVED, that Pyro Engineering, Inc. d/b/a Bay Fireworks & International PYRO Importer(IPI), the contractor listed therein is hereby authorized to display fireworks in the manner and locations described therein on August 22, 2015, as well as any adjourned rain date thereafter; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be deemed the actual permit for the display authorized herein.

Resolution Property 1985					
Offered by:	Councilman Schneider				
Seconded by:	Councilman Lombardi				
Roll Call Vote		YES	NO		
Jonathan Schneider		X			
John Lupinacci		X			
Suzanne McDonough		X			
Frank Lombardi		X			
Kenneth Schmitt		X			

# FIREWORKS PERMIT APPLICATION AMENDED

Application is hereby made to the Town Board of the Town of Carmel for the issuance of a Fireworks Permit pursuant to the Code of the Town of Carmel and the laws of New York State. The applicant agrees to comply with all applicable laws, ordinances and regulations. The applicant attests that the proposed work outlined in this application conforms to all provisions of the Code of the Town of Carmel and laws of New York State. Fireworks display shall comply with requirements of the National Fire Protection Association (NFPA) and N.Y.S. Penal Law § 405.

DISPLAY DATE: August 22, 2015-Approximately 9PM

RAIN DATE:

SITE DATA:

Section – Block – Lot: 55-2-5
 Street Address: NYC DEP Sluiceway (Lake Gleneida), Route 301
 NYC DEP Lake Gleneida North Shore Point, Route 301

# (Cont.)

X

 Section-Area of Woods behind Shoprite Plaza Street Address:

## OWNER:

1) Name: NYC DEP

Address: 71 Smith Ave, Kingston, NY 12401

Phone: 845-340-7800

2)

#### SPONSORING BODY:

Name: Carmel Fire Department Inc

Address: 94 Gleneida Ave, Carmel, NY 10512

Phone: 845-225-5100

#### FIREWORKS CONTRACTOR:

Name: Pyro Engineering Inc.

RECEIVED TO SEE JUL 29 2015 CLEEK

Address: 999 S. Oyster Bay Rd., Suite 111

Bethpage, NY 11714

Phone: Mobile:

License # (copy attached):

Name of person in charge of site: Age: Years of Experience:

**EVENT DETAILS:** 

Type and total number of shells to be discharged:

Maximum shell size (diameter):

Tube material:

Manner and place of storage of shells prior to display:

#### MINIMUM DISTANCE IN FEET FROM NEAREST:

Building: 420 feet Roadway: 220 feet Spectator area: 1921 feet Overhead wires/poles: 210 feet

Parking area: N/A

\*Site sketch with distances marked is attached.

INSURANCE CERTIFICATE ATTACHED (with Town of Carmel named as an additional insured).

<sup>\*</sup>Section deleted.

(Cont.)

# THE FOLLOWING REQUIREMENTS WILL BE MET:

- Fire department will be present during the display.
- · Two charged and tagged water fire extinguishers will be on site during preparation and presentation.
- · Minimum of two fireworks contractors will present during shoot who are over the age of eighteen and who are competent and physically fit for the task. No unnecessary personnel will be present.
- Display will not take place if wind speeds exceed 30MPH.
- · No alcoholic beverages will be permitted in firing area.
- · Firing and landing area will be searched for unexploded shells on the morning after the display.

STATE OF NEW YORK ) ss: COUNTY OF PUTNAM

John Mulreany, President of the Carmel Fire Department, Inc., being duly sworn deposes and says that he is the authorized representative of the sponsoring body, that all of the statements in this application are true to the best of his knowledge, and that the display will be performed in the manner set forth in this application and in the plans and specifications filed herein.

Carmel Fire Department, Inc

Sworn to before me this 28 day of July

, 2015.

MICHAEL R. JOHNSON Notary Public, State of New York No. 01JO6242318 Qualified in Putnam County Commission Expires May 31, 20 19



RESUME 999 South Oyster Bay Road . Suite 111 Bethpage, NY 11714 T: 518.597.5500 • F: 516.597.5507



www.bayfireworks.com



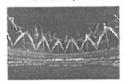
July 28, 2015

To Whom It May Concern:

# (Cont.)

Fineworks Springers on at Well-Ottoey World America's 190th Authorities Catalon Belly's Creams, Duringe Major Fines Pariso Major Fines Amirosa Basin & Ottoma Bestel Deuters of Minesters Events Cacterinia (Minesters Events

#### Major Sporting Events



Major Israpo Brackell
U.S. Okyaya: Carpentine
Clate Carper of America
Marianal Feetable Corper
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Marianal Feetable Corper
Georgical Courses & Event

#### Concert Tours - Close Proximity



Utine Music Fest - Mount Bestine Daloy Combet- Tax Voyss Katy Porty - Gos Taleston Auto Cooper - Specially Bloom Matte Stoders, Stuga, Concetts Thesisted Exects (Festal Park Design - Cancettating This letter will serve as a Resume for Mr. Michael Garafola. Mr. Garafola has produced fireworks displays since 2011. As a lead Technician for Pyro Engineering dba Bay Fireworks, he shows the ability to multi task at his display site by interacting with the Sponsor's Representative, Fire Marshal, Police, and always with a continuous eye on safety. Mr. Garafola has assisted in the production of all types of pyrotechnic displays. He has completed our training classes and now assists in the training of new technicians. I find him competent and well qualified to conduct any type pyrotechnic displays.

