

**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 20th day of January 2016 at 7:13 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.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW ENACTING CHAPTER 44 OF THE TOWN CODE OF THE TOWN OF CARMEL ENTITLED "PARADES, EVENTS AND STREET CLOSINGS"

With no one present in objection, reading of the following Notice of Public Hearing as published in the Town's official newspapers was waived. Copies of the notice were made available to the public.

LEGAL S

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, January 20, 2016 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law enacting Chapter 44 of the Town Code of the Town of Carmel, entitled "Parades, Events and Street Closings" as follows:
TOWN OF CARMEL
PROPOSED LOCAL
LAW # _____
OF THE
YEAR 2016
CHAPTER 44
PARADES, EVENTS
AND STREET CLOSINGS
44-1 Title.
This chapter shall be cited as the "Parades, Events and Street Closings"
44-2 Purpose.
The Town Board, in order to promote proper government and ensure the proper protection, order, conduct, safety, health, welfare and well-being of persons and property within the Town of Carmel, Putnam County, New York, finds that it is in the public interest to enact this chapter. This chapter shall regulate parades, events and street closings within the Town of Carmel, Putnam County, New York.

44-3 Definitions and word usage.

A. Word usage. Words used in the present tense include the future; the singular number includes the plural. "Shall is mandatory, and "may" is permissive.

B. Definitions. For the purpose of this chapter, the terms used herein are defined as follows:

CHIEF OF POLICE - The Chief of Police of the Town of Carmel.

PARADE - Any parade, march, procession or demonstration of any kind or any similar display, in or upon any street, park or other public place in the Town of Carmel.

EVENT - Any formal event, assembly or gathering other than a parade in or upon any street, park or other public place in the Town of Carmel.

PARADE /EVENT PERMIT - A permit as required by this article.

PERSON - Any person, firm, partnership, association, corporation, company or organization of any kind.

TOWN - Town of Carmel.
TOWN BOARD - The duly constitutional legislative body of the Town of Carmel.

44-4 Definitions and word usage.

A. No person shall engage in, participate in, aid, form or start any parade or event unless a parade/event permit shall have been obtained from the Chief of Police or his designee.

B. Exceptions. This article shall not apply to:

(1) Funeral processions;
(2) Wedding processions

(3) Students going to and from school, classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper

school authorities;

44-5 Application.

A. A person seeking issuance of a parade or event permit shall file an application with the Chief of Police or his designee on forms provided by the Chief of Police or his designee.

B. Contents. The application for a parade or event permit shall set forth the following information:
(1) The name, address and telephone number of the person or persons seeking to conduct such parade or event.

(2) If the parade or event is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization.

(3) The name, address and telephone number of the person who will be the Parade or Event Chairman and who will be responsible for its conduct.

(4) The date when the parade or event is to be conducted.

(5) The route to be traveled, the starting point and the termination point if it is a parade and the fixed location or locations if it is an event without any procession.

(6) The approximate number of persons, animals and vehicles which will constitute such parade or event, including the type of animals and the description of the participating vehicles.

(7) The hours when such parade or event will start and terminate.

(8) A statement as to whether a parade or event will occupy all or only a portion of width of the streets proposed to be utilized or traversed.

(9) The location by streets or physical address of any assembly or staging areas for such parade or event to include proposed parking areas. Applicant must specify what traffic detour devices or barricades may be necessary for event.

(10) The time at which units or persons involved in the parade or event will begin to assemble or stage at any such assembly or staging area.

(11) If the parade or event is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Chief of Police or his designee a communication, in writing, from the person proposing to hold the parade or event authorizing the applicant to apply for the permit on his or her behalf.

(12) An agreement and affirmation that the persons or organization applying for the permit will prepay the applicable costs and fees for the event as determined by the parade / permit fee schedule (See 44-13).

44-6 Standards for issuance.

The Chief of Police or his designee shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

A. The conduct of the parade or event will not

substantially interrupt the safe and orderly movement of other traffic contiguous to its route or location.

B. The conduct of the parade or event will not require the diversion of so great a number of police officers of the town to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the town.

C. The concentration of persons, animals and vehicles at assembly or staging areas of the parade or event and the conduct thereof will not unduly interfere with proper fire and police protection of or ambulance services to areas contiguous to such assembly or staging areas and the town in general.

D. The conduct of such parade or event will not interfere with the movement of fire-fighting equipment en route to a fire or normal ambulance service.

E. The parade or event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.

F. The parade or event is not designed to be held purely for private profit.

G. The pre-paid fees for the proposed parade or event as set forth in article (44-13) has been received in full by the Town Clerk of the Town of Carmel.

44-7 Time limit for decision; denial.
The Chief of Police or his designee shall act upon the permit within 30 days of its receipt. If the Chief of Police or his designee disapproves the application, notice thereof, including the reasons for the denial shall be promptly given to the applicant.

44-8 Alternative Permit.
The Chief of Police or his designee, in denying an application for a parade or event permit, shall be empowered to authorize the conduct of the parade or event on a date, at a time, location or over a route different from that named by the applicant, if so requested by the applicant.

