

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 21st day of March 2018 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 Barile, Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough 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.

MINUTES OF TOWN BOARD MEETING HELD ON 2/28/18 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meeting held on February 28th 2018 were accepted as submitted by the Town Clerk.

OFFICE OF THE TOWN SUPERVISOR - POSITION OF PRINCIPAL OFFICE ASSISTANT CREATED AND PROMOTIONAL PROBATIONARY APPOINTMENT MADE - BELLA CIMADOMO

RESOLVED that the Town Board of the Town of Carmel hereby creates the position of Principal Office Assistant in the Town of Carmel Supervisor’s Office and hereby appoints Bella Cimadomo to said position at a CSEA Group 4 Step1 salary level retroactive to March 19, 2018, on a promotional probationary basis and subject to the provisions of Civil Service Law and the Civil Service Rules and Regulations.

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

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	X	
Jonathan Schneider	X	
John Lupinacci	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

Supervisor Schmitt applauded Bella Cimadomo for her outstanding performance in his office and expressed congratulations to her on her very well deserved promotion.

PUBLIC HEARING SCHEDULED FOR 4/18/18 - PROPOSED LOCAL LAW AMENDING CHAPTER 52 OF THE CODE OF THE TOWN OF CARMEL, ENTITLED "BINGO"

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 18, 2018 at 7:00 p.m. or as soon thereafter that evening as possible, on a proposed Local Law amending Chapter 52 of the Code of the Town of Carmel, entitled "Bingo"; 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 newspapers of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lupinacci

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u> </u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

PROPOSED LOCAL LAW # _____ OF THE YEAR 2018
A LOCAL LAW AMENDING CHAPTER 52 OF THE TOWN CODE
OF THE TOWN OF CARMEL, ENTITLED “BINGO”

SECTION 1

This Local Law shall be known as Amendments to Chapter 52 entitled “Bingo.”

SECTION 2

Chapter 52 of the Town Code of the Town of Carmel, specifically §52-6 is hereby amended to read as follows:

§ 52-6. Prizes

A. Single prizes. No prize in any single game of bingo shall exceed the sum or value of the amount set forth in General Municipal Law section 479 (5).

B. Series of prizes. No series of prizes on any one bingo occasion shall aggregate more than the sum or value of the amount set forth in General Municipal Law section 479 (6).

SECTION 3 – 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 4 – 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 5 - 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.

Supervisor Schmitt explained that the proposed Local Law is being considered in response to a request from the Knights of Columbus in Carmel. The amendment to the Town Code will increase the maximum prize per bingo game with the intent to attract new players to raise additional funds for charities, as well as to keep the Town Code consistent with New York State law.

21 MARCH 2018
TOWN BOARD MEETING

POLICE DEPARTMENT - PROPOSAL ACCEPTED AND PURCHASE OF AMMUNITION UNDER NEW YORK STATE CONTRACT AUTHORIZED - EAGLE POINT GUN/T.J. MORRIS & SON DISTRIBUTORS - NOT TO EXCEED \$16,045.01

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Chief of Police Michael Cazzari hereby accepts the proposal of Eagle Point Gun/T.J. Morris & Son Distributors, West Depford, NJ, for purchase of ammunition for the Town of Carmel Police Department in an amount not to exceed \$16,045.01 under New York State Contract No. PC66334 and in accordance with the proposal dated February 27, 2018;

BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all documentation reasonably necessary to effectuate the purchase authorized hereunder; 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 Lupinacci
Seconded by: Councilwoman McDonough and Councilman Barile

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u> </u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

DEPARTMENT OF RECREATION OF PARKS - PROPOSAL FOR OPERATION OF SYCAMORE PARK CONCESSION STAND ACCEPTED - CARMEL BAGEL DELI...LICIOUS

WHEREAS the Director Of Recreation and Parks, James R. Gilchrist, has forwarded a memo to the Town Board, dated February 27, 2018 detailing the proposals received by the Town of Carmel for operation of the concession stand at Sycamore Park; and

WHEREAS, the aforesaid memo recommends the acceptance of the proposal of Carmel Bagel Deli...licious and the entry into an agreement for a period of three (3) years for the operation of the Sycamore Park concession stand,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the entry into a concession agreement with Carmel Bagel Deli...Licious of Carmel, NY, to operate the concession stand at Sycamore Park for the three year period of March 21, 2018 to March 20, 2021 at annual fees of \$3,000 per year; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form as approved by the Town Counsel, the Town Supervisor is authorized to sign the Concession Agreement, in form as is on file in the office of the Town Supervisor.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u> </u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

The resolution was amended to reflect that the agreement expires March 20, 2021 rather than March 20, 2020 as originally offered by Councilman Barile.

