

7 SEPTEMBER 2011

**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 7<sup>th</sup> day of September 2011 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 Ravallo, Councilman Lombardi, Councilwoman McDonough, and Supervisor Schmitt.

Supervisor Schmitt acknowledged the recent passing of life-long Town of Carmel resident, local business owner and pillar of the community, William D. Spain.

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, as well as to honor the tenth anniversary of the tragic events of the 9/11 terrorist attacks.

**MINUTES OF TOWN BOARD MEETINGS HELD ON 7/20/11, 7/27/11, 8/3/11 AND 8/17/11 - ACCEPT AS SUBMITTED BY THE TOWN CLERK**

On motion by Councilman Lombardi, seconded by Councilman Ravallo, with all members of the Town Board present and voting “aye”, the minutes of the Town Board meetings held on July 20<sup>th</sup>, July 27<sup>th</sup>, August 3<sup>rd</sup> and August 17<sup>th</sup>, 2011 were accepted as submitted by the Town Clerk.

**TOWN ASSESSOR APPOINTED - GLENN A. DROESE - COMMENCING 9/19/11 AND EXPIRING 9/30/2013**

RESOLVED, that the Town Board of the Town of Carmel hereby appoints Glenn A. Droese as Town of Carmel Assessor for a term commencing September 19, 2011 and expiring September 30, 2013 at an annual salary of \$90,000.

Resolution

Offered by: Councilman Lombardi  
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

The members of the Town Board each spoke regarding Mr. Droese’s outstanding qualifications and experience, and welcomed him back to the Town of Carmel in his new capacity.

**BUDGET MODIFICATIONS #2011-07 AND #2011-08 - AUTHORIZED**

WHEREAS the Town Comptroller has reviewed the July 2011 and August 2011 Budget Modifications with the Town Board which are detailed and explained on the attached Budget Revisions Schedules identified as #2011-07 and #2011-08;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes and ratifies the July 2011 and August 2011 Budget Modifications/Revisions itemized on Schedules #2011-07 and #2011-08 which are attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilman Ravallo  
Seconded by: Councilman Lombardi

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

Roll Call Vote	YES	NO
Robert Ravallo	X	
Frank Lombardi	X	
Suzanne McDonough	X	
Kenneth Schmitt	X	

☒ Work Session 8/24/11 TOWN OF CARMEL  
☒ Agenda 9/7/11 BUDGET REVISIONS FOR JULY/AUGUST 2011  
#2011/07-08

