

**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 6th day of November 2013 at 7:16 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 observed to honor those serving in the United States Armed Forces as well as for the veterans who fought for our Country. Supervisor Schmitt congratulated the victorious candidates from the recent election.

PUBLIC HEARING HELD - PROPOSED LOCAL LAW AMENDING THE TOWN CODE TO ADD CHAPTER 112 ENTITLED "PORTABLE BATHROOMS AND FACILITIES"

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

<p style="text-align: center;">LEGAL NOTICE NOTICE OF PUBLIC HEARING</p> <p>NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, November 6, 2013 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending the Town Code to add Chapter 112 entitled "PORTABLE BATHROOMS AND FACILITIES", as follows:</p> <p>PROPOSED LOCAL LAW # OF THE YEAR 2013</p> <p>Be it enacted by the Town Board of the Town of Carmel, Putnam County, State of New York as follows:</p> <p>SECTION 1: PURPOSE</p> <p>The purpose of this local law is to establish and impose restrictions upon the installation and operation of portable bathrooms for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the Town and its inhabitants.</p> <p>SECTION 2: AMENDMENT OF THE TOWN CODE</p> <p>The Town Code of the Town of Carmel is hereby amended by the addition of a new chapter entitled, "CHAPTER 112 PORTABLE BATHROOMS AND FACILITIES" which shall read as follows:</p> <p>§ 1. Purpose.</p> <p>The Town Board of the Town of Carmel has received numerous complaints in regard to portable bathrooms concerning their visual pollution. Although portable bathrooms may be an environmental asset, it is generally recognized that portable bathrooms create visual pollution and can deprive neighboring residents of the enjoyment of their property or premises. Therefore, it is the intention of the Town Board of the Town of Carmel to establish and impose restrictions upon the installation and operation of portable bathrooms for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the Town and its inhabitants. This chapter is intended to ensure that existing and future portable bathrooms are utilized in a manner that does not create a nuisance and is not detrimental to the health, safety and general welfare of the residents of the Town.</p> <p>§ 2. Authority.</p> <p>This chapter is adopted pursuant to the authority of Article 2, § 10 of the New York State Municipal Home Rule Law.</p> <p>§ 3. Enforcement.</p>	<p>The Town of Carmel Director of Codes Enforcement, Building Inspector and Code Enforcement Officer, or any other person who may hereafter be designated by resolution of the Town Board is hereby authorized in the name and on behalf of the Town of Carmel to undertake and prosecute any proceedings necessary or appropriate to enforce compliance with this chapter including the issuance of appearance tickets.</p> <p>§ 4. Definitions.</p> <p>As used in this chapter, the following terms shall have the meanings indicated:</p> <p>PORTABLE BATHROOM</p> <p>Any sanitary facility, toilet, and/or bathroom facility that is movable, portable and/or without any structural foundation.</p> <p>VIOLATOR or ANY PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER</p> <p>Any person who owns or occupies the property at the time the portable bathroom has been installed and/or operated without meeting all conditions of this code.</p> <p>§ 5. Existing and New Portable Bathrooms.</p> <p>Except as hereinafter provided, the lawful use of any portable bathroom may be continued, subject to the provisions of this section.</p> <p>A. No portable bathrooms, shall be installed or maintained on residential properties, improved or otherwise, within the Town of Carmel unless fully screened from view from any street within the Town of Carmel. Said screening shall be with a minimum six foot tall living fence, of such density that the portable bathroom facility or facilities cannot be seen through the living fence. Said living fence must be of evergreen trees and maintained year round.</p> <p>B. No portable bathrooms, shall thereafter be installed or maintained on residential properties, improved or otherwise, within the Town of Carmel between the dates of November 1st and April 30th each year.</p> <p>§ 6. Penalties for offenses.</p> <p>A. Failure to comply with any of the provisions of this chapter shall be a violation and, upon conviction thereof, shall be punishable by a fine of not less than \$500 or imprisonment for a period of not more than 10 days, or both, for the first offense. Any subsequent offense shall be punishable by a fine of not less than \$1,000 or imprisonment for a period of not more than 30 days, or both. Each day that a violation occurs shall constitute a separate offense. The owners of premises upon</p>	<p>which prohibited acts occur shall be jointly and severally liable for violations of this chapter.</p> <p>B. Compliance with the provisions of this chapter may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction.</p> <p>C. In the event the Town is required to take legal action to enforce the provisions of this chapter, the violator will be responsible for any and all necessary costs incurred by the Town relative thereto, including attorneys' fees, and such amount shall be determined and assessed by the court.</p> <p>D. Any fine imposed and any costs incurred hereunder shall constitute a lien upon the real property where the portable bathroom facility is located. If such fine and/or costs assessed by the court are as possible on a Local Law amending the Town Code to add Chapter 112 entitled "PORTABLE BATHROOMS AND FACILITIES" not paid in full within 30 days from the date determined and assessed by the Court, such fine and/or costs shall be charged to the property so affected by including such expense in the next annual Town tax levy against the property.</p> <p>§ 7. When effective.</p> <p>This chapter shall take effect immediately in accordance with the law of the State of New York.</p> <p>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.</p> <p>By Order of the Town Board of the Town of Carmel Ann Spofford, 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 7:23 p.m. Sixteen (16) people were in attendance.

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(Cont.)

Supervisor Schmitt explained that the proposed legislation was created in response to residents' complaints about the unsightly appearance of portable bathroom facilities predominantly around Lake Mahopac, along Route 6N.

Jim Doyle suggested that the proposed Local Law would cause an undue hardship to workers during building construction and the required evergreen screening would add to construction costs. Mr. Doyle suggested instead of screening, the Town Board consider restricting the distance from a traveling lane where these facilities may be placed. However, he stressed that they must be placed so that they are visible to the companies retained to clean them. Mr. Doyle commented that portable bathroom facilities are also utilized during power outages and it did not make sense that a living fence would be required at this time. He inquired why the restrictions were limited to residential properties. Mr. Doyle concluded that sanitation should take precedence over appearance and urged the Town Board not to adopt this legislation.

Supervisor Schmitt pointed out that the purpose of the Public Hearing is to gather information and feedback in regard to the proposed Local Law. He noted that Mr. Doyle's suggestions would be taken under advisement.

David Nichols commented that the legislation singles out lakefront property owners and that the slightly offensive appearance of portable bathroom facilities is a better alternative than the public using the lake as a bathroom. He reiterated that it should apply to commercial properties as well.

Nick Fannin asked if the Town Board had considered other concealment options in addition to evergreen enclosures, which he commented could come at a significant cost to the property owner and may also detract from the appearance of the area.

Councilwoman McDonough stated that the Town Board had discussed alternatives at previous meetings and was now seeking public comments with regard to the matter.

Mr. Fannin commented that singling out residential properties may not solve the issue and inquired what the reason was for including specific dates in the proposed Local Law.

Gregory Folchetti, Legal Counsel, explained that the Town Board wanted to limit the dates so that the portable bathroom facilities would not remain up on residential properties on a year round basis.

Mr. Fannin commented that a vacant evergreen enclosure could be considered an eyesore to some.

Supervisor Schmitt thanked the members of the public for their comments. He pointed out that it was not the intent of the Town Board to prevent the temporary use of portable bathroom facilities during residential construction as well as during carnivals and the like. He encouraged the use of these facilities. Supervisor Schmitt stated that there would be further discussion with regard to the proposed Local Law and if it is the intent of the Town Board to move forward with this legislation, all comments will be taken under consideration.

Mr. Doyle suggested that a permit be required in order to install a portable bathroom facility.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi, seconded by Councilwoman McDonough, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:38 p.m.

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PUBLIC HEARING HELD - PROPOSED LOCAL LAW TO OVERRIDE THE LIMIT ON THE AMOUNT OF REAL PROPERTY TAXES THAT MAY BE LEVIED BY THE TOWN OF CARMEL, COUNTY OF PUTNAM PURSUANT TO GENERAL MUNICIPAL LAW 3-C

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

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Carmel will conduct a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541 on Wednesday, November 6, 2013 at 7:00 p.m. or as soon thereafter that evening as possible to consider the adoption of a local law to override the limit on the amount of real property taxes that may be levied by the Town of Carmel, County of Putnam pursuant to General Municipal Law § 3-c; as follows:
PROPOSED LOCAL LAW # OF THE YEAR 2013
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C
Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Carmel, County of Putnam pursuant to General Municipal Law § 3-c, and to allow the Town of Carmel, County of Putnam to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.
Section 2. Authority.
This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override.
The Town Board of the Town of Carmel, County of Putnam is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.
Section 4. Severability.
If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or

corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.
Section 5. Effective date.
This local law shall take effect immediately upon filing with the Secretary of State.
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

With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:41 p.m. Fifteen (15) people were in attendance.

