

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 30th day of September 2015 at 7:10 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt. Councilman Schneider was absent.

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 the Town Board had met at 6:30 p.m. in Executive Session with Glenn Droese, Town Assessor with regard to a certiorari settlement.

RESOLUTION FROM 9/2/15 AMENDED - PUBLIC HEARING RESCHEDULED TO 11/4/15 - PROPOSED LOCAL LAW ENACTING CHAPTER 15 OF THE CODE OF THE TOWN OF CARMEL ENTITLED "EMPLOYMENT APPLICANT FINGERPRINT INQUIRIES" AMENDED 11/4/15

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re-scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 from Wednesday, October 7, 2015 to Wednesday, November 4, 2015 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law enacting Chapter 15 of the Code of the Town of Carmel, entitled "Employment Fingerprint Inquiries"; 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 newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u> X </u>	<u> </u>	
Suzanne McDonough	<u> X </u>	<u> </u>	
Frank Lombardi	<u> X </u>	<u> </u>	
Kenneth Schmitt	<u> X </u>	<u> </u>	

CARMEL SEWER DISTRICT #1 - PROPOSAL ACCEPTED FOR ENGINEERING DESIGN SERVICES - COLLECTION SYSTEM REPAIRS - J. ROBERT FOLCHETTI & ASSOCIATES, LLC

RESOLVED that the Town Board of the Town of Carmel, acting as commissioners of Town of Carmel Sewer District #1, hereby authorizes the acceptance of the proposal dated July 12, 2015 of J. Robert Folchetti & Associates, LLC for engineering design services required in connection with the repairs required within the Carmel Sewer District #1 Collection system pursuant to Notice of Violation issued by the New York State Department of Environmental Conservation, said proposal being in form as attached hereto and made a party hereof; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute said proposal on behalf of the Town of Carmel, as well as any other documentation required to accept the aforesaid proposal on the terms authorized herein.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Lombardi

30 SEPTEMBER 2015
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(Cont.)

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

J. ROBERT FOLCHETTI & ASSOCIATES. LLC
CIVIL/ENVIRONMENTAL ENGINEERS

July 12, 2015

Town of Carmel Town Board
Town of Carmel
60 McAlpin Avenue
Mahopac, New York 10541
Attn: Hon. Kenneth Schmitt, Supervisor

RE: PROPOSAL FOR ENGINEERING DESIGN SERVICES
CARMEL SEWER DISTRICT No. 1
INFILTRATION AND INFLOW REMEDIATION

Dear Supervisor Schmitt:

We are pleased to submit our proposal for professional engineering services required for the design, permitting and bid assistance for the referenced project. As you will recall, the NYCDEP-owned Mahopac Wastewater Treatment Plant experienced excessive flows from mid-March through mid-April of this year. These flows were attributed to Infiltration and Inflow (I & I) from the Town-owned collection system in the Hamlet of Mahopac. From the last week of March through the second week of April the Town, with the assistance of the NYCDEP, conducted several closed circuit TV inspections of the collection system along NYS Route 6, NYS Route 6N and Clark Place. These areas were selected for inspection due to the fact that they contain the oldest, and potentially most vulnerable, segments of the collection system. The inspections did identify I & I, but there were several technical problems with the cameras that prevented a complete inspection of the entire system. The Town Engineering Department has reviewed the history of inspections, smoke tests, etc. that have occurred in Carmel Sewer District No. 1(CSD1). The results show that the system has been televised and smoke tested repeatedly over the past decade in response to complaints from DEP related to high flows. The conclusion reached is that additional TV inspection is a waste of money due to its age and deteriorated condition and that the entire system south of the NYS Route 6/NYS Route 6N intersection be rehabilitated through a combination of Cured In Place Pipelining (CIPP) and epoxy sealing of the manholes. Preliminary construction costs have been estimated as follows:

ITEM	UNIT QTY	ESTIMATED UNIT COST	ESTIMATED COST
Clean/TV & Line gravity Sewer	5550 LF	\$100.00	\$555,000.00
Manhole Rehab	25 Each	\$5,000.00	\$125,000.00
Maintenance & Protection Traffic	28 Days	\$3,500.00	<u>\$ 98,000.00</u>
SubTotal			\$778,000.00
Contingency @ 20%			<u>\$155,600.00</u>
Estimated Total Construction Cost			\$933,600.00

