

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 22<sup>nd</sup> day of March 2017 at 7:14 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 as well as for the victims of the recent terrorist attack in London.

Supervisor Schmitt announced that prior to the commencement of the Voting Meeting, the Town Board met in Executive Session at 6:15 p.m. with Glenn Droese, Town Assessor regarding a contractual matter.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 2/15/17, 2/22/17 AND 3/1/17 - ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lombardi, seconded by Councilman Schneider and Councilman Lupinacci, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on February 15<sup>th</sup>, February 22<sup>nd</sup> and March 1<sup>st</sup>, 2017 were accepted as submitted by the Town Clerk.

**PUBLIC HEARING RESCHEDULED TO 4/12/17 - PROPOSED LOCAL LAW AMENDING THE CODE OF THE TOWN OF CARMEL, CHAPTER 156 HEREOF, ENTITLED "ZONING" - COOPS AND ATTACHED RUNS FOR CHICKENS**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, April 12, 2017 at 7:00 p.m. or as soon thereafter that evening as possible on a proposed Local Law amending Chapter 156 of the Code of the Town of Carmel, entitled "Zoning" by the addition of Section 156-39.5 Entitled “Coops and Attached Runs for Chickens”; 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 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>

TOWN OF CARMEL  
PROPOSED LOCAL LAW \_\_\_\_ OF THE YEAR 2017  
A LOCAL LAW AMENDING THE CODE OF THE TOWN OF CARMEL, CHAPTER 156  
HEREOF, ENTITLED "ZONING"

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

SECTION 1: PURPOSE

The purpose of this local law is to amend the Town Code to allow the ownership and housing of chickens as a permitted accessory use under Chapter 156 of the Town Code of the Town of Carmel Entitled “Zoning”.

(Cont.)

SECTION 2: AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, § 10 of the New York State Municipal Home Rule Law.

SECTION 3: AMENDMENT OF CHAPTER 156

The Town Code of the Town of Carmel is hereby amended by the amendment of Chapter 156 entitled "Zoning" is hereby amended to add §156-39.5 which shall read as follows:

§ 156-39.5 Coops and Attached Runs for Chickens.

Definitions:

Coop: a cage or pen designed to contain or house chickens and shall contain all of the following components:

- Nesting place for each chicken to lay eggs (at least four inches deep)
- Elevated Roost or Perch area for chickens to sleep
- Ventilation
- Insulation to prevent drafts & dampness
- Accessibility to eggs and ability to clean out properly

Run: a fenced or fully enclosed area attached to or encompassing a chicken coop in which chickens are allowed to run around and peck.

- A. A coop for housing chickens and an attached run shall be permitted as an accessory use. The combined square footage of the coop/run area should allow at least four square feet for each chicken being kept in the area. Roosters are prohibited.
- B. No coop or run shall be located on a lot having less than half an acre in area and may only house six chickens per half acre.
- C. Coops and runs may not be located in any front yard as defined in this chapter. Coops and runs shall be situated completely in a side or rear yard, at least 15 feet from all rear and side property lines.
- D. All coops and runs must be kept clean neat and free of debris and be in compliance with all state and local laws pertaining to animals generally.
- E. All coops and any attached run shall be screened from view at ground level from adjacent lots by using 4 ft. to 6 ft. fencing, landscaping, or a combination thereof and the screening must be present throughout the year. i.e. evergreen landscaping
- F. All feed shall be kept in rodent-proof containers.
- G. All chickens will be contained in coops and runs unless property size is in excess of three acres.
- H. Penalties for offenses.
  1. Any complaint received by the building department or police department pursuant to this chapter pertaining to the cleanliness or sanitary condition of the run/coop may be referred to the Putnam County SPCA for investigation and who is hereby empowered to enforce any and all violations of this code.

(Cont.)

2. Any person or entity that shall violate any of the provisions of this chapter shall be guilty of a violation and shall be punished as follows:
- (1) For a first offense: by a fine not to exceed \$50.
  - (2) For a second offense: by a fine not to exceed \$100.
  - (3) For a third offense or any subsequent offenses: by a fine not to exceed \$200 or removal of chickens, coop, and run from said premises, or by both such fine and cessation of use.
  - (4) Each violation of any provision of this chapter and each week that each such violation shall continue shall be deemed to be a separate and distinct offense.
  - (5) In addition to the above provided penalties and punishment, the Town may also maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation of this chapter.