Michael Barile commented that it was easy for the Town to override the 2% property tax cap and that since 2007, based upon the figures estimated for 2014, Town taxes will have increase by 54½%. He further commented that with future increases such as this, it will no longer be the school taxes that are overburdening the taxpayers.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and in agreement, the Public Hearing was closed at 7:43 p.m.

LOCAL LAW #6 OF THE YEAR 2013 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C - ADOPTED AS PRE-FILED, NOTICED, PUBLISHED AND AS A TYPE II ACTION UNDER SEQR

**LOCAL LAW #6 OF THE YEAR 2013
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C**

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Carmel, County of Putnam pursuant to General Municipal Law § 3-c, and to allow the Town of Carmel, County of Putnam to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2014 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

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(Cont.)

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Carmel, County of Putnam is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

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>

PUBLIC HEARING HELD REGARDING THE PRELIMINARY BUDGET FOR THE FISCAL YEAR 2014

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



With no one objecting to the public notice as read, Supervisor Schmitt opened the Public Hearing for public comment at 7:47 p.m. Fifteen (15) people were in attendance.

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(Cont.)

David Nichols commented that the State has imposed a 2% property tax cap for a reason, to keep towns and villages from spending money that they do not have. He stated that he did not support overriding the property tax cap for at least, the third year in a row. Mr. Nichols indicated that he did not favor raises for the Town Board during these difficult economic times.

Jennifer Maher implored the Town Board to consider making cuts to the Budget because residents cannot afford tax increases every year.

Councilman Lupinacci asked for suggestions from residents as to where they would support reductions. He stated that he supported the 2% property tax cap. However, drastic cuts would need to be made in order for the Town to stay within it.

Ms. Maher inquired what drastic cuts were proposed by the Town Board and reiterated that spending needs to be reduced.

Supervisor Schmitt commented that since 2008, the Town of Carmel workforce has been reduced by fourteen people and noted that there is a cost to providing services to the taxpayers in the community.

Ms. Maher stated that sometimes very difficult decisions must be made and there are items on tonight's agenda where she believes that spending could be cut. She cited the cost for electrical upgrades at the Mahopac Chamber Park.

Supervisor Schmitt stated that this cost will be transferred from the Parkland Trust Fund.

Ms. Maher suggested cutting spending in connection with the dry cleaning of Police Department uniforms.

Councilman Lupinacci pointed out that this is a contractual expense.

Councilwoman McDonough suggested that Ms. Maher obtain and review a copy of the 2014 Preliminary Budget and offer recommendations to the Town Board.

Ms. Maher inquired again, about what major cuts were proposed by the Town Board with regard to the budget this year.

Councilman Lombardi stated as an example, that if the Town Board chooses not to move forward with the town wide revaluation, it could save \$1 million over the next five years. He went on to point out that when the Town Board proposed cuts to the Police Department last year, there was an outcry from the public.

Councilman Lombardi went on to comment about former Town Boards putting off certain projects that the current Town Board must deal with. He concluded that unlike Westchester County, Putnam County does not share sales tax revenues with the towns. The Town of Carmel must rely on revenue from mortgage tax, various Town fees and taxes.

Ms. Maher suggested it may be the time for the Town Board to take drastic measures.

Councilman Lombardi stated that taking drastic measures may not be the responsible thing to do.

Councilman Lupinacci explained that in order to stay within the property tax cap, the Town Board must reduce the current Budget by \$1.1 million. He stated that there needs to be a change as to the way government services are provided to the public and spoke regarding the need for a countywide collaboration of shared services. Councilman Lupinacci also spoke regarding the serious problems associated with the Town's growing debt service.

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(Cont.)

Supervisor Schmitt stated that since 2008, Town spending has been reduced by almost \$2 million predominantly as a result of staff reductions. However, revenues coming into the Town have decreased dramatically since 2005. Supervisor Schmitt commented that when mortgage tax revenues were high, previous Town Boards should have been putting money away.

Supervisor Schmitt further stated that some residents have commented that Town staffing has become too lean and to address this, additional funding is included in the 2014 Budget. However, this comes at a cost. He spoke regarding budget drivers and the Town Board's efforts to reduce spending which includes currently negotiating with the unions with respect to health insurance contributions.

Councilman Lupinacci pointed out that not only has the tax rate increased, the Town's fund balance has decreased. He stressed that the Town cannot continue to borrow to maintain the infrastructure and that the Town's bond rating must be maintained or it will result in an increase to the debt service.

Supervisor Schmitt urged residents to lobby their County Legislators in support of Putnam County sharing their sales tax revenues with the towns.

Councilman Lupinacci pointed out that in return of sales tax revenue, Putnam County keeps the Town whole as to tax revenue. They guarantee the Town's levies. He stated that if the sales tax revenue far exceeds the costs to make the Town whole, discussion should be held.

Supervisor Schmitt stated that the Town Board appreciates the services and programs provided by Putnam County that benefit the residents in the Town of Carmel. Though for many years, Putnam County has been approached to share sales tax revenue.

Councilman Lombardi stated that Putnam County has created a formula in connection with sharing sales tax revenue. However, the threshold amount for sharing is high and may be unattainable. He questioned since the Town of Carmel brings in the most sales tax revenue, why the five County legislators who represent it are not supporting revenue sharing.

Supervisor Schmitt stated that he did not anticipate sales tax revenue sharing and that the financial issues faced by the Town must be solved by the Town. He stated that the Town Board appreciates the residents' comments and noted that at most of their public meetings there are only one or two people in attendance.

Councilman Lupinacci added that there was great apathy in the community and cited the small voter turnout in the recent election as an example. He commented that the public should be part of the solution.

Ms. Maher stated that she is aware of people who are afraid to speak at Town Board meetings. She concluded that she would support drastic changes to prevent continued tax increases.

David Nichols commented that hundreds of thousands of dollars could be cut from the Mahopac Public Library's budget. He suggested that any organization that holds a function in the Town should be responsible for paying the full expense for police protection. Mr. Nichols went on to point out that Putnam County receives 12% interest as well as penalties and fees to make the Town whole. He commented that people in the community do not attend the Town Board meetings because they feel that their opinions do not matter. He added that some residents will not speak out because of feared retaliation.

Councilwoman McDonough encouraged any resident who feared retaliation to contact her.

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(Cont.)

Nick Fannin inquired if the Town Board has discussed the possibility of sharing services with other towns as well as Putnam County in connection with infrastructure improvements and employee benefits. He suggested that the local municipalities form a consortium.

Councilman Schneider explained that the municipalities currently participate in the health insurance plan administered by New York State.

Councilman Lupinacci added that if the Town Board were to consider changing health insurance providers, it would have to be negotiated with the unions.

Michael Barile clarified that what he meant by his comment earlier in the meeting was that overriding the property tax cap was easier for the Town in comparison to the school district. Mr. Barile spoke regarding the impact that the poor economy and reduced mortgage tax revenues have had on recent Town budgets, commenting that Town of Carmel staff has been cut to the bone.

Mr. Barile commented that Putnam County should be responsible for 100% of the costs associated with the Putnam County Emergency Response Team. He agreed that organizations should pay the cost of Police and Highway Department overtime in connection with their parades and other events. He asked to be provided with those actual costs. Mr. Barile stated that he believed that the miscellaneous fees projected in the 2014 Budget are a little high. He suggested that future budgets contain an explanation of each line item. Mr. Barile commented that the part-time Town Council members awarding themselves a 2% raise at this time is offensive.

Mr. Barile stated that the 2014 Budget was a good one, however, could be reduced 2% if the Police Union contract was settled by averting the legal fees associated therewith. He expressed his frustration that the Police Union contract negotiations have not been settled yet and inquired about the status of the negotiations.

Councilman Lupinacci indicated that two weeks ago, they had met with a mediator for the first time and that both sides agreed not to comment publicly until two further sessions are held.

Councilman Lupinacci stated in regard to the Putnam County Emergency Response Team that discussions were held with the Putnam County Sheriff and a letter sent to the Putnam County Executive with regard to seeking reimbursement. He expressed his frustration with the expenses incurred by the Town of Carmel for this County initiative.

Doug DiCairano applauded the Town Board for their efforts and suggested the need for more residents to participate in public meetings. He stated that the Town should not purchase five trucks in one year. One truck should be purchased annually. He agreed that organizations should be responsible for paying for all costs incurred by the Town associated with their events.

Supervisor Schmitt explained that the Town had to borrow to purchase six trucks last year and concluded that it should never occur again.

Councilwoman McDonough indicated that similar to what the Town Board had initiated for technology improvements years ago, funds are now being put away each year for the Highway Department.

Peter Valdez commented with regard to the fire protection and ambulance districts that based upon their service award portfolio, LOSAP will be underfunded in 2014 by close to \$200,000.00 because of the way the investments are allocated.

