

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 3rd day of February 2016 at 7:05 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, and Supervisor Schmitt. Councilman Lombardi 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 prior to the commencement of the Voting Meeting, the Town Board met in Executive Session at 6:00 p.m. with Vincent Franze, AIA from WMW Architects in connection with a contractual retention matter and then with Police Chief Michael Cazzari to discuss a matter of personnel.

PUBLIC HEARING HELD - 2016 CONTRACTS FOR FIRE PROTECTION AND AMBULANCE SERVICES

Supervisor Schmitt asked the Town Clerk to read the following Notice of Public Hearing as published in the Town’s official newspapers:

<div>LEGAL NOTICE</div> <div>NOTICE OF PUBLIC HEARING</div> <div>NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing on the Fire Protection Contracts and the Ambulance District Contracts for the year 2016, to be held on the 3rd day of February, 2016 at the Town Hall, 60 McAlpin Avenue, Mahopac, New York at 7:00 p.m. or soon thereafter that evening as possible; said contracts to be advertised and posted as follows:</div>	<div>Contractor</div> <div>Mahopac Volunteer Fire Department, Inc.</div> <div>Services</div> <div>Fire Protection-Fire Protection Dist. #2</div> <div>Not to Exceed</div> <div>\$1,200,000</div>	<div>Contractor</div> <div>North Salem Volunteer Ambulance Corps</div> <div>Services</div> <div>Ambulance Services-Carmel Ambulance District #1</div> <div>Not to Exceed</div> <div>\$ 12,800</div>
<div>Contractor</div> <div>Mahopac Falls Volunteer Fire Department, Inc.</div> <div>Services</div> <div>Fire Protection-Fire Protection Dist. #1</div> <div>Not to Exceed</div> <div>\$ 753,460</div>	<div>Contractor</div> <div>Carmel Fire District & Carmel Fire Department, Inc.</div> <div>Services</div> <div>Fire Protection-Fire Protection Dist. #3</div> <div>Not to Exceed</div> <div>\$ 530,000</div>	<div>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.</div>
	<div>Contractor</div> <div>Carmel Volunteer Ambulance Corps</div> <div>Services</div> <div>Ambulance Services-Carmel Ambulance District #1</div> <div>Not to Exceed</div> <div>\$ 110,000</div>	<div>By Order of the Town Board of the Town of Carmel</div> <div>Ann Spofford, Town Clerk</div>

With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:08 p.m. Approximately thirty-four (34) people were in attendance.

With no one present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Schneider, seconded by Councilwoman McDonough, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:08 p.m.

MINUTES OF TOWN BOARD MEETING HELD ON 1/6/16 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilwoman McDonough, seconded by Councilman Schneider, with all members of the Town Board present voting “aye”, the minutes of the Town Board meeting held on January 6th 2016 were accepted as submitted by the Town Clerk.

CARMEL FIRE DEPARTMENT - ADDITIONS TO THE ACTIVE LIST AUTHORIZED

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

Andrea Gutierrez, Carmel, NY
Amanda Jaeschke, Carmel, NY

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

ATTENDANCE AT SEMINAR AUTHORIZED - SUPERVISOR KENNETH SCHMITT, TOWN COMPTROLLER MARY ANN MAXWELL AND SENIOR ACCOUNT CLERK MICHELLE TENEFRANCIA - 4/5/16 THROUGH 4/8/16

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town of Carmel Supervisor Kenneth Schmitt, Town Comptroller Mary Ann Maxwell and Senior Account Clerk Michelle Tenefrancia to attend the 2016 New York State GFOA Annual Conference in Albany, NY, April 5, 2016 through April 8, 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 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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

CARMEL FIRE PROTECTION DISTRICTS #1, #2 AND #3 - ENTRY INTO CONTRACTS WITH PENFLEX INC. FOR 2016 SERVICE AWARD PROGRAM ADMINISTRATION - AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of Carmel Fire Protection Districts #1, #2 and #3, hereby authorizes entry into Service Award Program Service Agreements with Penflex Inc., of Latham, NY for administration services for the Fire Protection District Service Award Programs for 2016 as contained within the proposal of September 1, 2015 which is attached hereto and made a part hereof, at estimated costs of \$6,000.00 for Fire Protection District #1; \$6,700.00 for Fire Protection District #2 and \$5,400.00 for Fire Protection District #3; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation required to effect this authorization on the terms set forth herein.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

(Cont.)

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

Penflex, Inc. 11/1/2015-10/31/2016 Service Fee Agreement
TOWN OF CARMEL
CARMEL FIRE PROTECTION DISTRICT NO. 1
SERVICE AWARD PROGRAM

Standard Services Fee Schedule

Base Fee: \$3,550, \$100 change from 2014
Per-Participant Fee: \$17, \$0 change from 2014
Payment certification and trustee directive letters: \$75 per letter, \$0 change from 2014
Total Estimated Standard and Distribution Services Fees: \$6,000

Optional Services Fee Schedule

PLEASE CHECK ONE BOX:

- ☐ COMPLETE the 'LOSAP Audit Package' for a fee of \$495.
Auditing Firm: _____
Contact Name: _____
Email Address: _____
Please note: the LOSAP Audit Package does not satisfy the LOSAP audit requirement, but it assists the accounting firm performing the audit.
- ☐ DO NOT COMPLETE the 'LOSAP Audit Package' and bill us for the cost of Penflex services for preparing and communicating information we direct you to prepare and forward to the accounting firm which will audit our Service Award Program.

All other services are optional and are billed only when requested. Please call for fee estimates and purchase order arrangements. Optional services include additional client meetings, drafting of special correspondence and documents, and performing actuarial cost estimate calculations.

To authorize Penflex, Inc. to begin providing these services in accordance with this fee schedule, please have the Town Supervisor sign and return this Service Fee Agreement. Keep a copy for your records.

Supervisor
Town of Carmel

Edward J. Holohan
Edward J. Holohan, ASA
President, Penflex, Inc.

PENFLEX, INC.

SERVICE AWARD PROGRAM STANDARD SERVICES

1. For each Service Award Program participant (including the persons who are being paid monthly Service Awards), prepare an annual Service Award Program individual participant statement.
2. Prepare for the record and for audit purposes an annual Service Award Program report which:

a. shows and completely documents the calculation of the annual Program cost.

b. accounts for changes in the Program's assets.

c. by individual volunteer, lists their earned Service Awards, death and disability benefits, (defined benefit plans) or accounts for changes in their Program accounts (defined contribution plans).

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

- d. summarizes the major provisions of the Program.
- e. lists current payment recipients.
- f. includes a service credit listing for current participants.
- g. includes a written description of the actuarial methods and assumptions used to calculate the annual program costs (defined benefit plans).
- h. For members of the Sponsor's Governing Board or Officials, prepare:
 - i. "Fact Sheet" which includes current year important information about their Service Award Program.
 - ii. "Special Commentary" correspondence which alerts officials about emerging issues or problems and/or which explains changes in the Program (such as an increase in Program funding costs).
- 3. Meet (one meeting) upon request, first with officials and then with volunteers to review the Service Award Program Annual Report, to answer questions from volunteers about their annual Service Award Program statements and to update officials and the volunteers on Service Award Program related legislation and on their own Program.
- 4. Provide forms and instructions to enroll new volunteers, change beneficiaries, file for benefit payments, etc.
- 5. At year-end, provide written instructions about how to prepare the required certified listings to be approved by the Sponsor's Governing Board and fire company officials and posted by the fire company and to be sent to Penflex, Inc.
- 6. Project the Service Award Program cash flow needs in order to plan and formulate investment strategy.
- 7. Prepare written notification/explanation to be sent to persons who cease to participate in the Service Award Program.
- 8. During normal business hours, have trained staff available to answer questions from officials and designated client contact persons.
- 9. Throughout the year, receive, review and reconcile financial statements from custodian and/or investment and/or insurance providers.
- 10. Process Service Award Payment applications, certify payment amounts and eligibility, prepare payment directives and communicate directly with the payment recipient and/or custodian and/or paying agent when necessary.
- 11. Answer routine questions from client's auditors about the Service Award Program and the annual report.
- 12. When required, prepare vouchers for payments to the Service Award Program Trust Fund.

Penflex, Inc.

Penflex, Inc. 11/1/2015-10/31/2016 Service Fee Agreement
TOWN OF CARMEL
CARMEL FIRE PROTECTION DISTRICT NO. 2
SERVICE AWARD PROGRAM

Standard Services Fee Schedule

Base Fee: \$3,550, \$100 change from 2014
Per-Participant Fee: \$17, \$0 change from 2014
Payment certification and trustee directive letters: \$75 per letter, \$0 change from 2014
Total Estimated Standard and Distribution Services Fees: \$6,700

Optional Services Fee Schedule

PLEASE CHECK ONE BOX:

- ☐ COMPLETE the 'LOSAP Audit Package' for a fee of \$495.
Auditing Firm: _____
Contact Name: _____
Email Address: _____
Please note: the LOSAP Audit Package does not satisfy the LOSAP audit requirement, but it assists the accounting firm performing the audit.
- ☐ DO NOT COMPLETE the 'LOSAP Audit Package' and bill us for the cost of Penflex services for preparing and communicating information we direct you to prepare and forward to the accounting firm which will audit our Service Award Program.

**3 FEBRUARY 2016
TOWN BOARD MEETING**

(Cont.)

All other services are optional and are billed only when requested. Please call for fee estimates and purchase order arrangements. Optional services include additional client meetings, drafting of special correspondence and documents, and performing actuarial cost estimate calculations.

To authorize Penflex, Inc. to begin providing these services in accordance with this fee schedule, please have the Town Supervisor sign and return this Service Fee Agreement. Keep a copy for your records.

Supervisor
Town of Carmel

Edward J. Holohan
Edward J. Holohan, ASA
President, Penflex, Inc.

PENFLEX, INC.

SERVICE AWARD PROGRAM STANDARD SERVICES

1. For each Service Award Program participant (including the persons who are being paid monthly Service Awards), prepare an annual Service Award Program individual participant statement.
2. Prepare for the record and for audit purposes an annual Service Award Program report which:
 - a. shows and completely documents the calculation of the annual Program cost.
 - b. accounts for changes in the Program's assets.
 - c. by individual volunteer, lists their earned Service Awards, death and disability benefits, (defined benefit plans) or accounts for changes in their Program accounts (defined contribution plans).
 - d. summarizes the major provisions of the Program.
 - e. lists current payment recipients.
 - f. includes a service credit listing for current participants.
 - g. includes a written description of the actuarial methods and assumptions used to calculate the annual program costs (defined benefit plans).
 - h. For members of the Sponsor's Governing Board or Officials, prepare:
 - i. "Fact Sheet" which includes current year important information about their Service Award Program.
 - ii. "Special Commentary" correspondence which alerts officials about emerging issues or problems and/or which explains changes in the Program (such as an increase in Program funding costs).
3. Meet (one meeting) upon request, first with officials and then with volunteers to review the Service Award Program Annual Report, to answer questions from volunteers about their annual Service Award Program statements and to update officials and the volunteers on Service Award Program related legislation and on their own Program.
4. Provide forms and instructions to enroll new volunteers, change beneficiaries, file for benefit payments, etc.
5. At year-end, provide written instructions about how to prepare the required certified listings to be approved by the Sponsor's Governing Board and fire company officials and posted by the fire company and to be sent to Penflex, Inc.
6. Project the Service Award Program cash flow needs in order to plan and formulate investment strategy.
7. Prepare written notification/explanation to be sent to persons who cease to participate in the Service Award Program.
8. During normal business hours, have trained staff available to answer questions from officials and designated client contact persons.
9. Throughout the year, receive, review and reconcile financial statements from custodian and/or investment and/or insurance providers.
10. Process Service Award Payment applications, certify payment amounts and eligibility, prepare payment directives and communicate directly with the payment recipient and/or custodian and/or paying agent when necessary.
11. Answer routine questions from client's auditors about the Service Award Program and the annual report.
12. When required, prepare vouchers for payments to the Service Award Program Trust Fund.

Penflex, Inc.

**3 FEBRUARY 2016
TOWN BOARD MEETING**

(Cont.)

**Penflex, Inc. 11/1/2015-10/31/2016 Service Fee Agreement
TOWN OF CARMEL
CARMEL FIRE PROTECTION DISTRICT NO. 3
SERVICE AWARD PROGRAM**

Standard Services Fee Schedule

Base Fee: \$3,550, \$100 change from 2014

Per-Participant Fee: \$17, \$0 change from 2014

Payment certification and trustee directive letters: \$75 per letter, \$0 change from 2014

Total Estimated Standard and Distribution Services Fees: \$5,400

Optional Services Fee Schedule

PLEASE CHECK ONE BOX:

- ☐ COMPLETE the 'LOSAP Audit Package' for a fee of \$495.
 Auditing Firm: _____
 Contact Name: _____
 Email Address: _____
 Please note: the LOSAP Audit Package does not satisfy the LOSAP audit requirement, but it assists the accounting firm performing the audit.
- ☐ DO NOT COMPLETE the 'LOSAP Audit Package' and bill us for the cost of Penflex services for preparing and communicating information we direct you to prepare and forward to the accounting firm which will audit our Service Award Program.

All other services are optional and are billed only when requested. Please call for fee estimates and purchase order arrangements. Optional services include additional client meetings, drafting of special correspondence and documents, and performing actuarial cost estimate calculations.

To authorize Penflex, Inc. to begin providing these services in accordance with this fee schedule, please have the Town Supervisor sign and return this Service Fee Agreement. Keep a copy for your records.

 Supervisor
 Town of Carmel

Edward J. Holohan
 Edward J. Holohan, ASA
 President, Penflex, Inc.

PENFLEX, INC.

SERVICE AWARD PROGRAM STANDARD SERVICES

1. For each Service Award Program participant (including the persons who are being paid monthly Service Awards), prepare an annual Service Award Program individual participant statement.
2. Prepare for the record and for audit purposes an annual Service Award Program report which:
 - a. shows and completely documents the calculation of the annual Program cost.
 - b. accounts for changes in the Program's assets.
 - c. by individual volunteer, lists their earned Service Awards, death and disability benefits, (defined benefit plans) or accounts for changes in their Program accounts (defined contribution plans).
 - d. summarizes the major provisions of the Program.
 - e. lists current payment recipients.
 - f. includes a service credit listing for current participants.
 - g. includes a written description of the actuarial methods and assumptions used to calculate the annual program costs (defined benefit plans).
 - h. For members of the Sponsor's Governing Board or Officials, prepare:
 - i. "Fact Sheet" which includes current year important information about their Service Award Program.
 - ii. "Special Commentary" correspondence which alerts officials about emerging issues or problems and/or which explains changes in the Program (such as an increase in Program funding costs).

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

- 3. Meet (one meeting) upon request, first with officials and then with volunteers to review the Service Award Program Annual Report, to answer questions from volunteers about their annual Service Award Program statements and to update officials and the volunteers on Service Award Program related legislation and on their own Program.
- 4. Provide forms and instructions to enroll new volunteers, change beneficiaries, file for benefit payments, etc.
- 5. At year-end, provide written instructions about how to prepare the required certified listings to be approved by the Sponsor's Governing Board and fire company officials and posted by the fire company and to be sent to Penflex, Inc.
- 6. Project the Service Award Program cash flow needs in order to plan and formulate investment strategy.
- 7. Prepare written notification/explanation to be sent to persons who cease to participate in the Service Award Program.
- 8. During normal business hours, have trained staff available to answer questions from officials and designated client contact persons.
- 9. Throughout the year, receive, review and reconcile financial statements from custodian and/or investment and/or insurance providers.
- 10. Process Service Award Payment applications, certify payment amounts and eligibility, prepare payment directives and communicate directly with the payment recipient and/or custodian and/or paying agent when necessary.
- 11. Answer routine questions from client's auditors about the Service Award Program and the annual report.
- 12. When required, prepare vouchers for payments to the Service Award Program Trust Fund.

Penflex, Inc.

PUBLIC HEARING SCHEDULED FOR 2/24/16 - PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE TOWN CODE OF THE TOWN OF CARMEL, ENTITLED "VEHICLE AND TRAFFIC"

RESOLVED, that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing, to be held on the 24th day of February, 2016 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Town Code of the Town of Carmel, entitled "Vehicle and Traffic"; 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> </u>	<u> </u> Absent
Kenneth Schmitt	<u>X</u>	<u> </u>

**PROPOSED LOCAL LAW # OF THE YEAR 2016
A Local Law to Amend the Code of the Town of Carmel,
Chapter 147, thereof, entitled "Vehicle and Traffic."**

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

SECTION 1 Chapter 147 of the Code of the Town of Carmel, Section 147-51. Schedule X, Parking Prohibited at All Times is hereby amended by the addition of the following:

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

Name of Street	Side	Location
Kings Ridge Road	N/A	Entire Circumference of Cul-de-sac

SECTION 2 - 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 3 - 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 4 - 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.

POLICE DEPARTMENT - PURCHASE OF AMMUNITION AUTHORIZED - EAGLE POINT GUN/J.T. MORRIS & SON - NOT TO EXCEED \$16,834.90

RESOLVED that the Town Board of the Town of Carmel upon the recommendation of Town of Carmel Chief of Police Michael Cazzari, hereby authorizes the purchase of the Town of Carmel Police Department 2016 Ammunition Order from Eagle Point Gun/J.T. Morris & Son, Thorofare, NJ, NY State Bid #22641 at a cost not to exceed \$16,834.90, in accordance with the proposal dated September 30, 2015; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is authorized to sign all necessary documents required to effect the purchase on the terms authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller MaryAnn Maxwell is hereby authorized to make any necessary budget modifications required to fund the purchase authorized hereunder.

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> </u>	<u> </u> Absent
Kenneth Schmitt	<u>X</u>	<u> </u>

PROPOSAL ACCEPTED AND PURCHASE OF TWO POLICE VEHICLES AUTHORIZED - 2016 DODGE CHARGER ALL WHEEL DRIVE LDEE48 FROM ROBERT GREEN TRUCK DIVISION - AGGREGATE COST NOT TO EXCEED \$74,401.92 AND INSTALLATION OF MOBILE DATA TERMINALS AUTHORIZED - ISLAND TECH SERVICES - NOT TO EXCEED \$14,225.90

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Chief of Police Michael Cazzari, hereby authorizes the purchase of two (2) 2016 Dodge Charger All Wheel Drive LDEE48 Police Vehicles

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

from Robert Green Truck Division, Rock Hill, NY, Oneida County Statewide Piggy Back Bid #1777 at an aggregate cost not to exceed \$74,401.92; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel upon the recommendation of Town of Carmel Chief of Police Michael Cazzari, hereby authorizes the acceptance of the proposal of Island Tech Services, Brookhaven, NY for the purchase and installation of mobile data terminals and accessories for the two (2) purchased vehicles authorized herein at a cost not to exceed \$14,225.90, in accordance with the proposal dated November 12, 2014; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is authorized to sign all necessary documents required to effect the purchase on the terms authorized herein; and

BE IT FURTHER RESOLVED, that Town Comptroller MaryAnn Maxwell is hereby authorized to make any necessary budget modifications required to fund the purchase authorized hereunder.

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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

POLICE DEPARTMENT - 2015 REPAIR OF POLICE VEHICLE AUTHORIZED - STATELINE AUTO BODY - NOT TO EXCEED \$8,958.33

RESOLVED that the Town Board of the Town of Carmel upon the recommendation of Town of Carmel Chief of Police Michael Cazzari, hereby authorizes payment for the repair of 2013 Chevrolet Caprice Police Vehicle by Stateline Auto Body, Brewster, NY at a cost not to exceed \$8,958.33, in accordance with the proposal dated December 4, 2015; and

BE IT FURTHER RESOLVED, that Town Comptroller MaryAnn Maxwell is hereby authorized to make any necessary budget modifications required to fund the purchase authorized hereunder.

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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

BUILDING DEPARTMENT - RETURN OF COPYING FEE AUTHORIZED - JAMES O'HAGAN - TM# 77.17-1-22 - \$70.00

RESOLVED that the Town Board of the Town of Carmel upon the recommendation of Town of Carmel Director of Codes Enforcement Michael Carnazza hereby authorizes refund of the sum of \$70.00 to for building plans produced for TM# 77.17-1-22 to James O'Hagan, Carmel, New York.

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

**PLANNING BOARD - PROPOSAL OF ARCHITECTURAL DESIGN CONSULTANT
ACCEPTED - WARSHAUER MELLUSI WARSHAUER ARCHITECTS, PC**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, P.E. hereby authorizes acceptance of the proposal of Warshauer Mellusi Warshauer Architects, PC for the performance of Architectural Consulting Services to the Town of Carmel Planning Board upon the terms set forth within the proposal dated January 15, 2016, a copy of which is on file in the Town Supervisor's Office; 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 this proposal 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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt stated that the architectural firm is being retained at the request of the Planning Board and will take over the duties of the former Architectural Review Board. The cost for the services is included in the 2016 Budget at \$25,000.00.

**PUBLIC HEARING SCHEDULED FOR 2/24/16 - CARMEL SEWER DISTRICT #7
INCREASE AND IMPROVEMENT IN THE FACILITIES - REPLACEMENT OF THE
ROOF AT THE TREATMENT PLANT - MAXIMUM ESTIMATED COST OF
\$203,872.00 - OFFERED AS PARAPHRASED, PRE-FILED AND AMENDED**

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 Carmel Sewer District No. 7, in the Town of Carmel, Putnam County, New York (the "Sewer District"), being the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$203,872; and

WHEREAS, said capital project has been hereby determined to be a Type II Action pursuant to 6 NYCRR 617.5, 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, such regulations provide will not result in any significant adverse environmental effects and the documentation relating to SEQRA is available in the office of the Town Clerk for inspection during normal office hours; and

3 FEBRUARY 2016
TOWN BOARD MEETING

(Cont.)

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, 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:

Section 1. A public hearing will be held in the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, in said Town, on February 24, 2016, 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. 7 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 newspaper, 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: 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> </u>	<u> </u>	Absent
Kenneth Schmitt	<u>X</u>	<u> </u>	

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 in the Town Hall, in Mahopac, New York, in said Town, on February 24, 2016, at 7:00 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. 7, in said Town, being the replacement of the roof at the Treatment Plant, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$203,872.

This project has been determined to be a Type II Action under the regulations promulgated under the State Environmental Quality Review Act ("SEQRA") and SEQRA compliance materials, are available for inspection at the Office of the Town Clerk where they may be inspected during normal business hours.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Mahopac, New York,
February _____, 2016.

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

Town Clerk

Prior to the roll call vote, the resolution was amended to reflect that the time of the Public Hearing will be 7:00 o'clock P.M.

**3 FEBRUARY 2016
TOWN BOARD MEETING****PUBLIC COMMENTS - AGENDA ITEMS**

Robert Buckley inquired if the five contracts for fire protection and ambulance services referenced at the Public Hearing held earlier in the meeting are complete and ready to be signed.

Supervisor Schmitt replied that they are not.

Gregory Folchetti, Legal Counsel explained that typically after a Public Hearing is closed and comments taken, there will be a resolution adopted at a future meeting date authorizing the actual entry into the contracts.

Mr. Buckley indicated that he thought that there would be a conversation with regard to the terms of the contracts at tonight's Public Hearing. He inquired if there will be another Public Hearing on the contracts when they are finalized or if there will be a vote taken without affording the public the opportunity for discussion.

Mr. Folchetti explained that the proposed contracts in their form as tendered for voting will be part of the backup materials for a Town Board meeting and available to the public for review as well as comment at that meeting.

Mr. Buckley noted that the public will be allowed to comment at the end of the meeting, only after the Town Board has voted on the contracts. He remarked that public comment after the vote is taken would be a waste of time and that the Public Hearing should have been postponed until the contracts were in hand. Discussion ensued with regard to the matter.

Councilman Lupinacci concluded that the contracts can be included as an agenda item on a Work Session prior to the Town Board meeting when the actual vote will be taken, thereby giving the public another opportunity to comment.

Mr. Buckley asked if all of the fire protection and ambulance services providers are without a contract since January 1st and if this is a yearly occurrence.

Supervisor Schmitt confirmed that it was and added that their payment is issued by the Town in March.

Jennifer Colamonico asked with regard to the contracts, that the Town Board speak about any proposed changes to the contracts that would improve accountability and transparency.

Councilman Lupinacci stated that although he personally would have no issue with negotiating in public, if the Town Board were to go line by line through the contracts, that is what they would be doing.

Ms. Colamonico stated that she is not necessarily asking that the Town Board negotiate publically. However in light of recent circumstances, inquired how they are approaching the contracts differently.

Councilwoman McDonough explained that they are meeting with certain fire department personnel and their attorney to review the contract to an extent not done so in the past. With regard to an earlier comment by Mr. Buckley, she stated that discussion will be held concerning the possibility of having the contracts signed in December so that on January 1st they have a contract.

Councilman Lupinacci added that during the negotiations, additional types of audits as well as the implementation of additional training were requested. He stated that he supported the creation of a fire district "on paper" via a contract that would emulate a fire district's obligations under State Law.

**3 FEBRUARY 2016
TOWN BOARD MEETING**

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 Police Department personnel matter that was discussed in Executive Session prior to the start of the regular meeting.

Supervisor Schmitt stated that Police Chief Cazzari brought in a police officer candidate for an interview with the Town Board. He added that an interview will be held for a second officer in the upcoming weeks. Discussion was held regarding the matter.

Mr. Barile inquired about the status of the contract negotiations for the Police Department and the Highway Department and went on to express his frustration with regard to the length of time it is taking to ratify their contracts. He suggested that the public should be made aware of the major points of the negotiations.

Councilman Lupinacci stated that he did not think that there was any harm in negotiating in public and that he supported posting the union contracts on the Town's website. He felt that the negotiations have stalled, pointing out that a submittal to the Town by the PBA was not exactly in line with their verbal discussion and that the PBA filed a grievance in connection with the Town's agreement with the Putnam County Sheriff's Department and the New York State Police to provide patrol services. He spoke regarding the Police Department's rising budget and concluded that the Town Board is looking to mitigate the costs associated with the Police, not eliminate the Department.

Mr. Barile commented that the Highway Department should not be without a contract for five years.

Councilman Schneider explained that apparently there was a break in communication between the IBTA and their legal counsel. Attempts are being made to resolve the issue.

Mr. Barile inquired if anyone had followed up on the suggestion that he made at the Public Hearing in connection with the 2016 Budget; to ask the Engineering Consultant for the cost to provide one of his staff at Town Hall to replace the Town Engineer. Mr. Barile indicated that there is currently a duplication of services and that his recommendation would provide a significant savings to the Town.

Jack Coxen cited a comment made by a Town Board member at a previous meeting lamenting the decrease in mortgage tax revenue and in response to the comment, Mr. Coxen read from a recent newspaper article indicating that there is an increase in recent home sales which would thereby result in a rise in mortgage tax revenue.

Mr. Coxen went on to speak in support of achieving accreditation from the New York State Division of Criminal Justice Services (DCJS) for the Carmel Police Department for the purpose of providing the Town's citizens with the most professional police services that are available.

Mr. Coxen spoke regarding a newspaper article concerning the recent decision that was made to discontinue the police consolidation study and suggested that DCJS will provide a professional study with respect to police services without cost.

Mr. Coxen then commented that as a strong advocate for the Police Department, a well-resourced Police Department in both staffing and infrastructure is required by a town of this size and that an objective look should be taken comparing the Town of Carmel's Police Department with other municipalities in connection with staffing and infrastructure.

**3 FEBRUARY 2016
TOWN BOARD MEETING**

(Cont.)

Councilman Lupinacci cautioned that although mortgage tax revenue is increasing slightly, the economy is still stagnant.

Supervisor Schmitt agreed that the Police Department has grown out of its facility but to remedy the situation would come at a tremendous cost. Discussion ensued.

Robert Buckley, as Chairman of the Recreation and Parks Committee spoke regarding the recent improvements to Camarda Park as well as the Airport Park and acknowledged the Engineering Department for their assistance in relation therewith. As a former union president Mr. Buckley expressed his opposition of negotiating union contracts in a public forum.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilwoman McDonough announced that the Putnam Arts Council in partnership with Mahopac High School's Friends of Music will be presenting "An Evening of Cuban Jazz" featuring the Oriente Lopez Quintet and guest artists from the Mahopac High School music program. The concert will be held at Mahopac High School on February 17, 2016 at 7:00 p.m., with a snow date of February 18, 2016. Concessions and partial proceeds will benefit the Friends of Music.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lupinacci, seconded by Councilman Schneider, with all Town Board members present in agreement, the meeting was adjourned at 8:01 p.m. to Executive Session for an update from Police Chief Michael Cazzari on the Putnam County Sheriff's Office / New York State Police / Carmel Police Department Initiative and to discuss a matter of personnel. The Town Board will also meet with Richard Franzetti, P.E., Town Engineer, John Folchetti, P.E., Engineering Consultant, and Victor Cornelius, grant writer from Endeavor Municipal Development, Inc. to consider proposals that he has submitted for financial development services.

Respectfully submitted,

Ann Spofford, Town Clerk