

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 15th day of February 2012 at 7:12 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.

LEGISLATIVE UPDATES - SENATOR GREG BALL

Senator Greg Ball provided updates and responded to questions and comments with regard to the New York State budget, economic development, middle class tax reform, MTA payroll tax repeal, the recently enacted 2% property tax cap, unfunded mandate relief, the dangers of hydrofracking, women and children issues, as well as veterans' affairs.

MINUTES OF TOWN BOARD MEETINGS HELD ON 1/18/12, 1/25/12 AND 2/1/12 - ACCEPT AS SUBMITTED BY THE TOWN CLERK

On motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all members of the Town Board present and voting "aye", the minutes of the Town Board meetings held on January 18th, January 25th and February 1st 2012 were accepted as submitted by the Town Clerk.

NEW YORK STATE SENATE 2012 WOMAN OF DISTINCTION AWARD - DONA J. DIMAGGIO NOMINATED

WHEREAS, the Town Board of the Town of Carmel wishes to recognize the service and contributions to the Town of Carmel and County of Putnam community by Dona J. DiMaggio; and

WHEREAS, the Town Board of the Town of Carmel further wishes to recognize Dona J. DiMaggio for her dedicated service and commitment to the Hudson Valley Special Olympics.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Carmel hereby nominates Dona J. DiMaggio as the candidate for the New York State Senate 2012 Woman of Distinction Award.

Resolution

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

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

Supervisor Schmitt spoke regarding Mahopac High School educator and coach, Dona J. DiMaggio's many contributions to the community and commended her for her many years of dedicated service and commitment.

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BUDGET MODIFICATIONS - #2011-12 - AUTHORIZED

WHEREAS the Town Comptroller has reviewed the December, 2011 Budget Modifications with the Town Board which are detailed and explained on the attached Budget Revisions Schedule identified as #2011-12;
NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the December, 2011 Budget Modifications/Revisions itemized on Schedule #2011-12 which is attached hereto, incorporated herein and made a part hereof.

Resolution
Offered by: Councilman Schneider
Seconded by: Councilman Lombardi

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

TOWN OF CARMEL
BUDGET REVISIONS FOR DECEMBER 2011
#2011/12
☒ Work Session 2/8/12 (#2)

☐ Agenda

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
GENERAL FUND				
01	100-1989-2889	CENTRAL MAIL SERVICE	*	8,000.00
	100-1330-0048	TAX RECEIVER POSTAGE		2,516.00
	100-1670-0049	CENTRAL MAIL EXPENSE		5,484.00
		- PROVIDE FOR CENTRAL MAIL EXPENSE		
02	100-1989-9876	RESERVE FOR CERTERIORI SETTLEMENTS	*	3,000.00
	100-1930-0040	CERTERIORI SETTLEMENT EXPENSE		3,000.00
		- PROVIDE FOR CERTERIORI SETTLEMENTS		
03	100-1989-2681	INSURANCE RECOVERY ASSET	*	16,570.00
	100-1989-0040	UNCLASSIFIED EXPENDITURE		11,700.00
	100-7190-0040	SKATING RINK EXPENSE		4,870.00
		- PROVIDE FOR REPAIRS TO LIGHT POLES/SKATING RINK FENCE FROM PENDING INSURANCE CLAIM		
04	100-1989-2705	CONTRIBUTIONS/DONATIONS	*	7,300.00
	100-1989-0040	UNCLASSIFIED EXPENDITURE		7,300.00
		- PROVIDE FOR EXPENSES FOR 9/11 MEMORIAL		
04A	100-1989-3389	STATE AID - POLICE EQUIPMENT	*	19,353.00
	100-3120-0029	POLICE EQUIPMENT - GRANTS		19,353.00
		- PROVIDE FOR POLICE EQUIPMENT THRU GRANTS		
05	100-1989-2681	INSURANCE RECOVERY ASSET	*	1,032.00
	100-7119-0020	DOG PARK EQUIPMENT EXPENSE		1,032.00
		- PROVIDE FOR DOG PARK FENCE REPAIR		
05A	100-1989-2681	INSURANCE RECOVERY ASSET	*	6,176.00
	100-7117-0040	CAMARDA PARK CONT EXPENSE		6,176.00
		- REDUCE BUDGET MOVED TO CAPITAL FUND		
06	100-3120-0012	POLICE OVERTIME EXPENSE		10,776.00
	100-3120-0081	POLICE RETIREMENT EXPENSE		2,255.00
	100-3120-0082	POLICE FICA/MED EXPENSE		824.00
	100-3120-0090	POLICE MTA TAX EXPENSE		36.00
	100-3120-0040	CONTRACTUAL REPAIRS		727.00
	100-3120-0041	POLICE VEHICLE FUEL		192.00
	100-1989-4321	FEDERAL AID - FEMA	*	14,810.00
		- PROVIDE FOR POLICE OT EXPENSE/REPAIRS DUE TO HURRICANE		
07	100-1110-0012	JUSTICE COURT OVERTIME EXPENSE		1,400.00
	100-1110-0080	JUSTICE COURT EMPLOYEE BENEFIT EXPENSE		1,400.00
		- TRANSFER FOR JUSTICE COURT OVERTIME		

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08	100-1110-0040	JUSTICE COURT CONTRACTUAL EXPENSE	1,100.00	
	100-1110-0045	JUSTICE COURT TICKET SERVICE	200.00	
	100-1220-0040	SUPERVISOR CONTRACTUAL EXPENSE	1,300.00	
	100-1315-0040	COMPTROLLER OFFICE EXPENSE	700.00	
	100-1355-0040	ASSESSOR OFFICE EXPENSE	200.00	
	100-1410-0040	TOWN CLERK OFFICE EXPENSE	250.00	
	100-1440-0040	ENGINEERING OFFICE EXPENSE	500.00	
	100-1460-0048	RECORDS MNGMT MISC EXPENSE	50.00	
	100-1610-0040	CENTRAL SERVICE OFFICE EXPENSE	1,000.00	
	100-3620-0040	CODES ENFORCE OFFICE EXPENSE	500.00	
	100-1110-0046	JUSTICE COURT INTERPRETING SERVICE		1,000.00
	100-1110-0047	JUSTICE COURT TRAINING EXPENSE		300.00
	100-1315-0045	COMPTROLLER EQUIP MAINT EXPENSE		700.00
	100-1355-0041	ASSESSOR STAR PROGRAM EXPENSE		200.00
	100-1420-0049	LEGAL MISC EXPENSE		500.00
	100-1460-0016	RECORDS MNGMT SPECIAL LABOR		300.00
	100-1610-0045	CENTRAL SERVICE ADMIN CONTRACT EXPENSE		1,500.00
	100-1010-0040	TOWN BOARD CONTRACT EXPENSE		1,300.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		