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Councilman Schneider stated that he is a treasurer for a fire district in Westchester and explained that when they were informed by their LOSAP provider that they underfunded, certain parameters were changed which avoided the necessity of applying additional funds. A brief discussion ensued regarding the program. Councilman Schneider suggested that a future meeting be held to discuss the matter in detail.

Supervisor Schmitt stated that he would arrange the meeting with Mr. Valdez and invite the Town Comptroller.

Supervisor Schmitt thanked all present who commented at the Public Hearing. He stated that the Town Board will continue to work on the 2014 Budget which must be adopted on or before November 20, 2013.

With no one else present wishing to be heard on the subject of the Public Hearing, on motion by Councilwoman McDonough, seconded by Councilman Lombardi, with all members of the Town Board present and in agreement, the Public Hearing was closed at 8:57 p.m. A recess was called by Supervisor Schmitt. The meeting resumed at 9:08 p.m.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 9/25/13, 10/2/13 AND 10/16/13 -
ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lombardi, seconded by Councilman Schneider, with all members of the Town Board present voting and “aye”, the minutes of the Town Board meetings held September 25th, October 2nd and October 16th 2013 were accepted as submitted by the Town Clerk.

**TOWN CLERK - ENTRY INTO LICENSE ISSUING AGENT AGREEMENT WITH NEW
YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION -
AUTHORIZED**

RESOLVED, that the Town Board of the Town of Carmel, hereby authorizes the entry into an agreement between the Town of Carmel and the New York State Department of Environmental Conservation for the issuance of hunting, trapping and fishing licenses at Town of Carmel Town Hall, said agreement being in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that Town Clerk Ann Spofford is designated as the “license issuing agent” as set forth in said agreement; and

BE IT FURTHER RESOLVED, that Town Clerk Ann Spofford is hereby authorized and directed to execute said agreement and to designate and appoint any assistant license issuing agent required thereunder.

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>

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(Cont.)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LICENSE ISSUING AGENT AGREEMENT

(Do not alter this Agreement. If information is incorrect, please call the New York State Department of Environmental Conservation at 518-402-9365.)

This Agreement entered into between the New York State Department of Environmental Conservation (hereinafter referred to as the "Department"), with offices at 625 Broadway, Albany, New York 12233, and _____

as the ☐owner ☐municipal clerk ☐manager of _____

Business/Municipality Name Street Address

City/Town/Village State Zip Code

(hereinafter collectively referred to as the "License Issuing Agent")

WITNESSETH:

WHEREAS, the Department is authorized by § 11-0713 of the Environmental Conservation Law and applicable rules and regulations to appoint agents to issue licenses for the privilege of hunting and fishing in New York State; and

WHEREAS, the License Issuing Agent has applied to the Department for appointment as such a License Issuing Agent; and

WHEREAS, the Department has determined that the License Issuing Agent is qualified to be appointed as a license issuing agent.

NOW THEREFORE, the parties hereto agree as follows:

1. DEFINITIONS

As used in this Agreement, the following terms shall have the meaning provided herein:

License Issuing Agent – shall mean both the *License Issuing Agent* and the *License Issuing Officer* as provided in 6 NYCRR § 177.1(f) and (g) of the Department regulations and shall also mean the duly appointed owner, municipal clerk, or manager set forth above.

Assistant License Issuing Agent – shall mean the individual appointed by the Licensing Issuing Agent to receive Department sponsored training for the purpose of issuing sportsman licenses and to be the point of contact for any Department inquiries.

Approved location – shall mean the business' or municipality's address as set forth in the beginning of this Agreement.

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2. APPOINTMENT

A. The Department hereby appoints the License Issuing Agent and their duly appointed Assistant License Issuing Agent (designed below) to be an agent issuing hunting, trapping, and fishing licenses at the approved location.

B. The License Issuing Agent hereby appoints _____
Name
_____, as the Assistant License Issuing Agent.
Title

(See paragraph [11. F] herein for information regarding changes in appointment of the Assistant License Issuing Agent.)

3. DEPARTMENT REPRESENTATIONS

The Department hereby agrees that it will:

A. Provide the License Issuing Agent with a license printer (and necessary supplies) at the approved location for the sale and reporting of hunting and fishing licenses and provide necessary support for the printer.

B. Pay a commission to the License Issuing Agent for each license sold as prescribed in Department laws, rules and regulations.

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(Cont.)

C. Provide appropriate training and training materials to the Assistant License Issuing Agent, including a toll free telephone "help desk" service to answer questions and assist with problems.

D. Provide informational materials for use at the approved location for the License Issuing Agent and their authorized employees to distribute to hunters, anglers, etc., regarding regulatory requirements for all authorized licenses issued.

4. AGENT REPRESENTATIONS

The Agent hereby agrees that it will:

A. Provide authorization attached hereto as Attachment "A" for the Department to access a bank account for electronic fund transfers to pay for all licenses sold. Fund transfers shall be scheduled on a regular basis as determined by the Department.

B. Provide reasonable and necessary security to protect equipment and supplies from damage and unauthorized use.

C. Ensure that all Department license issuing equipment is maintained in good working condition and returned to the Department when license sales are no longer provided at the approved location.

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D. Pay all amounts due to the Department. Failure to maintain an adequate balance in the License Issuing Agent's account may result in immediate termination of this Agreement.

E. The License Issuing Agent must provide a compatible computer system including a plain paper printer and access to the internet at no charge to the Department.

F. The License Issuing Agent agrees that it will indemnify and save harmless the Department and the State of New York from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it in a court of competent jurisdiction, to the extent such loss is attributable to a negligent omission or tortious act of the License Issuing Agent, its agents or employees, in the performance of this Agreement.

G. The License Issuing Agent is solely responsible for the supervision and direction of the performance of this Agreement by the Assistant License Issuing Agent and other authorized license issuing employees other than as specifically provided herein.

5. AGENT RESPONSIBILITY

A. General Responsibility: The License Issuing Agent shall at all times during the Agreement term remain responsible. The License Issuing Agent agrees, if requested by the Commissioner or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

B. Suspension of Work (for Non-Responsibility): The Commissioner or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Agreement, at any time, when he or she discovers information that calls into question the responsibility of the License Issuing Agent. In the event of such suspension, the License Issuing Agent will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the License Issuing Agent must comply with the terms of the suspension order. Agreement activity may resume at such time as the Commissioner or his or her designee issues a written notice authorizing a resumption of performance under the Agreement.

6. LICENSE ISSUING CONDITIONS

A. All licenses authorized to be sold pursuant to this Agreement may only be sold by the Assistant License Issuing Agent or authorized employees of the License Issuing Agent at the approved location set forth in this Agreement.

B. All employees authorized to issue licenses by the License Issuing Agent pursuant to paragraph "A" of this section, shall be appropriately trained in the use of the license issuing system by the Assistant License Issuing Agent prior to using the issuance system.

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TOWN BOARD MEETING**

(Cont.)

C. The Assistant License Issuing Agent must receive recurring training sponsored by the Department at least once every three years or sooner as circumstances warrant as determined by the Department.

D. The License Issuing Agent and its employees who are authorized to issue licenses pursuant to this Agreement must abide by New York State Regulations 6 NYCRR Part 177 (www.dec.ny.gov/regs/3936.html) and 6 NYCRR Part 183 (www.dec.ny.gov/regs/3931.html).

E. All personal data provided by customers shall be kept confidential to the extent required by Law.

F. All documents considered returnable documents as well as all voided licenses for which credit is requested must be returned to the Department within one month of the transaction.

G. All funds received from the sale of licenses, less the commission fee established by the Department, will be held in trust for the Department. Monies collected from the sale of licenses are Department funds and any other use of such funds is prohibited. The License Issuing Agent accepts the responsibility and duties of trustee for all funds collected for the benefit of the Department under this Agreement.

H. No license may be sold for a fee in excess of or less than the amount established by the Department.

I. The complete catalog of sportsman licenses must be available for sale at the License Issuing Agent's approved location as designated in this Agreement.

7. USE OF EQUIPMENT AND SUPPLIES

A. Supplies and equipment assigned to the License Issuing Agent for the printing of licenses are to be used for that purpose only, unless prior approval for such use is provided by the Department. Equipment is not transferable to other license issuing agent locations.

B. In the event that defective equipment is replaced, the License Issuing Agent shall return the defective equipment immediately to the specified repair center. The License Issuing Agent shall pay for any such equipment not returned, or equipment that shows obvious abuse. Failure to remit payment for abused or unreturned equipment may result in the immediate termination of this Agreement.

8. CHANGE IN OWNERSHIP

In the event of a change in ownership of the License Issuing Agent's business, the Department must be notified 30 days in advance of any such change, and this Agreement becomes immediately terminated at the time of such change in ownership. At the time of termination, all Department-provided licensing equipment must be returned to the Department or the

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Department's representative. This License Issuing Agent's appointment is not transferable and shall apply only to the License Issuing Agent's appointment to sell hunting and fishing licenses.

