

**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 7th day of November, 2018 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 Barile, Councilwoman McDonough and Supervisor Schmitt. Councilman Schneider and Councilman Lupinacci were absent.

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.

Supervisor Schmitt explained that the Town Board had met in Executive Session prior to the Regular Town Board Meeting with Glenn Droese, Town Assessor to discuss a matter of personnel.

PUBLIC HEARING HELD REGARDING THE PRELIMINARY BUDGET FOR FISCAL YEAR 2019

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

NOTICE OF PUBLIC HEARING
TOWN OF CARMEL
PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing on the 7th day of November, 2018 at Town Hall, 60 McAlpin Avenue, Mahopac, New York, at 7:00 p.m. or as soon thereafter that evening as possible in regard to the Preliminary Budget for the fiscal year 2019 including the General Town Fund, Highway Funds as well as all Water Districts, Sewer Districts, Park Districts, Fire Protection Districts, Garbage District and Lighting Districts, and BE IT FURTHER NOTICED that pursuant to Section 108 of the Town Law, the proposed salaries of the following officials for fiscal year 2019 are hereby specified as follows: Supervisor: \$124,800.00; Town Council Members (ea): \$21,840.00; Town Clerk \$95,160.00; and Highway Superintendent \$128,960.00; AND BE IT

FURTHER NOTICED, that the Preliminary Budget for the Town of Carmel has been completed and filed in the Office of the Town Clerk, Town Hall, 60 McAlpin Avenue, Mahopac, New York, where it is available for public inspection during office hours. At said Public Hearing, any resident may be heard in favor of or against the Preliminary Budget as compiled or for or against any item or items contained therein. The Town Board will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

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

Supervisor Schmitt noted that the budget reflects a 1.6% tax rate increase which keeps it under the 2% cap enabling Town of Carmel residents to be eligible for the state rebate.

With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:10 p.m. Fourteen (14) people were in attendance.

Mark Porcelli, Mahopac resident, remarked that in speaking to Councilman Barile recently he mentioned to him that the Town Board Members were receiving a raise in 2019. Mr. Porcelli noted that Councilman Barile was not happy about that and that he would be donating his salary.

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Mr. Porcelli questioned where the money is being spent, where is it being wasted and where can we save. He also inquired about the half million dollars being spent on two tennis courts and Sycamore Park.

Supervisor Schmitt explained that the current projects went out to bid and were awarded to Sports Tech for about \$250,000 for both projects but when the contractor began work on the rehab of the basketball and tennis courts they found more than one layer of asphalt which caused a problem and the work was halted.

Councilwoman McDonough pointed out that approximately five or six years ago they did a temporary fix on the courts which is now presenting a problem. Now the courts are all dug up and they must decide on how best to proceed. She noted that there will be a meeting next Friday to discuss the situation.

Councilman Barile stated that he did not vote for the raise for the Town Board Members and that he is paying a penalty from social security even though he is donating the money. He noted that we are still paying for two engineers which is costing the town more money. He also noted that Michael Simone, Highway Superintendent is working closely with the Town Board and that the Highway Department will be helping with some projects which will save money.

Jean Hopper, Mahopac resident, asked who decides to raise the salaries for the Town Board Members and other elected officials.

Councilman Barile explained that they meet in Executive Session to decide who gets a raise.

Supervisor Schmitt added that some salaries must be posted via a legal advertisement.

Ms. Hopper remarked that these salary increases were not mentioned during the budget presentation and that there should be more transparency.

Supervisor Schmitt explained that was because the salary increases were not included in his tentative budget but were included afterward in the preliminary budget.

Supervisor Schmitt acknowledged that the Town Board makes the decision on the raises.

Ms. Hopper inquired as to when the Town Board last received a raise.

Councilwoman McDonough stated that she believed it was last year and Supervisor Schmitt confirmed that the Town Board Members received a 2% raise at that time.

Ms. Hopper asked if other workers would receive raises as well.

Supervisor Schmitt acknowledged that other exempt employees would also receive raises.

Mr. Joseph Schultz, Mahopac resident, asked Mary Ann Maxwell, Town Comptroller if he could get the budget in Excel as it is only available as a PDF on the website.

Mary Ann Maxwell, Town Comptroller agreed.

Mr. Schultz inquired as to who reviews the tentative budget.

Supervisor Schmitt responded that he and Mary Ann Maxwell, Town Comptroller review it. He further explained that it then goes to the Town Board to review and make any changes after which it is adopted as the preliminary budget. Changes can still be made until the Final Budget is adopted on November 20, 2018.

Mr. Schultz stated that his review of the budgets year to year show that the dollar amount went up 4.3%.

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Mary Ann Maxwell, Town Comptroller explained that the 4.3% relates to the operating budget which includes the special districts and that 1.6% is the townwide tax rate increase.

Mr. Schultz noted that in 2014 there was an engineering consultant, he asked if the engineering consultant was still with the town and what was the planned stay.

Councilwoman McDonough responded that the engineering consultant was under a four year contract which would expire at the end of 2021.

Mr. Schultz inquired if we are still paying the library.

Councilman Barile stated that he has asked the board every year why do we give the library money, why aren't they a special district. He noted that now they are a special district and collect their own taxes but we are still giving them money. He pointed out that if you took the money that is going to the libraries and the money for the second consulting engineer out of the budget the 1.6% increase would be down to .7% or less. He acknowledged that Mr. Schultz had a valid point and that the libraries should come in and explain.

Councilwoman McDonough stated that the libraries do come in to the Supervisor with their requests and that there is a process.

Supervisor Schmitt pointed out that they did cut the money for the libraries drastically and that the libraries were not happy about that. He was told that they needed that money for alarm systems, security cameras and technology upgrades among other things.

Mr. Schultz stated that if they are their own district they can raise the money themselves.

Supervisor Schmitt agreed that as they have their own budget vote they should raise it that way.

Councilman Barile commented that the way it is being done now is confusing to everyone and they should show the public their real number. He stated that these are the little things that can make a difference.

Mary Ann Maxwell, Town Comptroller pointed out that their budget must also stay within the tax cap.

Councilwoman McDonough noted that the \$60,000.00 from the town was included in their budget in June.

Supervisor Schmitt stated that the \$60,000.00 is the cost of having use of the library which is open to the public, you don't have to be a taxpayer or resident to use it. He noted there have been many improvements and upgrades to the library and reported that they were very appreciative of the support from the town. Supervisor Schmitt acknowledged that they do a great job.

Mr. Schultz asked if this is the last chance to speak about the budget.

Supervisor Schmitt said anyone can speak at any Town Board meeting before adopting the final budget on November 20, 2018. He also noted the small turnout from the public.

Councilman Barile commented that he was always frustrated when looking at the budgets over the last twenty years because he felt there were things the public didn't get that they should. He wanted to explain that the current 1.58% increase in the budget included contractual increases and increases in health insurance and pensions amounting to \$465,000 that were beyond the control of the Town Board. He explained that that amount represents 2 points and the money budgeted for the second engineer results in another point.

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Councilman Barile explained that the budget includes one more police officer and that overtime is down in the police department due to the hiring of two officers earlier in the year. Also an additional person is budgeted for in the Highway Department which will put them at almost full staff. The Zoning Officer is now full time, two security officers will be hired for Town Hall and they brought back the much needed patrol for the lake, all of which results in a cost for the town.

Councilman Barile indicated he has said he would spend but the taxpayers will see what they are getting. He mentioned that the Airport Park was moving forward. He stated that people moved here for the schools, recreation and taxes adding that the town has finally purchased a lake piece for the Chamber Park.

Councilwoman McDonough explained that a video equipment upgrade is included in the budget as well as new message boards and a new air conditioning unit for the meeting room. Additionally, funds have been budgeted for a new Town Code and Master Plan. She pointed out that there are a lot of things in the budget that will have huge impact on the town.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Barile, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:45 p.m.

PUBLIC HEARING HELD - 2019 CONTRACTS FOR FIRE PROTECTION AND AMBULANCE SERVICES

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

NOTICE OF PUBLIC HEARING
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
2019, to be held on the 7th day
of November, 2018 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:

Contractor Mahopac Falls
Volunteer Fire Department, Inc.
Services
Fire Protection-
Fire Protection Dist. #1
Not to Exceed \$ 794,000.00

Contractor Mahopac Volunteer
Fire Department, Inc.
Services Fire Protection-Fire
Protection Dist. #2
Not to Exceed \$1,225,000.00

Contractor Carmel Fire District &
Carmel Fire Department, Inc.
Services Fire Protection-Fire
Protection Dist. #3 Not to Exceed
\$ 803,500.00

Contractor Carmel Volunteer
Ambulance Corps Services
Ambulance Services- Carmel
Ambulance District #1 Not to
Exceed \$ 150,000.00

Contractor
North Salem Volunteer
Ambulance Corps
Services
Ambulance Services-
Carmel Ambulance
District #1
Not to Exceed
\$ 12,900.00

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

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

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With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:48 p.m. Fourteen (14) people were in attendance.

Supervisor Schmitt pointed out that an ambulance corps is legally able to bill a person or their insurance company which is why their operating costs are lower than Mahopac Volunteer Fire Department or Mahopac Falls Volunteer Fire Department which is not able to bill or generate revenue from calls.

Jean Hopper asked if we have the numbers from their prior budgets.

Supervisor Schmitt commented that Mahopac Falls Volunteer Fire Department increased slightly and asked Mary Ann Maxwell, Town Comptroller to respond.

Mary Ann Maxwell, Town Comptroller reported that the contract amount for last year for Mahopac Falls Volunteer Fire Department was \$753,460, for Carmel Fire Department it was \$727,000 and for Mahopac Volunteer Fire Department it was \$1,200,000.00.

Supervisor Schmitt reported that Mahopac Volunteer Fire Department asked for \$1,400,000.00 and that they are now required to provide cancer insurance to their members as mandated by New York State.

Ms. Hopper asked if Mahopac Volunteer Fire Department is up to snuff with the equipment they requested and their liability insurance.

Supervisor Schmitt stated they were and that the financials have been in order and are still being reviewed by Brad Pinsky and that there are no issues. Additionally, Mahopac Volunteer Fire Department has new auditors.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Barile, with all members of the Town Board present in agreement, the Public Hearing was closed at 7:55 p.m.

MINUTES OF TOWN BOARD MEETINGS HELD ON SEPTEMBER 26, OCTOBER 3 AND OCTOBER 17, 2018 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilwoman McDonough, seconded by Councilman Barile, with all members of the Town Board present voting “aye”, the minutes of the Town Board meetings held on September 26, October 3 and October 17, 2018 were accepted as submitted by the Town Clerk.

APPOINTMENT OF MICHAEL MARTIN AS DEPUTY HIGHWAY SUPERINTENDENT - ACKNOWLEDGED

RESOLVED that the Town Board of the Town of Carmel hereby acknowledges the appointment by Highway Superintendent Michael Simone of Michael Martin as Deputy Highway Superintendent retroactive to November 5, 2018, at an annual salary of \$95,000.00

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Barile & Supervisor Schmitt

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

The members of the Town Board expressed congratulatory wishes to Michael Martin.

NOVEMBER 7, 2018
TOWN BOARD MEETING

ZONING BOARD OF APPEALS – APPOINTMENT OF JOHN STARACE

RESOLVED that the Town Board of the Town of Carmel hereby appoints John Starace to the Town of Carmel Zoning Board of Appeals for a term commencing immediately and expiring December 31, 2019.

Resolution

Offered by: Supervisor Schmitt
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt explained that Mr. Starace has served on the Environmental Conservation Board for three and a half years and is now moving over to the Zoning Board of Appeals.

ENVIRONMENTAL CONSERVATION BOARD – APPOINTMENT OF JULIE MCKEON

RESOLVED that the Town Board of the Town of Carmel hereby appoints Julie McKeon to the Town of Carmel Environmental Conservation Board for a term commencing immediately and expiring June 12, 2019.

Resolution

Offered by: Councilman Barile
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

CSEA LOCAL 1000, AFSCME, AFL-CIO, TOWN OF CARMEL UNIT, PUTNAM COUNTY, LOCAL 840 MEMORANDUM OF AGREEMENT DATED OCTOBER 25, 2018 FOR PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021 RATIFIED AND ACCEPTED

RESOLVED, that the Town Board of the Town of Carmel hereby ratifies and accepts the Memorandum of Agreement dated October 25, 2018 between the Town of Carmel and CSEA Local 1000, AFSCME, AFL-CIO, Town of Carmel Unit, Putnam County, Local 840 (“CSEA”) for the period of January 1, 2018 through December 31, 2021, which is attached hereto (“MOA”). The MOA was ratified on October 31, 2018 by the Town employees in the bargaining unit represented by the CSEA. The Town Board hereby authorizes the Town Supervisor to execute a Collective Bargaining Agreement that is consistent with the terms of the Collective Bargaining Agreement between the CSEA and the Town with duration of January 1, 2013 to December 31, 2017, as modified by the MOA.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Barile

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Roll Call Vote	YES	NO	
Michael Barile	X		
Jonathan Schneider			Absent
John Lupinacci			Absent
Suzanne McDonough	X		
Kenneth Schmitt	X		

Supervisor Schmitt explained the increases that the CSEA members would be receiving noting there was a lot of give and take in the negotiations. He thanked Councilwoman McDonough and Councilman Schneider for their work on the negotiations.

Memorandum of Agreement
between Town of Carmel and Civil Service Employees Association, Inc.,
Local 840, AFSCME, AFL-CIO
October 25, 2018

THIS AGREEMENT, made and entered into this 25th day of October 2018 by and between the **Town of Carmel** (hereinafter referred to as “the Town”), and **Civil Service Employees Association, Inc., Local 840, AFSCME, AFL-CIO** (hereinafter referred to as the “Union”), and

WHEREAS, the Employer and the Union are parties to a Collective Bargaining Agreement effective for the period of January 1, 2013 through December 31, 2017; and

WHEREAS, the Employer and the Union have negotiated in good faith on the terms of a successor agreement;

WHEREAS, this Memorandum of Agreement is subject to the ratification of the Town of Carmel Town Board and members of the Union employed by the Town. The negotiating committees of both the Town and the Union shall support and endorse the Memorandum of Agreement for ratification by their respective parties;

WHEREAS, once ratified by the Town of Carmel Town Board and members of the Union employed by the Town, the parties agree that this Memorandum of Agreement shall have the full force and effect of the Collective Bargaining Agreement between the parties. The parties shall prepare a revised Collective Bargaining Agreement based on this Memorandum of Agreement

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Continuation of old Agreement. Except as specifically set forth herein, or as may be required for the consistency of dates and other non-substantive matters, all terms and conditions of the expired Collective Bargaining Agreement shall be continued for the duration of the successor agreement.
2. Article I, Recognition: The following title are added to the bargaining unit:

Principal Office Assistant - Group 4
Senior Account Clerk II - Group 8
Assistant Building Inspector – Group 9

The parties will update the included and excluded titles.
3. Article I, Recognition: The Clerk to Town Justice titles will be removed from the titles included in the bargaining unit. The CSEA will not challenge the removal of these titles, or seek their inclusion in the bargaining unit, while the incumbents on the date this Memorandum of Agreement is signed, hold those positions.
4. Article X, Salaries, Section A, Salaries and Appendices: Replace the salary schedules appended to the expired agreement with revised salary schedules to reflect the following wage increases:

Effective date	Increase
January 1, 2018	2.0 percent
January 1, 2019	2.25 percent
January 1, 2020	2.0 percent
January 1, 2021	2.25 percent

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5. MORTGAGE TAX REVENUE WAGE SUPPLEMENT

A. Effective April 2019 (based upon 2018 mortgage tax revenue results) and for the remainder of this Agreement, the parties shall enter into the following wage supplement benefit based upon the Town's mortgage tax revenue. If the Town experiences a \$200,000.00 increase from the prior year's mortgage tax revenue "benchmark," employees shall receive a 0.25% salary increase to their base rate of pay effective the first full payroll period following April 15 of the following year (e.g., Town's mortgage tax revenue for 2017 was \$800,000.00. In early 2019, it is determined that the Town's 2018 mortgage tax revenue rose to \$1,000,000.00. As such, employees would be eligible for a salary increase of 0.25% effective the first full pay period after April 15, 2019).

B. The mortgage tax revenue benchmark shall be set at \$200,000.00 greater than the Town's prior year's mortgage tax revenue, except in years where the mortgage tax revenue goes down from the prior year. In a "down year" the subsequent benchmark shall be set at \$200,000.00 greater than the highest mortgage tax revenue year in the prior two years. (e.g., Town's mortgage tax revenue for 2018 is \$800,000.00 meaning the 2019 benchmark is \$1,000,000.00. In 2019, the mortgage tax revenue comes in at \$700,000.00 (no supplemental wage increase for 2019); therefore, the 2020 benchmark is \$1,000,000.00 (using 2018's, not 2019's, mortgage tax revenue figure).

C. The mortgage tax revenue wage supplement benefit shall cease upon expiration of this Agreement (i.e. the final possible wage supplement to be paid out will be in April 2021).

6. Shift Differential: Starting on January 1, 2019, Civilian Dispatchers who work the 3:30 p.m. to 11:30 p.m. ("C Tour") and 11:30 p.m. to 7:30 a.m. ("A Tour") shifts shall receive a shift differential of \$.25 per hour. Starting on January 1, 2021, Civilian Dispatchers who work C Tour and A Tour shall receive a shift differential of \$.50 per hour. Only those hours worked on the A Tour and C Tour shall be subject to the shift differential. Civilian dispatchers who are called in to relieve dispatchers scheduled for the A tour and/or the C tour shall be eligible to receive the shift differential. Civilian dispatchers who work the shift that starts on or about 11:00 a.m. and that ends on or about 7:00 p.m. shall not be eligible for any shift differential for the hours worked on that shift. Shift

2

differential will not be paid for vacation, holiday, sick leave, bereavement leave, personal leave, jury duty leave, or any other paid or unpaid time off.

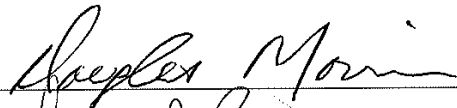
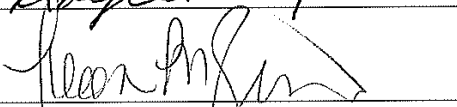
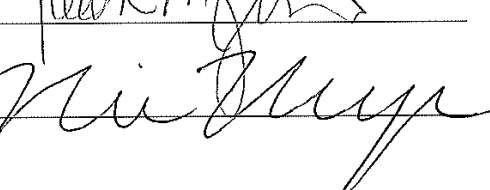
7. Article XII – Duration:

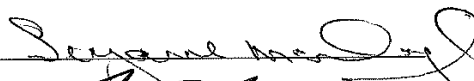
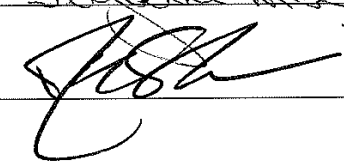
Modify section to reflect contract duration of January 1, 2018 to December 31, 2021.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

For Civil Service Employees Association, Inc.,
Local 840, ASFSCME, AFL-CIO

For Town of Carmel

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**ENGINEERING DEPARTMENT - SEMI-ANNUAL MS4 STORMWATER REPORT –
SIGNING AND FILING AUTHORIZED**

WHEREAS the Town Board has been presented with a draft semi-annual MS4 Stormwater Report prepared by the Town of Carmel Engineering Department; and
WHEREAS an opportunity for public comment on the draft annual report was received by the Town Board and the Town Board has considered any comments to such report comments;
NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor, Kenneth Schmitt is hereby authorized to sign and file said report as drafted by Town Engineer Richard J. Franzetti, P.E.

Resolution
Offered by: Supervisor Schmitt
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

**RECREATION AND PARKS DEPARTMENT – SUBMISSION OF 2019 MUNICIPAL
FUNDING GRANT APPLICATION TO NEW YORK STATE OFFICE OF CHILDREN
AND FAMILY SERVICES FOR RECREATION PROGRAMS - AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, upon the request of James R. Gilchrist, Town of Carmel Director of Recreation and Parks, hereby authorizes the submission of the 2019 Municipal Funding Grant Application to the New York State Office of Children and Family Services for Recreation Programs, and
BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

Resolution
Offered by: Councilman Barile
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Supervisor Schmitt noted that the amount of the grant is \$4,000.00.

**POLICE DEPARTMENT – SUBMISSION OF 2019 MUNICIPAL FUNDING GRANT
APPLICATION TO NEW YORK STATE OFFICE OF CHILDREN AND FAMILY
SERVICES FOR YOUTH BUREAU PROGRAMS - AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, upon the request of Town of Carmel Police Detective Frank Chibbaro, hereby authorizes the submission of the 2019 Municipal Funding Grant Application to the New York State Office of Children and Family Services for Youth Bureau Programs, and
BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the aforesaid grant application.

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Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Barile

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

Supervisor Schmitt noted that the amount of the grant is also \$4,000.00.

CWD #8, CWD #9 AND CSD #2 – ISSUANCE OF REQUEST FOR PROPOSALS REGARDING ROOF REPAIRS AT TREATMENT PLANTS – AUTHORIZED

RESOLVED, THAT the Town Board of the Town of Carmel, upon the recommendation of the Town of Carmel Town Engineer Richard J. Franzetti, P.E. and as Commissioners of Town of Carmel Water Districts #8 and #9, as well as Carmel Sewer District #2, hereby authorizes issuance of Request for Proposals for preparation of project plans and specifications for roof repairs required at the treatment plant locations for the referenced sewer and water districts.

Resolution

Offered by: Supervisor Schmitt
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

HIGHWAY DEPARTMENT – CONTRACT AWARDED TO ATLANTIC PAVEMENT MARKING FOR PAINTING OF REFLECTORIZED PAVEMENT STRIPES FOR PERIOD OF SEPTEMBER 1, 2018 THRU AUGUST 31, 2019

RESOLVED THAT the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Highway Superintendent Michael Simone, hereby authorizes the award of bid contract for painting of reflectORIZED pavement stripes on Town of Carmel roads for the period of September 1, 2018 to through August 31, 2019 from Atlantic Pavement Marking, Prospect, CT under Putnam County Bid No. RFP-31-17.

Resolution

Offered by: Councilman Barile
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

NOVEMBER 7, 2018
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RECREATION AND PARKS DEPARTMENT – ENTRY INTO CREDIT CARD PROCESSING AGREEMENT WITH COMMUNITY PASS FOR PROCESSING OF CREDIT CARD PAYMENTS – AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town of Carmel Director of Recreation and Parks James R. Glichrist, hereby authorizes entry into Credit Card Processing Agreement with Community Pass, Ridgewood, NJ for processing of credit card payments for Department of Recreation and Parks programs; and
BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign and all necessary documentation required to accept this proposal on the terms authorized herein.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Supervisor Schmitt

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

HILL CEMETERY – PERMISSION GRANTED TO CHARLES HILL AND JULIE HILL FOR PLACEMENT OF CEMETERY MARKERS

WHEREAS the Town of Carmel is the record owner of the Hill Family Cemetery; and
WHEREAS, Mr. Charles Hill and Ms. Julie Hill have requested permission of the Town Board of the Town of Carmel for placement of cemetery markers at the Hill Cemetery; and
NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby grants permission for the placement of cemetery markers for Mr. Charles Hill and Ms. Julie Hill at the referenced Hill Cemetery in general conformance and accordance with terms and specifications contained within letter request dated October 11, 2018; and
BE IT FURTHER RESOLVED that such matters and activity authorized herein shall be conducted in conformance with all provisions of New York State Law.

Resolution
Offered by: Supervisor Schmitt
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

GREG FOLCHETTI, LEGAL COUNSEL – AUTHORIZED TO COMMENCE LITIGATION REGARDING TITLE TO PROPERTY ADJACENT TO CRANE ROAD BALLFIELDS

RESOLVED, that the Town Board of the Town of Carmel, hereby authorizes Town Counsel Gregory L. Folchetti, 1875 Route Six, Carmel, NY, to commence litigation for the purposes of quieting title to certain real property reputed to be owned by Mahopac Estates, Inc., and adjacent to the Crane Road Ballfields; and

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BE IT FURTHER RESOLVED, that such services are hereby authorized at a rate of \$205.00 per hour.

Resolution
Offered by: Councilman Barile
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> </u>	<u> </u>	Absent
John Lupinacci	<u> </u>	<u> </u>	Absent
Suzanne McDonough	<u>X</u>	<u> </u>	
Kenneth Schmitt	<u>X</u>	<u> </u>	

Councilman Barile explained that this litigation is correcting the title due to an error that occurred twenty years ago.

PUBLIC COMMENTS - AGENDA ITEMS

Jean Hopper asked if agenda item #12 was a different issue than a resolution passed a few weeks ago regarding appointing special counsel, Andrew Rubin.

Supervisor Schmitt and Councilwoman McDonough acknowledged that it was something different.

Ms. Hopper asked what the previous resolution was about.

Councilwoman McDonough asked Greg Folchetti, Legal Counsel to respond.

Mr. Folchetti briefly explained that Councilman Lupinacci had requested special counsel earlier this year and the town board had to authorize it by resolution. He noted it was for a different attorney as he was conflicted out therefore Councilman Lupinacci found another attorney.

TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS

No member of the Town Board wished to comment at this time.

OPEN FORUM - PUBLIC COMMENTS

Jean Hopper remarked on the amount of money being spent on the tennis courts.

Councilwoman McDonough responded that the work involved two tennis courts and two basketball courts.

Supervisor Schmitt pointed out that there is no change order yet, they are still in the process of fact finding and getting estimates for the additional work that may need to be done.

Ms. Hopper asked for clarification on the bid amount.

Supervisor Schmitt and Councilwoman McDonough confirmed the amount for both bids was approximately \$250,000.

Ms. Hopper asked what happens to the contract if the work is not completed.

Supervisor Schmitt explained that there are certain elements the contractor has done but he will not get the full payment if it is not completed and they are still negotiating how it will be handled which may involve a change order.

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Ms. Hopper inquired about the status of the American Legion.

Councilwoman McDonough reported that unfortunately it has been the same old thing, they get to the eleventh hour and something happens but like always they will continue to try and get things done.

Councilman Barile explained that they had expected the easements to be back and signed last week but they were being reviewed again by the property owner.

Councilwoman McDonough clarified that the process was not being held up by the town.

Ms. Hopper expressed her frustration that things were being held up and that this would be the fourth winter that the American Legion would have to use portable toilets.

OPEN FORUM – TOWN BOARD COMMENTS

Supervisor Schmitt congratulated all the winners in the recent elections. He reported that unfortunately Senator Terrence Murphy did not get re-elected. Supervisor Schmitt recounted the support that this community has received over the years from Senator Murphy and thanked him for his service. Supervisor Schmitt expressed his hope that Senator Elect Pete Harckham would treat this community well and reported that he will be meeting with Mr. Harckham in the near future to show him around the community.

Supervisor Schmitt announced that there will be Veteran's Day services on Sunday, November 11, 2018 in both the hamlets of Mahopac and Camel. As he will be attending the service in Carmel, Michael Simone would be attending the service in Mahopac.

Supervisor Schmitt also announced that the Town Hall would be closed on Monday, November 12, 2018 in observance of Veteran's Day.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Barile, with all members present in agreement, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Phyllis Bourges, Deputy Town Clerk