Mr. Garafola holds a Certificate of Competency issued by the New York Department of Labor.

If you have any further questions, please feel free to contact my office at 631-390-8620.

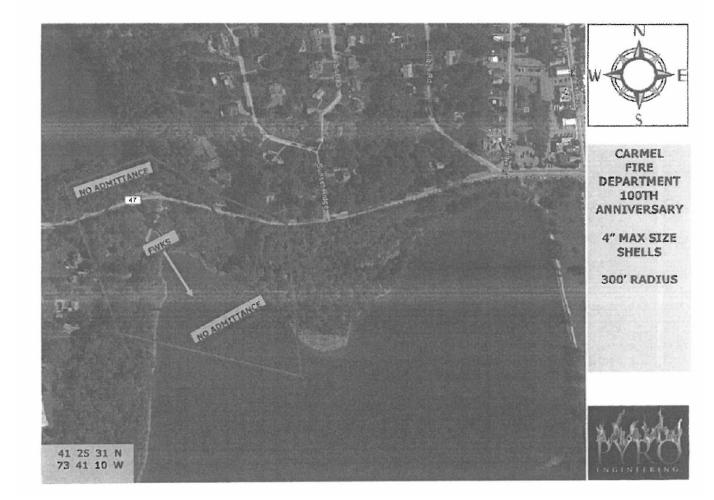
Dennis P. Brady Sr.

Sincerely

Vice President of Operation

Pyro Engineering, Inc. dba Bay Fireworks

NATIONAL: 800-606-3716 // NY CT PA MD VA SC GA FL TX NV CA



(Cont.)

#### SPONSOR: Carmel Fire Department

Fireworks Company
Pyro Engineering, Inc. dba Bay Fireworks
999 S. Oyster Bay Rd., Suite 111
Bethpage, NY 11714

Show Date(s): 8/22/15 Rain Date(s): None

Location: Land site near Lake Gleneida, NY

- 1. Total number of Class B shells being used: 2-3"=510, 4"=215 plus illuminations. Sizes between: 2 inches and 4 inches in diameter.
- 2. All shells are DOT approved.
- 3. Display will be fired manually and/or electrically.
- 4. All displays will comply with all requirements as set forth in NYS Penal Code 405 and NFPA 1123, 1124.
- Pyro Engineering, Inc. has complete understanding of all rules and regulations governing public fireworks displays and this display will be in accordance with those rules and regulations.
- Personnel representing fireworks display company: Lead: Michael Garafola (NYS DOL license # PR-595) Cell: (631) 848-4193
- 7. Delivery is day of display from our Westhampton, NY facility.

Signed Company Representative



(Cont.)