9. CHANGE IN MUNICIPAL CLERK

In the event of a change in municipal clerk from that who entered into this Agreement, the Department must be notified within 30 days of such change and this Agreement will become void at the time of such change. To avoid a disruption in service, a new Agreement should be submitted in advance of such change signed by the new municipal clerk. If the municipality intends to submit a new Agreement, Department-provided equipment does not need to be returned.

10. COMPLIANCE INSPECTIONS

The Department reserves the right to inspect the approved location for the purpose of determining compliance with this Agreement.

11. TERMINATION

In addition to any termination event appearing elsewhere in this Agreement, or provided in the applicable Department regulations, the following shall apply:

A. This Agreement may be terminated for cause if the Department determines that any false statements or omissions were made on the License Issuing Agent's application.

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TOWN BOARD MEETING

(Cont.)

B. This Agreement may be terminated for cause for failure to comply with the terms of this Agreement at any or all approved locations at any time by the Department.

C. Either party may terminate this Agreement for convenience by 15 days written notice to the other party.

D. In the event of termination of this Agreement, the License Issuing Agent shall pay for all licenses sold and not previously paid for and return all equipment and supplies to the Department within 30 days of such termination.

E. Termination for Non- Responsibility: Upon written notice to the License Issuing Agent, and a reasonable opportunity to be heard with appropriate Department officials or staff, the Agreement may be terminated by the Commissioner or his or her designee at the License Issuing Agent's expense where the License Issuing Agent is determined by the Commissioner or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

F. In the event of a change in the appointment of the Assistant License Issuing Agent, the License Issuing Agent shall notify the Department of such change within 15 business days by submitting to the Department a completed revised License Issuing Agent Application

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Form attached hereto as Attachment "B," which shall provide, among other things, the name and title of the newly appointed Assistant Licensing Issuing Agent. In the Department's sole discretion, this agreement may be suspended or terminated in the event the Department is not notified of any change in appointment of the Assistant License Issuing Agent as provided herein.

12. TERM

This Agreement shall remain in effect from the date of execution until such termination.

13. APPLICABLE LAWS

A. This Agreement shall be governed by the laws of the State of New York.

B. All licenses shall be issued in accordance with the provisions of the New York Codes, Rules and Regulations of the State of New York (<http://www.dec.ny.gov/regs/2494.html>) and New York State Law and the policies and procedures of the Department.

14. TOTAL AGREEMENT

This Agreement together with any laws, documents and instruments herein referenced, shall constitute the entire agreement and any previous communication pertaining to this Agreement is hereby superseded.

15. CONTRACT AMENDMENT

Any agreement revisions, including payment adjustments or time extensions, shall be made by a written amendment to the agreement, signed by both parties.

Signature _____ Date: _____
License Issuing Agent
(notarization required below)

LICENSE ISSUING AGENT ACKNOWLEDGMENT

State of _____)
) s.s.:
County of _____)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her /their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date Notary Expires

Notary Public

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6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

Signature _____ Date: _____
DEC Representative

NOTE: A faxed copy of this agreement and the associated application will not be accepted.

Completed applications and agreements in their original form should be mailed to:

Attn: Revenue and Accounting Unit
New York State Department of Environmental Conservation
625 Broadway, 10th Floor
Albany, New York 12233-4900

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Attachment A

New York State Department of Environmental Conservation
Division of Management & Budget Services
Bureau of Revenue Management -10th Floor
625 Broadway, Albany, New York 12233-5012
Phone: (518) 402-9365 • FAX: (518) 402-9023
Website: www.dec.state.ny.us

Please complete, review and sign this form. Attach a voided check or a statement from your bank that includes the routing number and account number for the account from which the ACH debits will be drawn and mail this items to the address above.

New York State Department of Environmental Conservation Authorization Agreement for Direct Payments (ACH Debits) relative to the Department's automated sporting license system.

Agent/Officer Name: _____
Business Address: _____
City: _____
State: _____
ZIP: _____
Telephone: _____

I hereby authorize the New York State Department of Environmental Conservation, hereinafter called DEPARTMENT, to initiate debit entries to my account indicated below at the financial institution named below, hereinafter called DEPOSITORY, and to debit the same account. I acknowledge that the origination of ACH Transactions to my account must comply with the provisions of U.S. law.

Branch Name: _____
Address: _____
City: _____
State: _____
ZIP Code: _____
Contact: _____
Telephone: _____
Routing Number: _____
Account Number: _____
Account Name _____
Account Type: ☐ Checking ☐ Savings ☐

This authorization is to remain in full force and effect until DEPARTMENT has received written notification from me of its termination in such manner as to afford DEPARTMENT and DEPOSITORY a reasonable opportunity to act on it.

Signature: _____
Date: _____

NOTE: ALL WRITTEN DEBIT AUTHORIZATIONS MUST PROVIDE THAT THE RECEIVER MAY REVOKE THE AUTHORIZATION ONLY BY NOTIFYING THE ORIGINATOR IN THE MANNER SPECIFIED IN THE AUTHORIZATION.

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(Cont.)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
LICENSE ISSUING AGENT APPLICATION
ATTACHMENT "B"



LICENSE ISSUING AGENT PERSONAL INFORMATION		
FIRST, MIDDLE INITIAL, LAST NAME:		
HOME ADDRESS:		
STREET/PO BOX:		
CITY:	STATE:	ZIP CODE:
HOME TELEPHONE NUMBER:		WORK TELEPHONE NUMBER:
HAS APPLICANT SOLD NEW YORK STATE HUNTING AND FISHING LICENSES PREVIOUSLY? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE PROVIDE AGENT NUMBER:		
HAVE YOU EVER BEEN DENIED A BOND OR BEEN THE DEFENDANT IN COURT PROCEEDINGS INVOLVING THE NONPAYMENT OF DEBTS? <input type="checkbox"/> YES <input type="checkbox"/> NO		
HAVE YOU EVER BEEN CONVICTED OF A FELONY? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE AGENT 18 YEARS OF AGE OR OLDER? <input type="checkbox"/> YES <input type="checkbox"/> NO		
POSITION OF APPLICANT: <input type="checkbox"/> OWNER <input type="checkbox"/> MUNICIPAL CLERK <input type="checkbox"/> MANAGER		
BUSINESS INFORMATION		
LEGAL NAME OF BUSINESS OR MUNICIPALITY:		
FEDERAL EMPLOYER IDENTIFICATION NUMBER:		
TYPE OF BUSINESS: <input type="checkbox"/> GOVERNMENT <input type="checkbox"/> SOLE PROPRIETORSHIP <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LIMITED PARTNERSHIP		
BUSINESS MAILING ADDRESS:		
STREET/PO BOX:		
CITY:	STATE:	ZIP CODE:
BUSINESS SHIPPING ADDRESS (If Different From Above)		
STREET ADDRESS		
CITY	STATE:	ZIP CODE:
BUSINESS TELEPHONE NUMBER:		BUSINESS FAX NUMBER:
BUSINESS E-MAIL ADDRESS:		
HAS THIS BUSINESS LOCATION SOLD NEW YORK STATE HUNTING AND FISHING LICENSES PREVIOUSLY? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE PROVIDE AGENT NUMBER:		

BUSINESS OPERATIONS		
DAYS/HOURS OF OPERATION		
DAY OF WEEK	OPENING TIME	CLOSING TIME
SUNDAY	__ AM __ PM	__ AM __ PM
MONDAY		
TUESDAY		
WEDNESDAY		
THURSDAY		
FRIDAY		
SATURDAY		
IS THIS BUSINESS OPEN YEAR AROUND? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NO, STATE MONTHS OF OPERATION:		

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TOWN BOARD MEETING

(Cont.)

ASSISTANT LICENSE ISSUING AGENT INFORMATION (To be appointed by the License Issuing Agent listed above)		
FIRST, MIDDLE INITIAL, LAST NAME:		
HOME ADDRESS:		
STREET/PO BOX:		
CITY:	STATE:	ZIP CODE:
HOME TELEPHONE NUMBER:		WORK TELEPHONE NUMBER:
HAVE THE ASSISTANT AGENT EVER BEEN CONVICTED OF A FELONY? <input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ASSISTANT AGENT 18 YEARS OF AGE OR OLDER? <input type="checkbox"/> YES <input type="checkbox"/> NO		

License Issuing Agent Applicant Certification and Signature:

The undersigned recognizes that this application is submitted for the express purpose of inducing the State of New York, through the Department, to appoint me as a license issuing agent with the authority to issue hunting, trapping, and fishing privileges in the State of New York; acknowledges that the State or the Department may, by means which it may choose, determine the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony or misdemeanor under Penal Law § 210; and states that the information submitted in this application and any attached pages is true, accurate and complete.

Signed: _____ Dated: _____
License Issuing Agent

MAHOPAC CHAMBER PARK - BUDGET TRANSFER AUTHORIZED FOR ELECTRICAL UPGRADES - \$6800

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Comptroller Mary Ann Maxwell to transfer the sum of \$6800 from the Parkland Trust Fund to the Chamber Park Line 7113.0040 for electrical upgrades completed at the Chamber Park.

Resolution

Offered by: Councilman Lombardi
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>

BUDGET MODIFICATIONS #2013-03 - AUTHORIZED

WHEREAS the Town Comptroller has reviewed the 2013 year-to-date Budget Modifications/Revisions for the period of July 1, 2013 through September 30, 2013 with the Town Board, which are detailed and explained on the attached Budget Revisions Schedule identified as #2013-03;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the 2013 year-to-date Budget Modifications/Revisions for the period of July 1, 2013 through September 30, 2013 as itemized on Schedule #2013-03 which is attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Lombardi

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TOWN BOARD MEETING

(Cont.)

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

TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 9/30/13 - #2013/03

(17) #7
Work Session 10/23/13
11/6/13

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
01	100-1989-9876 100-1930-0040	RESERVE FOR CERTIORARI SETTLEMENTS CERTIORARI SETTLEMENT EXPENSE - PROVIDE FOR CERTIORARI SETTLEMENT	13,092.00 13,092.00	
02	100-3120-0045 100-1989-2681	POLICE VEHICLE REPAIR EXPENSE INSURANCE RECOVERY - PROVIDE FOR ACCIDENT REPAIR COSTS	7,890.00 7,890.00	
03	100-3120-0029 100-1989-1522	POLICE SPECIAL EXPENSE FROM SEIZED ASSETS POLICE SPECIAL REVENUE - PROVIDE FOR POLICE EXPENSES FROM SEIZED ASSETS	4,051.00 4,051.00	
04	100-3120-0012 100-3121-0012 100-3120-0011 100-3120-0018 100-3120-0080 100-3120-0082 100-3120-0084 100-3120-0085 100-1989-3391 100-1989-3391	POLICE OVERTIME POLICE LAKE PATROL OVERTIME POLICE UNIFORM STAFF PAY POLICE HOLIDAY PAY POLICE RETIREMENT EXPENSE POLICE FICA/MED EXPENSE POLICE HEALTH BENEFIT EXPENSE POLICE DENTAL/OPTICAL EXPENSE STATE AID - POLICE SPECIAL ERT REIMB STATE AID - POLICE SPECIAL FUTURE ERT REIMB - PROVIDE/TRANSFER FOR POLICE OT EXPENSE FROM PO SALARY/BENEFIT LINE AND ERT FUNDS	135,644.00 20,356.00	82,586.00 2,307.00 23,454.00 6,807.00 18,546.00 1,500.00 9,600.00 11,400.00
05	100-1310-0040 100-1315-0044	FINANCIAL ADVISOR EXPENSE COMPTROLLER CONSULTING EXPENSE - TRANSFER FOR FIN ADVISOR EXP	250.00	250.00
06	100-1420-0042 100-1420-0043 100-1420-0044 100-1420-0041	JUSTICE COURT PROSECUTION SPECIAL COUNSEL BOARDS LABOR LEGAL SERVICES LITIGATION LEGAL SERVICES - TRANSFER FOR LEGAL EXPENSE	5,000.00 10,000.00 5,000.00	20,000.00
07	100-1620-0020 100-1620-0040 100-1620-0013 100-1620-0045	BLDG EQUIPMENT BLDG CONTRACTUAL EXPENSE BLDG TEMP STAFF EXPENSE BLDG SPECIAL IMPROVEMENT EXP - TRANSFER FOR EQUIPMENT & CONTRACTUAL EXP	5,980.00 4,000.00	5,180.00 4,800.00
08	100-1680-0020 100-1680-0040 100-1610-0044	INFO TECH EQUIP EXPENSE INFO TECH CONTRACTUAL EXPENSE CENTRAL SERVICE EXPENSE - TRANSFER FOR INFO TECH EXPENSE	545.00 2,455.00	3,000.00
09	100-3120-0020 100-3120-0027 100-3120-0047	POLICE UNIFORM EXPENSE POLICE EQUIPMENT EXPENSE POLICE CONFERENCE TRAINING EXPENSE - TRANSFER FOR POLICE EXPENSES	3,000.00 1,000.00	4,000.00
10	100-3310-0020 100-3310-0040	TRAFFIC SIGNS EQUIP EXPENSE TRAFFIC SIGNS CONTRACTUAL EXPENSE - TRANSFER FOR TRAFFIC EXPENSES	500.00	500.00
11	100-3620-0013 100-3620-0011	CODES ENFORCEMENT TEMP STAFF EXP CODES ENFORCEMENT SALARY STAFF EXP - TRANSFER FOR TEMP STAFF EXPENSES	20,000.00	20,000.00

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TOWN BOARD MEETING

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TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 9/30/13 - #2013/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
12	100-7110-0013	PARK TEMP STAFF EXP	5,000.00	
	100-7110-0040	PARK CONTRACTUAL EXP	7,000.00	
	100-7020-0048	RECREATION PUBLICATION EXP	50.00	
	100-7113-0040	CHAMBER PARK CONT EXPENSE	1,500.00	
	100-7118-0040	BALDWIN MEADOWS CONT EXP	300.00	
	100-7118-0042	BALDWIN MEADOWS UTILITY EXP	700.00	
	100-7310-0040	YOUTH CONTRACTUAL EXPENSE	5,450.00	
	100-7180-0013	BEACH TEMP STAFF EXP		5,000.00
	100-7110-0045	PARK MAINTENANCE CONT EXP		7,000.00
	100-7020-0047	REC STAFF TRAINING EXP		50.00
	100-7140-0013	PLAYGROUND TEMP STAFF EXP		2,500.00
	100-7310-0045	YOUTH SELF SUSTAINING PROGRAM EXPENSE		5,450.00
		- TRANSFER FOR RECREATION EXPENSES		
12a	100-7113-0040	CHAMBER PARK CONT EXPENSE	6,800.00	
	100-1989-5030	INTERFUND TRANSFER - PARKLAND TRUST	6,800.00	
		- PROVIDE FOR ELECTRICAL UPGRADES FROM PARKLAND TRUST		
13	100-8010-0040	ZONING BOARD CONTRACTUAL EXP	250.00	
	100-8020-0047	PLANNING BOARD TRAINING EXP		250.00
		- TRANSFER FOR CONT EXP		
HIGHWAY FUND				
15	500-5130-0040	MACHINERY REPAIR EXPENSE	50,000.00	
	500-5140-0012	WEEDS BRUSH OVERTIME EXPENSE	5,000.00	
	500-5140-0048	WEEDS BRUSH CLEANUP EXPENSE	25,000.00	
	500-5010-4321	FEDERAL AID - FEMA SANDY	60,000.00	
	500-5010-2681	INSURANCE RECOVERY	20,000.00	
		- PROVIDE FOR MACHINERY REPAIR/WEEDS BRUSH EXPENSE		
16	500-5148-0040	OTHER GOVT EXP	1,700.00	
	500-5010-2650	SALE OF SCRAP AND MATERIALS	1,700.00	
		- PROVIDE FOR OTHER GOVT EXP		
17	500-5110-0020	GENERAL REPAIR TOOL EXPENSE	100.00	
	500-5142-0040	SNOW REMOVAL RENTAL EXPENSE	200.00	
	500-5110-0046	GENERAL REPAIR RENTAL EXPENSE		300.00
		- TRANSFER FOR GENERAL REPAIR EXPENSE		
CARMEL AMBULANCE DISTRICT				
18	201-4540-0048	OTHER EXPENDITURES	100.00	
	201-9025-0040	LOSAP ADMIN EXPENSE		100.00
		- TRANSFER FOR CERT SETTLEMENT EXP		
CARMEL FIRE PROTECTION DISTRICT #2				
19	302-3410-0048	OTHER EXPENDITURES	1,800.00	
	302-9025-0090	LOSAP CONTRIBUTION EXPENSE		1,800.00
		- TRANSFER FOR CERT SETTLEMENT EXP		
CARMEL FIRE PROTECTION DISTRICT #3				
20	303-3410-0048	OTHER EXPENDITURES	300.00	
	303-9025-0040	LOSAP ADMIN EXPENSE		300.00
		- TRANSFER FOR CERT SETTLEMENT EXP		
21	303-9901-0099	TRANSFER TO OTHER FUNDS	561.00	
	303-9025-0090	LOSAP CONTRIBUTION EXPENSE		561.00
		- PROVIDE FOR TRANS TO CARMEL FIRE DIST 351		
CARMEL FIRE DISTRICT #3				
22	351-3410-0048	OTHER EXPENDITURES	561.00	
	351-3410-5030	TRANSFER FROM OTHER FUNDS	561.00	
		- PROVIDE FOR CERT SETTLEMENT EXP		

TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 9/30/13 - #2013/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
TEAKETTLE LAKE PARK DISTRICT				
23	403-7140-0041	SUPPLIES & MATERIAL EXP	9,900.00	
	403-7140-9888	REPAIR RESERVE APPROPRIATION	9,900.00	
		- PROVIDE FOR HYDRAULIC STUDY AND EMERGENCY ACTION PLAN EXPENSE PER TB RESOLUTION		

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TOWN BOARD MEETING

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LAKE SECOR PARK DISTRICT				
24	404-7140-0041	SUPPLIES & MATERIAL EXP	100.00	
	404-7140-0099	REPAIR RESERVE FUND		100.00
		- TRANSFER FOR SUPPLIES/MATERIAL EXP		
CARMEL WATER DISTRICT #1				
25	801-8310-0047	EMERGENCY REPAIRS	1,500.00	
	801-8310-0020	EQUIPMENT EXPENSE		1,000.00
	801-8310-0042	UTILITY EXPENSE		500.00
		- TRANSFER FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #2				
26	602-8310-0040	CONTRACTUAL EXPENDITURES	8,000.00	
	602-8310-0047	EMERGENCY REPAIRS	21,000.00	
	602-8310-0048	OTHER OPERATING EXPENSE	2,960.00	
	602-8310-0090	CONTINGENCY		8,000.00
	602-8310-0048	PURCHASE OF WATER		15,000.00
	602-8310-4321	FEDERAL AID - FEMA	*	8,960.00
		- PROVIDE/TRANSFER FOR EMERGENCY REPAIR EXPENSE		
26a	802-8310-0049	OTHER OPERATING EXPENSE	5,443.00	
	802-8310-2140	WATER RENT REVENUE	*	5,443.00
		- PROVIDE FOR WATER ACT REFUND		
CARMEL WATER DISTRICT #3				
27	803-8310-0020	EQUIPMENT EXPENSE	100.00	
	803-8310-0040	CONTRACTUAL EXPENDITURES		100.00
		- TRANSFER FOR EQUIPMENT EXPENSE		
CARMEL WATER DISTRICT #4				
28	604-8310-0047	EMERGENCY REPAIRS	9,838.00	
	804-8310-2681	INSURANCE RECOVERY ASSET	*	5,928.00
	604-8310-4321	FEDERAL AID - FEMA	*	3,712.00
		- PROVIDE FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #5				
29	605-8310-0047	EMERGENCY REPAIRS	1,982.00	
	605-8310-4321	FEDERAL AID - FEMA	*	1,982.00
		- PROVIDE FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #8				
30	608-8310-0020	EQUIPMENT EXPENSE	17,800.00	
	608-8310-0048	OTHER OPERATING EXPENSE	1,200.00	
	608-8310-0047	EMERGENCY REPAIRS		4,000.00
	608-8310-0090	CONTINGENCY		6,000.00
	608-8310-0099	REPAIR RESERVE FUND		9,000.00
		- TRANSFER FOR EQUIPMENT EXPENSE		
CARMEL WATER DISTRICT #9				
31	609-8310-0047	EMERGENCY REPAIRS	7,000.00	
	609-8310-0090	CONTINGENCY		5,000.00
	609-8310-0099	REPAIR RESERVE FUND		2,000.00
		- TRANSFER FOR EMERGENCY REPAIR EXPENSE		

TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 9/30/13 - #2013/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #12				
32	612-8310-0040	CONTRACTUAL EXPENDITURES	29,570.00	
	612-8310-0047	EMERGENCY REPAIRS	12,000.00	
	612-8310-9909	APPROPRIATE FUND BALANCE	*	35,000.00
	612-8310-2681	INSURANCE RECOVERY ASSET	*	5,910.00
	612-8310-4321	FEDERAL AID - FEMA	*	660.00
		- PROVIDE FOR CONT/EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #13				
33	613-8310-0047	EMERGENCY REPAIRS	1,883.00	
	613-8310-0099	REPAIR RESERVE FUND		1,300.00
	613-8310-4321	FEDERAL AID - FEMA	*	583.00
		- PROVIDE/TRANS FOR EMERGENCY REPAIR EXPENSE		
CARMEL WATER DISTRICT #14				
34	614-8310-0047	EMERGENCY REPAIRS	8,209.00	
	614-8310-2681	INSURANCE RECOVERY ASSET	*	8,209.00
		- PROVIDE FOR EMERGENCY REPAIR EXPENSE		

6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

35	614-8310-0040	CONTRACTUAL EXPENDITURES	4,000.00	
	614-8310-0047	EMERGENCY REPAIRS		4,000.00
		- TRANSFER FOR CONT REPAIR EXP		
CARMEL SEWER DISTRICT #2				
36	702-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	25,760.00	
	702-8130-0040	CONTRACTUAL EXPENSES		25,760.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
37	702-8130-0040	CONTRACTUAL EXPENSES	7,600.00	
	702-8130-0041	CHEMICAL EXPENSES	5,000.00	
	702-8130-0099	REPAIR RESERVE FUND		12,600.00
		- TRANSFER FOR CONT/CHEMICAL EXP		
CARMEL SEWER DISTRICT #4				
38	704-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	40,000.00	
	704-8130-0142	UTILITY EXPENSES - MICROFILTRATION	3,000.00	
	704-8130-0040	CONTRACTUAL EXPENSES		40,000.00
	704-8130-0042	UTILITY EXPENSES		3,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
39	704-8130-0020	EQUIPMENT EXPENSES	7,000.00	
	704-8130-0040	CONTRACTUAL EXPENSES	8,000.00	
	704-8130-0099	REPAIR RESERVE FUND		15,000.00
		- TRANSFER FOR EQUIP/CONT EXP		
CARMEL SEWER DISTRICT #8				
40	705-8130-0040	CONTRACTUAL EXPENSES	5,000.00	
	705-8130-0099	REPAIR RESERVE FUND		5,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		
CARMEL SEWER DISTRICT #6				
41	706-8130-0040	CONTRACTUAL EXPENSES	7,000.00	
	706-8130-0099	REPAIR RESERVE FUND		7,000.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		

Budget Revisions 2013-QUARTER END SEPT 2013.xls

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TOWN OF CARMEL
BUDGET REVISIONS FOR PERIOD ENDING 9/30/13 - #2013/03

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #7				
42	707-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	35,000.00	
	707-8130-0141	CHEMICAL EXPENSES - MICROFILTRATION	1,000.00	
	707-8130-0142	UTILITY EXPENSES - MICROFILTRATION	4,000.00	
	707-8130-0040	CONTRACTUAL EXPENSES		35,000.00
	707-8130-0041	CHEMICAL EXPENSES		1,000.00
	707-8130-0042	UTILITY EXPENSES		4,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		
43	707-8130-0042	UTILITY EXPENSES	5,300.00	
	707-8130-0099	REPAIR RESERVE FUND		5,300.00
		- TRANSFER FOR UTILITY EXP		
CARMEL SEWER DISTRICT #8				
44	708-8130-0040	CONTRACTUAL EXPENDITURES	14,000.00	
	708-8130-0047	SLUDGE HAULING EXPENSE		1,000.00
	708-8130-0099	REPAIR RESERVE FUND		3,000.00
	708-8130-9909	APPROPRIATE FUND BALANCE	10,000.00	
		- PROVIDE FOR EMER GENERATOR RENTAL EXPENSE		
CARMEL SEWER DISTRICT #2 DEBT FUND				
45	882-8130-0048	OTHER EXPENSES	2,145.00	
	882-8130-0040	CONTRACTUAL EXPENSES		2,145.00
		- TRANSFER FOR CERT SETTLEMENT EXP		
HIGHWAY RESURFACING CAPITAL PROJECT				
46	950-5112-0082	FICA/MED EXPENSE	1,500.00	
	950-5112-0080	EMPLOYEE BENEFIT EXPENSE		1,500.00
		- REVISE CAPITAL BORROWING EXPENSE		
HIGHWAY SPECIAL IMPROVEMENT CAPITAL FUND				
47	952-5112-0012	PROJECT OVERTIME EXPENSE	900.00	
	952-5112-0082	FICA/MED EXPENSE	100.00	
	952-5112-0040	PROJECT ENGINEERING EXP		1,000.00
		- REVISE CAPITAL BORROWING EXPENSE		

6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

CARMEL WATER DISTRICT #8 CAPITAL FUND				
48	968-8310-0044	PROJECT ENGINEERING EXPENSE	4,500.00	
	968-8310-0045	CONTRACT IMPROVEMENTS	37,000.00	
	968-8310-0048	OTHER PROJECT EXPENDITURES		41,500.00
		- REVISE CAPITAL BORROWING EXPENSE		
AGENCY & TRUST FUNDS				
49	990-0037-0099	TRANSFER TO OTHER FUNDS - (100 Fund - Chamber Park)	6,800.00	
	990-0037-9909	PARKLANDS TRUST FUND APPROPRIATION	6,800.00	
		- PROVIDE FOR PARK IMPROVEMENTS		

LAKE SECOR PARK DISTRICT - PROPOSAL ACCEPTED AND PURCHASE OF PAVILION AUTHORIZED - NATURAL STRUCTURES - NOT TO EXCEED \$20,189.00

WHEREAS, the Lake Secor Park District Advisory Committee has solicited proposals for the purchase of a pavilion at Lake Secor park; and

WHEREAS the Lake Secor Park District Advisory Committee has advised the Town Board that it wishes to purchase a specific pavilion structure from Natural Structures in Baker City, Oregon; and

WHEREAS, the Town Board, has accordingly determined that the specific pavilion model sought to be purchased for Lake Secor is a “sole source” which exempts the purchase from the competitive bidding requirements of the General Municipal Law as well as the Town of Carmel Procurement Policy; and

NOW THEREFORE BE IT RESOLVED, that the Town of Carmel Town Board, as Commissioners of the Lake Secor Park District, hereby authorizes the purchase and delivery of a 20' x 24' Rocky Mountain Series Pavilion, from Natural Structures in Baker City OR, as fully described on the proposal sheet attached hereto and made a part hereof at a cost not to exceed \$20,189.00 (TWENTY THOUSAND ONE HUNDRED EIGHTY-NINE DOLLARS).

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Lombardi

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



Rocky Mountain Series
Quotation/Order Form

REV 8/04/10
SS

Bill To: LAKE SECOR PARK DISTRICT
60 MCALPIN AVE
MAHOPAC NY 10541

QUOTE VALID FOR 10 DAYS FROM DATE.

Date: 24-Oct-13
Project: LAKE SECOR PARK
Ship To: MAHOPAC NY 10541

Contact: Robert Vara
Phone: 845-628-1500 ex. 183
Fax: 845-628-7085
E mail: riv2@ci.carmel.ny.us

Site Contact: ?
Site Phone: ?
Customer PO#: ?

Current Est. Ship Date: 4 to 6 Weeks from approved submittal

Required Delivery Date: Spring 2014

Qty	Catalog #	Description	Price Each	Price Total
1	98-R20024-8TSPSB-SS	20' x 24' Rocky Mountain Series Pavilion	\$16,103.00	\$16,103.00
		Includes		
	*	Open End Gable Roof with a 8/12 Roof Pitch, Non-bird nesting design		
	*	7'-6" Eve height		
	*	4 Steel Posts, 2 per side, spaced at 20' x 16" OC.		
	*	Steel Beams		
	*	Setting sun steel tube fret work both gable ends		
	*	Natur-Kote Two Stage powder coat all steel frame work, Fusion Bonded Epoxy undercoat, TGIC Polyester topcoat.		
	*	2" x 6" Select Hem Fir Tongue and Groove roof deck.		
	*	2" x 6" Fir Perimeter Eve Fascia		

(Cont.)

	*	Clear Stain all wood.		
	*	24 Gauge Drip Edge, (Standard Colors)		
	*	30 LB Underlayment.		
	*	Snap Lock 24 Gauge Standing Seam Roof (Standard Colors)		
	*	Epoxy Set Zinc Coated Anchors		
	*	Zinc Coated Hardware.		
	*	1 Gang Box Electrical cutout in one post with flex conduit.		
	*	35 LB PSF Snow Load		
	*	110 MPH Class C Wind load		
	COLORS>	Roofing =		
	COLORS>	Powder Coat on all Steel =		
This Quote Excludes: Concrete, Footings, Electrical, Plumbing and Installation				
PLEASE NOTE: All products are shipped unassembled unless otherwise specified.				
Natural Structures is not responsible for obtaining state and local permits.				
Taxes by others unless specified. Delivery off loading by others				
			Sub-Total	\$16,103.00
TERMS			Visa/MasterCard Accepted	
			Note that this order qualifies for \$200.00 photo credit for use of environmental colors on all steel.	Taxi N/A
\$6,729.67			1/3% Down O.A.C. (Balance due on receipt)	Freight: \$4,086.00
Applicable			Net 30 to Government Agencies	"Freight on Board"
\$483.09			3% cash with order discount on Sub Total	Deliver to "10541" Total: \$20,189.00
Scott R. Swanson:			Scott R. Swanson	
Authorized Signature:			North East Regional Marketing Manager	
Date:			Client:	
Phone:				
NATURAL STRUCTURES				
PO Box 270, Baker City, OR 97814 PH: 800-252-8475 Fax: 541-623-5052				
Email: scott@naturalstructures.com www.naturalstructures.com				



Rocky Mountain Shelter Model 98-R20024-8T

Specifications

Description: Rectangle
Size: 20' x 24'
Roof Pitch: 8/12
Roof Style: Gable

Options Shown: Standing Seam Steel Roof,
2x6 Tongue & Groove Roof Decking, Fretwork
and 40 lb. Snow Load

Features

- Clear spans
- Post spacing up to 30'
- Steel post and beam
- Gable roof
- Non-bird nesting or perch design
- Polyester powder coated
- Wind load: 90 mph class C
- Snow Load: 40 lbs
- Custom designs available
- USA Made

Options

- Hot dipped galvanized
- Stain or clear sealer for wood members
- Increased wind & snow load available
- Variety of roof pitches available
- Steel post options: square, rectangular, or round
- Roof options: hi rib, standing seam, cedar, asphalt, tile, etc.
- Facades
- 2x6 or 3x6 tongue & groove roof decking
- Gutters & down spouts, clerestory
- Woodwraps
- Chemical resistant Natur-Kote primer for harsh environments
- Factory installation or on-site technical assistance.



PO Box 270, Baker City, OR 97814 (541) 523-0224 (800) 252-8475 www.naturalstructures.com • info@naturalstructures.com

Supervisor Schmitt explained that the cost of the pavilion will be borne by the residents in the Lake Secor Park District.

6 NOVEMBER 2013
TOWN BOARD MEETING

**CAMARDA PARK - REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES
AUTHORIZED - INSTALLATION OF BATHROOM AND CONCESSION STAND**

RESOLVED that Office of the Town Engineer is hereby authorized to solicit proposals for engineering design and consulting services required in connection with the installation of bathroom and concession stand at Camarda Park in the Town of Carmel.

Resolution

Offered by: Councilman Schneider
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 funds in connection with the installation of a bathroom and concession stand will be obtained from the Parkland Trust Fund, with no impact on the Town of Camel taxpayers.

**AAA CARTING & RUBBISH REMOVAL - ISSUANCE OF LICENSE FOR THE
COLLECTION OF COMMERCIAL REFUSE AND GARBAGE WITHIN THE TOWN OF
CARMEL - AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, upon review of the application of AAA Carting & Rubbish Removal, hereby authorizes the issuance of a license for the commercial collection of refuse and garbage within the Town of Carmel pursuant to Chapter 95, of the Town Code of the Town of Carmel to:

APPLICANT	ADDRESS	LICENSE PERIOD
AAA Carting & Rubbish Removal	Office Address: 480 Furnace Dock Road Cortlandt Manor, NY 10567	1/1/2013 -12/31/2013

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>

**R&S WASTE SERVICES, LLC - ISSUANCE OF LICENSE FOR THE COLLECTION
OF COMMERCIAL REFUSE AND GARBAGE WITHIN THE TOWN OF CARMEL -
AUTHORIZED**

RESOLVED that the Town Board of the Town of Carmel, upon review of the application of R&S Waste Services, LLC, hereby authorizes the issuance of a license for the commercial collection of refuse and garbage within the Town of Carmel pursuant to Chapter 95, of the Town Code of the Town of Carmel to:

6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

APPLICANT	ADDRESS	LICENSE PERIOD
R&S Waste Services, LLC	Office Address: P.O. Box 736 Yonkers, NY 10710	1/1/2013 -12/31/2013

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>

RESOLUTION AUTHORIZING ISSUANCE OF LICENSE FOR THE COLLECTION OF COMMERCIAL REFUSE AND GARBAGE WITHIN THE TOWN OF CARMEL - FAILED

RESOLVED that the Town Board of the Town of Carmel, upon review of the application of Mid Hudson Waste, Inc, hereby authorizes the issuance of a license for the commercial collection of refuse and garbage within the Town of Carmel pursuant to Chapter 95, of the Town Code of the Town of Carmel to:

APPLICANT	ADDRESS	LICENSE PERIOD
Mid-Hudson Waste, Inc.	Office Address: Ernest Lane Mahopac, NY 10541	1/1/2013 -12/31/2013

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider

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

The resolution was offered by Councilwoman McDonough and seconded by Councilman Schneider for discussion.

Prior to the roll call vote, Gregory Folchetti, Legal Counsel explained that a temporary restraining order from Judge Nicolai dated June 26, 2013 prohibits the property that is described in the application for this particular commercial license from operating or continuing to operate as any commercial business which includes, but is not limited to a waste transfer facility. He stated that to the best of his knowledge it has not been modified or otherwise vacated before tonight’s meeting.

STORMWATER RETROFIT PROJECTS SEQRA - CONSENT GRANTED FOR EAST OF HUDSON WATERSHED CORPORATION TO SERVE AS LEAD AGENCY

RESOLVED, that the Town Board of the Town of Carmel hereby consents to the East of Hudson Watershed Corporation (EOHWC) serving as Lead Agency pursuant to State Environmental Quality Review Act (SEQRA) for all Stormwater Retrofit Projects to

6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

be conducted in its member municipalities in years 2013 and 2014; and
BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to execute the consent agreement 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>
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>



EAST OF HUDSON
WATERSHED CORPORATION

PO Box 176
Patterson, NY 12563
Tel: 845-319-6349
Fax: 845-319-6391

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY
SERVE AS LEAD AGENCY FOR ALL RETROFIT PROJECTS UNDERTAKEN BY THE EAST OF HUDSON
WATERSHED CORPORATION

On behalf of the Town of Carmel (involved agency), I acknowledge receipt of the lead agency notice in this matter.

The above named involved agency hereby: **(please check one)**

- () **CONSENTS** that the EOHWC serve as lead agency for all retrofit projects undertaken by the EOHWC for the years 2013 and 2014 and requests that the undersigned be notified of SEQRA determinations, proceedings and hearings in all matters which involve this agency.
- () **DOES NOT CONSENT** to the EOHWC serving as lead agency for all retrofit projects undertaken by the EOHWC for the years 2013 and 2014 and requests that individual lead agency requests be sent to this agency on a project by project basis.

Date

Signature

Agency Name (printed)

Supervisor Name (printed)

Please return to:

Rahul Verma, P.E. LEED AP
Executive Director
East of Hudson Watershed Corporation
P.O. Box 176
Patterson, NY 12563

ADVERTISING FOR BIDS AUTHORIZED - 2014 DAILY CLEANING SERVICES IN THE POLICE DEPARTMENT

RESOLVED that, pursuant to the request of Michael Johnson, Town of Carmel Chief of Police, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for daily cleaning services to be provided in the Town of Carmel Police Department for calendar year 2014; and

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

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough

6 NOVEMBER 2013
TOWN BOARD MEETING

(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>

ADVERTISING FOR BIDS AUTHORIZED - 2014 PURCHASE OF POLICE UNIFORMS

RESOLVED that, pursuant to the request of Michael Johnson, Town of Carmel Chief of Police, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for the purchase of Police uniforms for the Town of Carmel Police Department for calendar year 2014; and

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

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>

ADVERTISING FOR BIDS AUTHORIZED - 2014 CLEANING OF POLICE UNIFORMS

RESOLVED that, pursuant to the request of Michael Johnson, Town of Carmel Chief of Police, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for the cleaning of Police uniforms for the Town of Carmel Police Department for calendar year 2014; and

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

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>

LAKE CASSE PARK DISTRICT - MAILING OF NEWSLETTER AUTHORIZED

RESOLVED that the Town Board, acting as the Commissioners of the Lake Casse Park District, hereby authorizes the mailing to all properties within the district of the newsletter prepared by the Lake Casse Park District Committee and that the cost thereof be charged as a district expense.

6 NOVEMBER 2013
TOWN BOARD MEETING

(Cont.)

Resolution

Offered by: Councilman Schneider
Seconded by: Councilman Lupinacci and 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>

PUBLIC HEARING SCHEUDLED FOR 12/4/13 TO HEAR OBJECTIONS TO ASSESSMENT ROLLS FOR THE OPERATION AND MAINTENANCE OF THE IMPROVEMENTS OF THE GARBAGE, SEWER AND WATER DISTRICTS FOR FISCAL YEAR 2014

WHEREAS the Town of Carmel hereby has competed its assessment rolls for the operation and maintenance of the improvements serving Carmel Sewer Districts #1, #2, #3, #4, #5, #6, #7 and #8 and extensions thereto as well as Carmel Water Districts #1, #2, #3, #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14 and extensions thereto as well as The Town of Carmel Garbage District of said Town for fiscal year 2014; and
WHEREAS said assessment rolls have been filed with Ann Spofford, Town Clerk of the Town of Carmel;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby schedules a Public Hearing at the Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541 on Wednesday, December 4, 2013 at 7:00 PM or as soon thereafter that evening as possible for the purpose of considering any objections which may be made to said assessment rolls.

Resolution

Offered by: Councilman Lombardi
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>

FINANCING OF THE COST OF EXPERT APPRAISAL EXPENSES IN CONNECTION WITH THE REVALUATION PROJECT FOR PURPOSES OF TAXATION IN THE TOWN OF CARMEL AT A MAXIMUM ESTIMATED COST OF \$995,000, AND THE ISSUANCE OF UP TO \$995,000 BONDS OF SAID TOWN TO PAY THE COST HEREOF - AUTHORIZED - OFFERED AS PRE-FILED AND PARAPHRASED

WHEREAS, all conditions precedent to the financing of the object or purpose hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and
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, the regulations provide will not result in any significant environmental effects; and
WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE,
BE IT RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

**6 NOVEMBER 2013
TOWN BOARD MEETING**

(Cont.)

Section 1. The cost of expenses incurred in the employment of experts to appraise the value of real property within the Town of Carmel, Putnam County, New York to assist in the assessment thereof for purposes of taxation, including incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$995,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$995,000 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 specific object or purpose is five years, pursuant to subdivision 53 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not 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 in 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. 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 8. 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 9. This resolution, which takes effect immediately, 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.

Resolution

Offered by: Councilman Lupinacci

Seconded by: Councilwoman McDonough

6 NOVEMBER 2013
TOWN BOARD MEETING

(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>

Councilman Schneider indicated that it has been sixteen or seventeen years since the last town-wide reassessment and that bids were received for the current revaluation project, with the contractor Vision Government Solutions submitting the lowest responsible bid. The aforementioned resolution authorizes the funding.

Mr. Folchetti explained that after the Notice of the passage of the resolution is published, there is a twenty-day estoppel period. After the estoppel period has expired, the Town Board will be free to accept the proposal of the service that the Town Board deemed most responsible.

Supervisor Schmitt concurred that a town-wide revaluation is long overdue. He acknowledged the efforts of Councilman Schneider and Glenn Droese, Town Assessor in connection with the project.

Councilman Schneider added acknowledgements to Scott McMillian in the Assessor’s office, the New York State Office of Real Property Tax Services and the other members of the Town Board. He explained that a great deal of information is forthcoming in connection with this three-year project, noting that there will be approximately eight public meetings for residents, up to four meetings for commercial property owners as well as individual meetings with various civic associations in the Town. He stated that if any member of an organization would like a team project member to address their organization, they should reach out to the Town Supervisor’s office. Information will also be made available online.

PUBLIC COMMENTS - AGENDA ITEMS

Michael Barile expressed his appreciation to the Town Board for bringing town-wide garbage collection to the Town of Carmel. Mr. Barile went on to speak in support of the town-wide revaluation project. He commented that it is important that it is done correctly and inquired how property taken off the development rolls can be legally reassessed for its development potential rather than its raw land value.

Councilman Schneider explained how it may not be possible. He stated that he would check into it further. A discussion was held regarding the matter.

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.

TOWN BOARD MEMBER COMMENTS - OPEN FORUM

Councilman Lombardi announced that there will be a pasta dinner fundraiser on November 9, 2013 from 5:30 p.m. to 8:30 p.m. at the Mahopac Firehouse on Route 6. All proceeds will go towards Ashlee Belkevich’s Girl Scout gold award project to replace the varsity gymnastics competition floor.

**6 NOVEMBER 2013
TOWN BOARD MEETING**

(Cont.)

Councilman Schneider announced that that there will be a Veteran's Day parade in Mahopac on November 11, 2013 commencing at 10:30 a.m. at the VFW. Services in the hamlet of Carmel will commence at 11:00 a.m. at the American Legion Memorial Hall. He encouraged all residents to show their support of our veterans.

Supervisor Schmitt announced that a ceremony will be held near the American flags erected along the shoreline of Lake Gleneida on November 11, 2013 as well. He urged everyone to attend the ceremonies.

Councilwoman McDonough announced that the Putnam Arts Council will present a 50th Anniversary Gala Concert Event featuring Westchester Symphonic Winds and Mahopac High School music students on November 21, 2013 at 7:30 p.m. at the Mahopac High School.

Supervisor Schmitt announced that the Carmel Town Hall will be closed on November 11, 2013 in observance of Veterans Day.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present in agreement, the meeting was adjourned at 9:41 p.m. to Executive Session for discussion in regard to Fiscal Year 2014 Budget personnel.

Respectfully submitted,

Ann Spofford, Town Clerk