31 Sodom Road
Brewster, New York 10509
845-363-1560
845-279-2062 FAX
www.jrfa.com

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For your convenience, we have divided the proposal into five sections as follows:

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SECTION 1 - PROPOSED SCOPE OF WORK
SECTION 2 - WORK BY OTHERS
SECTION 3 - ESTIMATED COSTS AND PROJECT SCHEDULE
SECTION 4 - PAYMENT SCHEDULE
SECTION 5 - ADDITIONAL SERVICES

SECTION 1 – PROPOSED SCOPE OF WORK

The general engineering tasks necessary to complete this project, in general order of occurrence, are as follows:

- 1.1 Conduct a survey of the existing collection system, to include manhole locations, rim and invert elevations, pipe type and diameter.
- 1.2 Develop detailed asbuilt plans and profiles of existing collection system.
- 1.3 Develop contract plans suitable for permit approval and bidding.
- 1.4 Develop contract specifications suitable for permit approval and bidding. These specifications include, but are not limited to, the following:
 - 1.4.1 Front End, including General and Supplementary Conditions and Prevailing Wage Rates;
 - 1.4.2 Technical Specifications.
- 1.5 Prepare and submit permit applications. Permits and project coordination are expected to be required by the following agencies:
 - 1.5.1 New York State Department of Transportation;
 - 1.5.2 New York State Department of Environmental Conservation;
 - 1.5.3 New York City Department of Environmental Protection.
- 1.6 Bid Assistance will include the following
 - 1.6.1 Advertisement;
 - 1.6.2 Conduct pre-bid conference;
 - 1.6.3 Issue clarifications/addenda;
 - 1.6.4 Attend bid opening;
 - 1.6.5 Bid tabulation and recommendation to award.

SECTION 2 - WORK BY OTHERS

JRFA's scope of work, as specified in this proposal, is limited to the Work outlined in Section 1 above with additional work to be performed upon request. JRFA can provide assistance to the Owner/Client in the procurement and coordination of additional services, as required. Where JRFA retains sub-consultants on behalf of the OWNER they will be billed at cost plus a 5% handling fee.

SECTION 3 - ESTIMATED COSTS AND SCHEDULE

JRFA can commence work immediately on this project. It is estimated that Tasks 1.1 through 1.5 can be completed within 90 days of Notice to Proceed. The Estimated Engineering Costs for this project are based on percentage of estimated construction cost, as follows:

Survey @ 3%:	\$28,008.00
Design @ 8%	\$74,688.00
Permitting: DEC/DOT @ 6%	<u>\$56,016.00</u>
Total Estimated Engineering Costs:	\$158,712.00

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Any costs for additional services as outlined below will be billed under our Hourly Rate Schedule (see attached). These costs will not be exceeded without prior authorization of the Owner.

SECTION 4 - PAYMENT SCHEDULE

We will bill you monthly as the work progresses; payment is expected within 30-days of receipt of our invoices. We reserve the right to discontinue or suspend work if outstanding invoices exceed 45 days.

The following costs will constitute a separate item for reimbursement:

- Project connected traveling expenses;
- Printing, reproduction, legal, laboratory, shipping and other costs not attributable to general overhead;
- All agency fees to be paid by Owner.

SECTION 5 - ADDITIONAL SERVICES

Any work not identified herein is specifically excluded. JRFA will provide the Owner with an estimated cost for completing any additional services tasks prior to executing the work.

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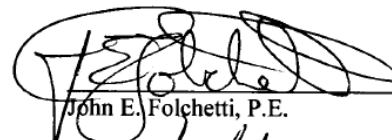
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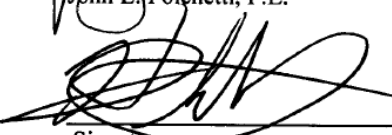
We are available to discuss any aspect of this proposal with you at your convenience. If this proposal is satisfactory please execute and return one copy.

Very truly yours,

ENGINEER

OWNER or
AUTHORIZED SIGNATURE


John E. Folchetti, P.E. 12 JULY 15
Date


Signature 2-OCT-2015
Date

JEF/jac
Attachment

Cc: PJP
File

CARMEL FIRE DEPARTMENT, INC. - SIGNATURE OF RECOGNITION
AGREEMENT/CERTIFICATE OF APPROVAL - AUTHORIZED

WHEREAS, Carmel Fire Department, Inc., the provider of fire protection services in Carmel Fire Protection District #3 in the Town of Carmel, has advised the Town Board that it is in the process of obtaining financing for the acquisition of certain fire protection vehicles and/or equipment; and

WHEREAS that the Town Board of the Town of Carmel has been advised the Carmel Fire Department, Inc. is seeking financing including private activity bonds pursuant to Internal Revenue Code §147; and

WHEREAS, the Town Board has been advised that a public hearing concerning the borrowing has been duly noticed and conducted by the Carmel Fire Department, Inc. and that all persons wishing to be heard were given due opportunity to do so;

NOW THEREFORE BE IT RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to sign a certificate of approval and recognition of the proposed lease an option agreement between Carmel Fire Department, Inc. and First Bankers Corporation, said certificate to be in form as attached hereto and made a part hereof.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>	
Jonathan Schneider	<u> </u>	<u> </u>	Absent
John Lupinacci	<u> X </u>	<u> </u>	
Suzanne McDonough	<u> X </u>	<u> </u>	
Frank Lombardi	<u> X </u>	<u> </u>	
Kenneth Schmitt	<u> X </u>	<u> </u>	

BACKGROUND, INSTRUCTIONS AND FAQ's for
CERTIFICATE OF APPROVAL

BACKGROUND:

The Carmel Fire Department, Inc. is purchasing a Ferrara Aerial and has requested a low interest tax-exempt financing with First Bankers.

To qualify for the financing, the IRS requires that the political subdivision that has a written agreement with the volunteer fire department has to acknowledge that the fire department is borrowing the funds.

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So, in order for the Carmel Fire Department, Inc. to qualify for this special financing option, the Town of Carmel must acknowledge its awareness of the financing.

INSTRUCTIONS:

- 1. Please review the attached Certificate of Approval.
- 2. Please sign the Certificate of Approval.
- 3. Mail the original signed document to:

First Bankers Corporation
8910 Purdue Road, Suite 660
Indianapolis, IN 46268

FREQUENTLY ASKED QUESTIONS:

ARE WE CO-SIGNING OR GUARANTYING THE PAYMENTS? No, you are not obligating yourself to make the payments if Carmel Fire Department, Inc. doesn't pay. We are lending the money based on our credit analysis of Carmel Fire Department, Inc.

WHY DO WE HAVE TO SIGN SINCE THE FIRE DEPARTMENT IS A SEPARATE ENTITY? The IRS rules require the political subdivision to sign for the volunteer fire department as a measure that the fire department is a real volunteer fire department.

WHY DO WE "APPROVE" THE FINANCING? The IRS rules use the word "approve". You are not approving the financing in the sense that they can't borrow the funds if you don't sign. To prevent any potential IRS questions, our documents use the same language as the rule.

WHAT HAPPENS IF WE DON'T WANT TO SIGN? The Carmel Fire Department, Inc. will not qualify for the low interest financing and they will have to pay a higher rate of interest.

We're sure you are not trying to punish or have the fire department incur extra costs. We are here to help address any concerns and will accommodate you as best as we legally can. Please call us toll-free at (877) 323-1776 to let us know your concerns.

FBC VFD ver 5 - 0510

Lease Number: CAR-091515-010

CERTIFICATE OF APPROVAL

Town of Carmel

I, **X** _____, the **X** _____ of the Town of Carmel, pursuant to the Internal Revenue Code of 1986, as amended (the "Code") hereby recognize the entering into by Carmel Fire Department, Inc. of a Volunteer Fire Department Lease and Option Agreement between it as Lessee and First Bankers Corporation as Lessor in an aggregate principal amount not to exceed \$1,305,343.00 to finance a Ferrara Aerial located at Carmel, NY.

EXECUTION OF THIS DOCUMENT IN NO WAY CREATES LIABILITY ON THE PART OF TOWN OF CARMEL AND TOWN OF CARMEL IS NOT RESPONSIBLE FOR THE REPAYMENT OF ANY OBLIGATIONS.

By **X** _____
Title **X** _____
Date **X** _____

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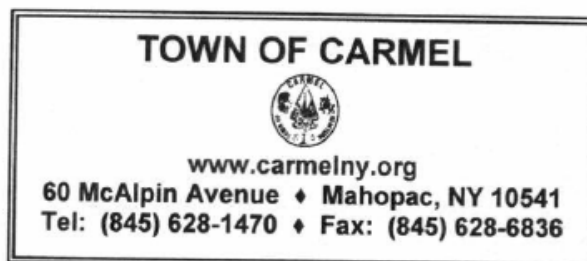
PRESENTATION OF TENTATIVE BUDGET FOR FISCAL YEAR 2016 TO TOWN BOARD

Ann Spofford, Town Clerk, presented copies of Supervisor Schmitt's 2016 Tentative Budget to the Town Board as filed in the Office of the Town Clerk on September 29, 2015.