44-9 Appeal from denial of permit.
Any applicant denied a parade or event permit by the Chief of Police or his designee may appeal, in writing, to the Town Board within 10 days of the denial. The time to so appeal may be extended, at the discretion of the Town Board. The applicant, upon appeal, shall be entitled to argue its case before the Town Board. The Town Board is hereby empowered to affirm, modify or reverse the decision of the Chief of Police or his designee. The Town Board may attach any conditions to a permit, should it determine the permit should be granted.

44-10 Contents of permit.

Each parade / event permit shall state the following information:
A. The starting time and estimated time of termination.

B. The portions of the streets to be traversed and the areas or locations to be occupied by the parade or event.

C. The maximum length

in the case of a parade in miles or fractions thereof.

D. Other Town services requested or required.

E. Fire and or EMS requested or required.

F. Such as the information as the Chief of Police or his designee shall find necessary for the enforcement of this article.

44-11 Duties and Obligations of Parade or Event Permittee / Participants.

A. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws.

B. Possession of permit. The Parade or event Chairman or other person heading or leading such activity shall carry the parade or event permit upon his or her person during the duration of the parade or event.

C. No parade participant may throw candy or any other item to Parade spectators. Any entry with participants throwing items will be removed from the Parade by the applicant/director and/or the Police Dept. Walkers may hand items to spectators only and there will be no exceptions to this rule.

D. No one shall be permitted to board or exit from a float once the parade has commenced.

E. Drivers of any and all vehicles in the parade areas must possess a valid driver's license and be at least 18 years of age. Drivers must remain seated in the driver's seat for the duration of the parade and no vehicles will be left unattended.

F. All pets in the Parade must be kept on leashes and held by someone strong enough to manage them. Animals participating in the Parade must be kept under control. If you cannot control your animal or its presence presents any safety issue, please leave the Parade area with your animal rather than risk a problem.

G. Entries involving animals of any kind must provide their own cleanup, or "pooper scooper," immediately following their entry.

H. Participants on bicycles, scooters, skates, skateboards, etc. must wear a helmet and proper safety equipment.

I. Floats must have proper safety chains to connect the float to the tow vehicle.

L. Support vehicles for marching units will not be allowed in the parade.

K. All vehicular entries shall proceed at a safe and appropriate speed. shall maintain a safe distance from spectators and shall not weave from side to side. They will obey all applicable NYS Vehicle and Traffic Laws during the Parade or Event.

M. All participants, in consideration of participation in this event, agree to indemnify, hold harmless and release the

Town of Carmel, its agents and employees, from any and all liability from any injury or damage which may arise out of or in any way be connected with participation in the Parade or Event.

N. Any street vendor proposed to be part of the Parade / Event must first obtain the applicable permit(s) from the Town of Carmel Clerks Office pursuant to Town Code section 111 (Peddling and Soliciting) before offering any items for sale during the duration of the Parade or Event.

44-12 Interference with parade or event; parking on route or location.

A. Interference. No person shall unreasonably hamper, obstruct, impede or interfere with any parade or event or with any person, vehicle or animal participating or used in a parade or event during the course of an event.

B. Driving through parades. No driver of a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.

C. Parking on parade route. The Chief of Police or his designee shall have the authority, when reasonably necessary to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of a route of a parade or event. The Chief of Police may post signs to such effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

44-13 Fee schedule for parades and events.

The Town Board of the Town of Carmel shall annually establish a fee schedule for parades and events to mitigate the increasing costs associated with the public safety assets required to host these events. The fee schedule shall be broken down into three categories (1, 2 and 3) respectively, each reflecting staffing hours associated with hosting proposed events. The Town Board reserves the right to waive or modify the fee schedule at their discretion, and may seek the input and recommendations of the Chief of Police with respect to same.

A. Category (1) A major parade or event requiring 50 or more staffing hours.

B. Category (2) A secondary parade or event requiring 25 or more staffing hours.

C. Category (3) A minor event requiring less than 25 staffing hours.

At said Public Hearing, all interested persons shall be heard on the subject thereof. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

By Order of the Town Board of the Town of Carmel
Ann Spofford, Town Clerk

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

Councilman Lombardi explained that reading of the Notice of Public Hearing was waived because after speaking with members of the public in connection with the proposed Local Law, he decided that he would be presenting a compromise to the legislation as published. He stated with regard to Section 44-13 Fee Schedule for Parades and Events, that there will be no fees imposed for 2016 and that if there is ever a time in the future when the Town Board requires financial assistance from parade organizers, a Public Hearing will be held to allow the public to participate in the discussion. In addition, Councilman Lombardi asked that the sentence under Section 44-13 which states, "The Town Board reserves the right to waive or modify the fee schedule at their discretion," be removed because the Town Board does not want to be put into a situation where the fees may be waived for some and not for others.