SECTION 4 - HOME RULE

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

SECTION 5 - SEVERABILITY

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

SECTION 6 – EFFECTIVE DATE

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

**RESOLUTION FROM 2/1/17 AMENDED - ADVERTISING FOR BIDS AUTHORIZED - HIGHWAY DEPARTMENT - THREE (3) FORD F-350 4X4 PICKUP TRUCKS WITH ALUMINUM UTILITY BODIES, EQUIPPED WITH 9 FT. FISHER SNOW PLOWS**

RESOLVED that the Town Board of the Town of Carmel, pursuant to the request of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes Town Clerk Ann Spofford to advertise for bids for purchase and acquisition of Town of Carmel Highway Department vehicles and equipment consisting of Three (3) Ford F-350 4X4 pickup trucks with aluminum utility bodies, equipped with 9 Ft. Fisher snow plows;

BE IT FURTHER RESOLVED that the Highway Superintendent is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

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>

22 MARCH 2017  
TOWN BOARD MEETING

**LAKE CASSE PARK DISTRICT NEWSLETTER MAILING - AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, acting as the Commissioners of the Lake Casse Park District, hereby authorizes the mailing of the February 2017 quarterly newsletter, Volume 2 - Issue 4 as prepared by the Lake Casse Park District Committee to all properties within the district and further directs that the cost thereof be charged as a district expense.

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 - PURCHASE OF TWO (2) FISHER 2.5 CUBIC YARD POLY-CASTER SANDER UNITS AUTHORIZED - HUDSON RIVER TRUCK & TRAILER - \$11,690.00**

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the purchase of Two (2) Fisher 2.5 cubic yard Poly-Caster Sander units from Hudson River Truck & Trailer, Poughkeepsie, NY at an aggregate cost of \$11,690.00; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt and/or Highway Superintendent Michael Simone are hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller, Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

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 - PURCHASE OF TWO (2) 2017 FORD F-550 4X4 CHASSIS WITH DUMP BODY AND SNOWPLOW PACKAGES AUTHORIZED - VANBORTEL FORD - NOT TO EXCEED \$115,057.42**

RESOLVED THAT the Town Board of the Town of Carmel, pursuant to the previous authorization to solicit bids dated February 1, 2017, and upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the purchase of Two (2) 2017 Ford F-550 4x4 Chassis with Dump Body and Snowplow Package from VanBortel Ford, Rochester, NY, under Onondaga Bid Award Contract #7974 at an aggregate cost not to exceed \$115,057.42 (\$57,528.71 per unit) and in accordance with the proposal/quote dated February 17, 2017; and

22 MARCH 2017  
TOWN BOARD MEETING

(Cont.)

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt and/or Highway Superintendent Michael Simone are hereby authorized to sign any and all documentation necessary to accept the proposal and authorize the actions contained herein; and

BE IT FURTHER RESOLVED, that Town Comptroller, Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

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 OF 2015 REPAIR INVOICE AUTHORIZED - GABRIELLI TRUCK SALES LTD - NOT EXCEED \$10,170.75**

RESOLVED THAT the Town Board of the Town of Carmel, pursuant to the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the payment of Gabrielli Truck Sales Ltd., Bronx, NY invoice no. 977600B dated March 4, 2015 in the amount not exceed \$10,170.75; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

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>

**LAKE CASSE PARK DISTRICT - PURCHASE OF AERATOR AND FOUNTAIN AUTHORIZED - THE POND AND LAKE CONNECTION - NOT TO EXCEED \$5,267.19 AND INSTALLATION AUTHORIZED - DANETTE ELECTRIC CORP - NOT TO EXCEED \$1,500.00**

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Engineer Richard J. Franzetti, P.E., and acting as Commissioners of the Lake Casse Park District, hereby accepts the proposal of the Pond and Lake Connection, Brookfield, CT, for the acquisition and installation of an aerator and fountain at Lake Casse Beach at a cost not to exceed \$5,267.19 and in accordance with the proposal dated February 8, 2017; and

BE IT FURTHER RESOLVED THAT Danette Electric Corp., Mahopac NY is hereby authorized for electrical work necessary in connection with the authorized installation at a cost not to exceed \$1,500.00; and

(Cont.)

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced.