SUPERVISOR KENNETH SCHMITT - 2016 TENTATIVE BUDGET MESSAGE

Supervisor Schmitt delivered his 2016 Tentative Budget Message.

*Office of the Supervisor
Kenneth Schmitt*



SUPERVISOR'S 2016 TENTATIVE BUDGET MESSAGE

Good evening ladies and gentlemen, members of the Town Board, residents and property owners of the Town of Carmel. One of the most important duties of the Town Supervisor is to initiate and coordinate the annual budget process, and tonight, I am presenting the Tentative 2016 Budget to the Town Clerk, Town Board Members and the public.

First a note about the process; the Tentative Budget is based on months of preparation and collaboration between myself, the Town Comptroller, Mary Ann Maxwell, the Heads of the various Town departments, as well as other Elected Officials. I wish to thank everyone for the care and consideration they took in the preparation of their budget requests. The Town Comptroller sat with me for many days and hours examining every single line item in the budget; reviewing it multiple times. Expenses and revenues were reviewed and carefully considered while constructing the Tentative Budget, and understanding the absolute mandate of controlling the growth in taxes and providing meaningful public tax relief, while preserving vital services for our quality of life; as well as balancing the needs of the community.

Our Town, along with all municipalities in New York State is still bound by a State mandated tax levy cap of 2%. The 2% Tax Cap is also directly tied to the rate of inflation. In 2016, the rate of inflation dropped to 0.73% which for the purposes of the 2016 Budget, the Town's tax levy cap cannot exceed 0.73%. I am pleased to report to you this evening that my Tentative 2016 Budget achieves this mandate and will stay under the New York State Tax cap.

The Tentative 2016 Budget is still subject to review and change by the recommendations of the Carmel Town Board. Changes to the Tentative Budget may be considered by the Board and a Preliminary Budget will be adopted on October 21st. A Public Hearing will be held on November 4th. A final budget must be voted and adopted on or before November 20th, 2015.

Total Town wide tax increase for 2016:

The 2016 Tentative Budget reflects a 2.6% increase in the Town wide tax rate. The Town wide taxes for a homeowner assessed at \$204,940 will be a \$43 increase over the 2015 Adopted Budget.

(Cont.)

Our Town Comptroller, Mary Ann Maxwell will now present to you the 2016 Town of Carmel Tentative budget. This presentation will provide for you an in depth review of the Town’s finances identifying projected expenditures and revenues for Fiscal Year 2016.

In closing, my sincere thanks to Town Comptroller, Mary Ann Maxwell, my office staff, Anne Pasquerello and Bella Cimadomo, along with other elected officials, department heads and managers for their diligence and assistance during the preparation of my Tentative 2016 Budget.

Respectfully submitted this 30th day of September, 2015



Kenneth Schmitt,
Supervisor, Town of Carmel

2016 TENTATIVE BUDGET FINANCIAL SUMMARY - PRESENTATION

Mary Ann Maxwell, Town Comptroller detailed the following presentation. She addressed questions and comments from members of the Town Board.

**TOWN OF CARMEL
2016 Tentative Budget**

Tax Levy vs. Tax Rate

- Property Tax Levy is the total amount of money to be raised by taxes to cover the cost of providing services to the public.
- The annual levy is calculated by taking the Town’s total annual expenditures less any revenues and/or appropriated fund balance equity.

Expenditures

- Revenues

+(-) Appropriated Fund Balance

= Property Tax Levy

Tax Levy vs. Tax Rate

- The annual Tax Rate is determined by dividing the total amount of the property tax levy by the total taxable assessed value of a town or special district.

Property Tax Levy / Taxable Assessed Value

= Annual Tax Rate
- The taxable assessed value is determined annually by the Town Assessor.
- The town wide taxable assessed value used for the 2016 Budget is 2,643,264,778, a decrease of approx. \$803,584 from the 2015 taxable assessed value. A decrease in the assessed value will result in an increase in the tax rate.

(Cont.)