Councilman Lombardi confirmed with Gregory Folchetti, Legal Counsel that because a substantive change to the proposed Local Law is being made, a new Public Hearing must be scheduled and that it may be held as early as the end of February.

Supervisor Schmitt opened the Public Hearing for public comment at 7:20 p.m. Thirty-five (35) people were in attendance.

Patrick O'Malley, chairman of the Northern Westchester-Putnam St. Patrick's Day Parade committee, stated that in the almost forty years that the parade has been held, there has never been an issue in connection with their parades. He stated that the general consensus of the committee is that there is no need to adopt the proposed Local Law. Mr. O'Malley commented that the committee would like the parade to remain in Carmel. However, the added expense to its budget may force the committee to look elsewhere to conduct it. Mr. O'Malley commented that the cost of police and highway department services to assist with the parade is already included in the taxes paid to the Town and that special events such as the parade, benefit the entire community. He expressed his appreciation to the Town Board for proposing to remove the fee and commented that it was a step in the right direction. Mr. O'Malley concluded by reiterating his opposition to any law going into effect to regulate parades and events.

John Malloy, member of the Northern Westchester-Putnam St. Patrick's Day Parade committee, stated that the Federal Constitution gives the people the right to assembly and that any effort by a government arm to remove part of that right must be supported by a public safety reason. He commented that there is no safety reason with regard to the local parades. Mr. Malloy stated that although New York State Town Law Section 170 gives the right to regulate parades and events, similar to Mr. O'Malley, he is opposed to this proposed Local Law. Mr. Malloy also agreed with Mr. O'Malley that the legislation is unnecessary. He commented that if it is an effort to defray the costs to the Town, the cost is non-existent as this is something that people do for the Town to show it in the best possible light. Mr. Malloy went on to comment on the amount of vacant lots and commercial properties on Route 6 and the need for remedial action. He stated that if the Town Board is looking to raise money to defray the cost of police services in connection with parades, build one building on one of the vacant lots to generate the taxes to pay for it.

Supervisor Schmitt pointed out that the construction of a building would be up to the property owner, not the Town of Carmel.

Mr. Malloy commented that it is up to the Town Board to create the "brand" of Mahopac and Carmel to attract people to come here. He went on to comment that the proposed Local Law is ambiguous, noting that the Town Board meeting as well as a Sunday Mass would be defined as an event requiring a permit under the proposed Local Law. Mr. Malloy stated that with regard to control, the events that are currently held reflect the values of this community and that there are organizations that don't reflect the same values which probably should be kept out of the Town. He stated that it cannot be done if a statute is created.

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

Supervisor Schmitt explained that a local law to regulate parades and events was proposed by the Carmel Police Department. Lt. Brian Karst began drafting the legislation in 2010 or 2011 from a law enforcement perspective because of the number of parades and events being held within the Town. Supervisor Schmitt clarified that the establishment of a fee is just a small part of the legislation, and that much of the legislation deals with safety and control. He stated that the Town Board welcomes every parade and event, but there must be regulations put in place. Supervisor Schmitt acknowledged the opposition to the fees and stated that the proposed Local Law would be modified in connection therewith.

Councilman Lupinacci added that the Town Board agrees with the Police Department with regard to the need for the legislation.

Councilman Lombardi stated that the reason that the legislation was proposed was that there have been occasions when there has been multiple events going on at the same time throughout the Town that all require police services and that the creation of an "event calendar" would assist the Police Department in providing coverage.

Mr. Malloy reiterated his position that the definition of event included in the statute is ambiguous and therefore it is unenforceable. He added that he did not see how a permit would make an event or parade safer.

Supervisor Schmitt stated that the safety aspect is not the application or the permit. It is what is included in the legislation. He pointed out that one of the first people that the applicant is required to meet with is the Chief of Police or his designee because they are the ones who will provide the traffic safety and crowd control.

Mr. Malloy commented that this Local Law would be an unfunded mandate because the organizations are being given work to do and forms to fill out without the funding to do so.

Councilman Schneider explained that this would not be an unfunded mandate because it has been determined that there will be no fee involved. He asked Mr. Malloy if in addition to the definition of an event, there was anything else in the proposed Local Law that he had an issue with.

Mr. Malloy stated that he was not prepared to formulate the words for a statute at this time. However, would volunteer to work on it and meet in two weeks with the wording he deems appropriate.

Councilman Schneider indicated that he was fine with that.

Supervisor Schmitt stated that he preferred that Mr. Malloy identify his proposed changes with respect to the Local Law at a public meeting.

Councilman Schneider addressed Mr. Malloy's comments concerning the appearance of the Town as well as the need to attract new commercial development and cited the Town Board's efforts to improve its infrastructure.

Mr. O'Malley asked if there was a way that the organizations can be advised of the Police Department's concerns and noted that his organization is meeting with the Police Chief every year.

Councilman Lombardi pointed out that the legislation was not directed at one parade. He reiterated that there are times when multiple events are being held at the same time that all deserve public safety and manpower from the Town.