#2

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<b>GENERAL FUND</b>				
01	100-3120-0021	POLICE MOTOR VEHICLES	25,000.00	
	100-3120-0029	POLICE EQUIPMENT - GRANTS	145,000.00	
	100-1989-3389	STATE AID - POLICE EQUIP	25,000.00	
	100-1989-4322	FEDERAL AID - POLICE GRANT	145,000.00	
		- PROVIDE FOR POLICE EQUIP/VEHICLE PURCHASES		
02	100-1220-0040	SUPERVISOR CONTRACTUAL EXPENSE	250.00	
	100-1010-0043	TOWN BOARD CONTRACT EXPENSE		250.00
		- TRANSFER FOR CONTRACTUAL EXPENSES		
03	100-1315-0080	COMPTROLLER EMPLOYEE BENEFITS	8,735.00	
	100-1330-0086	TAX RECEIVER RETIREE BENEFIT COST	5,000.00	
	100-1355-0080	ASSESSOR EMPLOYEE BENEFIT COST	3,000.00	
	100-1410-0086	TOWN CLERK RETIREE BENEFIT COST	13,500.00	
	100-1610-0086	CENTRAL SERVICES RETIREE BENEFIT COST	14,915.00	
	100-3120-0080	POLICE NON UNIFORM RETIREMENT EXPENSE	50,000.00	
	100-1315-0011	COMPTROLLER STAFF		6,735.00
	100-1315-0086	COMPTROLLER RETIREE BENEFIT COST		2,000.00
	100-1330-0013	TAX RECEIVER TEMP STAFF COST		5,000.00
	100-1355-0086	ASSESSOR RETIREE BENEFIT COST		3,000.00
	100-1410-0080	TOWN CLERK EMPLOYEE BENEFIT COST		13,500.00
	100-1610-0011	CENTRAL SERVICES STAFF COST		2,700.00
	100-1610-0013	CENTRAL SERVICES TEMP STAFF COST		5,000.00
	100-3120-0081	POLICE UNIFORM RETIREMENT EXPENSE		50,000.00
	100-3620-0080	CODES ENFORCEMENT EMPLOYEE BENEFIT COST		7,215.00
		- TRANSFER FOR BENEFIT COST		
04	100-1410-0046	TOWN CODE PUBLICATION EXPENSE	500.00	
	100-1010-0040	TOWN BOARD CONTRACT EXPENSE		500.00
		- TRANSFER FOR TOWN CODE PUBLICATION EXPENSE		
05	100-1440-0012	ENGINEERING STAFF OVERTIME	500.00	
	100-1315-0012	COMPTROLLER STAFF OVERTIME		500.00
		- TRANSFER FOR ENGINEERING STAFF OT		
06	100-1620-0013	BUILDING TEMP STAFF	2,500.00	
	100-1620-0020	BUILDING EQUIPMENT EXPENSE		2,500.00
		- TRANSFER FOR TEMP STAFF EXPENSE		
07	100-1989-0040	UNCLASSIFIED EXPENDITURES	4,500.00	
	100-1989-2705	9/11 MEMORIAL DONATIONS	4,500.00	
		- PROVIDE FOR 9/11 MEMORIAL EXPENSES		
08	100-1680-0042	INFORM TECH WEB SITE EXPENSES	450.00	
	100-1680-0040	INFORM TECH CONTRACTUAL EXPENSES		450.00
		- TRANSFER FOR WEB SITE EXPENSES		
09	100-3121-0012	LAKE PATROL OVERTIME	1,000.00	
	100-3120-0042	POLICE UTILITY EXPENSE		1,000.00
		- TRANSFER FOR LAKE PATROL OVERTIME		

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

TOWN OF CARMEL  
BUDGET REVISIONS FOR JULY/AUGUST 2011  
#2011/07-08

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
10	100-3620-0040	CODES ENFORCE CONTRACTUAL EXP		500.00	
	100-3620-0041	BUILDING ALARM POSTAGE			500.00
		- TRANSFER FOR CONTRACTUAL EXPENSE			
11	100-5132-0040	HIGHWAY GARAGE CONTRACTUAL EXPENSE		2,000.00	
	100-5132-0041	HIGHWAY GARAGE HEATING EXPENSE			2,000.00
		- TRANSFER FOR HIGHWAY GARAGE EXPENSE			
12	100-7020-0041	REC ADMIN FUEL EXPENSE		500.00	
	100-7020-0040	REC ADMIN CONTRACTUAL EXPENSE			500.00
		- TRANSFER FOR FUEL EXPENSE			
13	100-7310-0013	YOUTH PROGRAM TEMP STAFF		2,700.00	
	100-1989-2070	YOUTH PROGRAM CONTRACTUAL EXPENSE			2,700.00
		- TRANSFER FOR TEMP STAFF EXPENSE			
<b>HIGHWAY FUND</b>					
14	500-5110-0041	GENERAL REPAIR FUEL COST		20,000.00	
	500-5010-2680	INSURANCE RECOVERY - PAYROLL	*	10,000.00	
	500-5110-0082	FICA/MED BENEFIT EXPENSES			10,000.00
		- PROVIDE/TRANSFER FOR FUEL EXPENSE			
<b>LAKE MAHOPAC PARK DISTRICT</b>					
15	402-7110-0040	PARK CONTRACTUAL EXPENSES		7,500.00	
	402-7110-0099	REPAIR RESERVE FUND			7,500.00
		- TRANSFER FOR CONTRACUAL EXPENSES			
<b>CARMEL WATER DISTRICT #2</b>					
16	602-8310-0020	EQUIPMENT		16,200.00	
	602-8310-0042	UTILITY EXPENSE		8,712.00	
	602-8310-2681	INSURANCE RECOVERY - ASSET	*	912.00	
	602-8310-0040	CONTRACTUAL REPAIR EXPENSE			19,000.00
	602-8310-0090	CONTINGENCY			5,000.00
		- PROVIDE/TRANSFER FOR EMERGENCY HYDRANT PURCHASE			
17	602-8310-1081	MONEY IN LIEU OF TAXES	*	11,734.00	
	602-8310-2140	WATER RENTS	*		11,734.00
		- REVISE BUDGET SOURCES			
<b>CARMEL WATER DISTRICT #3</b>					
18	603-8310-0040	CONTRACTUAL REPAIRS		1,500.00	
	603-8310-0047	EMERGENCY REPAIRS		3,000.00	
	603-8310-0099	REPAIR RESERVE FUND			4,500.00
		- TRANSFER FOR EMERGENCY REPAIRS			