Tax Levy vs. Tax Rate

2016 Tentative Budget – Townwide (General/Highway)

Tax Levy

Expenditures	\$26,443,488
(Revenues)	(4,834,560)
Fund Balances - Reserves	+ 200,000
Property Tax Levy	\$21,808,928

Tax Rate

Property Tax Levy	\$21,808,928/
Taxable Assessed Value	2,643,264,778
Tax Rate	8.25

* 2016 Annual Tax Rate Increase 2.6%

* Represents tax % increase on rate from prior year

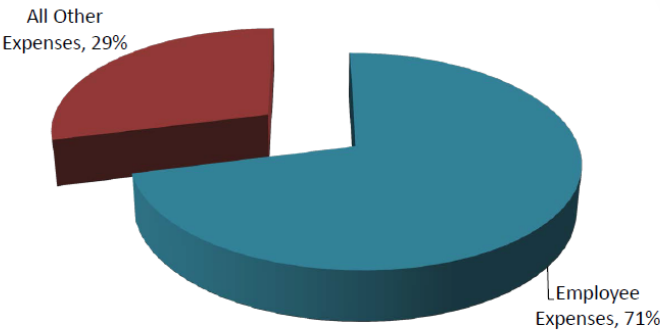
Total Tax Levy Decrease

- For the 2016 Budget the **Allowable Tax Levy Growth** imposed by New York State Comptroller’s Office is 0.73%.
- For the Town of Carmel (Townwide and Special Districts) this equates to a **Maximum Allowable Tax Levy** increase of \$352,646.
- In the 2016 Tentative Budget there is an **Overall Tax Levy Decrease** from the 2015 Adopted Levy:
 - * Townwide (Gen/Hwy) Levy Increase: \$551,303
 - * Special District Levy Decrease: (\$945,986) - * Due to CSD #2 Retired Capital Debt
 - * Total 2016 Tentative Levy Decrease: (\$394,683)
- The 2016 Tentative Budget the total Tax Levy is **under the Tax Cap** by - (\$747,329). Allowable Increase (\$352,646) – Actual Decrease (\$394,683) = (\$747,329)

2016 Tentative Budget

- Townwide (General/Highway)** - the average homeowner (assessed at \$204,940) would pay approximately \$1,691 per year (an increase of \$43) from the prior year. It is noted that this assessed valuation reflects the current equalization rate of 60.00%
- Approximately \$18,728,242 is budgeted in 2016 for **Employee Compensation & Benefit Costs**. This represents approximately 70.8% of total expenditures in the Townwide 2016 Tentative Budget.

General & Highway Expenditures by Type



** Employee expenses include Salary, Pension Costs, Health Benefit Costs, Workers Compensation, FICA/Medicare/MTA Tax

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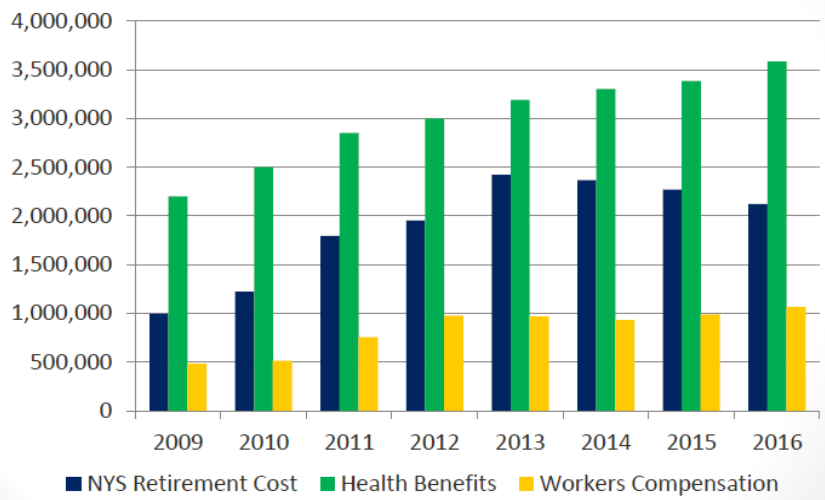
BUDGET DRIVERS/HIGHLIGHTS