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

Councilman Schneider suggested that there are options to resolve the manpower and coordination issues. He mentioned that when he lived in North Carolina, retired sheriffs, retired military and fire department personnel, as well as people with communications training would volunteer at public events and large gatherings.

Faith Ann Butcher, Greater Mahopac-Carmel Chamber of Commerce treasurer, detailed a list of events held annually in the Town and commented that these events are the reason why she moved into the community. She pointed out that the local businesses rely on these events to attract customers. Ms. Butcher stated that the Northern Westchester-Putnam St. Patrick's Day Parade could easily move to Yorktown where they do not charge a fee and that this would have a significant impact on the commercial establishments along the Route 6 corridor. She stated that on Memorial Day and Veterans Day we should be honoring those who served, not charging them to have a parade. Ms. Butcher stated that the decades of mismanagement of the finances of the Town should not be placed on the backs of the first responders, veterans and non-profit organizations. She concluded that she supports permits and schedules but not charging for them.

Michael Barile stated that he agreed with the comments made earlier by Mr. Malloy and Ms. Butcher. Mr. Barile stated that he supported the regulation of parades and events. However, stressed the need for compromise. He suggested that the proposed Local Law include under Section 44-11 Duties and Obligations of Parade or Event Permittee/Participants, a clause that calls for the cleanup along the route after a parade, further suggesting the requirement that the applicant post a bond in connection therewith.

Allison Winstanley member of the Northern Westchester-Putnam St. Patrick's Day Parade committee as well as other organizations commented that she supports the proposed Local Law for safety reasons. However, asked that the fee schedule be removed from it. Ms. Winstanley stated that she researched the matter and did not find any other town in the vicinity that charges a fee.

Councilman Schneider asked Ms. Winstanley if her organization could engage volunteers that would fit the criteria he mentioned earlier for traffic safety.

Mr. O'Malley indicated that they are already being utilized.

Councilwoman McDonough cited the efficiencies of this specific organization and cautioned that this would apply to all organizations applying for permits within the Town.

Councilman Schneider stated that in concept, it would be for every event and that if there is a core group of volunteers, every event should be covered. He suggested that the organizations discuss this because it will make a difference in the amount of manpower required from the Town.

Ms. Winstanley once again requested that the section of the proposed Local Law with regard to the fee schedule, be removed in its entirety.

Councilman Lupinacci pointed out that if the fee schedule which is presently proposed with a zero amount was removed, there is no guarantee that a future Town Board would not put one in place. He stated that he understands the reasoning behind a fee, and yet is also against it because of the impact it would have on the organizations conducting the events in the community.

Councilman Lupinacci went on to explain that when the legislation was first proposed, the Police Chief at the time, Michael Johnson estimated that the cost of overtime for all of the events held within the Town to be between \$80,000.00 and \$90,000.00 per year and that charging a fee in connection with them was his suggestion to mitigate it.

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

Councilman Lupinacci stated that although he participates in many of these events, there are thousands of residents who do not. They, along with residents on fixed incomes may object to their tax dollars being utilized for this purpose. He concluded that overtime within the Police Department is currently under control. Therefore, a zero fee is proposed for this year and will continue to remain at zero for as long as the cost remains under control.

Christine Hickey, member of the Northern Westchester-Putnam St. Patrick's Day Parade committee referenced Section 44-6 Standards for Issuance, and stated that she is concerned about the subjective language under paragraphs A, B and C. Ms. Hickey suggested editing subjective words like "not substantially", "a great number of police officers" and "unduly interferes". Ms. Hickey commented that with this subjective language, the decision to issue a permit should not be made under the opinion of one person, either the Chief of Police or his designee.

Councilman Schneider recalled the impetus behind paragraph B. He stated that an event was proposed that would have called for cutting off the thoroughfare for the entire northern portion of the Town. Councilman Schneider indicated that when a matter applies to public safety, he supported leaving the decision up to the professional opinion of the Chief of Police or his designee.

Dave Nicholas stated that he agreed with Councilman Lombardi's comments with regard to multiple events being held at the same time. Mr. Nicolas commented that the Columbus Day Parade and the Chamber of Commerce's street festival held at the same time and place, closing both Route 6 and Route 6N should not be allowed.

Councilman Lombardi noted that they are not separate events and that they are held in conjunction with each other.

Mr. Nicholas asked if County and State permits are required to close those roads.

Supervisor Schmitt replied that they were. He stated that the Chamber of Commerce obtains State and County permits for their events.

Mr. Nicholas suggested that obtaining the required permits be made a part of the Local Law. He went on to comment that volunteers should be utilized to direct traffic in order to avoid police overtime costs.

Councilman Lombardi indicated that it was union issue.

Supervisor Schmitt thanked the members of the public for their comments and stated that they would be taken into consideration by the Town Board. He stated that the Town Board will continue to work on the proposed Local Law and will schedule a new Public Hearing to address the changes.

Councilman Schneider suggested that Section 44-13 Fee Schedule for Parades and Events, be removed from the proposed Local Law. He stated that if a future Town Board deems it necessary, they may add it back in if they choose to do so.