Resolution

Offered by: Councilman Lupinacci  
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>

**VARIOUS WATER DISTRICTS AND SEWER DISTRICTS - ADVERTISEMENT FOR BIDS FOR CHEMICAL SUPPLIES FOR THE WATER AND WASTEWATER TREATMENT PLANTS AUTHORIZED**

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Engineer Richard J. Franzetti, P.E., and acting as Commissioners of the various Water Districts and Sewer Districts of the Town of Carmel, hereby authorizes Town Clerk Ann Spofford to advertise for bids for chemical supplies for the water and wastewater treatment plants located within the Water and Sewer Districts throughout the Town of Carmel; and

BE IT FURTHER RESOLVED that the Town Engineer is to furnish detailed specifications for the above to the Town Clerk to be used in conjunction with the Town's general bid conditions and specifications.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Schneider and 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>

**BID AWARDED FOR FENCING IMPROVEMENTS AND REPAIRS AT MCDONOUGH PARK - CONTRACT C-245 - SPORT TECH CONSTRUCTION - NOT TO EXCEED \$45,950.00**

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for fencing improvements and repairs at McDonough Park in the Town of Carmel; and

WHEREAS such bids were received and opened on March 1, 2017; and

WHEREAS Town Engineer, Richard Franzetti, PE, 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 bid for the contemplated fencing improvements and repairs to Sport Tech Construction, Brewster, NY, the lowest responsible bidder who met specifications at a cost not to exceed \$45,950.00; and

(Cont.)

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates for all vendors and contractors proposed to perform improvements in connection with this authorization in form acceptable to Town Counsel, the aforesaid work may be commenced; and

BE IT FURTHER RESOLVED, that Town Comptroller Mary Ann Maxwell is hereby authorized to make any and all necessary budget transfers or modifications required to fund the cost of this authorization.

Resolution  
Offered by: Councilman Schneider  
Seconded by: Councilman Lupinacci

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

**ENTRY INTO CONTRACTS FOR VARIOUS SERVICES AUTHORIZED - FISCAL YEAR 2017**

WHEREAS appropriations have been made in the 2017 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS a public hearing was duly held on said contracts on November 2, 2016; and copies of said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to enter into and execute, on behalf of the Town, contracts with the following contractors for the services indicated in an amount not to exceed that set forth below:

CONTRACTOR	SERVICES	NOT TO EXCEED AMOUNT
MAHOPAC FALLS VOLUNTEER FIRE DEPARTMENT	FIRE PROTECTION-FIRE PROTECTION DIST. #1	\$753,460.00
NORTH SALEM VOLUNTEER AMBULANCE CORPS	AMBULANCE SERVICES	\$12,800.00
PUTNAM COUNTY HUMANE SOCIETY, INC.	DOG SHELTER SERVICES	\$50,635.00
PUTNAM COUNTY SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS	DOG CONTROL SERVICES	\$7,500.00
REED MEMORIAL LIBRARY	LIBRARY SERVICES	\$25,000.00
MAHOPAC LIBRARY	LIBRARY SERVICES	\$50,000.00
COUNTY OF PUTNAM	OUTREACH SERVICES	\$5,000.00

Resolution  
Offered by: Councilman Lupinacci  
Seconded by: Councilman Schneider

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

22 MARCH 2017  
TOWN BOARD MEETING

**ISSUANCE OF \$200,000 BONDS OF THE TOWN OF CARMEL TO PAY THE COST OF CONSTRUCTION OF DRAINAGE IMPROVEMENTS THROUGHOUT AND IN SAID TOWN AUTHORIZED - OFFERED AS PARAPHRASED AND PRE-FILED - SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and its financing;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. The construction of drainage improvements throughout and in and for the Town of Carmel, Putnam County, New York, together with incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$200,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

(Cont.)

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

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>

**ISSUANCE OF \$750,000 BONDS OF THE TOWN OF CARMEL TO PAY THE COST OF ROAD RECONSTRUCTION AND RESURFACING THROUGHOUT AND IN SAID TOWN AUTHORIZED - OFFERED AS PARAPHRASED AND PRE-FILED - SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof;

NOW, THEREFORE BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Road reconstruction and resurfacing, throughout and in and for the Town of Carmel, Putnam County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$750,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$750,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Carmel, Putnam County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

(Cont.)

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

Resolution

Offered by: Councilwoman McDonough  
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>

**MAHOPAC VOLUNTEER 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 Mahopac Volunteer Fire Department:

Samantha Brown, Carmel, NY  
James Ormsby, Mahopac, NY

Resolution

Offered by: Councilman Schneider  
Seconded by: Councilman Lombardi and Councilwoman McDonough

(Cont.)

<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>

Supervisor Schmitt acknowledged Samantha Brown and James Ormsby for joining the ranks of the Mahopac Volunteer Fire Department.