J.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives			(18 U.S.C. Chapter 40)			
ne activity specified	d in this license or permit withi	n the limitations of Chapter 40. T	itle 18, United State	ns issued thereunder (27 CFR Part 555), you may engage in es Code and the regulations issued thereunder, until the See "WARNINGS" and "NOTICES" on reverse.		
Pirect ATF Correspondence To	ATF - Chief, FELC 244 Needy Road Martinsburg, WV 2540	5-9431	License/Permit Number	6-NY-059-51-7E-00129		
Chief, Federal Expl	osives Licensing Center (FELC ustopher R. K	eers	Expiration Date	May 1, 2017		
lame		PYRO IMPORTER (IPI)				
999 SOUT	s (Changes? Notify the FELC at I H OYSTER BAY RD SU E, NY 11714-					
ype of License or	Permit	Market State of the State of th		Will be the second		
51-IMPOR	TER OF EXPLOSIVES					
ansferor of explosive ermittee as provided gnature. A faxed, so itended to be an origi xplosives Licensee (lopy of a license or pe	canned or e-mailed copy of the lices in al signature is acceptable. The si FEL) or a responsible person of the	of this license or permit to assist a need status of the licensee or recon each copy must be an original use or permit with a signature ignature must be that of the Federal FEL. I certify that this is a true littee named above to engage in the	PYRO EI DBA BAY (IPI) 999 SOU	PESS (Changes? Notify the FELC of any changes.)  NGINEERING INC  Y FIREWORKS & INTINTL PYRO IMPORTER  TH OYSTER BAY RD SUITE 111  GE, NY 11714-		
icensec Permittee	Responsible Person Signature	Position/Title	Annual Transmission (			
Pr	inted Name	Date		ATF Form \$400,14 \$400,15 Part 1		
evious Edition is Obso	CEC PTRO ERGONEPRING INC. 999 SOUTH CYSTER BAY I	RD XIVITE 17 1:91714:6-NY-858-01-7E-80128:MW/1, 2917;51-IMPORTER	OF EXPLOSIVES	Revised October 2011		
		Federal Explosives License (	FEL) Customer Se	rvice Information		
		AND DESCRIPTION OF THE PROPERTY OF THE PROPERT				
ederal Explosives I 14 Needy Road fartinsburg, WV 2	cicensing Center (FELC)	Toll-free Telephone Number: Fax Number: E-mail: FELC@atf.gov	(877) <b>283-3352</b> (304) 616 <b>-44</b> 01	ATF Homepage: www.atf.gov		
44 Needy Road lartinsburg, WV 2: hange of Address ew location at which usiness or operation mainder of the terr remit to the Diright of Succession usiness or operation to child, or executor mefit of creditors, ermit for for that b	5405-9431  (27 CFR 555.54(a)(1)). Licen they intend regularly to carry an not less than 10 days prior to m of the original license or perm rector of Industry Operations on (27 CFR 555.59). (a) Certa ms at the same address shown r. administrator. or other legal r. (b) In order to secure the right usiness or operations for endor	Fax Number: E-mail: FELC@atf.gov  sees or permittees may during the on such business or operations. T such removal with the Chief. Fede it. (The Chief, FELC, shall, if the for denial in accordance with § 4 in persons other than the licensee on, and for the remainder of the te epresentative of a deceased licens is provided by this section, the person the provided by this section, the person is provided by this section.	(304) 616-4401  term of their current he licensee or permit ral Explosives Licer e licensee or permit 555.54.)  or permittee may s orm of, a current lic ce or permittee; an on or persons confi	t license or permit remove their business or operations to a ttee is required to give notification of the new location of the sing Center. The license or permit will be valid for the ttee is not qualified, refer the request for amended license request the right to carry on the same explosive materials ense or permit. Such persons are: (1) The surviving spouse d(2) A receiver or trustee in bankruptcy, or an assignee for injuing the business or operations shall furnish the license or injuing the business or operations shall furnish the license or		
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# STATE OF NEW YORK DEPARTMENT OF LABOR



# DIVISION OF SAFETY AND HEALTH

# LICENSE TO DEAL IN OR MANUFACTURE EXPLOSIVES

Expires: 12/31/2015

Pyro Engineering, Inc.dba Bay Fireworks 999 South Oyster Bay Rd, Ste 111 Bethpage, NY 11714

THIS LICENSE MUST BE POSTED IN YOUR PLACE OF BUSINESS

Dennis P. Brady Jr. License No D-5731

(Cont.)

is hereby licensed to deal in or manufacture explosives in compliance with the requirements of the Labor Law and Industrial Code Rules. Any change in the conditions under which this license is granted may cause it to be revoked.

Elleen M. Franko, Acting Director FOR THE COMMISSIONER OF LABOR

Every person selling, delivering or giving away any explosives must keep at the principal place of business within the state, a record of each transaction, including:

- the NAME or TYPE and QUANTITY of explosives SOLD, DELIVERED or GIVEN. Note: No license is needed to purchase smokeless powder, or black powder in quantities not exceeding five pounds for use in firing antique firearms or artifacts or replicas thereof. However, dealers MUST post all such transactions on the "Dealer-Manufacturer Report of Explosives Transactions".
- 2) the DATE OF EACH SALE, DELIVERY or GIFT.
- 3) the NAME, LICENSE NUMBER, and BUSINESS ADDRESS of the purchaser, donee, or person to whom the explosives were delivered and the firm, if any, represented by such person.
- 4) the NAME, ADDRESS, and LICENSE NUMBER of the person TAKING THE EXPLOSIVES AWAY from the seller or donor.

CERTIFICATE HOLDER  CANCELLATION  Thirty (30) Days Notice of Cancellation Applies.  Town of Carmel SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE	SH-862 (5-98)						
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DESCRIPTION OF OPERATIONS FLOCATIONS I VEHICLES (Amech accept 161, Admitional Remarks Schedule, it more appear to required)  DISPLAY DATE: 08/22/15 RAIN DATE: None LOCATION: Land site near Lake Glenedia Carmel NY  RE: GENERAL LIABILITY, THE FOLLOWING ARE NAMED AS ADDITIONAL INSURED IN RESPECTS TO THE OPERATION OF THE NAMED INSURED  ONLY: Town of Carmel New York; Putrism County; New York City Department of Environmental Protection; New York City Water Board; City of New  York; Carmel FD.  CERTIFICATE HOLDER  CANCELLATION  Thirty (30) Days Notice of Cancellation Applies.  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE  THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN  ACCORDANCE WITH THE POLICY PROVISIONA.	CESCRIPTION OF CHERATIONS SHOW	-			and the same of th		********
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Town of Carriel Shoulb any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.	DISPLAY DATE: 08/22/15 RAIN DATE: None I RE: GENERAL LIABILITY, THE FOLLOWING ARE ONLY: Town of Carmel New York; Putriam County York; Carmel FD.	OCATION: Land site near NAMED AS ADDITIONAL I	Lake Glenedia Car NSURED IN RESPE nt of Environmenta CANGELLATION	mel NY GTS TO THE al Protection;	New York City Water B	oard; City of Ner	) W
	Town of Carmel 60 McAlpin Avenue		SHOULD ANY OF THE EXPIRATION	THE ABOVE D	ESCRIBED POLICIES BE C.	ANCELLED BEFOR	

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Town of Carmel 60 McAlpin Avenue Mahopac, NY 10541

Cert # 2233F

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CERTIFICATE DOES NOT AFFIRMA BELOW. THIS CERTIFICATE OF II	NSURANCE	R NEGATIVELY AMENU, DOES NOT CONSTITU	TE A CONTRACT E	BETWEEN TH	HE ISSUING INSURER	(S). AUTHORIZE
MPORTANT: If the certificate holde	er is an ADi cy, certain ;	DITIONAL INSURED, the policies may require an e	policy(ies) must be indorsement. A stat	endorsed, ement on thi	If SUBROGATION IS W s confificate does not a	VAIVED, subject confer rights to t
certificate holder in lieu of such and	orsoments	<u>}.</u>	CONTACT NAME:		FAX	
10451 Gulf Boulevard			PHONE LAIC NO. EXT: E-MAIL ADDRESS:		(AIC, NO)	
Treasure Island, FL 33706 1-800-237-3355	5-4514		(NS		DING COVERAGE	12866
Pyro Engineering, Inc.		ALL SELECTION OF THE SE	INSURER A : T.H.E.	insurance C	ompany	
dba: Bay Fireworks		SL-275	INSURER 5 :		The second secon	
999 South Oyster Bay R Bethpage, NY 11714	td., Suite	111	INSURER E:			
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A HIRED AUTOS						\$ \$4,000,000
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ANY PROPRIETOR/PARTNER/EXECUTIVE N/A			E.L. BACH ACCIDENT  E.L. DISEASE - EA EMPLOYEE	\$ 1,000	
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INC	Y: Town of Carmel New	York; Putnan	n Co	unty:	New York City Departme	ent of E	nvironment	al Protection	: New York City Water	Board:	City of New
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∪äl	rmei NY 10512										
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AC	ORD 25 (2010/05)		Ţ	he A	CORD name and logo a	ra ragis			ORÓ CORPORATION	. All riq	gnts reserve

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD

CERTIFICATE OF INSURANCE COVERAGE UNDER THE NYS DISABILITY BENEFITS LAW

PART 1. To be completed by Disability Benefits Carrier or Licensed Insurance Agent of that Carrier						
1s. Legal Name and Address of Insured (Use street address only) PYRO ENGINEERING INC dba BAYFIREWORKS 999 SOUTH OYSTER BAY RD STE 111 BETHPAGE, NY 11714	1b. Business Telephone Number of Insured (516) 597-5500 1c. NYS Unemployment Insurance Employer Registration Number of Insured  1d. Federal Employer Identification Number of Insured or Social Security Number					

(Cont.)

Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Putnam County 48 Gleneida Avenue Carmel, NY 10512	38. Name of Insurance Carrier NEW YORK STATE INSURANCE FUND  3b. Policy Number of entity listed in box "in":  DBL 5213 59 - 1 3c. Policy effective period:  01/04/2015 to 01/04/2016					
4. Policy covers:  a. [X] All of the employer's employees eligible under  b. [_] Only the following class or classes of the employees.						
Signature of incurrence carrier's aud						
IMPORTANT: if box "bu" is checked, and this four is signed by the insurance our carrier, this certificate is COMPLETE. Mail it directly to the certificate is NOT COMPLETE for pury completion to the Workers' Compensation Board. DB Fints Accept	Acare holder, sours of Section 220, Subd. 8 of the Disability Benefits Low. It must be mailed for suce Unit. 20 Park Sweet, Albany, New York 12207.					
PART 2. To be completed by NYS Workers' Compensation						
State Of Ne						
Workers' Compensation Board  Ascording to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability Benefits Law with respect to all of his/her employees.						
Date Signed By						
(Signature of	NY5 Workers' Compensation Board Employee)					
Telephone NumberTitle						
Please Note: Only insurance carriers licensed to write NYS disability						
those insurance carriers are multorized to issue Form DB-120.1. Insu	nance brokers are NOT authorized to issue this form.					
DB-120.1 (5-06)	Certificate Number 333996					

## STATE OF NEW YORK WORKERS' COMPENSATION BOARD

CERTIFICATE OF INSURANCE COVERAGE UNDER THE NYS DISABILITY BENEFITS LAW

In, Legal Name and Address of Insured (Use street address only) PYRO ENGINEERING INC dba BAYFIREWORKS 999 SOUTH OYSTER BAY RD STE 111 BETHPAGE, NY 11714	1b. Business Telephone Number of Insured     (516) 597-5500     1c. NYS Unemployment Insurance Employer Registration     Number of Insured  Id. Federal Employer Identification Number of Insured or     Social Security Number
Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Carmel 60 McAlpin Avenue Mahopac, NY 10541	3s. Name of Insurance Carrier NEW YORK STATE INSURANCE FUND  3b. Policy Number of entity fisted in box "ia"; DBL 5213 59 - 1 3c. Policy effective period: 01/04/2015 to 01/04/2016
4. Policy covers:  a. [X] All of the employer's employees eligible under  b. [ ] Ouly the following class or classes of the employees.	