21 MARCH 2018
TOWN BOARD MEETING

PUTNAM COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICES - ENTRY INTO CONTRACT AUTHORIZED

WHEREAS appropriations have been made in the 2018 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 2018 in form as attached hereto and made a part hereof.

Resolution
Offered by: Councilman Schneider
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u> </u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

PUTNAM COUNTY REAL PROPERTY TAX SERVICE CONTRACT

AGREEMENT MADE THIS 1st 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 2018 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 1st, ALL CHANGES SHALL BE ENTERED ON OR BEFORE **APRIL 13th** BY THE TOWN, THIS IS ESSENTIAL SO THAT THE TENTATIVE ASSESSMENT ROLL IS RUN FOR THE MAY 1st DEADLINE.
- 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 15th**, FOR FINAL ROLL PROCESSING.
- 5) ALL CHANGES FOR THE SCHOOL TAX PROCESSING SHALL BE SUBMITTED BY **AUGUST 1st**.
- 6) ALL CHANGES FOR COUNTY AND TOWN TAX ROLLS SHALL BE SUBMITTED BY THE TOWN ON OR BEFORE **NOVEMBER 16th**.
- 7) ALL UNPAIDS TO BE MANUALLY ENTERED BY THE COUNTY MUST BE SUBMITTED BY **NOVEMBER 10th**, RPSV4 MERGEABLE FILES MUST BE SUBMITTED BY **NOVEMBER 10TH**.
- 8) A SEPARATE AGREEMENT SHALL BE NEGOTIATED FOR THE PROVISIONS OF RPTL §1537, OPTIONAL COUNTY SERVICES.

(Cont.)

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:

_____ MaryEllen Odell County Executive	DATE: _____  Lisa A. Johnson County Director, R.P.T.S.A.	DATE: 3/1/18
_____ William J. Carlin Commissioner of Finance	_____ Jennifer S. Bumgarner County Attorney	DATE: _____
_____ Adrienne Lotto Risk Manager	_____ Kenneth Schmitt Town Supervisor	DATE: _____

DEPARTMENT OF RECREATION AND PARKS - BID AWARDED FOR LANDSCAPING/GRASS CUTTING FOR TOWN PARKS - GREENWAY PROPERTY SERVICES

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for landscaping/grass cutting services at various Town of Carmel Town Parks, and

WHEREAS, a bid opening memo has been prepared by James R. Gilchrist, a copy of which is on file with Town Clerk Ann Spofford; and

WHEREAS, James R. Gilchrist, Director of Parks and Recreation has recommended the awarding of the bids to Greenway Property Services, Stamford, CT; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bid to Greenway Property Services, Stamford, CT, the lowest responsible bidder who met specifications at an annual contract price of not to exceed \$44,995.00 for a maximum period of four (4) years; and

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(Cont.)

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and a bid bond in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to enter into the aforesaid contract and to execute any necessary documentation required in connection therewith.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u></u>
Jonathan Schneider	<u>X</u>	<u></u>
John Lupinacci	<u>X</u>	<u></u>
Suzanne McDonough	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

**CARMEL WATER DISTRICT #4 - PAYMENT FOR EMERGENCY REPAIRS
AUTHORIZED - BEE & JAY PLUMBING - \$5,084.00**

RESOLVED, the Town Board of the Town of Carmel, acting as Commissioners of Carmel Water District #4, and upon the recommendation of Town Engineer Richard J. Franzetti, PE, hereby authorizes payment to Bee & Jay Plumbing, Mahopac, NY the sum of \$5,084.00 for goods and services rendered in connection with repair of the Summit Road booster station in accordance with the invoice dated January 15, 2018.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u></u>
Jonathan Schneider	<u>X</u>	<u></u>
John Lupinacci	<u>X</u>	<u></u>
Suzanne McDonough	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

**ROUTE 6N LIGHTING AND SIDEWALK PROJECT - RETURN OF BID BONDS
AUTHORIZED**

RESOLVED, that the Town Board of the Town of Carmel, upon the recommendation of Town Engineer Richard J. Franzetti, PE, hereby authorizes the return of all bid bonds submitted in connection with the project known as the Route 6N Lighting and Sidewalk Project; and

BE IT FURTHER RESOLVED that said bid bonds may be returned subsequent to the bid expiration date of March 27, 2018.

Resolution

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u></u>
Jonathan Schneider	<u>X</u>	<u></u>
John Lupinacci	<u>X</u>	<u></u>
Suzanne McDonough	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

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AMENDED RESOLUTION CONSENTING TO THE DEDICATION OF TOWN HIGHWAYS - KIRKWOOD ESTATES - TABLED

WHEREAS an application to dedicate Radnor Lane and Alan Road (aka Sprucetop Drive) in the Kirkwood Estates Subdivision to the Town of Carmel together with a Dedication and Release has been filed by Kirkwood Estates, LLC, and

WHEREAS the Town Highway Superintendent and the Town Engineer have recommended that the road be accepted for dedication,

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Section 171 of the Highway Law of the State of New York, that the Town Board of the Town of Carmel hereby consents to the dedication of Radnor Lane and Alan Road (aka Sprucetop Drive) in the Kirkwood Estates Subdivision and hereby authorizes the Town Highway Superintendent to sign an Order Laying Out said Radnor Lane and Alan Road (aka Sprucetop Drive) in the Kirkwood Estates Subdivision as Town Highways upon being advised by the Town Counsel that all necessary documents required in connection with said dedication have been received; and

BE IT FURTHER RESOLVED that, upon the recommendation of the Highway Superintendent and the Town Engineering Consultant, the posting of a maintenance bond for said road is hereby waived since the top course of pavement has been in place for over one year.

Motion to Table

Offered by: Councilman Barile
Seconded by: Councilman Lupinacci

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Michael Barile	<u>X</u>	<u> </u>
Jonathan Schneider	<u>X</u>	<u> </u>
John Lupinacci	<u>X</u>	<u> </u>
Suzanne McDonough	<u>X</u>	<u> </u>
Kenneth Schmitt	<u>X</u>	<u> </u>

Legal Counsel Gregory Folchetti explained that the proposed amendment pertains to a resolution adopted in November of 2017 and corrects references to Alan Road incorrectly identified as Alan Drive.

Mr. Folchetti shared that Councilman Barile had subsequently inquired to him about the maintenance bond in connection therewith. Mr. Folchetti further explained that he believed that the requirement was waived since the top course has been in place on those roads for over one year, which is standard procedure. But just to be sure, he suggested the matter be tabled to next week.

Councilman Barile indicated that the Town Board has received complaints from residents in the Kirk Lake area with regard to a ramp built into the lake. He stated that if it is tied to the developer, the Town’s only leverage is the bond and dedication.

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.

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TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilwoman McDonough reported on the progress of the recently commenced water main replacement project in Carmel Water District #2 which has experienced unfortunate delays as a result of the multiple snow events.

Councilwoman McDonough and Supervisor Schmitt reflected on the passing of longtime Town of Carmel Recreation Commission member and devoted community sports volunteer Austin J. "Buddy" Decker II.

Supervisor Schmitt announced that the Recreation and Parks Department will be hosting their annual Easter Egg Hunt on March 24, 2018 at the Mahopac High School/Middle School practice field. Refreshments and music begin at 11:00 a.m. The egg hunt begins at 12 noon.

Councilman Schneider announced that the Town closed on the purchase of the property at Swan Cove on March 19, 2018 and spoke regarding a recent meeting held with regard to residents' concerns with the Town's process in connection therewith. He conveyed a recommendation made to hold a Public Hearing or extended informational meeting to address the purchase of the related bank properties.

Councilman Schneider also conveyed a recommendation to add public comment pertaining to the resolutions at the commencement of Voting Meetings in addition to at the end of Work Sessions, to allow individuals who cannot make it to the Work Sessions another opportunity to speak about a resolution before the Town Board votes on it. A discussion ensued.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilwoman McDonough, with all Town Board members present and in agreement, the meeting was adjourned at 7:40 p.m. to Executive Session with Town Assessor Glenn Droese and consultant Edye McCarthy to discuss the Vision Government Solutions contract, as well as to discuss a matter of personnel litigation with Thomas McDonough, Esq.

Respectfully submitted,

Ann Spofford, Town Clerk