Councilwoman McDonough stated that she was fine with that.

Tara Keegan, executive board member of the Putnam County Emerald Association suggested that the Town recruit high school juniors, seniors, scouts and sports teams in need of community service credits to assist with the events.

Councilman Lombardi stated that it was a great idea, however clarified that because these events are not Town functions, the individual organizations must solicit the volunteers.

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

Supervisor Schmitt stated that the Town utilizes student volunteers to assist with the annual Clean-up and Zoning Code Compliance Week.

Councilman Schneider asked the other members of the Town Board to confirm that Section 44-13 will be removed from the proposed Local Law.

Tracey Walsh stated that the American Cancer Society's Relay for Life organizers utilizes volunteers and that she would be happy to work with Chief Cazzari in connection with their annual event. Ms. Walsh agreed with establishing a working document detailing the specifics of the event as well as utilizing volunteers in conjunction with the Police Department.

Supervisor Schmitt cautioned that many of the traffic posts need to be manned by police officers to ensure that the public will obey the directives given. He clarified that volunteers may be used, but a law enforcement presence is necessary at these events.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lupinacci, seconded by Councilman Lombardi, with all members of the Town Board present and in agreement, the Public Hearing was closed at 8:15 p.m. Supervisor Schmitt called for a recess. The meeting resumed at 8:26 p.m.

RESOLUTION FROM 12/2/15 AMENDED - PUBLIC HEARING RESCHEDULED TO 2/17/16 - PROPOSED LOCAL LAW ENACTING CHAPTER 15 OF THE CODE OF THE TOWN OF CARMEL ENTITLED "EMPLOYMENT FINGERPRINT INQUIRIES" AMENDED 2/17/16

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the re- scheduling of a Public Hearing at Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 from Wednesday, January 20, 2016 to Wednesday, February 17, 2016 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 Schneider
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

MINUTES OF TOWN BOARD MEETINGS HELD ON 11/4/15, 11/18/15, 12/2/15 AND 12/16/15 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lupinacci, seconded by Councilman Lombardi, with all members of the Town Board present and voting "aye", the minutes of the Town Board meetings held on November 4th, November 18th, December 2nd, and December 16th 2015 were accepted as submitted by the Town Clerk.

MAHOPAC VOLUNTEER FIRE DEPARTMENT - DELETION FROM THE ACTIVE LIST AUTHORIZED

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:

Lauren Icken, Carmel, NY

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u>_____</u>
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>

BOND RELEASE AUTHORIZED - TM #55.6-1-51 - GLENEIDA REALTY, INC.

WHEREAS application has been made by Gleneida Realty, Inc. for the total release of a site plan bond posted in accordance with the Land Subdivision and/or Zoning Regulations of the Town of Carmel for Tax Map #55.6-1-51, 1819 Route Six, Carmel NY; and

WHEREAS said application has been reviewed by the Town Engineer, Richard J. Franzetti, P.E. and release of the bond has been recommended and approved by the Town Engineer, and the Town of Carmel Planning Board,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release of the site plan bond posted for Tax Map #55.6-1-51, The Guarantee Company of North America USA Bond # 76090137 in the amount of \$278,000.

Resolution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u>_____</u>
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>

HIGHWAY DEPARTMENT - CERTAIN EQUIPMENT DECLARED OBSOLETE AND DISPOSAL AUTHORIZED

RESOLVED that, upon the recommendation of Michael Simone Highway Superintendent for the Town of Carmel, the Town Board of the Town of Carmel hereby declares the following equipment to be obsolete and hereby authorizes its disposal in accordance with Town Law, including but not limited to disposal pursuant to Town Law §64(2-a):

- Dell Inspiron 1100 Computer Serial #35528046445
- Dell Inspiron 1100 Computer Serial #2876311405
- Gateway Solo Computer Serial # 022128386
- Toshiba Tecra A7 Serial #56126037Q
- IBM Correcting Selectric III Serial # 4779694
- IBM Correcting Selectric III Serial # 6705-116157142

(Cont.)

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

HIGHWAY DEPARTMENT - EQUIPMENT PURCHASE AUTHORIZED - FISHER 2.5 YARD POLY-ELECTRIC SANDER - HUDSON RIVER TRUCK AND TRAILER - NOT TO EXCEED \$5,325.00

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the purchase of a Fisher 2.5 yard Poly-Electric Sander from Hudson River Truck and Trailer, Poughkeepsie, NY, in accordance with the proposal dated December 21, 2015, and at a cost not to exceed \$5,325.00.