www.wcb.state.ny.us

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C-105.2 (9-07)

D. St. St. 107/24/2015 B. 2	Joseph J. Masi
Date Signed 07/24/2015 By Signature of Incurance or Inferrage	Joseph J. Masi around representative of NS thousand trauserus Agent of treat incommon comport of Disubility Benefits Insurance
Telephone Number (000) 007 4002	The state of the s
IMPORTANT: If box "4s" is checked, and this fount is signed by the insurance of carrier, this certificate is COMPLETE. Mult is directly to the cer	tificate holder.
If how "46" is checked, this certificate it NOT COMPLETE for please the workers' Compensation floard, DS Plans Acces	apeacs of Section 220, Eachd. B of the Disability Benefits Law. It amout be smalled prence Unit. 20 Paul: Street, Albany, New York 12207.
PART 2. To be completed by NYS Workers' Compensati	
Workers' Compe	ensation Board
According to information maintained by the NYS Workers' Compensation Disability Benefits Law with respect to all of his/her employees.	
Date Signed By (Signature	of NYS Workers' Compensation Board Employee)
Telephone Number Title	reversible the property of the second
lease Note: Only insurance carriers licensed to write NYS disabilitions insurance carriers are authorized to issue Form DB-120.1. In:	surance brokers are NOT authorized to issue this form.
DB-120.1 (5-06)	Certificate Number 333997
STATE OF NI WORKERS' COMPE	
CERTIFICATE OF NYS WORKERS' COM	PENSATION INSURANCE COVERAGE
a. Legal Name & Address of Insured (Use street address only)	1b. Business Telephone Number of Insured (631) 390-8620
yro Engineering, Inc. dba Bay Fireworks 99 S. Oyster Bey Rd., Stc. 111 iethpage, NY 11714	1c. NYS Unemployment Insurance Employer Registration Number of Insured
Vork Location of Insured (Only required if coverage is specifically inited to certain locations in New York Stute, i.e. a Wrap-Up folicy)	ld. Federal Employer Identification Number of Insured or Social Security Number
Name and Address of the Enrity Requesting Proof of Coverage (Enrity Being Listed as the Certificate Holder)	3a. Name of Insurance Corrier T.H.E. INSURANCE COMPANY
County of Putnam County 8 Gleneida Avenuc Jarmel, NY 18512	3b. Policy Number of entity listed in box "In" WCP0005167-001
	3c. Policy effective period
	<u>2/15/2015</u> to <u>2/15/2016</u>
	3d. The Proprietor, Partners or Executive Officers are
	X included. (Only check box if all partners/officers tectuded)
	all excluded or cortain partners/officers excluded.
is certifies that the insurance carrier indicated above in box "3" appensation under the New York State Workers' Compensation Law. the INFORMATION PAGE of the workers' compensation insues Certificate of Insurance to the entity listed above as the certificate.	(To use this form, New York (NY) must be listed under <u>Item 3A</u> rance policy). The Insurance Carrier or its licensed agent will send
e Insurance Carrier will also notify the above certificate holder with thin 30 days IF there are reasons other than nonpayment of premium licated on this Certificate. (These notices may be sent by regular ma approved by the insurance varrier or its licensed agent, or until th	is that cancel the policy or eliminate the insured from the coverage il.) Otherwise, this Certificate is valid for one year after this form
ease Note: Upon the cancellation of the workers' compensation med on a permit, license or contract issued by a certificate hold crifficate of Workers' Compensation Coverage or other author verage requirements of the New York State Workers' Compens	er, the business must provide that certificate holder with a new ized proof that the business is complying with the mandatory
ider pensity of perjury, I certify that I am an authorized repre ove and that the named insured has the coverage as depicted or	
Approved by: Carol A Serra  (Fruit name of authorized representate	ive or licensed agent of insurance carrier)
Could It have	7/24/2015
Approved by: (Signature)	(Date)
Alphadven by.	(_F#C)

