

29 SEPTEMBER 2010

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 29th day of September 2010 at 7:10 p.m. at Town Hall, 60 McAlpin Avenue, Mahopac, New York. Members of the Town Board present by roll call were: Councilman Ravallo, Councilman Lombardi, Councilwoman McDonough, Councilman DiCarlo, and Supervisor Schmitt.

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

**SUBSTITUTION OF COLLATERAL IN CONNECTION WITH PERFORMANCE BOND
AUTHORIZED - NICHOLAS LUPINACCI - "LUPI CAR WASH" - TM #75.19-1-10**

WHEREAS a performance bond in the amount of \$148,240.00 was previously posted by Nicholas Lupinacci ("Applicant") in accordance with the Land Subdivision and/or Zoning Regulations for Tax Map #75.19-1-10, and with respect to the Site Plan entitled "Lupi Car Wash" last revised May 28, 2010 and

WHEREAS the Applicant has submitted a new letter of credit no. 530000261 in the amount of \$148,240.00 issued by Mahopac National Bank in form and content which has been approved by the Planning Board attorney; and

WHEREAS the Applicant has requested that the Mahopac National Bank Letter of Credit no. 530000261 be substituted as collateral for the completion of the approved site improvements;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the substitution of the Mahopac National Bank Letter of Credit no. 530000261, as collateral for the completion of the site improvements in the Lupi Car Wash site plan; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby authorizes the release previous cash bond for the site previously posted by Nicholas Lupinacci in connection therewith upon the filing of said Mahopac National Bank Letter of Credit no. 530000261 in the office of the Town Clerk.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilmen DiCarlo and Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

**STIPULATION OF AGREEMENT WITH THE TOWN OF CARMEL POLICE
BENEVOLENT ASSOCIATION, INC. REGARDING SPECIAL CONDITIONS UNIT -
RATIFIED**

RESOLVED, that the Town Board of the Town of Carmel authorizes entry into stipulation of agreement with the Town of Carmel Police Benevolent Association, Inc., concerning the Special Conditions Unit within the Town of Carmel Police Department, such stipulation to be in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Kenneth Schmitt, Town Supervisor is hereby authorized to execute the aforesaid stipulation and any and all other necessary documentation required in connection therewith.

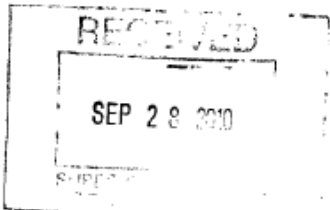
Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman DiCarlo

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(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u> </u>
Frank Lombardi	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Anthony DiCarlo	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>



STIPULATION OF AGREEMENT

IT IS HEREBY AGREED by and between the Town of Carmel (hereinafter
“Town”) and the Town of Carmel Police Benevolent Association, Inc. (hereinafter
“PBA”) as follows:

1. The PBA recognizes that the Town, through it Chief of Police shall assign patrol officer(s) to the Special Conditions Unit and to remove such patrol officer(s) from that assignment. Prior to the removal of the patrol officer(s) from the assignment, the patrol officer(s) and his/her union representative shall be afforded the opportunity to be heard by the Town Board.
2. The Town and the PBA agree that the annual stipend for any officer(s) assigned to the Special Conditions Unit shall be Two Thousand (\$2,000) Dollars, payable in bi-annual installments of \$1,000 (July and December of each year).
3. The Town and the PBA agree that patrol officer(s) who are assigned to the Special Conditions Unit shall receive an annual clothing allowance in the amount of Six Hundred and Fifty (\$650) Dollars, which shall be paid in January of each year following the assignment to the Special Conditions Unit.
4. The Town and the PBA agree that the annual stipend and the annual clothing allowance shall be pro rated for the 2010 calendar year.

IN WITNESS WHEREOF, this Stipulation has been entered into by and between the parties.

Dates: _____, 2010

TOWN OF CARMEL

By: _____
Kenneth Schmitt, Supervisor

TOWN OF CARMEL POLICE BENEVOLENT ASSOCIATION, INC.

By:  _____
John Dearman, President

PUBLIC COMMENTS

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

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Ravallo, seconded by Councilman DiCarlo, with all Town Board members present and in agreement, the meeting was adjourned at 7:14 p.m. to the previously scheduled Special Work Session.

Respectfully submitted,

Ann Garris, Town Clerk