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BUDGET REVISIONS FOR DECEMBER 2011
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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
09	100-1315-0080	COMPTROLLER EMPLOYEE BENEFIT EXPENSE	350.00	
	100-1330-0080	TAX RECEIVER EMPLOYEE BENEFIT COST	500.00	
	100-1410-0080	TOWN CLERK EMPLOYEE BENEFIT EXPENSE	1,030.00	
	100-3620-0080	CODES ENFORCEMENT EMPLOYEE BENEFIT EXP	2,000.00	
	100-5010-0080	HIGHWAY ADMIN EMPLOYEE BENEFIT EXPENSE	400.00	
	100-1355-0080	ASSESSOR EMPLOYEE BENEFIT EXPENSE		2,400.00
	100-1440-0080	ENGINEER EMPLOYEE BENEFIT EXPENSE		1,880.00
		- TRANSFER FOR BENEFIT COST EXPENSE		
10	100-1355-0046	ASSESSOR CONTRACT SERVICES	12,900.00	
	100-1355-0011	ASSESSOR STAFF EXPENSE		12,900.00
		- TRANSFER FOR ASSESSOR APPRAISAL SERVICES		
11	100-1620-0021	BUILDING MOTOR VEHICLE EXPENSE	800.00	
	100-1620-0040	BUILDING CONTRACT EXPENSE	3,000.00	
	100-1620-0042	BUILDING UTILITY EXPENSE	3,500.00	
	100-1620-0041	BUILDING HEATING FUEL EXPENCE		6,300.00
	100-1620-0046	BUILDING CLEANING SUPPLY EXPENSE		1,000.00
		- TRANSFER FOR BUILDING EXPENSE		
12	100-1420-0041	LITIGATION LEGAL EXPENSES	3,000.00	
	100-1420-0042	JUSTICE COURT PROSECUTION EXPENSE	3,500.00	
	100-1420-0043	SPECIAL COUNSEL BOARDS	4,500.00	
	100-1420-0047	CERTIORARI LEGAL COUNSEL	1,000.00	
	100-1420-0044	LABOR LEGAL COUNSEL		7,000.00
	100-1420-0048	DEFENSE LEGAL COUNSEL		5,000.00
		- TRANSFER FOR LEGAL EXPENSES		
13	100-1440-0013	ENGINEERING TEMP STAFF EXPENSE	850.00	
	100-1440-0010	ENGINEERING PERS SERVICE EXPENSE		600.00
	100-1440-0012	ENGINEERING OVERTIME EXPENSE		250.00
		- TRANSFER FOR ENGINEERING STAFF EXPENSE		
14	100-1680-0020	INFORM TECH EQUIPMENT	700.00	
	100-1680-0041	INFORM TECH SUPPLIES	650.00	
	100-1680-0042	INFORM TECH WEB SITE EXPENSES	300.00	
	100-1970-0040	OFFICE SUPPLIES - UNDISTRIBUTED	250.00	
	100-1680-0040	INFORM TECH CONT EXPENSE		400.00
	100-1670-0040	CENTRAL PRINTING EXPENSE		1,000.00
	100-1670-0045	CENTRAL ADVERTISING EXPENSE		500.00
		- TRANSFER FOR INFORM TECH EXPENSE		
15	100-3120-0012	POLICE OVERTIME EXPENSE	42,000.00	
	100-3120-0013	POLICE TEMP STAFF EXPENSE	3,000.00	
	100-3120-0015	POLICE STAFF STIPEND EXPENSE	2,000.00	
	100-3120-0019	POLICE COMPENSATED ABSENCE EXPENSE	27,000.00	
	100-3120-0016	POLICE HOLIDAY PAY EXPENSE		9,500.00
	100-3120-0086	POLICE RETIREE BENEFIT EXPENSE		51,000.00
	100-1989-3390	STATE AID TRAFFIC SAFETY *POLICE	13,500.00	
		- TRANSFER/PROVIDE FOR POLICE OT/ACCRUED ABSENCE PAY		
16	100-3120-0090	POLICE MCT MOBILITY TAX	1,200.00	
	100-3121-0040	LAKE PATROL CONT EXPENSE	700.00	
	100-3124-0012	K-9 PATROL OVERTIME EXPENSE	100.00	
	100-3121-0081	LAKE PATROL RETIREMENT EXPENSE		500.00
	100-3122-0040	BICYCLE PATROL CONT EXPENSE		500.00
	100-3123-0040	COMMUNITY POLICE CONT EXPENSE		500.00
	100-3124-0040	K-9 PATROL CONT EXPENSE		500.00
		- TRANSFER FOR MISC POLICE EXPENSE		

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17	100-3120-0027	POLICE EQUIPMENT EXPENSE	800.00	
	100-3120-0040	POLICE CONTRACT EXPENSE	1,000.00	
	100-3120-0046	POLICE RENTAL/LEASE EXPENSE	900.00	
	100-3120-0047	POLICE TRAINING EXPENSE	400.00	
	100-3120-0049	POLICE UNIFORM CLEANING EXPENSE	300.00	
	100-3120-0041	POLICE VEHICLE FUEL EXPENSE		3,400.00
		- TRANSFER FOR MISC POLICE EXPENSES		
18	100-3120-0045	POLICE VEHICLE MAINTENANCE EXPENSE	14,000.00	
	100-3120-0081	POLICE RETIREMENT EXPENSE		4,000.00
	100-3120-0082	POLICE FICA/MED EXPENSE		5,500.00
	100-3120-0084	POLICE HEALTH BENEFIT EXPENSE		500.00
	100-3120-0086	POLICE RETIREE BENEFIT EXPENSE		4,000.00
		- TRANSFER FOR POLICE VEHICLE EXPENSE		
19	100-3310-0040	SIGNS CONTROL CONTRACTUAL EXPENSE	1,900.00	
	100-3310-0045	SIGNS CONTROL LINES EXPENSE	2,100.00	
	100-5010-0040	HIGHWAY ADMIN CONT EXPENSE	100.00	
	100-5132-0041	HIGHWAY GARAGE HEATING EXPENSE		100.00
	100-8090-0047	RECYCLE SPECIAL EXPENSE		4,000.00
		- TRANSFER FOR HIGHWAY ADMIN/SIGN EXPENSES		
20	100-3620-0012	CODES ENFORCE OVERTIME EXPENSE	700.00	
	100-3620-0013	CODES ENFORCE TEMP STAFF EXPENSE	1,900.00	
	100-1330-0013	TAX RECEIVER TEMP STAFF EXPENSE		2,600.00
		- TRANSFER FOR CODES ENFORCE STAFF EXPENSE		
21	100-5132-0020	HIGHWAY GARAGE EQUIPMENT EXPENSE	2,321.00	
	100-5132-0021	HIGHWAY GARAGE SPECIAL EXPENSE	3,000.00	
	100-5132-0040	HIGHWAY GARAGE CONTRACTUAL EXPENSE	679.00	
	100-5132-0044	HIGHWAY GARAGE PROP LEASE	200.00	
	100-5132-0041	HIGHWAY GARAGE HEATING EXPENSE		3,000.00
	100-5132-0042	HIGHWAY GARAGE UTILITY EXPENSE		1,200.00
	100-8090-0047	RECYCLE SPECIAL EXPENSE		2,000.00
		- TRANSFER FOR HIGHWAY GARAGE EXPENSE		
22	100-7020-0040	REC ADMIN CONTRACTUAL EXPENSE	1,200.00	
	100-7020-0041	REC ADMIN VEHICLE FUEL	350.00	
	100-7020-0042	REC ADMIN UTILITIES	3,650.00	
	100-7020-0045	REC ADMIN BLDG SPECIAL REPAIR	100.00	
	100-7020-0013	REC ADMIN TEMP STAFF EXPENSE		3,000.00
	100-7020-0014	REC ADMIN LONGEVITY EXPENSE		2,300.00
		- TRANSFER FOR RECREATION ADMIN EXPENSES		
23	100-7110-0040	PARK MAINTENANCE CONTRACTUAL EXP	1,400.00	
	100-7110-0041	PARK MAINTENANCE FUEL EXP	684.00	
	100-7110-0047	PARK MAINTENANCE REFUSE EXP	16.00	
	100-7110-0013	PARK MAINTENANCE TEMP STAFF EXPENSE		2,100.00
		- TRANSFER FOR PARK MAINTENANCE EXPENSE		
24	100-7112-0042	CRANE ROAD UTILITY EXPENSE	900.00	
	100-7113-0045	CHAMBER PARK CONT MAINTENANCE EXPENSE	510.00	
	100-7118-0040	BALDWIN MEADOW CONT EXPENSE	220.00	
	100-7119-0020	DOG PARK EQUIPMENT EXPENSE	150.00	
	100-7180-0042	BEACH UTILITY EXPENSE	30.00	
	100-7450-0042	MUSEUM UTILITY EXPENSE	240.00	
	100-7112-0040	CRANE ROAD UTILITY EXPENSE		240.00
	100-7113-0040	CHAMBER PARK CONTRACTUAL EXPENSE		1,060.00
	100-7115-0040	AIRPORT CONT EXPENSE		490.00
	100-7116-0040	VOLZ PARK EXPENSE		110.00
	100-7119-0040	DOG PARK CONTRACTUAL EXPENSE		150.00
		- TRANSFER FOR PARK MAINTENANCE EXPENSE		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
25	100-7310-0045	YOUTH SELF SUSTAIN PROGRAM EXPENSE	150.00	
	100-7310-0040	YOUTH SELF SUSTAIN CONTRACTUAL EXPENSE		150.00
		- TRANSFER FOR YOUTH PROGRAM EXPENSE		
26	100-5182-0040	STREET LIGHTING UTILITY EXPENSE	1,480.00	
	100-7550-0040	CELEBRATION CONTRACTUAL EXPENSE	1,520.00	
	100-7610-0040	PROGRAM FOR AGING CONTRACTUAL EXPENSE		3,000.00
		- TRANSFER FOR MISC CONTRACTUAL EXP		
27	100-8020-0013	PLANNING TEMP STAFF EXPENSE	300.00	
	100-8090-0013	RECYCLING TEMP STAFF EXPENSE	1,250.00	
	100-8010-0013	ZONING TEMP STAFF EXPENSE		1,550.00
		- TRANSFER FOR TEMP STAFF EXPENSE		
28	100-8090-0045	RECYCLING BLDG TRASH DISP	200.00	
	100-8090-0048	RECYCLING LANDFILL MONITORING EXP	300.00	
	100-8090-0047	RECYCLING SPECIAL EXPENSE		500.00
		-TRANSFER FOR RECYCLING EXPENSE		

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HIGHWAY FUND				
29	500-5110-0040	GENERAL REPAIR CONTRACTUAL EXPENSE	9,900.00	
	500-5110-0041	GENERAL REPAIR FUEL COST	15,700.00	
	500-5110-0018	GENERAL REPAIR DIFF PAY EXPENSE		510.00
	500-5110-0020	GENERAL REPAIR ROAD TOOL EXP		300.00
	500-5110-0046	GENERAL REPAIR CONT RENTAL COST		2,320.00
	500-5110-0080	GENERAL REPAIR RETIREMENT STAFF COST		3,490.00
	500-5110-0082	GENERAL REPAIR FICA/MED BENEFIT COST		3,230.00
	500-5110-0083	GENERAL REPAIR W/C BENEFIT COST		2,770.00
	500-5110-0084	GENERAL REPAIR HEALTH BENEFIT COST		5,390.00
	500-5110-0085	GENERAL REPAIR EMPLOYEE WELFARE COST		330.00
	500-5110-0089	STAFF MEDICAL EXAM COST		435.00
	500-5130-0016	CENTRAL GARAGE SERVICES		1,430.00
	500-5130-0020	MACHINERY REPAIR TOOL EXP		1,210.00
	500-5130-0084	MACHINERY REPAIR HEALTH BENEFIT EXP		590.00
	500-5140-0011	WEEDS/BRUSH LABOR EXPENSE		750.00
	500-5142-0041	SNOW REMOVAL FUEL EXPENSE		1,815.00
	500-5148-0011	SERVICES OTHER GOVT LABOR EXP		600.00
	500-5148-0040	SERVICES OTHER GOVT CONT EXP		430.00
		- TRANSFER FOR GENERAL REPAIR COST		
30	500-5112-0012	CHIPS OVERTIME EXPENSE	500.00	
	500-5112-0020	CHIPS CONTRACT EXPENSE		500.00
		- TRANSFER FOR CHIPS OT EXPENSE		
31	500-5110-0012	GENERAL REPAIR OVERTIME	18.00	
	500-5130-0081	MACHINERY MCT TAX EXPENSE	20.00	
	500-5140-0014	WEEDS/BRUSH LONGEVITY EXPENSE	42.00	
	500-5140-0082	WEEDS/BRUSH SOCIAL SECURITY EXPENSE	70.00	
	500-5140-0084	WEEDS/BRUSH HEALTH INSURANCE EXPENSE	60.00	
	500-5110-0013	GENERAL REPAIR TEMP LABOR EXPENSE		210.00
		- TRANSFER FOR STAFF BENEFIT EXP		
32	500-5140-0040	WEEDS/BRUSH CONTRACTUAL EXPENSE	2,900.00	
	500-5140-0041	WEEDS/BRUSH FUEL EXPENSE	4,850.00	
	500-5140-0049	WEEDS/BRUSH OTHER EXPENDITURES	50.00	
	500-5140-0011	WEEDS/BRUSH LABOR EXPENSE		7,800.00
		- TRANSFER FOR WEEDS/BRUSH EXPENSE		

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33	500-5130-0040	MACHINERY REPAIR EXPENSES	23,098.00	
	500-5010-4321	FEDERAL AID - FEMA	*	23,098.00
		- PROVIDE FOR MACHINERY REPAIR EXPENSE		
33	500-5130-0040	MACHINERY REPAIR EXPENSES	8,800.00	
	500-5010-2680	INSURANCE RECOVERY - PAYROLL	*	5,000.00
	500-5010-2681	INSURANCE RECOVERY - ASSETS	*	3,800.00
		- PROVIDE FOR MACHINERY REPAIR EXPENSE		
34	500-5010-2650	SALE OF SCRAP/MATERIALS	*	7,000.00
	500-5010-2401	INTEREST EARNINGS	*	3,000.00
	500-5010-2701	REFUND PRIOR YEAR EXP	*	2,000.00
	500-5010-2770	OTHER REVENUES	*	2,000.00
		- REVISE BUDGET SOURCES		
35	500-5142-0012	SNOW REMOVAL OVERTIME	6,100.00	
	500-5142-0081	SNOW REMOVAL MTA TAX COST		210.00
	500-5142-0082	SNOW REMOVAL FICA/MED COST		5,890.00
		- TRANSFER FOR OVERTIME COST		
CARMEL FIRE PROTECTION DISTRICT #1				
36	301-9025-0040	LOSAP ADMIN EXP	100.00	
	301-9025-0090	LOSAP CONT EXPENSE		100.00
		- TRANSFER FOR ADMIN EXPENSES		
CARMEL FIRE PROTECTION DISTRICT #2				
37	302-3410-0048	OTHER EXPENDITURES	1,200.00	
	302-9025-0090	LOSAP CONT EXPENSE		1,200.00
		- TRANSFER FOR MISC EXPENSES		
LAKE MAHOPAC PARK DISTRICT				
38	402-7110-0045	LAKE MAINTENANCE CONTRACT	707.00	
	402-7110-0040	PARK CONTRACTUAL EXPENSE		407.00
	402-7110-0041	LAKE TREATMENT EXPENSE		300.00
		- TRANSFER FOR MAINTENANCE CONTRACT EXPENSE		

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CARMEL WATER DISTRICT #2				
39	602-8310-0040	CONTRACTUAL REPAIR EXPENSE		2,396.00
	602-8310-0047	EMERGENCY REPAIRS		150.00
	602-8310-4321	FEDERAL AID - FEMA	*	2,546.00
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		
40	602-8310-0020	EQUIPMENT EXPENSE		17,700.00
	602-8310-0040	CONTRACTUAL REPAIR EXPENSE		16,300.00
	602-8310-0041	CHEMICAL EXPENSE		31,500.00
	602-8310-0042	UTILITY EXPENSE		40,500.00
	602-8310-0046	PURCHASE OF WATER		100,000.00
	602-8310-0047	EMERGENCY REPAIRS		40,500.00
	602-8310-0048	OTHER OPERATING EXPENSES		8,500.00
	602-8310-5030	INTERFUND TRANSFER - CWD #2 EXT	*	58,294.00
	602-8310-9909	APPROPRIATED FUND BALANCE	*	196,706.00
		- PROVIDES FOR CONTRACTUAL/EMERGENCY REPAIRS		

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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL WATER DISTRICT #3				
41	603-8310-0047	EMERGENCY REPAIRS	712.00	
	603-8310-4321	FEDERAL AID - FEMA	*	712.00
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		
42	603-8310-0040	CONTRACTUAL REPAIRS	5,000.00	
	603-8310-0047	EMERGENCY REPAIRS	700.00	
	603-8310-0048	OTHER OPERATING EXPENSES	1,300.00	
	603-8310-9909	APPROPRIATED FUND BALANCE	*	7,000.00
		- PROVIDE FOR CONTRACTUAL REPAIR EXPENSE		
CARMEL WATER DISTRICT #4				
43	604-8310-0047	EMERGENCY REPAIRS	1,000.00	
	604-8310-4321	FEDERAL AID - FEMA	*	1,000.00
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		
44	604-8310-0040	CONTRACTUAL REPAIRS	4,050.00	
	604-8310-0042	UTILITY EXPENSES	2,050.00	
	604-8310-0047	EMERGENCY REPAIRS	14,900.00	
	604-8310-0048	OTHER OPERATING EXPENSES	2,150.00	
	604-8310-9909	APPROPRIATED FUND BALANCE	*	23,150.00
		- PROVIDE FOR CONTRACTUAL/EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #6				
45	606-8310-0047	EMERGENCY REPAIRS	100.00	
	606-8310-0048	OTHER OPERATING EXPENSES		100.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #7				
46	607-8310-0047	EMERGENCY REPAIRS	4,000.00	
	607-8310-0048	OTHER OPERATING EXPENSES	200.00	
	607-8310-0099	REPAIR RESERVE FUND		4,200.00
		- TRANSFER FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #8				
47	608-8310-0040	CONTRACTUAL REPAIRS	16,854.00	
	608-8310-0041	CHEMICAL EXPENSES	1,846.00	
	608-8310-0047	EMERGENCY REPAIRS	27,500.00	
	608-8310-0042	UTILITY EXPENSE		2,000.00
	608-8310-0046	PURCHASE OF WATER		1,400.00
	608-8310-0048	OTHER OPERATING EXPENSES		1,800.00
	608-8310-0090	CONTINGENCY		2,500.00
	608-8310-0099	REPAIR RESERVE FUND		10,500.00
	608-8310-9909	APPROPRIATED FUND BALANCE	*	28,000.00
		- PROVIDE FOR CONTRACTUAL/EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #12				
48	612-8310-0047	EMERGENCY REPAIRS	525.00	
	612-8310-4321	FEDERAL AID - FEMA	*	525.00
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		

15 FEBRUARY 2012
TOWN BOARD MEETING

(Cont.)

TOWN OF CARMEL
BUDGET REVISIONS FOR DECEMBER 2011
#2011/12

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
49	612-8310-0020	EQUIPMENT EXPENSE	9,500.00	
	612-8310-0040	CONTRACTUAL REPAIR EXPENSE	10,000.00	
	612-8310-0041	CHEMICAL EXPENSE	3,300.00	
	612-8310-0042	UTILITY EXPENSE	5,300.00	
	612-8310-0047	EMERGENCY REPAIRS	5,900.00	
	612-8310-0048	OTHER OPERATING EXPENSES	3,500.00	
	612-8310-9909	APPROPRIATED FUND BALANCE	37,500.00	
		- PROVIDE FOR CONTRACTUAL/EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #13				
50	613-8310-0013	TEMPORARY LABOR	200.00	
	613-8310-0040	CONTRACTUAL REPAIR EXPENSE	10.00	
	613-8310-0047	EMERGENCY REPAIRS	2,490.00	
	613-8310-0048	OTHER OPERATING EXPENSES		100.00
	613-8310-9909	APPROPRIATED FUND BALANCE	2,600.00	
		- PROVIDE FOR EMERGENCY REPAIRS		
CARMEL WATER DISTRICT #14				
51	614-8310-0040	CONTRACTUAL REPAIR EXPENSE	760.00	
	614-8310-0042	UTILITY EXPENSE	459.00	
	614-8310-0045	O & M CONTRACT	141.00	
	614-8310-0047	EMERGENCY REPAIRS	13,640.00	
	614-8310-9909	APPROPRIATED FUND BALANCE	15,000.00	
		- PROVIDE FOR EMERGENCY REPAIRS		
51a	614-8310-0040	CONTRACTUAL REPAIR EXPENSE	200.00	
	614-8310-0042	UTILITY EXPENSE		200.00
		- TRANSFER FOR CONT REPAIRS		
CARMEL WATER DISTRICT #2 EXT				
	622-9901-0000	TRANSFER TO OPERATING FUND 602	58,294.00	
	622-8310-9909	APPROPRIATED FUND BALANCE	58,294.00	
		- PROVIDE FOR TRANSFER TO OPERATING FUND		
CARMEL SEWER DISTRICT #1				
52	701-8130-0040	CONTRACTUAL REPAIRS	375.00	
	701-8130-4321	FEDERAL AID - FEMA	375.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		
53	701-8130-0040	CONTRACTUAL REPAIRS	600.00	
	701-8130-0099	REPAIR RESERVE FUND		600.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		
CARMEL SEWER DISTRICT #2				
54	702-8130-0040	CONTRACTUAL REPAIRS	7,515.00	
	702-8130-4321	FEDERAL AID - FEMA	7,515.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		
55	702-8130-0042	UTILITY EXPENSES	47,000.00	
	702-8130-0047	WASTE DISP/SLUDGE EXPENSE	6,000.00	
	702-8130-0040	CONTRACTUAL EXPENSES		42,000.00
	702-8130-0099	REPAIR RESERVE FUND		11,000.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		
56	702-8130-0140	CONTRACTUAL EXPENSES - MICROFILTRATION	6,000.00	
	702-8130-0141	CHEMICAL EXPENSES - MICROFILTRATION	5,000.00	
	702-8130-0142	UTILITY EXPENSES - MICROFILTRATION	2,000.00	
	702-8130-0040	CONTRACTUAL EXPENSES		6,000.00
	702-8130-0041	CHEMICAL EXPENSES		5,000.00
	702-8130-0042	UTILITY EXPENSES		2,000.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS		

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TOWN OF CARMEL
BUDGET REVISIONS FOR DECEMBER 2011
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BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #4				
57	704-8130-0040	CONTRACTUAL REPAIRS	2,550.00	
	704-8130-4321	FEDERAL AID - FEMA	2,550.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE		

15 FEBRUARY 2012
TOWN BOARD MEETING

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58	704-8130-0141	CHEMICAL EXPENSES - MICROFILTRATION		3,500.00	
	704-8130-0142	UTILITY EXPENSES - MICROFILTRATION		500.00	
	704-8130-0041	CHEMICAL EXPENSES			3,500.00
	704-8130-0042	UTILITY EXPENSES			500.00
		- REVISE BUDGET FOR MICROFILTRATION COSTS			
59	704-8130-0041	CHEMICAL EXPENSE		5,000.00	
	704-8130-0042	UTILITY EXPENSES		5,150.00	
	704-8130-0040	CONTRACTUAL REPAIRS			10,150.00
		- TRANSFER FOR CHEMICAL/UTILITY EXPENSES			
CARMEL SEWER DISTRICT #5					
60	705-8130-0040	CONTRACTUAL REPAIRS		112.00	
	705-8130-4321	FEDERAL AID - FEMA	*	112.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE			
61	705-8130-0020	EQUIPMENT EXPENSE		1,010.00	
	705-8130-0040	CONTRACTUAL REPAIRS		2,500.00	
	705-8130-0046	PURCHASE OF WATER		100.00	
	705-8130-0047	WASTE WATER SLUDGE		190.00	
	705-8130-0099	REPAIR RESERVE FUND			3,800.00
		- TRANSFER FOR EQUIPMENT/CONTRACTUAL EXPENSE			
CARMEL SEWER DISTRICT #6					
62	706-8130-0040	CONTRACTUAL REPAIRS		262.00	
	706-8130-4321	FEDERAL AID - FEMA	*	262.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE			
63	706-8130-0040	CONTRACTUAL REPAIRS		8,000.00	
	706-8130-0047	WASTE WATER SLUDGE			5,000.00
	706-8130-0099	REPAIR RESERVE FUND			3,000.00
		- TRANSFER FOR CONTRACTUAL REPAIRS			
CARMEL SEWER DISTRICT #7					
64	707-8130-0040	CONTRACTUAL REPAIRS		525.00	
	707-8130-4321	FEDERAL AID - FEMA	*	525.00	
		- PROVIDE FOR REPAIR EXPENSE DUE TO HURRICANE			
65	707-8130-0040	CONTRACTUAL REPAIRS		7,000.00	
	707-8130-0042	UTILITY EXPENSES		3,000.00	
	707-8130-0048	OTHER OPERATING EXPENSE		200.00	
	707-8130-0041	CHEMICAL EXPENSES			200.00
	707-8130-0090	CONTINGENCY			10,000.00
		- TRANSFER FOR CONTRACTUAL REPAIRS			
CARMEL SEWER DISTRICT #8					
66	708-8130-0040	CONTRACTUAL REPAIRS		1,700.00	
	708-8130-0042	UTILITY EXPENSES		1,202.00	
	708-8130-0099	REPAIR RESERVE FUND			2,902.00
		- TRANSFER FOR CONTRACTUAL REPAIRS			

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TOWN OF CARMEL
BUDGET REVISIONS FOR DECEMBER 2011
#2011/12

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
CARMEL SEWER DISTRICT #1, EXT 3				
67	713-8130-0040	CONTRACTUAL REPAIRS	1,300.00	
	713-8130-0042	UTILITY EXPENSES	500.00	
	713-8130-0099	REPAIR RESERVE FUND		1,800.00
		- TRANSFER FOR CONTRACTUAL REPAIRS		
MAHOPAC LIGHTING DISTRICT				
68	751-5182-0049	SERVICES OTHER GOVT	710.00	
	751-5182-0042	UTILITY EXPENSE		710.00
		- TRANSFER FOR SERVICES OTHER GOVT		
CARMEL LIGHTING DISTRICT				
69	752-5182-0042	CONTRACTUAL UTILITIES	2,100.00	
	752-5182-9909	APPROPRIATED FUND BALANCE	*	2,100.00
		- PROVIDE FOR CONTRACTUAL UTILITIES		
COUNTRY HILLS LIGHTING DISTRICT				
70	754-5182-0042	SERVICES OTHER GOVT	510.00	
	754-5182-9909	APPROPRIATED FUND BALANCE	*	510.00
		- PROVIDE FOR CONTRACTUAL UTILITIES		
CSD #3 DEBT FUND				
71	873-9901-0000	TRANSFER TO 703 FUND	250.00	
	873-8130-9909	APPROPRIATED FUND BALANCE	*	250.00
		- PROVIDE FOR TRANSFER TO OPERATING FUND		

15 FEBRUARY 2012
TOWN BOARD MEETING

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DRAINAGE CAPITAL PROJECT				
72	900-1989-0012	PROJECT OVERTIME EXPENSE	6,000.00	
	900-1989-0040	CONTRACTUAL EXPENDITURES		6,000.00
		- TRANSFER FOR PROJECT OVERTIME EXPENSE		
HIGHWAY RESURFACING CAPITAL PROJECT				
73	950-5112-0012	PROJECT OVERTIME EXPENSE	100.00	
	950-5112-0045	CONTRACTUAL EXPENDITURES		100.00
		- TRANSFER FOR PROJECT OVERTIME EXPENSE		
CWD #2 CAPITAL FUND				
74	962-8310-0040	CONTRACTUAL EXPENDITURES	112,230.00	
	962-8310-5710	PROCEEDS OF BORROWING		112,230.00
		- RECORD BORROWING AUTHORIZATION		

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ENTRY INTO CONTRACTS FOR VETERINARY SERVICES - AUTHORIZED

RESOLVED that to the extent necessary to provide emergency veterinary services incurred in connection with dog control operations in the Town of Carmel, the Town Board of the Town of Carmel hereby authorizes entry into contracts for “as needed” veterinary services with the following veterinarians:

- 1. Mahopac Animal Hospital (business hours only);
- 2. South Putnam Animal Hospital (business hours only);
- 3. Bedford-Katonah Animal Clinic (after hours and weekends);
- 4. Carmel Animal Hospital (after hours and weekends);

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt, upon the presentation of insurance certificates in form acceptable to Town Counsel, shall be authorized to execute any and all necessary documentation to effect the foregoing; and

BE IT FURTHER RESOLVED that any costs incurred by the Town of Carmel in connection herewith shall be subject to reimbursement from the owner of any dog which is provided veterinary services hereunder.

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>

ENCUMBRANCES OF 2011 FUNDS FOR EXPENDITURES IN 2012 - AUTHORIZED

WHEREAS, it is recommended by the Town Comptroller’s Office that 2011 Government Budget Funds be encumbered or reserved for the 2012 Budget Appropriations, based on recent approved Town Board Resolutions and/or specific projects in progress for various purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Carmel authorizes the Town Comptroller’s Office to Encumber or Reserve unexpended 2011 Government Fund monies for expenditures in fiscal year 2012 as follows:

15 FEBRUARY 2012
TOWN BOARD MEETING

(Cont.)

<u>Purpose of Encumbrance</u>	<u>Accounts</u>	<u>Maximum</u>	<u>Explanation and/or Comments</u>
<u>General Fund</u>			
Compensation Reserve	100-1010-0016	20,000.00	Carry forward for Staff Salary Increases
Justice Court Special Improvements	100-1110-0020	3,453.00	Court Room Security Improvements (Bal.) 12/11
Engineering Staff Buyout	100-1440-0019	2,500.00	Carry forward for staff Health Ins buyout
Emergency Generator Connection	100-5132-0020	<u>20,000.00</u>	Highway Bldg - Generator Connection - est.

Total General Fund Encumbrances **\$ 45,953.00**

<u>Special Districts</u>			
Mahopac Falls Fire Dept	301-3410-0020	15,000.00	Dry Hydrant Installation Estimate
Lake Casse Park District	401-7140-0054	10,000.00	Dam Evaluation – Task 2 Balance
Carmel Sewer District #4	704-8130-0044	6,550.00	Extraneous Flow Study Phase II Balance

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>

PROPOSED LOCAL LAW AMENDING CHAPTER 70 OF THE CODE OF THE TOWN OF CARMEL “ENTITLED DOGS AND OTHER ANIMALS” - PUBLIC HEARING SCHEDULED FOR 3/7/12

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, March 7, 2012 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 70 of the Code of the Town Of Carmel “Entitled Dogs and Other Animals”; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and instructed to publish and post the necessary notices in the official newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

Resolution
Offered by: Councilwoman McDonough
Seconded by: Councilmen Lombardi and 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>

15 FEBRUARY 2012
TOWN BOARD MEETING

(Cont.)

TOWN OF CARMEL
PROPOSED LOCAL LAW # _____ OF THE YEAR 2012

A Local Law to Amend the Code of the Town of Carmel,
Chapter 70, thereof, entitled "Dogs"

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

SECTION 1. Chapter 70 of the Code of the Town of Carmel, Section 70-9 is hereby amended to read as follows:

§70-9 It shall be unlawful for any owner of any dog in the Town to permit or allow such dog to:

- A. Except while present at a lawfully designated Dog Park within the Town of Carmel, to run at large, unless the dog is accompanied by its owner or a responsible person and under the full control of such owner or person and restrained by means of a suitable leash. For the purpose of this article, a dog or dogs hunting in the company of a hunter or hunters shall be considered as accompanied by its owner.
- B. Engage in habitual and loud howling, barking, crying or whining or conduct as to unreasonably and habitually disturb the comfort of any person other than the owner of such dog.
- C. Uproot, dig, or otherwise damage any vegetables, lawns, flowers, garden beds, or other property without the consent or approval of the owner of such property.
- D. Chase, jump upon or at, or otherwise harass any person in such manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm.
- E. Habitually chase, run alongside of or bark at motor vehicles, motorcycles or bicycles while on a public street, highway, or place, or upon private property without the consent or approval of the owner of such property.
- F. Create a nuisance by defecating, urinating or digging on public property or on private property without the consent or approval of the owner of such property.
- G. If a female dog, when in heat, be off the owner's premises unless the dog is accompanied by its owner or a responsible person and under the full control of such owner or person and restrained by means of a suitable leash.

SECTION 2. This Local Law shall take effect immediately in accordance with the law.

PROPOSED LOCAL LAW AMENDING CHAPTER 147 OF THE CODE OF THE TOWN OF CARMEL "VEHICLE AND TRAFFIC" (DAY ROAD) - PUBLIC HEARING SCHEDULED FOR 3/7/12

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New York 10541 on Wednesday, March 7, 2012 at 7:00 p.m. or as soon thereafter that evening as possible on a Local Law amending Chapter 147 of the Code of the Town Of Carmel "Vehicle and Traffic"; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and instructed to publish and post the necessary notices in the official newspaper of the Town and on the Town bulletin board regarding this Public Hearing.

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TOWN BOARD MEETING

(Cont.)

Resolution
Offered by: Councilman Schneider
Seconded by: Councilman Lombardi 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>

TOWN OF CARMEL
PROPOSED LOCAL LAW # _____ OF THE YEAR 2012

A Local Law to Amend the Code of the Town of Carmel,
Chapter 147, thereof, entitled "Vehicle and Traffic."

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

SECTION 1. Chapter 147 of the Code of the Town of Carmel, Section 147-51.
Schedule X,

Parking Prohibited at All Times is hereby amended by the addition of the following:

Name of Street	Side	Location
Day Road	East and West sides	Entirety of Day Road beginning at Intersection with Old Route Six.

SECTION 2. This Local Law shall take effect immediately in accordance with the
law.

**PROPOSED LOCAL LAW AMENDING CHAPTER 156 OF THE CODE OF THE
TOWN OF CARMEL, ENTITLED "ZONING" AND AMENDING CHAPTER 131 OF
THE CODE OF THE TOWN OF CARMEL, ENTITLED "SUBDIVISION OF LAND" -
PUBLIC HEARING SCHEDULED FOR 3/7/12**

RESOLVED that the Town Board of the Town of Carmel hereby authorizes the
scheduling of a Public Hearing at the Town Hall, 60 Mc Alpin Avenue, Mahopac, New
York 10541 on Wednesday, March 7, 2012 at 7:00 p.m. or as soon thereafter that
evening as possible on a Local Law amending Chapter 156 of the Code of the Town Of
Carmel, entitled "Zoning" and amending Chapter 131 of the Code of the Town Of
Carmel, entitled "Subdivision of Land".

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and
instructed to publish and post the necessary notices in the official newspaper of the
Town and on the Town bulletin board regarding this Public Hearing.

Resolution
Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

(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>

TOWN OF CARMEL
PROPOSED LOCAL LAW # _____ OF THE YEAR 2012

A Local Law to Amend the Code of the Town of Carmel,
Chapter 131, thereof, entitled "Subdivision of Land" and to amend the Code of the
Town of Carmel Chapter 156 entitled "Zoning"

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

SECTION 1. Chapter 131 of the Code of the Town of Carmel is hereby amended by the
addition of the following section:

ARTICLE VII – SUPPLEMENTAL NOTICE REQUIREMENTS

§132 NOTICE OF PENDING APPLICATION

A. Every applicant that submits an application to an approval authority as empowered under this article to approve or deny said application must post one or more notification signs on the property which is the subject of said application within three days of acceptance of the application by the approval authority and must maintain the posted sign(s) place until the approval authority has rendered its final decision approving or denying said application. The sign(s) shall be erected not more than 10 feet from each boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of each sign so erected shall be positioned no less than 2.5 feet and no more than three feet above the ground. In the event that the subject property abuts more than one road, additional signs will be posted facing each road on which the property abuts. If the sign's visibility is obscured by vegetation, the applicant must, cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the property does not abut a public road, one or more signs shall be posted in locations that can readily be seen by the public. Any sign erected under this provision must be removed within 10 days after the approval authority has rendered its final decision approving or denying said application.

B. In the event that an application shall be withdrawn or become inactive, the applicant shall remove the sign(s) within five business days of withdrawing the application or of receiving notice from the approval authority that the application has been designated inactive. For the purposes of this section any application which has not appeared on the approval authority's agenda for six or more months shall be designated inactive. The approval authority shall notify the applicant in writing that the application has become inactive and instruct the applicant to remove the sign(s) until such time as the application shall be reactivated. Once the application is reactivated, the sign(s) shall be posted within three days.

C. The Town Carmel will supply the sign(s) and the initial cost will be included in the application fee. The applicant will be responsible for maintaining said sign(s) in good condition so as to be visible to and readable by the public. The applicant shall be responsible for replacing any sign(s) that are damaged, destroyed, lost or stolen during the pendency of the application. A replacement fee will be charged for each sign that needs to be replaced. The amount of said replacement fee shall be determined from time-to-time by the Town Building Inspector.

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TOWN BOARD MEETING**

(Cont.)

D. Prior to the commencement of any public hearings or, if no public hearings are required, prior to the rendering of any decision disposing of any application, the applicant shall submit a sworn certification on a form provided by the Town, together with legible photographic evidence, to verify the placement and maintenance of the required notice signs. If the certification is not timely submitted, any scheduled public hearings shall be cancelled, subject to rescheduling, and any dispositive action by the approval authority shall be deferred until timely certification is submitted. In the event of repeated or continued noncompliance with these sign posting and certification requirements, the application may be dismissed at the discretion of the approval authority.

SECTION 1. Chapter 156 of the Code of the Town of Carmel is hereby amended by the addition of the following section:

§156-78 SUPPLEMENTAL NOTICE REQUIREMENTS

A. Every applicant that submits an application to an approval authority as empowered under Articles VI, VII and VIII hereunder to approve or deny said application must post one or more notification signs on the property which is the subject of said application within three days of acceptance of the application by the approval authority and must maintain the posted sign(s) place until the approval authority has rendered its final decision approving or denying said application. The sign(s) shall be erected not more than 10 feet from each boundary of the property that abuts a public road and must be conspicuous to the public. The bottom edge of each sign so erected shall be positioned no less than 2.5 feet and no more than three feet above the ground. In the event that the subject property abuts more than one road, additional signs will be posted facing each road on which the property abuts. If the sign's visibility is obscured by vegetation, the applicant must, cut the vegetation to a degree sufficient to maintain clear visibility of the sign from the road. If the property does not abut a public road, one or more signs shall be posted in locations that can readily be seen by the public. Any sign erected under this provision must be removed within 10 days after the approval authority has rendered its final decision approving or denying said application.

B. In the event that an application shall be withdrawn or become inactive, the applicant shall remove the sign(s) within five business days of withdrawing the application or of receiving notice from the approval authority that the application has been designated inactive. For the purposes of this section any application which has not appeared on the approval authority's agenda for six or more months shall be designated inactive. The approval authority shall notify the applicant in writing that the application has become inactive and instruct the applicant to remove the sign(s) until such time as the application shall be reactivated. Once the application is reactivated, the sign(s) shall be posted within three days.

C. The Town Carmel will supply the sign(s) and the initial cost will be included in the application fee. The applicant will be responsible for maintaining said sign(s) in good condition so as to be visible to and readable by the public. The applicant shall be responsible for replacing any sign(s) that are damaged, destroyed, lost or stolen during the pendency of the application. A replacement fee will be charged for each sign that needs to be replaced. The amount of said replacement fee shall be determined from time-to-time by the Town Building Inspector.

D. Prior to the commencement of any public hearings or, if no public hearings are required, prior to the rendering of any decision disposing of any application, the applicant shall submit a sworn certification on a form provided by the Town, together with legible photographic evidence, to verify the placement and maintenance of the required notice signs. If the certification is not timely submitted, any scheduled public hearings shall be cancelled, subject to rescheduling, and any dispositive action by the approval authority shall be deferred until timely certification is submitted. In the event of repeated or continued noncompliance with these sign posting and certification requirements, the application may be dismissed at the discretion of the approval authority.

SECTION 2. This Local Law shall take effect immediately in accordance with the law.

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TOWN BOARD MEETING

ATTENDANCE AT SEMINAR AUTHORIZED 3/15/12 - TOWN ENGINEER RONALD J. GAINER

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Town Engineer Ronald J. Gainer, P.E. to attend the seminar offered by Lorman Education Services in White Plains, NY, on Thursday, March 15, 2012; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel authorizes payment of reasonable and necessary expenses incurred in connection therewith upon audit.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

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

DEPARTMENT OF RECREATION AND PARKS - ADVERTISING FOR BIDS FOR LANDSCAPING AND GRASS-CUTTING SERVICES FOR VARIOUS TOWN OF CARMEL PARK FACILITIES FOR 2012 - AUTHORIZED

RESOLVED that, pursuant to the request of the Director of Recreation and Parks, the Town Clerk of the Town of Carmel is hereby authorized to advertise for bids for landscaping and grass-cutting services for various Town of Carmel Park facilities for 2012; and

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

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

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

Supervisor Schmitt explained that bids will be sought for landscaping and grass-cutting services at Camarda Park, Jimmy McDonough Memorial Park, the Mahopac Chamber Park and the Airport Property park facilities. A brief discussion ensued regarding the matter.

OPEN DEVELOPMENT STATUS GRANTED TO THE KX2 ASSOCIATES, LLC WIXON POND ESTATES SUBDIVISION - TM# 53.20-1-19

WHEREAS the Town of Carmel Planning Board has received an application from KX2 Associates, LLC for a five (5) lot subdivision in which all five lots will not have access to an improved street with a right-of-way width of at least 50 feet; and

WHEREAS the subject parcel, designated as Tax Map #53.20-1-19, is located off of Wixon Pond Road, has an approximate area of 34.95 acres and is located in an R Residential Zoning District, and

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(Cont.)

WHEREAS the proposed subdivision is shown on a plan prepared by Putnam Engineering, PLLC, Kohn Architecture and Architectural Visions PLLC, entitled: "5 Lot Subdivision For Wixon Pond Estates" , dated January 26, 2007, last revised December 2, 2011; and

WHEREAS the applicant has represented it is the owner and/or an authorized agent of the record owner and has agreed, on behalf of the owner, to a lot count of five (5) lots in the open development area and to a total of no more than five (5) lots in the entire subdivision and to the establishment of a limitation on any future subdivision of the property as a term and condition of open development; and

WHEREAS the Town of Carmel Planning Board has recommended granting of open development to the aforementioned subdivision;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby grants open development status to Lots #1, #2, #3, #4 and #5 in the proposed KX2 Associates, LLC "5 Lot Subdivision For Wixon Pond Estates" subject to the following terms and conditions:

1. The open development area shall consist of Lots #1, #2, #3, #4 and #5 in the proposed KX2 Associates, LLC subdivision as shown on a plan prepared by Putnam Engineering, PLLC, Kohn Architecture and Architectural Visions PLLC, entitled: "5 Lot Subdivision For Wixon Pond Estates" , dated January 26, 2007, last revised December 2, 2011
2. The maximum number of lots to be established in said open development area shall be five (5). The maximum number of dwelling units to be established in said open development area shall be five (5) single family residences. The maximum number of lots to be established in said subdivision shall be five (5). The maximum number of dwelling units to be established in said subdivision shall be five (5) single family residences.
3. No further subdivision of Lots #1, #2, #3, #4 and #5 shall be permitted.
4. The following notes shall be placed on the map in reference to all lots in the subdivision:
 - a. Lot owners are advised that, according to current school district regulations, school buses will not travel the access driveway servicing the lots in the subdivision.
 - b. The access driveway servicing the subdivision is a private driveway and shall remain so forever. All maintenance and repair including snow plowing is the responsibility of the property owners of the Lots in the subdivision.
 - c. No further subdivision of any lot in the subdivision is permitted.
5. An Easement and Maintenance Agreement for the access driveway in form satisfactory to the Town Counsel shall be filed simultaneously with the final subdivision plat in the Putnam County Clerk's Office.
6. This Open Development Resolution shall expire two (2) years from the date of enactment if the final subdivision plat has not been approved and signed by the Planning Board and filed in the Putnam County Clerk's Office within that time.
7. The foregoing notes #1 through #5 shall be included on the final subdivision plat and this resolution shall be referenced by date and subject matter in the notes on the final subdivision plat as follows:

"Lots #1, #2, #3, #4 and #5 of this subdivision are subject to the terms, conditions and limitations contained in an Open Development Resolution of the Town Board of the Town of Carmel enacted February 15, 2012."

(Cont.)

8. The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots.

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></u>	<u></u>	Abstain
Suzanne McDonough	<u></u>	<u>X</u>	
Frank Lombardi	<u>X</u>	<u></u>	
Kenneth Schmitt	<u>X</u>	<u></u>	

Prior to the roll call vote, Supervisor Schmitt called upon Gregory Folchetti, Town Counsel to explain the history of the applicant’s open development requests and the process for re-granting open development status.

**OPEN DEVELOPMENT STATUS GRANTED TO THE DEWN HOLDING COMPANY
SUBDIVISION - TM# 53.-2-28**

WHEREAS the Town of Carmel Planning Board has received an application from Dawn Holding Company for a five (5) lot subdivision in which four lots will not have access to an improved street with a right-of-way width of at least 50 feet; and

WHEREAS the subject parcel, designated as Tax Map #53.-2-28, is located on Mexico Lane, has an approximate area of 30.35 acres and is located in an R Residential Zoning District, and

WHEREAS the proposed subdivision is shown on a plan prepared by Hudson Engineering & Consulting, P.C., entitled: "5 - Lot Subdivision, Mexico Lane, Town of Carmel, Putnam County, New York, Site Layout Plan", dated 5/31/08; and last revised on January 23, 2012, and

WHEREAS the applicant has represented it is the owner and/or an authorized agent of the record owner and has agreed, on behalf of the owner, to a lot count of four (4) lots in the open development area and to a total of no more than five (5) lots in the entire subdivision and to the establishment of a limitation on any future subdivision of the property as a term and condition of open development; and

WHEREAS the Town of Carmel Planning Board has recommended granting of open development to the aforementioned subdivision;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby grants open development status to Lots #2, #3, #4 and #5 in the proposed Dawn Holding Company Subdivision subject to the following terms and conditions:

1. The open development area shall consist of Lots #2, #3, #4 and #5 in the proposed Dawn Holding Subdivision as shown on a plan prepared by Hudson Engineering & Consulting, P.C., entitled: "5 - Lot Subdivision, Mexico Lane, Town of Carmel, Putnam County, New York, Site Layout Plan", dated 5/31/08, and last revised on January 23, 2012
2. The maximum number of lots to be established in said open development area shall be four (4). The maximum number of dwelling units to be established in said open development area shall be four (4) single family residences. The maximum number of lots to be established in said subdivision shall be five (5). The maximum number of dwelling units to be established in said subdivision shall be five (5) single family residences.
3. No further subdivision of Lots #1, #2, #3, #4 and #5 shall be permitted.

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(Cont.)

4. The following notes shall be placed on the map in reference to all lots in the subdivision:
- a. Lot owners are advised that, according to current school district regulations, school buses will not travel the access driveway servicing the lots in the subdivision.
 - b. The access driveway servicing the subdivision is a private driveway and shall remain so forever. All maintenance and repair including snow plowing is the responsibility of the property owners of the Lots in the subdivision.
 - c. No further subdivision of any lot in the subdivision is permitted.
5. An Easement and Maintenance Agreement for the access driveway in form satisfactory to the Town Counsel shall be filed simultaneously with the final subdivision plat in the Putnam County Clerk's Office.
6. This Open Development Resolution shall expire two (2) years from the date of enactment if the final subdivision plat has not been approved and signed by the Planning Board and filed in the Putnam County Clerk's Office within that time.
7. The foregoing notes #1 through #5 shall be included on the final subdivision plat and this resolution shall be referenced by date and subject matter in the notes on the final subdivision plat as follows:
"Lots #1, #2, #3, #4 and #5 of this subdivision are subject to the terms, conditions and limitations contained in an Open Development Resolution of the Town Board of the Town of Carmel enacted February 15, 2012"
8. The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots.

Resolution

Offered by: Supervisor Schmitt
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></u>	<u>X</u>
Suzanne McDonough	<u></u>	<u>X</u>
Frank Lombardi	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

The resolution as originally prepared was offered by Councilman Lombardi and seconded by Councilman Schneider. Prior to the roll call vote, Supervisor Schmitt expressed his concern that the resolution did not include a provision that would require notification to prospective buyers that according to current school district regulations, school buses will not travel the access driveway servicing the lots in the subdivision.

A brief discussion ensued at the conclusion of which, Supervisor Schmitt offered the resolution as amended to add paragraph 8. "The applicant and/or its successors in interests, assigns, etc., shall be bound and required to provide a true and exact copy of this resolution to any prospective purchaser, of any lot or lots contained within the scope of this approval resolution, prior to the sale of any such lot or lots."

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SETTLEMENT OF LITIGATION AUTHORIZED - “TY DREW REAL ESTATE CORP., VS. ASSESSOR OF THE TOWN OF CARMEL, NEW YORK, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CARMEL AND THE TOWN OF CARMEL, NEW YORK” - TM #75.12-2-23

WHEREAS, there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 2011/2009, 2340/2010 and 2293/2011, lawsuits entitled “TY DREW REAL ESTATE CORP., vs. Assessor of the Town of Carmel, New York, The Board of Assessment Review of the Town of Carmel, and the Town of Carmel, New York, in regard to the assessment of Tax Map #75.12-2-23 on the 2009, 2010 and 2011 assessment rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, who has recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as detailed in the stipulation of settlement; and

BE IT FURTHER RESOLVED that Gregory L. Folchetti, Town Counsel is hereby authorized to sign, on behalf of the Town of Carmel, said stipulation of settlement and corresponding consent judgment.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Schneider

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

SETTLEMENT OF LITIGATION AUTHORIZED - “DREW GAGNON AND LESLIE HOLIDAY VS. ASSESSOR OF THE TOWN OF CARMEL, NEW YORK, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CARMEL, AND THE TOWN OF CARMEL, NEW YORK” - TM #76.42-1-65

WHEREAS, there is currently pending in the Supreme Court, County of Putnam, State of New York under Index Nos. 3692/2009, 2339/2010 and 2295/2011, lawsuits entitled “Drew Gagnon and Leslie Holiday vs. Assessor of the Town of Carmel, New York, The Board of Assessment Review of the Town of Carmel, and the Town of Carmel, New York, in regard to the assessment of Tax Map #76.42-1-65 on the 2009, 2010 and 2011 assessment rolls; and

WHEREAS a proposed settlement of the litigation has been negotiated by Glenn Droese, Town Assessor, who has recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the settlement of the aforementioned litigation as detailed in the stipulation of settlement; and

BE IT FURTHER RESOLVED that Gregory L. Folchetti, Town Counsel is hereby authorized to sign, on behalf of the Town of Carmel, said stipulation of settlement and corresponding consent judgment.

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>

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TOWN BOARD MEETING

SPECIAL COUNSEL FOR PROSECUTION APPOINTED FOR “THE PEOPLE OF THE STATE OF NEW YORK VS. DAVID REIN” - JOSEPH J. TOCK

RESOLVED, the Town Board of The Town of Carmel hereby appoints Joseph J. Tock, 963 Route Six, Mahopac, NY as special counsel for prosecution of the matter entitled “The People of the State of New York vs. David Rein” which is currently pending in the Town of Carmel Justice Court; and

BE IT FURTHER RESOLVED that said legal services are hereby approved at a rate of \$175.00 per hour.

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>

Supervisor Schmitt explained that the Town of Carmel prosecutor Joseph A. Charbonneau recused himself from this matter and the following matter due to conflicts with the defendants. The fees for the special counsels will be the same.

SPECIAL COUNSEL APPOINTED FOR “THE PEOPLE OF THE STATE OF NEW YORK VS. NEIL SULLIVAN” - WILLIAM J. MADONNA

RESOLVED, the Town Board of The Town of Carmel hereby appoints William J. Madonna, 991 Morris Park Avenue, Bronx, NY 10462 as special counsel for prosecution of the matter entitled “The People of the State of New York vs. Neil Sullivan” which is currently pending in the Town of Carmel Justice Court; and

BE IT FURTHER RESOLVED that said legal services are hereby approved at a rate of \$175.00 per hour.

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>

PUBLIC COMMENTS

Jerry Ravnitzky spoke regarding hydrofracking, the process of extracting natural gas from rock, in New York and the many dangers it poses to the environment and public health.

Don Schiff inquired why Councilman Lupinacci recused himself from the vote on the resolution re-granting open development status to the proposed Wixon Pond Estates Subdivision.

Councilman Lupinacci responded that he has a close personal relationship with the applicant.

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(Cont.)

Mr. Schiff inquired about the location of the property with regard to the proposed Dawn Holding Company Subdivision also re-granted open development status.

Councilman Schneider stated that the property is located on Mexico Lane, between Hill Street and Barrett Hill Road.

TOWN BOARD MEMBER COMMENTS

Councilman Lombardi spoke regarding the recent first annual Cupcakes Wars held at the Mahopac High School benefiting the Mahopac Educational Foundation. He congratulated the winning teachers from the Kindergarten Center at the Mahopac Falls Elementary School and commended all of the volunteers who participated in the event.

Supervisor Schmitt provided an update on the Town of Carmel's 9/11 memorial. He stated that the contributions for its construction have run out and a spaghetti dinner fundraiser will be held on March 22, 2012 to attempt to raise at least \$8,000.00 to complete it. Volunteers are welcomed to assist with the fundraiser in any way. Cash donations will also be accepted.

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Ann Garriss, Town Clerk