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WORKERS' COMP	A STATE OF THE PARTY OF THE PAR
CERTIFICATE OF NYS WORKERS' CO	MPENSATION INSURANCE COVERAGE
a, Legal Name & Address of Insured (Use street address only	y) 1h. Business Telephone Number of Insured (631) 390-8620
Pyro Enginesring, Inc. dba Bay Fireworks 199 S. Oyster Bay Rd., Stc. 111 Bethpage, NY 11714	1c. NYS Unemployment Insurance Employer Registration Number of Insured
Work Location of Insured (Only required if coverage is specifical imited to certain locations in New York State, i.e. a Wray-Up Policy)	1d. Federal Employer Identification Number of Insured or Social Security Number
. Name and Address of the Entity Requesting Froof of Coverage (Entity Being Listed as the Certificate Holder)	3s. Name of Insurance Carrier T.H.E. INSURANCE COMPANY
Fown of Carmet 60 McAlpin Avenue	3b. Policy Number of entity listed in box "1s" WCP0005167-001
Mahopac, NY 10541	3c. Policy effective period
	2/15/2015 to 2/15/2016
	3d. The Proprietor, Partners or Executive Officers are X included. (Only theck box if all partners/officers included)  all excluded or certain partners/officers excluded.
a the INFORMATION PAGE of the workers' compensation in	surance policy). The Insurance Carrier or its licensed agent will sent
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Supervisor Schmitt referenced Section 2) under Site Data included in the Fireworks Permit Amended Application and confirmed that the area of woods behind Shoprite Plaza will no longer be utilized as an alternative location. The Application was amended as reflected above.

# <u>DELETION TO THE ACTIVE LIST OF THE MAHOPAC VOLUNTEER FIRE DEPARTMENT - AUTHORIZED</u>

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the deletion of the following names to the active list of the Mahopac Volunteer Fire Department:

Anna-Lisa Sargent

Resolution	
Offered by:	Councilman Lombardi
Seconded by:	Councilman Lupinacci

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Roll Call Vote	YES	NO
Jonathan Schneider	X	
John Lupinacci	X	
Suzanne McDonough	X	
Frank Lombardi	X	
Kenneth Schmitt	X	

Supervisor Schmitt expressed his appreciation to Ms. Sargent for her volunteerism.

# <u>CARMEL FIRE DEPARTMENT - ACTIVE MEMBER LIST ACCEPTED - OFFERED</u> AS PRE-FILED

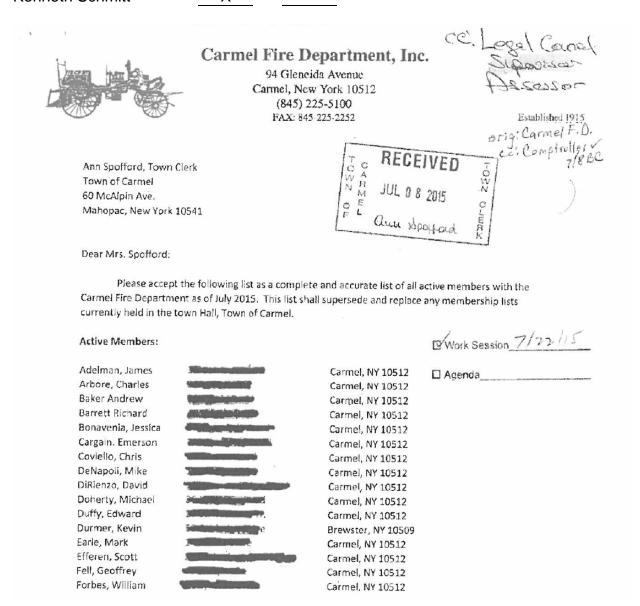
RESOLVED that the Town Board of the Town of Carmel hereby authorizes and accepts the current active list of the members of the Carmel Fire Department in form as attached hereto and made part hereof.

Reso	lution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough and Councilman Schneider

Roll Call Vote	YES	NO
Jonathan Schneider	X	
John Lupinacci	X	
Suzanne McDonough	X	
Frank Lombardi	X	
Kenneth Schmitt	X	

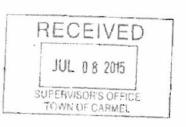


(Cont.)

Geoghegan, Robert Goldsmith, Daniel Grifin, Patrick Heubel, Joseph Jacobsen, David Jaeschke, Donna Jaeschke, Michael Jenik, Brian Keck Jr., Tom



Carmel, NY 10512 Carmel, NY 10512



# Carmel Fire Department, Inc.



94 Gleneida Avenue Carmel, New York 10512 (845) 225-5100 FAX: 845-225-2252

Established 1915

Lamb, Charles Lipton, Robert Longo, Robert Lubera, Mathew Matessino, Michael Mckecknie, Adam McMahon, Michael Mirko, Nicholas Montalyo, Luis Moorehead, Dennis Nobile, Tom Orsini, Mike Pinna, Paul Rivera, Steven Roberts, James Ruggiero, Vincent Singh, Joseph Smith, Timothy Sonnberger, Albert Sonnberger, Kimberly Stone, Christopher



Carmel, NY 10512 Carmel, NY 10512 Holmes, NY 12531 Brewster, NY 10509 Carmel, NY 10512 Carmel, NY 10512

#### Active 20 Year Members:

Venezia Jr., Daniel

Behan, Robert
Conklin, Charles
Cornish, Peter
Efferen, Robert
Greenwood, Carl
Hengel, Kevin
Hengel, Michael
Johnson, Michael
Lipton, Robert A
Madden, Peter
Margolus, Louis
Mulreany, John
Nesheiwat, Michael
O'Brien, Patrick



Carmel, NY 10512
Stormville, NY 12582
Carmel, NY 10512

(Cont.)