- **Employee Benefits:**
 - * Health Insurance Costs continue to increase...currently budgeted at 8.8% increase.
 - * Pension Contributions decreased slightly (ERS 15.9%, PFRS 24.7% of salary)
 - * Workers Comp Rates is estimated to increase 6.5% above the 2015 actual numbers.
- Negotiations ongoing with unions IBT - expired 2011, CSEA/PBA - expired 2012. Continue to budget salary increases for all expired contracts.
- Mortgage Tax Revenue for FY 2015 is showing signs of improvement. Jan – August 2015 with August monthly revenue at \$103,645. Mortgage Tax Revenue for FY 2014 was a record low at \$682,000. Mortgage Tax Revenue in 2016 Tentative Budget is \$700,000.
- Highway Fund - Snow Materials (salt) increased 46% over the last two years. \$700,000 is budgeted in the 2016 Budget, and increase of \$50,000.
- New Debt Service – 2016 New Debt Payments from Highway Drainage/Resurfacing/Machinery Capital Borrowings from prior years.
- New Capital Debt CSD #1 of \$1.1 million (Downtown Business District - Mahopac). Required interest payments on debt will begin October 2016.
- CWD #1 (Downtown Business District - Mahopac) will also see a special district tax increase due to numerous recent emergency repairs resulting in an operating deficit in that district.

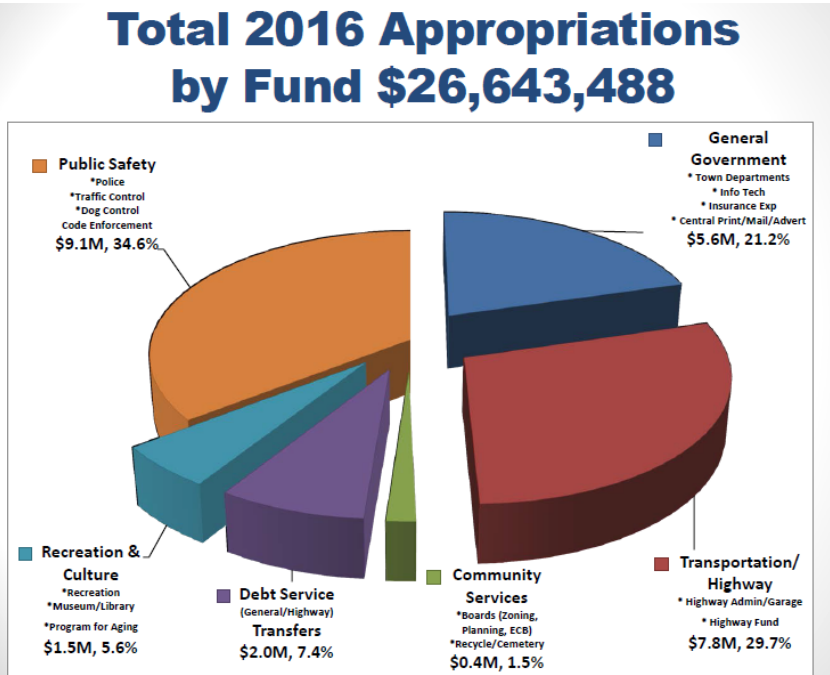
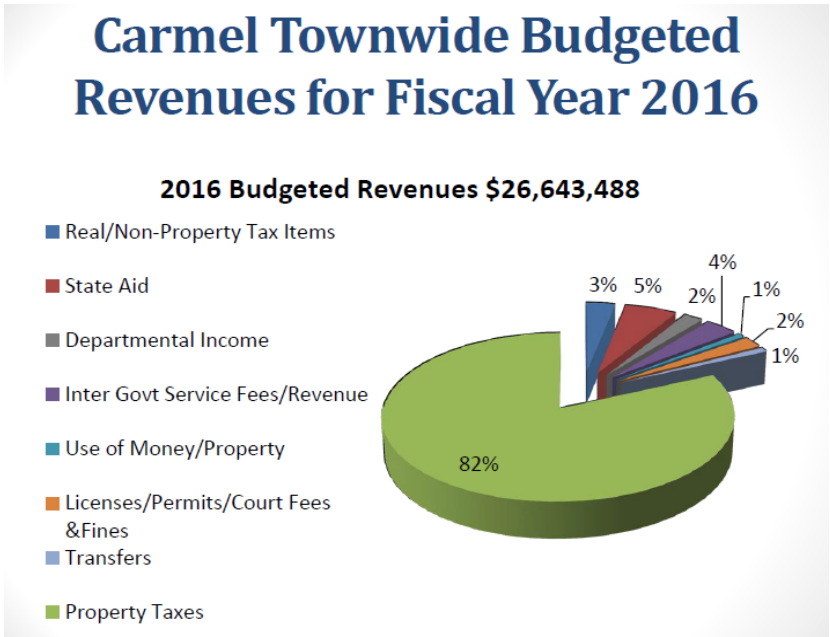
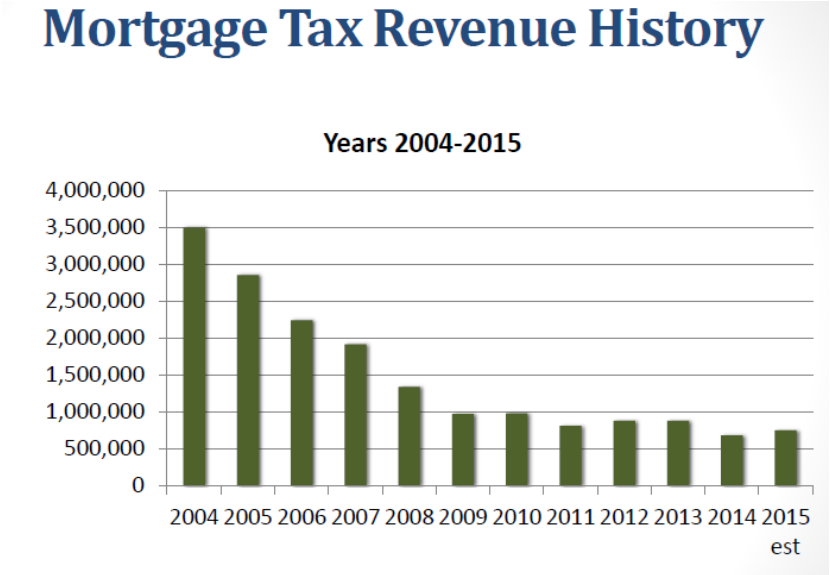
BUDGET DRIVERS/HIGHLIGHTS

- Retired CSD #2 Capital Debt – Capital Debt will be satisfied in November 2015 lowering the 2016 Special District Levy by approximately \$1,000,000. CSD #2 taxpayers have been paying this debt for the last 30-40 years. Taxpayers in this district will see a decrease in their 2016 Sewer #2a Capital Tax.
- New Capital Debt “Long Pond Road Improvement District” – Taxpayers in this new district will begin paying interest on this capital debt in 2016
- Capital Machinery/Equipment - Budgeted \$150,000 in 2015 Budget, \$150,000 in 2016 Tentative Budget in an attempt to avoid capital borrowings for Highway Machinery.
- Townwide Reassessment Project – Budgeted \$150,000 in 2014, 2015 and 2016 Tentative Budget. We also have approximately \$500,000 in reserves to fund this project also in an attempt to avoid borrowing.
- Highway Snow Reserve Fund Balance \$350,000. At FYE 2014 the Town added \$150,000 to this reserve bringing the balance to \$500,000. However in February 2015 a transfer of \$150,000 was necessary for snow removal and employee overtime costs.
- Technology upgrades - \$33,000 is budgeted in the 2016 for technology upgrades. We also have established a fund for a future purchase of *data imaging equipment*.
- Unfunded State/Federal Mandates MTA Mobility Tax, MS4 Federal Clean Water Act / Mandatory Regs

