

**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 5<sup>th</sup> day of March 2014 at 7:14 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 lead by local Boy Scout, Bobby Skorka as part of the requirements for his Citizenship Badge. A moment of silence was held to honor those serving in the United States Armed Forces.

**OPEN DEVELOPMENT STATUS GRANTED - KX2 ASSOCIATES, LLC - WIXON POND ESTATES SUBDIVISION - TM# 53.20-1-19 - OFFERED AS PRE-FILED**

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

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 previously 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 residence. 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.

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- 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 March 5, 2014."
- 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>X</u>	<u>          </u>	
Frank Lombardi	<u>X</u>	<u>          </u>	
Kenneth Schmitt	<u>X</u>	<u>          </u>	

Gregory Folchetti, Legal Counsel highlighted certain terms and conditions contained in the foregoing resolution.

**CARMEL SEWER DISTRICT #2 - PROPOSAL ACCEPTED FOR ST. MICHAEL'S BROOK EASEMENT CLEARING SERVICES - COVIELLO LANDSCAPING - NOT TO EXCEED \$14,000.00**

RESOLVED that the Town Board of the Town of Carmel, hereby authorizes the acceptance of the proposal of Coviello Landscaping, Carmel, NY dated February 12, 2014 to provide easement clearing services in the St. Michael's Brook sewer easement within Carmel Sewer District #2 at a cost not to exceed \$14,000.00 (Fourteen Thousand Dollars); and  
BE IT FURTHER RESOLVED, that Town Supervisor Kenneth Schmitt is hereby authorized to execute any and all necessary documentation required in connection with the acceptance of the aforesaid proposal.

(Cont.)

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>

**PROVISIONAL APPOINTMENT MADE - ACTING CHIEF OF POLICE - MICHAEL CAZZARI**

BE IT RESOLVED, on March 5, 2014, the Town Board of the Town of Carmel hereby appoints Lt. Michael Cazzari as Acting Chief of Police on a provisional basis in accordance with the New York State Civil Service Law and applicable State and Local Civil Service Rules and Regulations.

Resolution

Offered by: Councilman Lupinacci  
Seconded by: Councilman Lombardi

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

On behalf of the Town Board, Supervisor Schmitt congratulated Michael Cazzari on his well-deserved appointment. He pointed out that Chief Cazzari has served as an outstanding and dedicated law enforcement for 28 years, as a patrolman, detective, sergeant and lieutenant.

Chief Cazzari was administered his Oath of Office by Ann Spofford, Town Clerk and had his shield of office pinned on by his wife, Doreen.

**PUBLIC COMMENTS - AGENDA ITEMS**

No member of the public wished to comment at this time.

**TOWN BOARD MEMBER COMMENTS - AGENDA ITEMS**

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

**PUBLIC COMMENTS - OPEN FORUM**

No member of the public wished to comment at this time.

**TOWN BOARD MEMBER COMMENTS - OPEN FORUM**

Supervisor Schmitt announced that the 38<sup>th</sup> annual Northern Westchester - Putnam St. Patrick’s Day parade will be held on March 9, 2014. The parade will commence at 2:00 p.m. at Mt. Hope Road and proceed along Route 6 in Mahopac.

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Councilman Lupinacci announced that the Carmel High School Post Prom Committee is seeking donations to assist with their sponsorship of supervised post prom alcohol-free events for their students.

Councilman Lupinacci announced that “Freezin’ for a Reason”, a fundraising jump into the lake at Sycamore Park to raise monies for Cystic Fibrosis research, will be held on March 29, 2014.

### **ADJOURNMENT**

All agenda items having been addressed, on motion by Councilwoman McDonough, seconded by Councilman Lupinacci, with all Town Board members present and in agreement, the meeting was adjourned at 7:31 p.m. to Executive Session to discuss personnel matters in connection with various administrative board vacancies.

Respectfully submitted,

Ann Spofford, Town Clerk