Councilman Lupinacci thanked the members of the Carmel Fire Department for their service.

Supervisor Schmitt expressed congratulations to the Carmel Fire Department on their 100<sup>th</sup> anniversary.

# PUBLIC HEARING SCHEDULED FOR 8/26/15 - CARMEL SEWER DISTRICT #1 - INCREASE AND IMPROVEMENT OF FACILITIES - RECONSTRUCTION OF SEWER LINES FOR INFILTRATION AND INFLOW REMEDIATION - MAXIMUM ESTIMATED COST OF \$1,112,310.00

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, 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 Carmel Sewer District No. 1, in the Town of Carmel, Putnam County, New York, being the reconstruction of sewer lines for infiltration and inflow remediation, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,112,310; 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 been determined that this capital project is a Type II Action as to which the SEQRA regulations provide that there is no significant environmental effect pursuant to 6 NYCRR Part 617.5(c)(2) and (29); and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Carmel Sewer District No. 1, 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:

(Cont.)

Dated: Mahopac, New York,

. 2015.

Section 1. A public hearing will be held at the Town Hall, in Mahopac, New York, in said Town, on August 26, 2015 at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of Carmel Sewer District No. 1, 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. The Town Clerk 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:		oman McDo an Lombaro			,	
Roll Call Vote Jonathan Schn John Lupinacci Suzanne McDo Frank Lombard Kenneth Schm	onough Ii	YES X X X X X X	NO			
						Exhibit A
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, 2015, at 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 Carmel Sewer District No. 1, in said Town, consisting of the reconstruction of sewer lines for infiltration and inflow remediation, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,112,310.  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 environmental effects.  At said public hearing said Town Board will hear all persons interested in the subject matter thereof.						

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

Ann Spofford Town Clerk

# RESOLUTION FROM 7/22/15 AMENDED - PUBLIC HEARING RESCHEDULED TO 9/9/15 - PROPOSED LOCAL LAW AMENDING CHAPTER 114 OF THE CODE OF THE TOWN OF CARMEL ENTITLED "PROPERTY MAINTENANCE"

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the rescheduling of a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, September 9, 2015 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 114 of the Code of the Town of Carmel entitled "Property Maintenance"; and

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

Resolution .				
Offered by:	Councilman Schneider			
Seconded by:	Councilman Lombardi			
Roll Call Vote		YES	NO	
Jonathan Schneider		Χ		
John Lupinacci		X		
Suzanne McDonough		X		
Frank Lombardi		X		
Kenneth Schmitt		X		

PROPOSED LOCAL LAW # \_\_\_\_\_ OF THE YEAR 2015
A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF CARMEL,
CHAPTER 114, THEREOF, ENTITLED "PROPERTY MAINTENANCE"

BE IT ENACTED by the Town Board of the Town of Carmel, County of Putnam, State of New York as follows:

#### **SECTION 1.**

This Local Law shall be known as 2015 Amendments to Chapter 114 entitled "PROPERTY MAINTENANCE".

**SECTION 2.** Section 114-7 of Chapter 114 of the Code is hereby amended to read as follows:

# 114-7 Responsibility for Violations

- A. The duties, responsibilities and obligations prescribed within this Chapter shall be applicable and enforceable against any person who may create, cause, maintain or cause to, permit to, continue or to fail to abate, correct or remove any condition(s) prohibited under this Chapter. For the purposes of this Chapter, any person shall be deemed to include the owner; occupant; tenant; contractor; mortgagee or vendee in possession; mortgagee when the subject property has deteriorated in contravention to the provisions of this Chapter; mortgagee which has commenced the foreclosure process; assignee of rents; receiver; executor, trustee; or any other person firm or corporation directly or indirectly in control of any subject property pursuant to this Chapter.
- B. Owners of property shall be responsible for compliance with the provisions of this Chapter and shall remain responsible therefore regardless of the fact that this Chapter may also place responsibilities on occupants, tenants, contractors, mortgagees and others, regardless of any agreements between owners, occupants, tenants, contractors mortgagees or others as to which party may assume such responsibility.

(Cont.)

- C. Whenever any person or persons shall be in actual possession of or have charge, care or control of any property within the Town of Carmel as executor, administrator, trustee, guardian or agent, such person shall be deemed and taken to be the owner or owners of said property within the true intent and meaning of this Chapter and shall be bound to comply with the provisions of this Chapter to the same extent of the record owner.
- D. The Mortgagee shall immediately notify the Town of Carmel in writing of its notice to the owners failure to maintain the property in accordance with the provisions of this Chapter. Upon the commencement of foreclosure proceedings the mortgagee shall also immediately notify the Town of Carmel in writing of such action.