TOWN OF CARMEL  
BUDGET REVISIONS FOR JULY/AUGUST 2011  
#2011/07-08

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION		INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<b>CARMEL WATER DISTRICT #4</b>					
19	604-8310-0041	CHEMICAL EXPENSES		270.00	
	604-8310-0020	EQUIPMENT EXPENSE			270.00
		- TRANSFER FOR CHEMICAL EXPENSES			

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

20	604-8310-0047	EMERGENCY REPAIRS		12,393.00	
	604-8310-9888	REPAIR RESERVE APPROPRIATED FUND BALANCE	*	12,393.00	
		- PROVIDE FOR EMERGENCY REPAIRS PER RESOLUTION			
<b>CARMEL WATER DISTRICT #5</b>					
21	605-8310-2140	WATER RENTS	*		1,760.00
	605-8310-2701	REFUND PRIOR YEAR EXPENSE	*	1,760.00	
		- REVISE BUDGET SOURCES			
<b>CARMEL WATER DISTRICT #6</b>					
22	606-8310-0047	EMERGENCY REPAIRS		1,000.00	
	606-8310-0040	CONTRACTUAL REPAIRS			1,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
<b>CARMEL WATER DISTRICT #8</b>					
23	608-8310-0047	EMERGENCY REPAIRS		4,655.00	
	608-8310-2701	REFUND PRIOR YEAR EXPENSE	*	4,655.00	
		- PROVIDE FOR EMERGENCY REPAIRS			
<b>CARMEL WATER DISTRICT #10</b>					
24	610-8310-0047	EMERGENCY REPAIRS		3,000.00	
	610-8310-0090	CONTINGENCY			3,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
<b>CARMEL WATER DISTRICT #12</b>					
25	612-8310-0047	EMERGENCY REPAIRS		2,000.00	
	612-8310-0041	CHEMICAL EXPENSES			2,000.00
		- TRANSFER FOR EMERGENCY REPAIRS			
<b>CARMEL SEWER DISTRICT #4</b>					
26	704-8130-0042	UTILITY EXPENSES		2,000.00	
	704-8130-0040	CONTRACTUAL EXPENSES			2,000.00
		- TRANSFER FOR UTILITY EXPENSES			
<b>CARMEL SEWER DISTRICT #5</b>					
27	705-8130-0040	CONTRACTUAL EXPENSES		5,500.00	
	705-8130-0099	REPAIR RESERVE FUND			5,500.00
		- TRANSFER FOR CONTRACTUAL EXPENSES			

TOWN OF CARMEL  
BUDGET REVISIONS FOR JULY/AUGUST 2011  
#2011/07-08

BUDGET REVISION NUMBER	ACCOUNT	ACCOUNT TITLE & TRANSFER DESCRIPTION	INCREASE USES & SOURCES OF FUNDS	DECREASE USES & SOURCES OF FUNDS
<b>CARMEL SEWER DISTRICT #6</b>				
28	706-8130-0048	OTHER OPERATING EXPENSES	2,400.00	
	706-8130-0099	REPAIR RESERVE FUND		2,400.00
		- TRANSFER FOR MISC EXPENSES		
<b>DRAINAGE CAPITAL PROJECT</b>				
29	900-1989-0046	SPECIAL CONSULTING SERVICES	700.00	
	900-1989-0048	OTHER PROJECT EXPENSE	2,300.00	
	900-1989-0045	DRAINAGE IMPROVEMENT CONTACTED SERVICES		3,000.00
		- TRANSFER FOR CAPITAL BORROWING EXPENSE		
<b>HIGHWAY RESURFACING CAPITAL PROJECT</b>				
30	950-5112-0048	OTHER PROJECT EXPENSE	7,500.00	
	950-5112-0045	CONTRACTED PAVING SERVICES		7,500.00
		- TRANSFER FOR CAPITAL BORROWING EXPENSE		

(Cont.)

CARMEL SEWER DISTRICT #2 CAPITAL FUND				
31	972-8130-0045	CONTRACT IMPROVEMENT COST -BMJ Construction		86,980.00
	972-8130-3990	STATE AID	*	86,980.00
		- RECORD CHANGE ORDER #5 APPROVED		
CARMEL SEWER DISTRICT #7 CAPITAL FUND				
32	977-8130-0045	CONTRACT IMPROVEMENT COST -Southeast Plumbing		12,900.00
	977-8130-3990	STATE AID	*	12,900.00
		- RECORD CHANGE ORDER #1 APPROVED		

**JUSTICE COURT ASSISTANCE PROGRAM - SUBMISSION OF GRANT APPLICATION AUTHORIZED**

RESOLVED, that the Town Board of The Town of Carmel hereby authorizes the submission of the 2011 Justice Court Assistance Program Grant Application on behalf of the Town of Carmel Justice Court, in form as attached hereto, incorporated herein and made a part hereof.

Resolution

Offered by: Councilwoman McDonough  
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**COURT NAME:** Carmel Town Court, Putnam County

ID: 893

**D. SIGNATURE PAGE & SUPPORTING DOCUMENTATION**

**To complete the process mail this page with the following required documents:**

**ANNUAL BUDGET:** Court's itemized budget for the most recent municipal fiscal year.

**AUTHORIZATION:** Certified copy of the Local Resolution(s) of the Town or Village Board(s) authorizing this application. The Resolution may simply authorize the applicant to "request up to the maximum amount available."

**SUPPORTING DOCUMENTS:** Estimates, Photographs, Floor Plans, etc.

**JUSTICE SIGNATURE:** Original signature(s) required from at least one justice (not an Acting Justice).

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CERTIFICATION:** Original signature required by Town Supervisor or Village Mayor.

The following signature provides certification that: (1) any funds (and any goods or services) awarded pursuant to this application shall be used only in accordance with the provisions of Chapter 280 of the Laws of 1999 and with all rules and regulations governing the Justice Court Assistance Program; (2) any goods and/or services purchased with any Justice Court Assistance Program funds shall be obtained in accordance with acceptable procurement practices established by the governing municipality including, but not limited to, competitive bidding and procurement policies and procedures; (3) no funds awarded pursuant to this application shall be used to compensate justices or non-judicial staff or to reduce or otherwise supplant funding provided by a town or village to its justice court.

(Cont.)

Signature: \_\_\_\_\_ Name: \_\_\_\_\_  
☐ Town Supervisor ☐ Village Mayor (please print)

Date: \_\_\_\_\_

REMEMBER: YOUR JCAP APPLICATION IS SUBMITTED ONLINE  
ONLY MAIL SIGNATURE PAGE & DOCUMENTS REQUIRED ABOVE

Justice Court Assistance Program Grant Application      Page 4 of 6  
2011- 2012  
Carmel Town Court, Putnam County

Previous Page

Next Page

Save for Later

Part A. APPLICANT INFORMATION

Name of Court: Carmel Town Court, Putnam County

Federal Tax ID

Type of Application: \*      ☒ Individual   ☐ Joint:  
If Joint, please select the name of Joint Applicant: \*

Contact Person:

Salutation: \*

First Name: \*

M.I. (If Any)

Last Name: \*

Phone: \*

Ms.

Patricia

R

Genna

845-628-1476

Title: \*

Email: \* Use nycourts.gov email address

Fax:

Court Clerk

PGenna@nycourts.gov

845-628-4550

Address Information:

Address: \*

City: \*

ZIP: \*

Court Mailing Address:

60 McAlpin Avenue

Mahopac

10541

Contact Mailing Address:

60 McAlpin Avenue

Mahopac

10541

Same as Court Address

Shipping (no PO Box):

60 McAlpin Avenue

Mahopac

10541

Same as Court Address

Part B. CASELOAD: NEW CASE FILINGS FOR 3 YEARS

Criminal: \*

Civil: \*

VTL: \*

Jury: \*

Year 2010:

1,001-2,000

201-500

3,001-5,000

0-30

Year 2009:

1,001-2,000

201-500

5,001-7,500

0-30

Year 2008:

1,001-2,000

3,001-5,000

3,001-5,000

0-30

Has your court had a security assesment performed by the Dept. Of Public Safety? \*      ☐ No   ☒ Yes

Did you receive a grant in      ☐ No   ☒ Yes

Amount of Award      \$5200.00

\* indicates required fields

QUESTIONS If you have any questions about JCAP or if you need assistance completing the application, call the Office of Justice Court Support at 1-800-232-0630 or email to resourcecenter@nycourts.gov.

Previous Page

Next Page

Save for Later

If you need to :  
later and return  
application you  
need your ID n  
and password

RecordID  
893

Passwon  
twenty

Justice Court Assistance Program Grant Application      Page 5 of 6  
2011- 2012  
Carmel Town Court, Putnam County

Previous Page

Next Page

Save for Later

C. GRANT ITEMS

You must select a category and iter

Select Priority Level & Item Category, click on Save Category. Then select Item, Quantity and Price  
Continue to add another item. Mail price estimates for each item with signature page.

Priority	Item Category	Item	Qty	Price Per
1	Security	Walk through metal detector	1	\$4,238.47

(Cont.)

Supervisor Schmitt acknowledged the efforts of Patricia Genna, Court Clerk for her continuing efforts to obtain grant funding for the Town of Carmel.

**THE MAHOPAC-CARMEL CHAMBER OF COMMERCE - APPLICATIONS FOR A PARK USE PERMIT AND A SOUND AMPLIFICATION PERMIT FEES WAIVED - 10/2/11**

RESOLVED that the Town Board of the Town of Carmel hereby waives the fees in reference to the application of The Mahopac-Carmel Chamber of Commerce for a park use permit and a sound amplification permit for the Community Street Festival and Merchant Showcase on Sunday, October 2, 2011 at the Mahopac Chamber Community Park in the hamlet of Mahopac.

**Resolution**

Offered by: Councilman Lombardi  
Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>          </u>
Frank Lombardi	<u>X</u>	<u>          </u>
Suzanne McDonough	<u>X</u>	<u>          </u>
Kenneth Schmitt	<u>X</u>	<u>          </u>

**THE COST OF THE PURCHASE AND INSTALLATION OF COMPUTER NETWORK SYSTEM UPGRADES FOR THE FINANCIAL MANAGEMENT SYSTEM AT A MAXIMUM ESTIMATED COST OF \$250,000.00 AUTHORIZED AND THE ISSUANCE OF UP TO \$250,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF AUTHORIZED**

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

Section 1. The cost of the purchase and installation of a computer network system upgrades for the financial management system and related improvements , in and for the Town of Carmel, Putnam County, New York, including incidental expenses related thereto, is hereby authorized at a maximum estimated cost of \$250,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$250,000 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 class of objects or purposes is five years, pursuant to subdivision 89, based upon subdivisions 32 and 81 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. To the extent not paid from other sources, 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.

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

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 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 Ravallo  
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>      </u>
Frank Lombardi	<u>X</u>	<u>      </u>
Suzanne McDonough	<u>X</u>	<u>      </u>
Kenneth Schmitt	<u>X</u>	<u>      </u>

Supervisor Schmitt explained the purpose and necessity for borrowing to upgrade the Town of Carmel's aged and failing computer technology.

**CARMEL WATER DISTRICT NO. 12 - PUBLIC INTEREST ORDER AUTHORIZED -  
PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR - MAXIMUM  
ESTIMATED COST OF \$60,000.00**

WHEREAS, the Town Board of the Town of Carmel, Putnam County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Water District No. 12, in the Town of Carmel, Putnam County, New York, consisting of the purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$60,000 and

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

WHEREAS, at a meeting of said Town Board duly called and held on September 15, 2010, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Water District No. 12 in said Town at a maximum estimated cost of \$60,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Mahopac, New York, in said Town, on October 5, 2010, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Water District No. 12, in the Town of Carmel, Putnam County, New York, consisting of the purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$60,000.

Section 2. This Order shall take effect immediately.

Resolution

Offered by: Councilwoman McDonough

Seconded by: Councilman Ravallo

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>      </u>
Frank Lombardi	<u>X</u>	<u>      </u>
Suzanne McDonough	<u>X</u>	<u>      </u>
Kenneth Schmitt	<u>X</u>	<u>      </u>

Supervisor Schmitt explained the need for a permanently installed emergency generator in Carmel Water District #12.

Ron Gainer, Town Engineer, explained that with the financing in place, the Town Board will be prepared to accept the low bid received for the project.

**CARMEL WATER DISTRICT NO. 12 - ISSUANCE OF \$60,000.00 BONDS TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF FACILITIES AUTHORIZED - PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR - OFFERED AS PRE-FILED**

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Water District No. 12, in the Town of Carmel, Putnam County, New York, at a maximum estimated cost of \$60,000; and

WHEREAS, the capital project hereinafter described, as proposed, 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, which as such will not have a significant effect on the environment NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

(Cont.)

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Water District No. 12, in the Town of Carmel, Putnam County, New York, consisting of the purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$60,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$60,000 and that the plan for the financing thereof is by the issuance of the \$60,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 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 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. To the extent not paid from monies raised from said Water District No. 12 as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of 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 serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, 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. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial 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 serial 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 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

(Cont.)

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. 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 11. 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 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, 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 Lombardi  
Seconded by: Councilwoman McDonough

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>      </u>
Frank Lombardi	<u>X</u>	<u>      </u>
Suzanne McDonough	<u>X</u>	<u>      </u>
Kenneth Schmitt	<u>X</u>	<u>      </u>

Supervisor Schmitt stated that emergency generators will also be purchased and installed in Carmel Water Districts #2, #5, #6, #7, #9, and #14.

Mr. Gainer spoke regarding the bid results for the emergency generators. He noted that the low bidder for each individual generator is also the low bidder for the overall project.

Supervisor Schmitt recommended moving the existing emergency generator that is underpowered in Carmel Water District #2 to the Town Hall which would provide greater electrical service to the building than the unit currently in use. Discussion was held regarding the matter between Supervisor Schmitt, Councilman Ravallo and Mr. Gainer.

**CARMEL WATER DISTRICT #2 - PUBLIC HEARING SCHEDULED FOR 9/27/11 - INCREASE AND IMPROVEMENT OF THE FACILITIES - INCREASE OF \$30,000.00**

WHEREAS, pursuant to proceedings heretofore had and taken by the Town Board of the Town of Carmel, Putnam County, New York, pursuant to the provisions of Section 202-b of the Town Law, it has been determined to be in the public interest to provide for a certain increase and improvement of the facilities of the Water District No. 2, at a maximum estimated cost of \$96,000, consisting of the purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith; and

7 SEPTEMBER 2011  
TOWN BOARD MEETING

(Cont.)

WHEREAS, such plan and report including an estimate of cost has been prepared in connection therewith and is on file in the office of the Town Clerk of such Town; and

WHEREAS, in order to undertake the improvements to the aforesaid facilities it will be necessary to expend the sum of \$30,000 over that previously authorized; and

WHEREAS, it is now desired to call a public hearing on the question of authorizing such increase and improvement of facilities;

NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Carmel, Putnam County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, in said Town, on the 27<sup>th</sup> day of September, 2011, at 7:00 o'clock p.m. prevailing time, on the question of increasing and improving the facilities of the Water District No. 2 in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. Town Clerk Ann Garris is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper designated for this purpose, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Carmel, Putnam County, New York, will meet at the Town Hall, 60 McAlpin Avenue, in Mahopac, New York, in said Town, on the 27<sup>th</sup> day of September, 2011, at 7 o'clock Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report including an estimate of cost prepared in relation to the proposed increase and improvement of the facilities of the Water District No. 2 in the Town of Carmel, Putnam County, New York, consisting of the purchase and installation of an emergency generator, including incidental improvements and expenses in connection therewith. The new maximum estimated cost of the aforesaid increase and improvement of the facilities of the Water District No. 2 in the Town is \$126,000, consisting of an increase of \$30,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Section 4. This order shall take effect immediately.

Resolution

Offered by: Councilman Ravallo  
Seconded by: Councilman Lombardi

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u>      </u>
Frank Lombardi	<u>X</u>	<u>      </u>
Suzanne McDonough	<u>X</u>	<u>      </u>
Kenneth Schmitt	<u>X</u>	<u>      </u>

**PUBLIC COMMENTS**

Don Schiff inquired who determines how the costs for the emergency generators are allocated to their respective water districts.

Supervisor Schmitt replied that it was the responsibility of the Town Engineer and Town Comptroller. Discussion was held regarding the matter.

Mr. Schiff inquired about the status of the Town of Carmel's 2012 Budget.

(Cont.)

Supervisor Schmitt replied that he has been working with Mary Ann Maxwell, Town Comptroller on his Preliminary Budget. Discussion regarding the budget process as well as New York State's recently enacted two percent property tax cap for the 2012 Budget ensued.

Mr. Schiff inquired about the possibility of sharing services with other towns.

Supervisor Schmitt pointed out that the Town of Carmel presently shares services with the Mahopac Central School District and the County of Putnam. Although the Town does not share services with other towns at this time, partnering with other towns may be considered in the future.

**TOWN BOARD MEMBER COMMENTS**

Councilman Ravallo spoke regarding the storm related impact on Town of Carmel residents resulting from Hurricane Irene and expressed his frustration that at this time, Putnam County has still not been declared an emergency area to qualify for FEMA relief.

Discussion was held regarding the matter, at the conclusion of which, Councilman Ravallo offered a motion to urge elected officials Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congresswoman Nan Hayworth, Senator Greg Ball, and Assemblymember Steve Katz to continue their efforts to have Putnam County declared a disaster area. The motion was seconded by Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt and unanimously adopted.

At the recommendation of Councilman Lombardi, the resolution was later amended and adopted as follows to add that W. Craig Fugate, Administrator of the Federal Emergency Management Agency (FEMA) also be sent a certified copy of the resolution.

**RESOLUTION REQUESTING ASSISTANCE IN SECURING DISASTER AID -  
ADOPTED AS AMENDED**

WHEREAS Town of Carmel citizens and constituents are suffering from the effects of Hurricane Irene, and are in need of immediate assistance, and

WHEREAS, it would be just and proper that Putnam County be declared both an individual and public disaster;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby urges elected officials Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congresswoman Nan Hayworth, Senator Greg Ball, Assemblymember Steve Katz to continue their efforts to have Putnam County declared a disaster area; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Carmel hereby formally requests that each of the elected officials immediately take all necessary steps and make all necessary efforts to ensure the designation of the County of Putnam as a disaster area, entitling the County, its residents and its governments to individual and public disaster aid, and

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congresswoman Nan Hayworth, Senator Greg Ball, Assemblymember Steve Katz, and W. Craig Fugate, Administrator of the Federal Emergency Management Agency (FEMA).

**Resolution**

Offered by: Councilman Lombardi  
Seconded by: Councilman Ravallo

(Cont.)

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Robert Ravallo	<u>X</u>	<u></u>
Frank Lombardi	<u>X</u>	<u></u>
Suzanne McDonough	<u>X</u>	<u></u>
Kenneth Schmitt	<u>X</u>	<u></u>

**TOWN BOARD MEMBER COMMENTS - CONTINUED**

Supervisor Schmitt expressed his appreciation to all of the emergency responders and Town of Carmel professionals for their outstanding efforts in the wake of Hurricane Irene. He then went on to state his concern and the dissatisfaction of residents with regard to NYSEG’s lack of preparedness and their lack of public communication in the aftermath of the storm. Discussion was held regarding the matter.

Councilwoman McDonough acknowledged the five Putnam County firefighters who will be participating in a 343-mile bicycle ride from Montauk, New York to the Pentagon to honor the 343 members of the New York City Fire Department who lost their lives on 9/11 in addition to raising funds to benefit the Wounded Warrior Project.

Supervisor Schmitt announced that due to unforeseen construction delays, the dedication ceremony of the Town of Carmel 9/11 memorial will be held sometime during the end of September, or early October of this year. Supervisor Schmitt thanked everyone who volunteered and contributed to the memorial that will honor the memories of those who were tragically killed on 9/11.

Supervisor Schmitt spoke regarding the recent Lee Pompei Memorial Car Show and noted that all proceeds from the event benefited Hospice Care in Westchester and Putnam.

Supervisor Schmitt announced that the annual service at the Union Valley Cemetery Chapel will be held on September 11, 2011 at 3:00 p.m.

Supervisor Schmitt announced that on September 11, 2011, members of the Mahopac and Mahopac Falls Fire Departments as well as other local fire departments and law enforcement agencies will march along Route 6 from the Mahopac Fire Department headquarters to St. John the Evangelist Church where a Mass will be held at 12:30 p.m. in memory of 9/11.

Supervisor Schmitt announced that the First Presbyterian Church located at Route 6N and Secor Road will toll its bells on September 11, 2011 to mark the times when the airplanes hit the World Trade Center Twin Towers, the Pentagon and the field in Shanksville, Pennsylvania along with the times when the Twin Towers fell on 9/11.

Councilman Lombardi commended the Mahopac News for their 9/11 local tribute coverage.

Councilman Lombardi announced that on September 11, 2011, a Putnam County remembrance day will be held to honor the eight individuals from Putnam County who lost their lives on 9/11. The ceremonies will commence with a Mass at St. James the Apostle Church at 5:30 p.m.

Councilman Lombardi encouraged residents as a way to honor 9/11, to participate in what a local family calls “a day of goodness” noting that much needed donations for the local food pantries at St. John the Evangelist Church and St. James the Apostle Church may be dropped off at Town Hall for distribution.

Supervisor Schmitt urged residents to take time to reflect and if possible, attend one of the many scheduled memorial ceremonies to honor the tenth year anniversary of the 9/11 terrorists attacks.

**ADJOURNMENT**

All agenda items having been addressed, on motion by Councilman Lombardi, seconded by Councilman Ravallo, with all Town Board members present and in agreement, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Ann Garris, Town Clerk