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

HIGHWAY DEPARTMENT - PAYMENT FOR 2015 EQUIPMENT REPAIR AUTHORIZED - BEN FUNK, INC. - \$9,963.65

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the payment to Ben Funk, Inc. Hudson, NY in the amount of \$9,963.65 for repairs performed to Town of Carmel Highway Department Equipment in accordance with the invoice dated December 24, 2015.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Schneider

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

20 JANUARY 2016
TOWN BOARD MEETING

HIGHWAY DEPARTMENT - PLOW BLADE MATERIALS PURCHASE AUTHORIZED UNDER ORANGE COUNTY BID CONTRACT - CHEMUNG SUPPLY CORP. - NOT TO EXCEED \$20,389.00

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation and request of Town of Carmel Superintendent of Highways Michael Simone, hereby authorizes the purchase of Plow Blade materials from Chemung Supply Corp., Elmira, NY under Orange County Bid Contract #RFB-OC059-15 in accordance with the proposal dated January 12, 2016, and at a cost not to exceed \$20,389.00.

Resolution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u>_____</u>
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>

DEPARTMENT OF RECREATION AND PARKS - 2016 RENEWAL OF LICENSING AGREEMENT WITH ASCAP AUTHORIZED - \$336.00

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the renewal of the License Agreement with ASCAP for public performances of copyrighted music for the year 2016 at an annual rate of \$336.00; and

BE IT FURTHER RESOLVED that the James Gilchrist, Director of Recreation and Parks, is hereby authorized to sign any necessary documents and/or reports concerning said renewal on behalf of the Town of Carmel.

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u>_____</u>
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>

DEPARTMENT OF RECREATION AND PARKS - SUBMISSION OF APPLICATION FOR GRANT FUNDING/PROGRAM ANNUAL ASSESSMENT - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2015 Program Annual Assessment to the New York State Office of Children and Family Services for Recreation Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: Councilman Schneider

Seconded by: Councilman Lombardi

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

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

SUBMISSION OF 2016 NOTICE OF APPLICATION TO CERTIFY COMPLIANCE WITH NEW YORK STATE OFFICE OF CHILDREN & FAMILY SERVICES - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2016 Notice of Application to Certify Compliance with New York State Office of Children and Family Services for year 2016 in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

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

NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES
INDIVIDUAL PROGRAM APPLICATION
Program Information

Program Title: Carmel Recreation		OCYDS ID# (For Docket Use Only)	Program Year: 2016
FUNDING INFORMATION			
Funding Category: <input checked="" type="checkbox"/> Youth Development Funding <input type="checkbox"/> RHYA-Part I <input type="checkbox"/> RHYA-Part II		County: PUTNAM	
FUND AMOUNTS			
Total Program Amount: \$ 58,457.46		OCFS Funds Requested: \$ 4,233	
Amount Allocated		60% State Aid (RHYA Programs ONLY)	% Tax Match
		% Agency Cash:	% In Kind
AGENCY INFORMATION:			
This Agency is: <input type="checkbox"/> Private, Not for Profit <input checked="" type="checkbox"/> Public <input type="checkbox"/> Religious Corporations		Federal ID #: 14-6002109	Charities Reg.#:
Agency Website:		Implementing Agency: Town of Carmel	
Mailing Address: 60 McAlpin Avenue			
Address Line 2:			
City: Carmel	Mahopac	State: NY	Zip Code: 10541
EXECUTIVE DIRECTOR FOR AGENCY:			
Last Name: Schmitt		First Name: Kenneth	
Title: Town Supervisor		Phone Number: 845-628-1500	Extension:
Fax Number: 845-628-6836		E-Mail: ks@ci.carmel.ny.us	
CONTACT PERSON FOR AGENCY:			
Last Name: Gilchrist		First Name: James R.	
Title: Director of Recreation		Phone Number: 845-628-7888	Extension:
Fax Number: 845-628-2820		E-Mail: jrg@ci.carmel.ny.us	
PERIOD OF ACTUAL PROGRAM OPERATION:			
FROM: 1/1/16	TO: 12/31/16	HOURS OF OPERATION:	
<input checked="" type="checkbox"/> Daily <input type="checkbox"/> Other (Explain) 24 hours/day		FROM: 9:00 a.m.	TO: 5:00 p.m.

X
EXECUTIVE DIRECTOR/BOARD CHAIRPERSON SIGNATURE
Disclaimer: Please note that submission of these forms to the County Youth Bureau does NOT guarantee funding will be allocated to your program.
 Changes have been submitted on the electronic: OCFS-5001, 5002, 5003.

20 JANUARY 2016
TOWN BOARD MEETING

POLICE DEPARTMENT - SUBMISSION OF APPLICATION FOR GRANT FUNDING/PROGRAM ANNUAL ASSESSMENT - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the submission of the 2016 Program Annual Assessment to the New York State Office of Children and Family Services for Youth Bureau Programs, and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

POLICE DEPARTMENT - BID AWARDED FOR DRY CLEANING OF UNIFORMS - TOUCH OF CLASS DRY CLEANING

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for dry cleaning of Police Department uniforms for the Town of Carmel Police Department in fiscal year 2016, and

WHEREAS such bids were received and opened on December 15, 2015; and

WHEREAS Chief of Police Michael Cazzari has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the dry cleaning of Police Department uniforms to Touch of Class Dry Cleaning, 1862 Route Six Carmel, the lowest responsible bidder who met specifications.

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

POLICE DEPARTMENT - BID AWARDED FOR UNIFORMS - NEW ENGLAND UNIFORM - AMENDED 2/24/16

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for Police Department uniforms for the Town of Carmel Police Department in fiscal year 2016, and

WHEREAS such bids were received and opened on December 15, 2015; and

WHEREAS Chief of Police Michael Cazzari has recommended the awarding of the bid as set forth hereafter,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bids for Police Department uniforms to New England Uniform, 356 Main Street, Danbury, CT, the lowest responsible bidder who met specifications, at the following bid prices:

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

- Flying Cross Gore-Tex Public Safety Jacket: \$225.00 each;
- Flying Cross Single Breasted Dress Coat: \$225.00 each;
- Summer Cap 8 point: \$28.00 each;
- Winter Cap 8 point: \$28.00 each;
- Rain Coat: \$90.00 each;
- Summer Shirt: \$48.00 each
- Winter Shirt \$65.00 each;
- Pants Flying Cross Wool Blend \$85.00 each;
- Vertx Tactical Pants \$49.00 each;
- Short Sleeve Vertx Polo \$47.00 each;
- Long Sleeve Vertx Polo \$50.00 each

Resolution

Offered by: Councilman Schneider
 Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

NOTICE REQUIREMENT IN SECTION 64 OF THE NEW YORK STATE ABC LAW WITH RESPECT TO A LIQUOR LICENSE FOR LA CASA BORGHETTI, INC. dba "LA CASA BORGHETTI" - WAIVED

WHEREAS, the representatives and/or proprietors of La Casa Borghetti, Inc., dba "La Casa Borghetti" 62 Gleneida Avenue, Carmel, NY, have advised of the intention to apply for an on-premises liquor license for which thirty days advance notice of such application must be sent to the municipality, and

WHEREAS, the notice required by Article 5 of the ABC Law may be waived by the Town Board, and

WHEREAS, the Town of Carmel Town Board does not intend to comment upon the application referred to herein;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby waives the thirty day notice requirement contained in Article 5 of the Alcoholic and Beverage Control Law, and states that it does not intend to offer any comments regarding said application, for a liquor license at the premises referred to herein; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is hereby authorized to sign a Waiver of Said Notice on behalf of the Town of Carmel.

Resolution

Offered by: Councilman Lombardi
 Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

**OPEN DEVELOPMENT STATUS GRANTED TO THE KX2 ASSOCIATES, LLC
WIXON POND ESTATES SUBDIVISION - TM# 53.20-1-19 - OFFERED AS PRE-
FILED**

WHEREAS the Town of Carmel Planning Board has received an application from KX2 Associates, LLC for a five (5) lot subdivision in which all five lots will not have access to an improved street with a right-of-way width of at least 50 feet; and

WHEREAS the subject parcel, designated as Tax Map #53.20-1-19, is located off of Wixon Pond Road, has an approximate area of 34.95 acres and is located in an R Residential Zoning District, and

WHEREAS the proposed subdivision is shown on a plan prepared by Putnam Engineering, PLLC, and Architectural Visions PLLC, entitled: "Preliminary Subdivision Plat Prepared For Wixon Pond Estates", dated May 11, 2007, last revised April 22, 2014; and

WHEREAS the applicant has represented it is the owner and/or an authorized agent of the record owner and has agreed, on behalf of the owner, to a lot count of five (5) lots in the open development area and to a total of no more than five (5) lots in the entire subdivision and to the establishment of a limitation on any future subdivision of the property as a term and condition of open development; and

WHEREAS the Town of Carmel Planning Board has previously recommended granting of open development to the aforementioned subdivision;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby grants open development status to Lots #1, #2, #3, #4 and #5 in the proposed Putnam Engineering, PLLC, and Architectural Visions PLLC "Preliminary Subdivision Plat Prepared For Wixon Pond Estates" subject to the following terms and conditions:

1. The open development area shall consist of Lots #1, #2, #3, #4 and #5 in the proposed subdivision as shown on a plan prepared by Putnam Engineering, PLLC, and Architectural Visions PLLC, entitled: "Preliminary Subdivision Plat Prepared For Wixon Pond Estates", dated May 11, 2007, last revised April 22, 2014;
2. The maximum number of lots to be established in said open development area shall be five (5). The maximum number of dwelling units to be established in said open development area shall be five (5) single family residence. The maximum number of lots to be established in said subdivision shall be five (5). The maximum number of dwelling units to be established in said subdivision shall be five (5) single family residences.
3. No further subdivision of Lots #1, #2, #3, #4 and #5 shall be permitted.
4. The following notes shall be placed on the map in reference to all lots in the subdivision:
 - a. Lot owners are advised that, according to current school district regulations, school buses will not travel the access driveway servicing the lots in the subdivision.
 - b. The access driveway servicing the subdivision is a private driveway and shall remain so forever. All maintenance and repair including snow plowing is the responsibility of the property owners of the Lots in the subdivision.
 - c. No further subdivision of any lot in the subdivision is permitted.
5. An Easement and Maintenance Agreement for the access driveway in form satisfactory to the Town Counsel shall be filed simultaneously with the final subdivision plat in the Putnam County Clerk's Office.

20 JANUARY 2016
TOWN BOARD MEETING

(Cont.)

6. This Open Development Resolution shall expire two (2) years from the date of enactment if the final subdivision plat has not been approved and signed by the Planning Board and filed in the Putnam County Clerk's Office within that time.
7. The foregoing notes #1 through #5 shall be included on the final subdivision plat and this resolution shall be referenced by date and subject matter in the notes on the final subdivision plat as follows:

"Lots #1, #2, #3, #4 and #5 of this subdivision are subject to the terms, conditions and limitations contained in an Open Development Resolution of the Town Board of the Town of Carmel enacted January 20, 2016."
8. The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots.

Resolution

Offered by: Councilman Lupinacci
 Seconded by: Councilman Schneider

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

PROPOSAL ACCEPTED FOR LANDFILL MONITORING SERVICES - ZION ENVIRONMENTAL, LLC - ANNUAL COST NOT TO EXCEED \$8,200

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Town Engineer Richard J. Franzetti, P.E., hereby authorizes the acceptance of the proposal of Zion Environmental, LLC, Middletown, NY, for Landfill Monitoring Services in and for the Town of Carmel Landfill at an annual cost not to exceed \$8,200 in accordance with the terms of the proposal submitted January 13, 2016; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary contract documentation to effect acceptance of these proposals upon the terms authorized herein.

Resolution

Offered by: Councilwoman McDonough
 Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

TOWN ENGINEER RICHARD J. FRANZETTI, P.E. - ATTENDANCE AT SEMINAR AUTHORIZED - 3/9/16

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Engineer Richard J. Franzetti, P.E. to attend the seminar offered by the New York State Department of Environmental Conservation for Federal Emergency Management Act Levee Training in Pleasant Valley, NY, on March 9, 2016; and

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

Resolution

Offered by: Councilman Schneider

Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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 WATER DISTRICT #3 - OUT OF DISTRICT WATER CONNECTION AUTHORIZED - JENNICK REALTY - TM# 74.11-1-21

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #3, upon the recommendation of Town Engineer Richard J. Franzetti, P.E., hereby authorizes the connection to the Carmel Water District #3 Water Supply for Jennick Realty, Tax Map #74.1-1-21 subject to the following terms and conditions;

- Entry into an out of district user agreement in form acceptable to Town Counsel;
- Payment of back capital charges currently in the amount of \$21,044.94 to Carmel Water District #3;
- Payment of application fees and meter fees;
- Issuance of permit from Town of Carmel Engineering Department;
- Issuance of all permits from any regulatory agencies having jurisdiction.

BE IT FURTHER RESOLVED that upon the satisfaction of all conditions set forth herein, Town Supervisor Kenneth Schmitt is hereby authorized to sign the final approved out-of-district user agreement, as well as any other and further documentation necessary to effect the authorization contained herein.

Resolution

Offered by: Councilman Lombardi

Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

20 JANUARY 2016
TOWN BOARD MEETING

CARMEL SEWER DISTRICT #2 WASTEWATER TREATMENT PLANT - VARIABLE FREQUENCY DRIVE PURCHASE AUTHORIZED - MID-ISLAND ELECTRIC - NOT TO EXCEED \$7,142.85 AND INSTALLATION AUTHORIZED - OWENS ELECTRIC - NOT TO EXCEED \$1,760.00

RESOLVED, that the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation and request of Town of Carmel Town Engineer, Richard J. Franzetti, P.E., hereby authorizes the purchase of a Variable Frequency Drive for one of the process aeration blowers at the Carmel Sewer District #2 Wastewater Treatment Plant, from Mid-Island Electric, Newburgh NY, under NYS Contract # PC67232 at a cost not to exceed \$7,142.85 in accordance with the proposal dated January 7, 2016; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Sewer District #2, and upon the recommendation and request of Town of Carmel Town Engineer, Richard J. Franzetti, P.E., hereby authorizes the installation of said equipment by Owens Electric, Mahopac, NY at a cost not to exceed \$1,760.00; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, the work and installation authorized herein may commence.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Jonathan Schneider	<u>X</u>	<u> </u>
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>

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

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

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Supervisor Schmitt announced that registration is in session at Sycamore Park for the 2016 Recreation and Parks Department winter classes.

Councilman Lupinacci reminded residents that the recycling container for the disposal of electronic waste is no longer located on Route 6N. It is now located at 48 McAlpin Avenue and residents must discontinue dropping off items at the former location.

Supervisor Schmitt added that the hours of operation for e-waste drop-off is from 10:00 a.m. to 2:00 p.m. on Saturdays. A complete list of acceptable and non-acceptable electronics is available on the Town of Carmel's website at www.carmelny.org.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Ann Spofford, Town Clerk