**PUTNAM COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES - ENTRY INTO CONTRACT AUTHORIZED - PREPARATION OF THE TENTATIVE ASSESSMENT ROLL FOR YEAR 2017**

WHEREAS appropriations have been made in the 2017 Town Budget for entry into various contracts for the provision of various services to the Town of Carmel, and

WHEREAS said contracts are on file in the office of the Town Supervisor for the inspection and review of all Town Board members,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Supervisor Kenneth Schmitt to enter into and execute, on behalf of the Town, the contract with the Putnam County Department of Real Property Tax Services for preparation of the tentative assessment roll for year 2017 in form as attached hereto and made a part hereof.

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>

**PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT**

AGREEMENT MADE THIS 6<sup>th</sup> DAY OF MARCH BETWEEN: THE TOWN OF CARMEL REFERRED TO AS THE TOWN AND THE COUNTY OF PUTNAM HAVING ITS PRINCIPAL PLACE OF BUSINESS AT 40 GLENEIDA AVENUE, CARMEL, NEW YORK 10512, HEREINAFTER REFERRED TO AS COUNTY.

THE PARTIES HEREIN AGREE AS FOLLOWS:

- 1) THE COUNTY SHALL PREPARE THE TENTATIVE ASSESSMENT ROLL, FOR THE CALENDAR YEAR OF 2017 AND HAVE IT AVAILABLE ON THE COUNTY WEBSITE TO COMPLY WITH RPTL §1591
- 2) EVERY TRANSFER OF PROPERTY, CHANGE OF ADDRESS, DESCRIPTION OR VALUATION, SPECIAL FRANCHISE, PUBLIC UTILITY, SHALL BE DATA ENTERED BY ASSESSOR OF TOWN OR DESIGNATED STAFF MEMBER.
- 3) AFTER CLOSING OF THE BOOKS ON MARCH 1<sup>st</sup>, ALL CHANGES SHALL BE ENTERED ON OR BEFORE APRIL 14<sup>th</sup> BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1<sup>st</sup> DEADLINE.

22 MARCH 2017  
TOWN BOARD MEETING

(Cont.)

- 4) ALL GRIEVANCE CHANGES, CORRECTION OF CLERICAL ERRORS, & UNLAWFUL ENTRIES SHALL BE APPROVED BY THE BOARD OF ASSESSMENT REVIEW AND ENTERED BY THE TOWN INTO THE REAL PROPERTY SYSTEM, BACKED UP AND BROUGHT TO THE REAL PROPERTY TAX SERVICE AGENCY NO LATER THAN JUNE 16th. FOR FINAL ROLL PROCESSING.
- 5) ALL CHANGES FOR THE SCHOOL TAX PROCESSING SHALL BE SUBMITTED BY AUGUST 4TH.
- 6) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE NOVEMBER 14th.
- 7) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY NOVEMBER 1<sup>ST</sup>, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY NOVEMBER 17<sup>TH</sup>.
- 8) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

PRICE FOR THE PREPARATION OF THE FOLLOWING IS \$ 0.50 PER PARCEL:

- 1) TENTATIVE ASSESSMENT ROLL (2 COPIES\*) AND ASSOCIATED REPORTS, COA'S
- 2) FINAL ASSESSMENT ROLL (2 COPIES\*)
- 3) TAX ROLL (2 COPIES\*)
- 4) HARD & SOFT BINDERS FOR ROLLS
- 5) BANK CODE LISTINGS
- 6) APPORTIONMENT OF SPECIAL FRANCHISE
- 7) 1 SET OF TAX BILLS IN ENVELOPES
- 8) RPS 145D1, 155D1 & 160D1 TAX EXTRACTS
- 9) DATA ENTRY FOR PRO-RATAS
- 10) 1 SET TAX MAPS 24" x 36"

UNPAID WATER, SEWER, OR OTHER UNPAIDS WILL BE CHARGED A FEE IN THE AMOUNT OF 50.00 PER HUNDRED IF THE DATA HAS TO BE MANUALLY ENTERED, OR IF TAX MAP NUMBERS PROVIDED IN COMPUTER FORMAT ARE INVALID.

IF ANY ADDITIONAL SPECIAL DISTRICT ROLLS ARE REQUIRED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER PARCEL.

IF ANY INSERTS ARE REQUESTED THE TOWN WILL BE CHARGED A FEE OF 0.01 PER ENVELOPE.

\*.02 PER PARCEL WILL BE DEDUCTED IF ONE (1) COPY OF EACH ROLL IS REQUESTED INSTEAD OF TWO (2)

THE TOWN OF CARMEL HEREBY REPRESENTS THAT THE AGREEMENT HEREIN HAS BEEN APPROVED BY RESOLUTION OF THE TOWN BOARD, A COPY OF WHICH IS ANNEXED HERETO AND MADE A PART HEREOF:

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT IN NEW YORK, ON THE DATE HEREIN ABOVE SET FORTH.

READ AND APPROVED BY:

\_\_\_\_\_  
DATE:

MaryEllen Odell  
County Executive

 DATE: 3/1/17  
Lisa A. Johnson  
County Director, R.P.T.S.A.

\_\_\_\_\_  
DATE:

William J. Carlin  
Commissioner of Finance

\_\_\_\_\_  
DATE:

Jennifer S. Bumgarner  
County Attorney

\_\_\_\_\_  
DATE:

Adrienne Lotto  
Risk Manager

\_\_\_\_\_  
DATE:

Kenneth Schmitt  
Town Supervisor

**APRIL 2017 DECLARED TEEN DRIVER SAFETY AWARENESS MONTH**

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout the Country, are the dangers posed from traffic crashes, and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes, and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents, and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving such as texting, and use of alcohol and drugs, and

WHEREAS, in Putnam County we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season, and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organization such as Boy Scouts, Girl Scouts, Junior ROTC programs and the Civil Air Patrol, just to name a few, and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations coming together to provide these educational programs,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel declares April, 2017 as Teen Driver Safety Awareness Month and encourages all levels of government, school districts, law enforcement, churches, synagogues, youth service organizations and all citizens of Putnam County, to support programs that promote teen driver safety awareness thereby protecting two of our most precious resources, our children and grandchildren.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilman Schneider, Councilwoman McDonough,  
Councilman Lombardi and Supervisor Schmitt

<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 FIRE PROTECTION DISTRICT #1 (MAHOPAC FALLS VOLUNTEER FIRE DEPARTMENT) AND CARMEL FIRE PROTECTION DISTRICT #2 (MAHOPAC VOLUNTEER FIRE DEPARTMENT) LENGTH OF SERVICE AWARD PROGRAMS (LOSAP) MANDATORY REFERENDA - POLL WORKERS AUTHORIZED**

WHEREAS, the Town Board of the Town of Carmel has established the date for mandatory referenda on the proposed amendments to the Length of Service Award Programs for Carmel Fire Protection District #1 (Mahopac Falls Volunteer Fire Department) and Carmel Fire Protection District #2 (Mahopac Volunteer Fire Department) by resolution duly passed by the Town Board on February 15, 2017; and

WHEREAS, the mandatory referenda shall be held at the headquarters for each of the respective district fire departments on April 4, 2017 from 9:00 a.m. to 9:00 p.m.; and

WHEREAS, a roster of certified poll workers has been provided for the conducting, provision and collection of voting ballots for said referendum from the Putnam County Board of Elections;

22 MARCH 2017  
TOWN BOARD MEETING

(Cont.)

NOW THEREFORE BE IT RESOLVED THAT the following individuals are hereby authorized to act as poll workers for said referenda, in the capacities as set forth below:

NAME	TITLE	DISTRICT	PAYMENT
TRZASKA, ELIZABETH B	CHAIRMAN	CFP #1	\$275.00
TRZASKA, ANTHONY	INSPECTOR	CFP #1	\$225.00
CAMPANELLA, JOSEPH	INSPECTOR	CFP #1	\$225.00
KOTOSKI, JOHN A	INSPECTOR	CFP #1	\$225.00
GREENFIELD, RUTH F	CHAIRMAN	CFP #2	\$275.00
CASSETTA, ROBERTA F	INSPECTOR	CFP #2	\$225.00
STALEY, LAURA	INSPECTOR	CFP #2	\$225.00
WISSELL, THERESA L	INSPECTOR	CFP #2	\$225.00

**EMERGENCY REPLACEMENTS**

CEFALONI, LUIGI  
CAMPANELLA, LINDA

**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>

Supervisor Schmitt explained that the cost of the poll workers for the Special Election in connection with proposed changes to the benefit programs of the Mahopac Falls Volunteer Fire Department and the Mahopac Volunteer Fire Department will be paid for by the property owners within those respective districts.

**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.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Lupinacci, seconded by Councilman Lombardi, with all Town Board members present and in agreement, the meeting was adjourned at 7:41 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk