

11 JULY 2012

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

A Special Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 11th day of July 2012 at 7:19 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 and a moment of silence was observed to honor those serving in the United States Armed Forces.

PUBLIC HEARING HELD - CARMEL WATER DISTRICT #8 - INCREASE AND IMPROVEMENT OF FACILITIES - PURCHASE AND INSTALLATION OF WATER MAIN - \$2,200,000 SERIAL BONDS

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

<p>LEGAL NOTICE NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, on July 11, 2012, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a Public Hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of Water District No. 8, in said Town, consisting of the purchase and installation of approximately 13,400 linear feet of 8" water main, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,200,000.</p>	<p>Said capital project 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 ("SEQR"), the implementation of which as proposed, said regulations provide will not result in any significant environmental effects.</p> <p>At said Public Hearing said Town Board will hear all persons interested in the subject matter 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.</p> <p>Dated: Mahopac, New York, June 28, 2012.</p> <p>BY ORDER OF THE TOWN BOARD OF THE TOWN OF CARMEL Ann Garris Town Clerk</p>
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With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:21 p.m. Eleven (11) people were in attendance.

Supervisor Schmitt explained that the Public Hearing is being held in connection with the replacement of a water main distribution line in Mahopac Ridge. He added that Carmel Water District #8 services 450 homes.

Joe Salvatore inquired about a timeline for the project.

Supervisor Schmitt stated that the bid should be awarded for the contract with regard to the project sometime in August.

Gregory Folchetti, Legal Counsel, added that the bond resolution would be adopted at the next Town Board meeting. The bid could be awarded at the expiration of the estoppel period sometime in mid-August. He stated that his understanding was that the construction of the project was anticipated to commence in the fall.

Supervisor Schmitt stated with the project commencing in late August or early September, with weather permitting, construction may continue through the winter months and also depending on the weather, may be completed in the early spring.

Krystyna Kopec asked if the Town Board knew what the cost increase would be to the individual homeowner.

Mr. Folchetti stated that based on the estimated project cost, the approximate increase would be \$400.00 per year to the average homeowner.

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Ms. Kopec inquired how much money will be used toward the project from the water district's reserve fund. She stated that she had asked Senator Greg Ball and others, about obtaining grant funding for the project and asked if the Town is pursuing grant funding.

Supervisor Schmitt explained that the Town of Carmel had submitted a request for federal stimulus funding and was denied.

Ms. Kopec asked if the Town reapplied.

Supervisor Schmitt said that the Town was advised not to reapply.

Ms. Kopec expressed her frustration with the amount of taxes that she currently pays as well as with the poor economy. She appealed for financial assistance to the homeowners to pay for the project.

Supervisor Schmitt acknowledged her concerns. He stated that money is limited all around and that the federal and state governments do not have the dollars that they once had.

Ms. Kopec urged a member of the Town Board to initiate a petition to the homeowners in the water district. She suggested that 450 signatures would have a great impact on another funding request. She offered her assistance in obtaining signatures.

Supervisor Schmitt stated that the project must get started and if the Town were to pursue that route, it would be further delayed.

Ms. Kopec indicated that additional funding could be sought while the project is in progress.

Supervisor Schmitt stated that he would attempt to pursue other avenues to assist in the funding.

Councilwoman McDonough pointed out that the state and federal funding for this year has already been distributed. All new requests would go towards 2013 and it may take from one to three years to receive the money. She stated that for most federal grants, the funding must be in place prior to the commencement of the project.

Ms. Kopec commented that the Town did not try hard enough to obtain additional funding.

Supervisor Schmitt and Councilwoman McDonough disagreed. Supervisor Schmitt explained that the state and federal government generally do not fund water and sewer infrastructure projects. They leave that to the users who benefit from the improvements in the local municipalities. He concluded that the project must be financed.

Ms. Kopec asked about the construction of the project and if there will be any interruptions in service during the construction.

Supervisor Schmitt explained that the project involves the replacement of approximately 13,400 linear feet of 8" water main. There will be some interruptions in service when individual laterals are connected to the new water main.

Councilman Lombardi noted that the residents will be notified when their service will be interrupted.

Supervisor Schmitt added that it would be for a short period of time.

Diane Carson asked to see a copy of the map in connection with the project. She asked for clarification with regard to the replacement of the water main.

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Ms. Carson stated that she was disappointed that the Town has known about the water problem in this district for twenty years and no funding has been put aside to assist in the repairs. She urged the Town Board to continue to look for other sources of funding. Ms. Carson inquired if the contractor retained would be subject to penalties if the project is delayed. She asked if the bonding will be for a twenty or thirty year period.

Supervisor Schmitt stated that the bonding will be for twenty years.

Ms. Carson urged the Town Board to look into ways to reduce overall expenses in the water district. She asked why the residents of Carmel Water District #8 have yet to be provided with the clean water that other water districts have been receiving.

Supervisor Schmitt explained that some of the water districts are newer. As the water districts age, repairs are necessitated. He noted that there is money in the reserve funds of the districts, however, not to the extent required for improvements as significant as this. He added that the problem of discolored water is not being experienced in other districts and that the cost of these improvements will be borne solely by the residents in Carmel Water District #8.

Mr. Folchetti noted that the map was on file in the office of the Town Clerk along with the planning report and also possibly in the office of the Town Engineer. He explained that typically any of the contracts that the Town enters into for these types of public improvement projects contain a liquidated damages clause.

Ms. Carson went on to reiterate her frustration that the Town has been aware of this problem for twenty years and has not been setting aside money each year to pay for it. She inquired about whether or not the water main will be replaced on the road in which she resides, Country Lane.

Supervisor Schmitt stated that it would be.

Councilman Lombardi pointed out that the Town Board at the time would face opposition for encumbering monies from homeowners for repairs twenty years into the future. He cautioned against depleting all monies in a district's reserve fund to pay towards a project because of where it would leave the district in the event of an emergency.

Supervisor Schmitt stated that when the current Town Board was made aware of this problem they commenced action to remedy it right away.

John Filardi inquired what the new water main will be made of.

Supervisor Schmitt stated that it would be made of PVC.

Mr. Filardi questioned if this material will be suitable in the cold weather climate.

Supervisor Schmitt stated that PVC is utilized throughout the northeast.

Councilman Lupinacci noted that the water main is being installed below the frost line.

Mr. Filardi asked if an inspector will be on site to ensure that the piping is installed at the appropriate depth.

Supervisor Schmitt stated that there will be a project engineer on site.

Mr. Filardi expressed his concern regarding the affect that PVC glue may have on drinking water.

Mr. Folchetti noted that PVC is generally used for this type of project and that the Health Department has signed off on the project drawings.

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Mr. Filardi indicated that he did not have a problem given that the Health Department has signed off on it. He then inquired if there is a guarantee against the water main breaking.

Mr. Folchetti stated that the contractor will be responsible for their work for a period after the completion of the project which is usually two years.

Dave Carson inquired about the interest rate of the bond in connection with the project.

Supervisor Schmitt stated the rate to be in the low 2 percent, 2.2 or 2.1. He stated that he would speak to the Town Comptroller and get back to him with the exact rate.

Mr. Carson commented that this project should be the top priority of the contractor retained.

Supervisor Schmitt assured him that the Town will be keeping a watchful eye on the project.

Pat Capozza stated that she lives in the section of Mahopac Ridge that is not afflicted with brown water and inquired if the water main that services her property will be affected.

Supervisor Schmitt indicated that it would not be.

Ms. Capozza inquired if she would be impacted when throughout construction the water service is shut off and then turned back on.

Supervisor Schmitt stated that she may experience some brown water. However, residents would be notified in advance.

Diane Carson asked if shut off valves will be installed. She noted that when a break was experienced several years ago, the shut off valves could not be located.

Supervisor Schmitt stated that each home will have a curb box, a shut off valve for each lateral running from the home to the water main.

Councilman Lupinacci added that there will be valves installed sporadically on the roads so that if a break occurs, only the homes that are directly impacted will lose their service.

Supervisor Schmitt mentioned that there will be a fire hydrant installed at the end of the main, in the cul-de-sac at the end of Country Lane.

Ms. Carson commented that there have been issues with the fire hydrant located at the intersection of Glen Ridge Road and Country Lane.

Tom Ricci asked if all work will take place on the streets.

Supervisor Schmitt stated that the work will be conducted on the streets except for a section which runs through the wooded area at the location of the former Kings Ridge Pool.

Mr. Ricci asked if the \$2,200,000.00 maximum estimated cost of the project is a conservative estimation.

Mr. Folchetti stated that an estimated contingency is included within that amount. The bids could come in significantly lower.

Mr. Ricci inquired about the yearly increase assessed to the homeowner.

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Mr. Folchetti stated that the Town Comptroller's office has the amounts projected on the \$2,200,000.00 estimated construction cost.

Councilman Lupinacci stated that when the bids are received, the Town Board will have a better indication of the actual cost involved.

Councilwoman McDonough commented that the cost could be less.

David Carson inquired about whether or not there will be any iron left in the piping between the water filtration system and Country Lane.

After conversing with the Town Engineer who was presently attending the Planning Board meeting, Supervisor Schmitt stated that all galvanized or ductile piping will be eliminated in the system.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all members of the Town Board present and in agreement the Public Hearing was closed at 8:00 p.m.

Councilman Lombardi inquired about the remaining procedure in connection with the project.

Mr. Folchetti explained that the bond resolution will be voted on at the next regular Town Board meeting. Once the twenty day estoppel period has expired, the Town Board will have the authority to award the contract which would be sometime in mid-August.

Supervisor Schmitt explained that distribution of the construction bid packages has commenced.

ADJOURNMENT

All agenda items having been addressed, the Special Meeting was adjourned at 8:02 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Garris, Town Clerk