**SECTION 3.** Section 114-15 of Chapter 114 of the Code is hereby amended to read as follows:

#### 114-15 Action upon noncompliance

- A. Upon the failure, neglect or refusal of any owner; occupant; tenant; contractor; mortgagee etc., to properly comply with the provisions of this Chapter within the time period prescribed in any order of the Building Inspector, or upon authorization from the Town Board of the Town of Carmel, the Building Inspector is hereby authorized and empowered to correct or cause to be corrected such violations(s).
- B. Where the Town of Carmel has effected the correction of such violation(s) and/or has paid for the correction and/or removal of such violation(s), the actual cost thereof, including all costs incurred by the Town of Carmel and its Building Inspector in the enforcement of this Chapter, and procurement of all such contractor services to effect such correction or compliance, plus the accrued legal rate of interest per annum from the date of the completion of the work, if not paid for by such owner, occupant, tenant, contractor, mortgagee, etc. prior thereto, shall be charged by the Town of Carmel and shall become due and payable by said owner, occupant, tenant, contractor, mortgagee, etc.
- C. When the full amount due the Town of Carmel is not paid by such owner, occupant, tenant, contractor, mortgagee, etc. within twenty (20) days after the correction of such violations as set forth in subsections A and B above, then Building Inspector shall cause to be filed in the office of the Town Clerk a sworn statement showing the costs and expenses incurred as set forth in subsection B, the dates of all work performed and the location of the subject property by section, block and lot number together with the name of the responsible owner, occupant, tenant, contractor and mortgagee etc. The filing of such sworn statement shall constitute a lien on the property and shall remain in full force and effect for the amount due in principal and interest, plus legal fees incurred until such final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes, and further shall be subject to a delinquent penalty at the legal rate of interest in the event that the same is not paid in full on or before the date the tax bill upon which such charge appears delinquent. Sworn statements filed in accordance with the provisions of this Chapter shall be prima facie evidence that all legal formalities have been complied with and any work has been properly performed and shall be full notice to every party concerned that the amount set forth therein, constitutes a charge against the property designated and described therein and that same is due and collectible as provided by law.

(Cont.)

#### **SECTION 4. HOME RULE**

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

#### **SECTION 5. SEVERABILITY**

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Carmel hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

# **SECTION 6. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION FROM 7/22/15 AMENDED - PUBLIC HEARING RESCHEDULED TO 9/9/15 - PROPOSED LOCAL LAW ENACTING CHAPTER 15 OF THE CODE OF THE TOWN OF CARMEL ENTITLED "EMPLOYMENT APPLICANT FINGERPRINT INQUIRIES" (AMENDED 9/2/15)

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the rescheduling of a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, September 9, 2015 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law enacting Chapter 15 of the Code of the Town of Carmel entitled "Employment Applicant Fingerprint Inquiries"; and

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

Resolution			
Offered by:	Councilman Lombardi		
Seconded by:	Councilman Lupinacci		
Roll Call Vote		YES	_NO_
Jonathan Schneider		X	
John Lupinacci	nn Lupinacci		
Suzanne McDonough		Χ	
Frank Lombardi		Χ	
Kenneth Schmitt		Χ	

# **PUBLIC COMMENTS - AGENDA ITEMS**

No member of the public wished to comment at this time.

## **TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

No member of the Town Board wished to comment at this time.

#### **PUBLIC COMMENTS - OPEN FORUM**

Michael Barile inquired about the status of the contract negotiations with the PBA.

Councilman Lupinacci reported that since the arbitration hearing, the Town's attorney, the PBA's attorney and the arbitrator have met in Executive Session once so far. The attorneys will be holding their second meeting next week.

Mr. Barile inquired about the status of the Highway Department and CSEA contract negotiations.

Councilman Schneider reported that a meeting was held yesterday with one of the unions and at this time, counter proposals are being awaited from both unions.

Mr. Barile inquired about the status of the Town-wide revaluation project.

Councilman Schneider reported that the contractor is finalizing data collection, with over 70% of the units in the Town of Carmel visited. Public informational sessions are being held with various civic associations. He estimated that by December or January 2016, enough information will be gathered to address at a meeting, the issue of a homestead exemption. Discussion ensued regarding the matter.

# **TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Councilman Lombardi announced that at the Work Session on August 12, 2014, the Town Board will be presenting Father Anthony Sorgie with a proclamation for his service to the community. He is being reassigned from St. James the Apostle Church in Carmel to another parish.

Councilwoman McDonough reported on the progress of the new playground under construction in the Mahopac Chamber Park.

Supervisor Schmitt announced the next Town of Carmel Sunset Concert will be held on August 6, 2015 at 7:00 p.m. at the Mahopac Chamber Park and will feature the band Time Machine.

Supervisor Schmitt expressed condolences to County Executive Mary Ellen Odell on the passing of her mother Muriel Hicks.

# **ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilman Lombardi, with all Town Board members present and in agreement, the meeting was adjourned at 7:32 p.m. to Executive Session to discuss a matter of personnel with Chief of Police Michael Cazzari.

Respectfully submitted,

Ann Spofford, Town Clerk