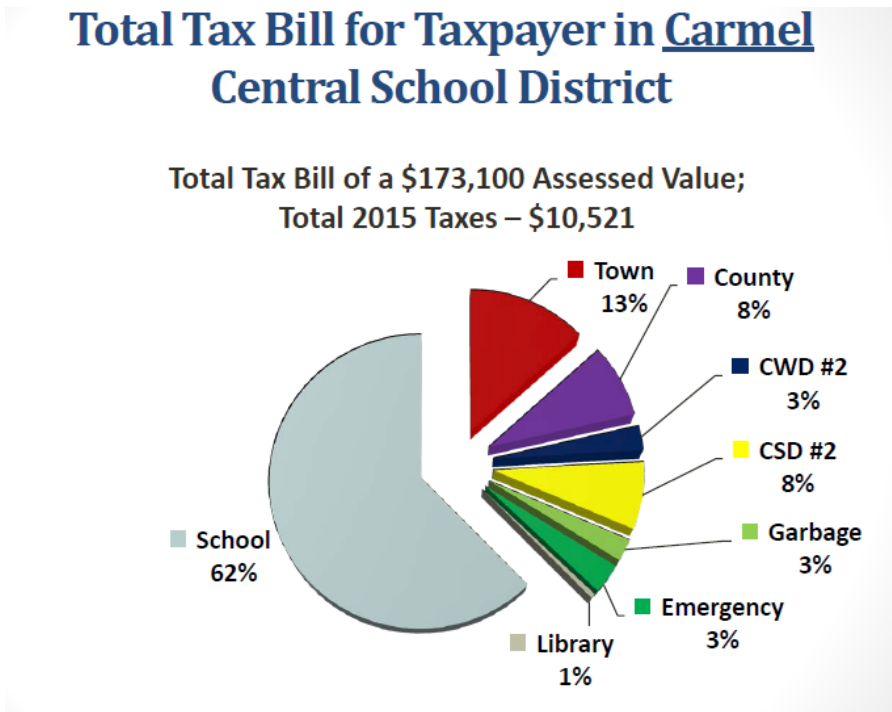
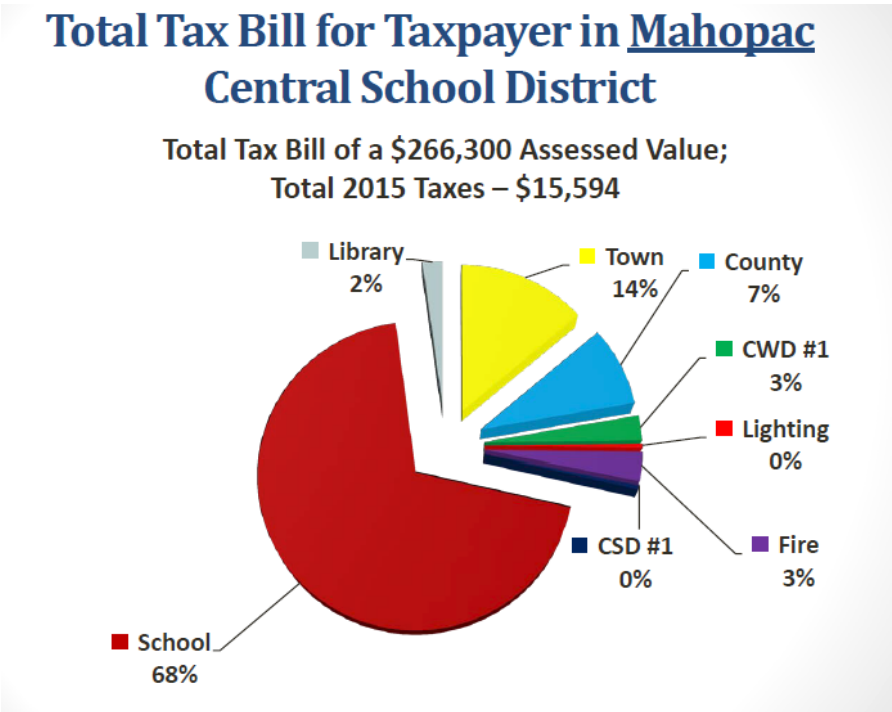
Employee Benefits Cost Increases
2009-2016



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Questions/Answers

- If anyone has any questions or concerns regarding the 2016 budget or clarification on the difference between the tax levy vs. the tax rate please feel free to stop by the Comptroller’s Office or call at (845) 628-1500 ext 175.

Mary Ann Maxwell
Town Comptroller
Town of Carmel

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TOWN BOARD SPECIAL MEETING

PUBLIC COMMENTS - AGENDA ITEMS

Michael Barile inquired about the amount allocated in the 2016 Tentative Budget to the Mahopac Volunteer Fire Department.

Supervisor Schmitt replied that the amount is the same as this year, \$1.75 million.

Mr. Barile commented that the Town Board should not be satisfied with meeting the property tax cap and should strive for a 0% increase.

Mr. Barile went on to address a rumor concerning an investigation into the misappropriation of a significant amount of money from the Mahopac Volunteer Fire Department.

Supervisor Schmitt confirmed that there is an ongoing investigation with regard to the finances of the Mahopac Volunteer Fire Department.

Mr. Barile stated that he did not want to see the 2016 Budget ratified and funds provided to the Mahopac Volunteer Fire Department until answers are provided with regard to how much money is missing and where did it go. He went on to express his outrage and discussion was held with regard to the matter.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present in agreement, the Special Meeting was adjourned at 7:55 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk