

TOWN BOARD MEETING
CARMEL FIREHOUSE
CARMEL, N.Y.

A Regular Meeting of the Town Board of the Town of Carmel was called to order by Supervisor Kenneth Schmitt on the 23rd day of April 2014 at 7:28 p.m. at the Carmel Firehouse, 94 Gleneida Avenue, Carmel, New York. Members of the Town Board present by roll call were: Councilman Schneider, Councilman Lupinacci, Councilwoman McDonough, Councilman Lombardi and Supervisor Schmitt.

The Pledge of Allegiance to the Flag was observed prior to the start of official business. A moment of silence was held to honor those serving in the United States Armed Forces.

RECOGNITION OF THE CARMEL HIGH SCHOOL VARSITY CHEERLEADING TEAM AND COACHES AS THE CHEER LTD NATIONALS 2014 CHAMPIONS

The Town Board acknowledged the members of the Carmel High School Varsity Cheerleading Team along with their coaches with certificates of achievement as the Cheer LTD Nationals 2014 champions. Coach Sarah Occhino announced that the team will be inducted into the Carmel High School Hall of Fame at a future date.

MINUTES OF TOWN BOARD MEETINGS HELD ON 3/19/14 AND 4/2/14 - 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 March 19th and April 2nd 2014 were accepted as submitted by the Town Clerk.

POLICE DEPARTMENT - LEASING OF THREE (3) NEW 2013 CHEVROLET CAPRICE VEHICLES AUTHORIZED - ALLY FINANCIAL - TOTAL ANNUAL COST OF \$32,883.00

RESOLVED that the Town Board of the Town of Carmel hereby authorizes Chief of Police Michael Cazzari to replace three Town of Carmel police cars by leasing three (3) new 2013 Chevrolet Caprice vehicles, at a total annual cost of \$32,883; and
BE IT FURTHER RESOLVED that the Town Supervisor is authorized to sign all necessary documents to lease said vehicles from Ally Financial, Syracuse, NY; and
BE IT FURTHER RESOLVED that MaryAnn Maxwell, Comptroller of the Town of Carmel is hereby authorized to make any and all necessary budget revisions to effect the aforesaid lease transactions as well as any cost of retro-fitting the leased vehicles set forth herein and de-commissioning any vehicles removed from the existing Carmel Police Department fleet.

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>

ST. MICHAEL’S TERRACE STORMWATER RETROFIT CONTRACT NO C218 - CHANGE ORDER #2 AUTHORIZED

WHEREAS the Town Board of the Town of Carmel has previously awarded the contract for the above project to Earth Alterations, LLC; and

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(Cont.)

WHEREAS, the Office of the Town Engineer has recommended that the Town Board approve Change Order No. 2 to the aforesaid contract, in order to extend the permitted construction time for the contract and which will not result in an additive or deductive change to the overall contract price;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign Change Order #2 to the aforementioned contract, in form as attached hereto and made a part hereof.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilman Lupinacci

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

Richard J. Franzetti, P.E.
Town Engineer



(845) 628-1500
(845) 628-2087
Fax (845) 628-7085

Office of the Town Engineer
60 McAlpin Avenue
Mahopac, New York 10541

CHANGE ORDER No. 2

PROJECT: C218 – St. Michael's Terrace MS4 Retrofit

DATE OF ISSUANCE: April 2, 2014

OWNER: TOWN OF CARMEL

CONTRACTOR: Earth Alterations, LLC

ENGINEER: Town of Carmel Engineering Department

PROJECT NO: C218

You are hereby directed to make the following changes in the Contract Documents.

Description: Increase contract time by 60 calendar days. No net increase in contract dollar value. Original Notice to Proceed was issued on December 19, 2013. The work was to be completed on or before February 2, 2014. Change Order #1 was issued on January 21, 2014. The work was to be completed by April 3, 2014. The new proposed completion date is June 3, 2014

Purpose of Change Order: To provide extra time to complete the contract scope of work.

Attachments: (List documents supporting change)
NONE

CHANGE IN CONTRACT PRICE: Original Contract Price	CHANGE IN CONTRACT TIME: Original Contract Time
\$ 45,500.00	\$ 45 days or date
Previous Change Orders No. 1 to No. 2	Net change from previous Change Orders
\$ 0.00	- 60 - days
Contract Price prior to this Change Order	Contract Time Prior to this Change Order
\$ 45,500.00	105 days or date
Net Increase (decrease) of this Change Order	Net Increase (decrease) of this Change Order
\$ 0.00	60 days from issuance of Change Order # 2 days
Contract Price including this Change Order	Contract Time including this Change Order
\$ 0.00	165 days or date

RECOMMENDED:

ACCEPTED:

APPROVED:

By 
Engineer

By _____
Contractor

By _____
Owner

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PROPOSAL FOR INSURANCE ACCEPTED - SPAIN AGENCY, INC. - 4/1/14 THROUGH 3/31/15

RESOLVED that the Town Board of the Town of Carmel hereby accepts the proposal of the Spain Agency, Inc, Mahopac, NY to provide liability insurance to the Town of Carmel for the period of April 1, 2014 through March 31, 2015 in form as attached hereto and made a part hereof, and
BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to sign all necessary documentation required to accept such proposal.

Resolution
Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

<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	



☒ Work Session 4/9/2014
☐ Agenda _____

Town of Carmel
Insurance Discussion: 4/9/14 Board Meeting
Policy Period: 4/1/14 – 4/1/15

Premium Summary

Line of Business	Insurance Company	Expiring Premium	Renewal Premium
Property	NYMIR	\$40,504.20	\$42,292.80
General Liability	NYMIR	\$97,132.20	\$86,101.40
Boiler & Machinery	NYMIR	\$7,502.00	\$8,252.20
Equipment Floater	NYMIR	\$36,025.00	\$33,477.70
Business Auto (115 units)	NYMIR	\$56,008.30	\$51,980.50
Public Official Liability	NYMIR	\$35,500.30	\$33,829.40
Law Enforcement	NYMIR	\$89,879.90	\$83,176.50
Umbrella (\$10 million / \$20 million)	NYMIR	\$36,463.90	\$33,821.70
OCP's	NYMIR	\$550.00	\$550.00
Crime (\$500,000 Employee Theft)	Hartford	\$4,977.00	\$5,047.00
Sub-Total Premium:		\$404,542.80	\$378,529.20

NY Fire Fee		\$168.54	\$178.68
Motor Vehicle Enforcement Fee		\$690.00	\$730.00
Total Premium:		\$405,401.34	\$379,437.88

Exposure Notes

- 1. The Budget is 4.4% higher than last year.
- 2. The Total Property Values are 3.48% higher than at renewal last year.
- 3. The Inland Marine values are 4.5% lower than at renewal last year.
- 4. The number of vehicles is 0.87% lower than at renewal last year.

(Cont.)



Town of Carmel

Insurance Discussion: 4/9/14 Board Meeting

Policy Period: 4/1/14 – 4/1/15

New York Municipal Insurance Reciprocal (NYMIR) Program – History/Highlights

- NYMIR originally started in 1993 with 26 founding Members in an effort to protect municipalities from the cycles and fiscal uncertainties of the traditional insurance marketplace. NYMIR is currently the largest Property & Casualty insurer of Municipalities in New York State with over 785 Members (our reference list is enclosed). The Town of Carmel has been a NYMIR Member since 1995.
- Endorsed by the Association of Towns, Association of Counties and Conference of Mayors. The NYMIR policies provide tailor made coverage forms and extensions specifically designed to protect Municipalities.
- Non-profit insurance company fully regulated by the NYS Insurance Department. Subject to tri-annual audits and same capitalization/surplus requirements as traditional markets. Financially sound with over \$58 million in surplus and an A (Excellent) rating with A.M. Best.
- 2014 marks the sixth consecutive year of rate decreases and reduced premiums (subject to your individual claims experience and any exposure changes).
- Extensive Risk Management and Loss Control Services designed to help mitigate future possible claims and educate Members on risk prevention. They conduct quarterly risk management seminars as well as customized classroom training on various Municipal topics (i.e. Law Enforcement, Employment Practices, Playground Equipment, Risk Transfer, Workplace Violence, etc.).
- Specialized Claims Servicing and Defense of Claims. NYMIR employs and contracts with attorneys that have extensive legal backgrounds in dealing with municipal issues.
- Capitalization and Interest Return Program – NYMIR Board of Governors elected to share a portion of their surplus based upon the amount of initial capital contribution each subscribing Member made. The Town of Kent has already received their full contribution in the amount of \$77,495 through four annual installments and has also received the first of two installments in the amount of \$21,386 for the capital interest return.

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Town of Carmel

Insurance Discussion: 4/9/14 Board Meeting

Policy Period: 4/1/14 – 4/1/15

NYMIR has continued to grow and insures over 785 municipalities in New York State. NYMIR insures municipalities for Property, Liability, Automobile, Law Enforcement, Public Officials and Umbrella coverages.

The Spain Agency is the exclusive marketing and service representative for NYMIR in Westchester, Putnam and Dutchess Counties. NYMIR insures the following municipalities in our area:

(Cont.)

Westchester	Putnam	Dutchess
Westchester County	Putnam County	City of Beacon
Town of Bedford	Town of Carmel	Town of Amenia
Town of Lewisboro	Town of Kent	Town of Beekman
Town of North Castle	Town of Patterson	Town of Dover
Town of North Salem	Town of Putnam Valley	Town of East Fishkill
Town of Ossining	Town of Southeast	Town of Fishkill
Town of Pound Ridge	Village of Cold Spring	Town of Hyde Park
Town of Rye		Town of LaGrange
Rye Town Park Commission		Town of Red Hook
Town/Village of Mount Kisco		Town of Rhinebeck
Village of Briarcliff Manor		Village of Fishkill
Village of Bronxville		Village of Red Hook
Village of Croton-on-Hudson		Village of Tivoli
Village of Irvington		Town of Milan
Village of Pleasantville		Town of Stanford
Village of Port Chester		Town of Clinton
Village of Rye Brook		
Village of Sleepy Hollow		

Recent Members that joined since 2013

CARMEL SEWER DISTRICT #2, #4, #5, #6 AND #7 - ADVERTISEMENT FOR BIDS FOR THE PROVISION OF SLUDGE HAULING SERVICES AUTHORIZED

RESOLVED that, pursuant to the request of Town Engineer Richard J. Franzetti, P.E., Town Clerk Ann Spofford is hereby authorized to advertise for bids for the provision of sludge hauling services for Carmel Sewer District #2, #4, #5, #6 and #7 Sewage Treatment Plants for a maximum term of 4 (four) years; and
BE IT FURTHER RESOLVED that the Town Engineer 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: Councilwoman McDonough
Seconded by: Councilman Schneider

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

SEATING/BENCH INSTALLATION AUTHORIZED AT CARMEL TOWN HALL IN CONNECTION WITH THE PROPOSED EAGLE SCOUT PROJECT OF NICHOLAS GRANATA

RESOLVED that the Town Board of the Town of Carmel, in connection with the proposed Eagle Scout project of Nicholas Granata of Boy Scouts of America Scout Troop 371, hereby authorizes the installation of seating for the 911 Memorial located at Town of Carmel Town Hall in accordance with plans provided by Director of Recreation and Parks James R. Gilchrist dated April 1, 2014; and
BE IT FURTHER RESOLVED, that upon presentation of insurance certificates in form acceptable to Town Counsel, the aforesaid work may be commenced.

(Cont.)

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>

CAMARDA PARK - ENTRY INTO LICENSE AGREEMENT WITH CARMEL RAMS YOUTH LACROSSE AUTHORIZED

RESOLVED that the Town Board of the Town of Carmel hereby authorizes entry into a license agreement with Carmel Rams Youth Lacrosse for the use of Camarda Park, for a period of four (4) months, in form as attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that upon presentation of insurance certificates in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is authorized to execute such agreement.

Resolution

Offered by: Councilman Lombardi
Seconded by: Councilwoman McDonough and 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>

LICENSE AGREEMENT BETWEEN CARMEL RAMS YOUTH LACROSSE
AND
THE TOWN OF CARMEL

THIS LICENSE AGREEMENT, entered into this 20th day of March 2014, by and between the Town of Carmel, a municipal corporation organized and existing under and by virtue of the laws of the State of New York and with offices at 60 McAlpin Avenue, Mahopac, New York 10541 (“Town”) and Carmel Rams Youth Lacrosse, with its business address at P.O. Box 537, Carmel, New York 10512. (“Club”); and

WHEREAS, the CLUB has requested a license agreement from the Town of Carmel to use the meadow at Paul A. Camarda Park in the Hamlet of Carmel for lacrosse games and practices;

WHEREAS, the Town of Carmel has duly authorized such use subject to the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties hereby agree as follows:

FIRST: The TOWN hereby gives and grants to the CLUB the use of the meadow at Paul A. Camarda Park for programs conducted by the CLUB for recreational purposes as follows:

- 1. Mondays from 6:00 p.m. - 8:00 p.m. (April-July)
- 2. Sundays from 8:30 a.m. - 12:00 p.m. (April-July)

In the event the CLUB fails to utilize the meadow during the above times, the TOWN reserves the right to allow others to use said meadow. The CLUB’s program shall be conducted by and remain under the direct supervision and control of the CLUB, its contractors, agents, servants, and employees.

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(Cont.)

SECOND: This agreement shall be effective for a 4-month period commencing on April 27, 2014, and ending July 31, 2014. This agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties. The Town may terminate this agreement by delivery, by mail or personal service, to the CLUB at its address stated hereinabove a notice of the Town's intention to terminate the said revocable license three (3) days after the delivery of said notice.

THIRD: For the use of said facility, the CLUB agrees to make the following improvements to Paul A. Camarda Park:

1. Install approximately 100 feet of 10 foot high safety netting that will run between the basketball courts and the lacrosse/soccer field.
2. Attach 135 feet of 6 foot high safety netting along parking lot and 175 feet of 6 foot high safety fencing along the roadside of field to the existing fencing.

It is specifically agreed that the improvements contemplated in this article shall become the property of the Town of Carmel upon installation, as well as any other improvements made by the CLUB to Paul A. Camarda Park during the term of this agreement.

FOURTH: The CLUB shall take out and maintain during the life of this agreement such public liability and property damage insurance as shall protect the TOWN and the CLUB from claims from damages for personal injury including accidental death, as well as claims for property damage which may arise from operations under this agreement, and the amounts of such insurance shall be as follows: A single limit policy in the amount of two million dollars (\$2,000,000.00) for bodily injury and property damage claims, public liability insurance, blanket contractual liability, and broad form property damage liability. The Town of Carmel shall be named as an additional insured on all such policies.

FIFTH: The CLUB hereby agrees to protect, defend, indemnify, and save harmless the TOWN, its officers and employees from any and all claims, suits or actions for injury or damage to person(s) or property that may arise by reason of the CLUB's use of this facility. The CLUB further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc. at its sole expense and agrees to bear all costs and expenses relate thereto, even if it (claims, etc.) is groundless, false, or fraudulent. The CLUB, its contractors, agents, servants, employees, patrons and invitees use this facility at their own risk. The CLUB shall be wholly responsible for the supervision, safety, and well-being of all participants at all times.

SIXTH: The parties hereby agree and acknowledge that the Town of Carmel bears no liability or responsibility for the administration, organization of the programs, games, tournaments and activities which the CLUB may organize on the TOWN's facilities pursuant to this license agreement.

IN WITNESS WHEREOF, the parties have executed this agreement in Carmel, New York on the date hereinabove set forth.

TOWN OF CARMEL
By:

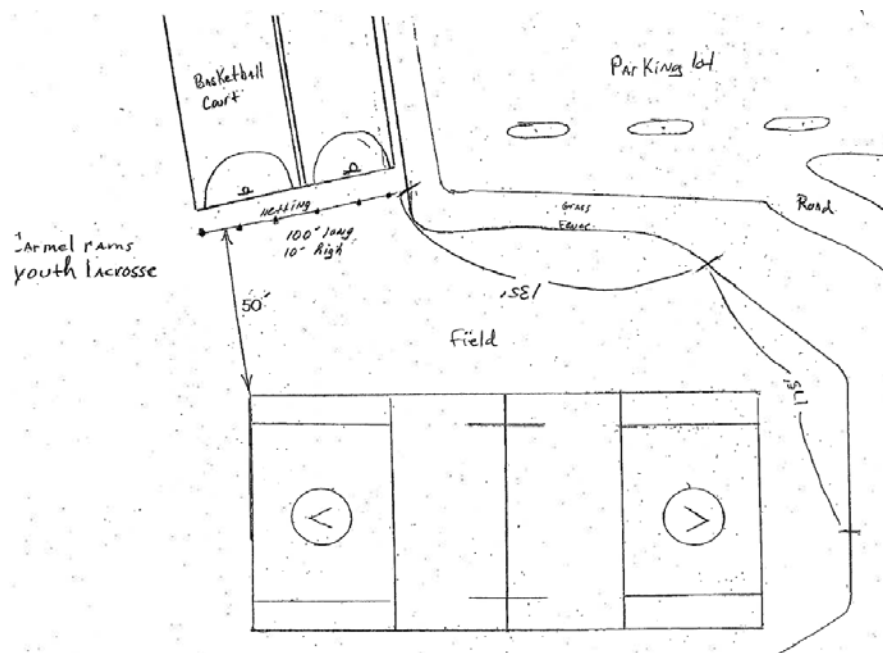
CARMEL RAMS YOUTH LACROSSE
By:

Kenneth Schmitt, Town Supervisor

Eric Aabel, President

Date: _____

Date: _____



23 APRIL 2014
TOWN BOARD MEETING

SIGNING OF INTERMUNICIPAL AGREEMENT BETWEEN THE CARMEL CENTRAL SCHOOL DISTRICT AND THE TOWN OF CARMEL FOR USE OF ATHLETIC FIELDS - AUTHORIZED

WHEREAS James R. Gilchrist, Director of the Town of Carmel Recreation and Parks has requested that the Town Board authorize the signing of an Intermunicipal agreement between the Carmel Central School District and the Town of Carmel providing for use by the Town of Carmel of certain athletic fields belonging to the Carmel Central School District for a period of five (5) years;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby authorizes the Town Supervisor to sign on behalf of the Town of Carmel, the Intermunicipal Agreement between the Carmel Central School District and the Town of Carmel in regard to the foregoing in the form as attached hereto and made a part hereof, and

BE IT FURTHER RESOLVED that a copy of said Intermunicipal Agreement be filed with the Town Clerk after signature by the Town Supervisor.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilwoman McDonough

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

**AGREEMENT BETWEEN THE CARMEL CENTRAL SCHOOL DISTRICT
AND
THE TOWN OF CARMEL**

WHEREAS the CARMEL CENTRAL SCHOOL DISTRICT, hereafter known as the "DISTRICT", is a municipal corporation of the State of New York, with offices at 81 South Street, Patterson, New York 12563 and the TOWN OF CARMEL, hereinafter known as the "TOWN", is a municipal corporation of the State of New York with offices at Town Hall, 60 McAlpin Avenue, Mahopac, New York 10541; and

WHEREAS, pursuant to Education Law Section 414, DISTRICT has in the past allowed the TOWN, its contractors, agents, servants and employees to use the facilities of the DISTRICT for recreational purposes for Town sponsored activities at no charge, and

WHEREAS, the DISTRICT, in view of the continuing escalating capital and maintenance costs required to maintain and improve its recreational facilities, can no longer continue to provide the use of such facilities to the TOWN;

NOW, THEREFORE, IT IS AGREED by and between the CARMEL CENTRAL SCHOOL DISTRICT AND THE TOWN OF CARMEL that:

FIRST: The DISTRICT shall furnish to said TOWN the use of three ball fields identified as Fields #5, #6, and #7 (as per attached map) at Carmel High School, 30 Fair Street, in the Hamlet of Carmel for programs conducted by said TOWN; its contractors, agents, servants and employees for recreational purposes and for TOWN sponsored activities. Except when needed for use by the DISTRICT, the TOWN shall have exclusive use of the aforesaid fields as follows:

- 1. Field #5**

April 1st through June 30 for T-Ball
Monday through Friday from 5:00 p.m. until sunset
Saturday and Sunday from 9:00 a.m. until sunset

September 1 through December 31 for Flag Football
Sundays from 9:00 a.m. through 2:00 p.m.
- 2. Fields #6 and #7**

April 1 through August 31 for Little League
Monday through Friday from 6:00 p.m. until sunset
Saturday and Sunday from 9:00 a.m. until sunset

September 1 through December 31 for Flag Football
Saturday and Sunday from 9:00 a.m. until sunset

(Cont.)

AGREEMENT BETWEEN CCSD AND THE TOWN OF CARMEL

In the event the TOWN fails to utilize the fields during the above times, the DISTRICT reserves the right to allow others to use said fields. The TOWN's programs shall be conducted by and remain under the direct supervision and control of the TOWN, its contractors, agents, servants and employees. The TOWN hereby agrees to defend and indemnify the DISTRICT, its officers and employees from any and all claims, suits or action for injury or damage to person(s) or property that may arise by reason of the TOWN's use of these facilities. The TOWN, its contractors, agents, servants, employees, patrons and invitees use these facilities at their own risk. This provision shall not be construed to indemnify the DISTRICT, its officers, employees or agents for damage arising out of bodily injury to persons or damage to property caused by or resulting from the negligence of the DISTRICT, its officers, employees, or agents.

SECOND: For the use of said facilities, the TOWN agrees to make the following capital improvements to the fields and to perform the following maintenance:

Capital Improvements:

1. Fields #6 and #7

Improvements to the infield clay and surrounding grass areas at a cost of \$2,000/year.

Provide a port-a-potty April through November for five years with an estimated cost of \$720/year

Shared Services

The TOWN shall deliver sand and salt to the DISTRICT from the town garage. The DISTRICT will reimburse the TOWN at their cost. The DISTRICT shall be responsible for mowing.

The TOWN shall provide use of field maintenance equipment as requested by the DISTRICT.
Examples: Aerator, York Rake, Top Dresser, Field Lining Equipment, etc.

The TOWN shall provide a large loader and operator, upon request from the school district after the snow storms, from October to April for accumulated snow removal at a cost of approximately \$42.50 per hour for operator and \$40.00 per hour for loader equipment, for school parking lots located within the Town of Carmel.

THIRD: This agreement shall be effective for a five-year period commencing on April 1, 2013, and ending March 31, 2018.

AGREEMENT BETWEEN CCSD AND THE TOWN OF CARMEL

TOWN OF CARMEL:
By:

Name: Title: Date:

CARMEL CENTRAL SCHOOL DISTRICT
By:

Name: Title: Date:

Supervisor Schmitt highlighted certain provisions contained in the Intermunicipal Agreement. He went on to acknowledge James R. Gilchrist, Director of the Town of Carmel Recreation and Parks for negotiating this example of shared services.

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BID AWARDED FOR LANDSCAPING/GRASS CUTTING FOR TOWN PARKS - PAT SCANLAN LANDSCAPING - ANNUAL CONTRACT PRICE OF \$30,750.00

WHEREAS the Town Board of the Town of Carmel has previously authorized advertisement for the solicitation of bids for landscaping/grass cutting services at various Town of Carmel Town Parks, and

WHEREAS, a bid opening memo has been prepared by James R. Gilchrist, a copy of which is on file with Town Clerk Ann Spofford; and

WHEREAS, James R. Gilchrist, Director of Parks and Recreation has recommended the awarding of the bids to Pat Scanlan Landscaping, New City, NY; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Carmel hereby awards the bid to Pat Scanlan Landscaping, New City, NY, the lowest responsible bidder who met specifications for Airport Park, Camarda Park, Mahopac Chamber Park and McDonough Park, at a annual contract price of \$30,750.00; and

BE IT FURTHER RESOLVED, that upon presentation of insurance certificates and a bid bond in form acceptable to Town Counsel, Town Supervisor Kenneth Schmitt is hereby authorized to enter into the aforesaid contract and to execute any necessary documentation required connection therewith.

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>

MAILING OF LAKE SECOR PARK DISTRICT NEWSLETTER - AUTHORIZED

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

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>

RESOLUTION ACCEPTING PROPOSAL FOR SCANNING SERVICES - TOWN OF CARMEL ASSESSOR'S OFFICE - TABLED

RESOLVED that the Town Board of the Town of Carmel, upon the recommendation of Town Assessor Glenn Droese, hereby authorizes the acceptance of the proposal of Systems Development Group, Inc., Utica, NY to provide scanning services to be utilized in connection with and as a part of the Town-wide real property revaluation previously authorized by the Town Board, at a cost not to exceed \$11,440.00; and

BE IT FURTHER RESOLVED that Town Supervisor Kenneth Schmitt is hereby authorized to sign any and all documentation necessary to accept this proposal on the terms and conditions authorized herein.

(Cont.)

MOTION TO TABLE

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>

Councilman Lombardi offered a motion to table the resolution to allow the opportunity to investigate other options to perhaps obtain a lower cost for the scanning services. The motion was seconded by Councilman Lupinacci. Prior to the vote discussion was held.

Councilman Schneider expressed his concern that since the Town-wide real property revaluation is of a time sensitive nature, an extension at this time will push back the timeline, possibly to a point where the project would not be effective for another year, only to potentially achieve a nominal savings.

Councilman Lombardi stated that someone who may be in this business viewed the previous Work Session, contacted him and would like to review the proposal.

Councilman Lupinacci explained that if a vote on accepting the proposal is taken at this time, he would abstain because he has yet to receive additional information that he requested from an employee of the Town with regard to the scanning services.

Councilman Schneider indicated that he did not have an issue with tabling the motion for the purpose of obtaining the requested information.

HOME RULE REQUEST - NEW YORK STATE SENATE NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW §384-D - SGT. ROBERT BEHAN AND OFFICES JAMES EVANS

WHEREAS, the Town Board of the Town of Carmel has been advised that Sgt. Robert Behan and Offices James Evans are the only sworn members of the Town of Carmel Police Department who are not covered by the provisions of New York State Retirement and Social Security Law §384-d; and

WHEREAS, the Town Board of the Town of Carmel, pursuant to the provisions of New York law including but not limited to the Municipal Home Rule Law, hereby wish to authorize a request for the enactment of special legislation for consideration by the New York State Legislature in order to provide Sgt. Behan and Officer Evans coverage under the provisions of §384-d of the New York State Retirement and Social Security Law;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Carmel hereby requests the enactment of special legislation by the New York State Legislature specifically to provide Sgt. Behan and Officer Evans with coverage under the provisions of §384-d of the New York State Retirement and Social Security Law; and

BE FURTHER RESOLVED that upon passage of this resolution by two-thirds majority of the voting strength of the Town of Carmel Town Board, Town Clerk Ann M. Spofford is hereby authorized to execute the Clerk's Certification on the Home Rule Request Form attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and the executed Home Rule Request Form shall hereby be transmitted immediately to the Offices of NYS Senator Gregory R. Ball; and

(Cont.)

BE IT FURTHER RESOLVED that Town Comptroller MaryAnn Maxwell is hereby authorized to make any and all necessary budget revisions to address any change or modification in annual contributions to the New York State and Local Retirement System required as a result of the passage of such legislation.

Resolution

Offered by: Councilman Lupinacci
Seconded by: Councilman Lombardi and Councilwoman McDonough

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

IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE

HOME RULE REQUEST

(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the Town of Carmel requests the enactment of Senate bill (No. S7365),
(county, city, town or village)
(name)
(strike out one)
entitled "An ACT to authorize the town of Carmel, in the county of Putnam, to offer an optional twenty year retirement plan to police officers Robert Behan and James Evans"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

☒ The local government does not have the power to enact such legislation by local law.

☐ Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

☐ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)

☒ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, both the chief executive officer and the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.

B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, only the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed) _____
(chief executive officer)

(Print or type name below signature)

(Title of chief executive officer)

Date: May 23, 2014

23 APRIL 2014
TOWN BOARD MEETING

(Cont.)

CLERK'S CERTIFICATION

I, Ann Spofford
(print or type name), do hereby certify that I am Clerk of the (Town)
(local legislative body)
Board of the Town
(county, city, town or village)
of Carmel
(name) and that on the 23rd day of May,
20 14, such legislative body, at least a two-thirds of the total membership having voted in favor thereof,
(strike out one)
approved the foregoing request.

(Signed) Ann Spofford
(clerk)
Ann Spofford
(Print or type name below signature)

[SEAL OF LOCAL GOVERNMENT]

Date: May 23, 2014

INSTRUCTIONS

Copies required:

Two signed copies of this form, specifying the final bill number and title must be filed with *each* House of the Legislature.

Examples:

(a) If the bill has been introduced in only *one* House of the Legislature, four copies of the request form must be filed, i.e., two with the Senate and two with the Assembly.

(b) If the identical bill has been introduced in *both* Houses, eight copies of the request form must be filed, i.e., two with the Senate and two with the Assembly for the Senate bill and the same for the Assembly bill.

Date of request:

The signing of a home rule request or the adoption of a resolution by the local legislative body approving such request cannot precede the date on which the bill is actually introduced in the Legislature. In the case of prefiled bills, the actual date of introduction is the first day of the legislative session. The request may be signed or the resolution adopted the same day as the date of introduction.

Amended bills:

Each time the bill is amended a new request must be filed (with the appropriate number of copies) and the new request must correctly identify the bill number as last amended. The signing of the request, and the date of the supporting resolution, cannot precede the date of the amendment.

Transmittal:

The signed forms should be sent as follows:

<p>To the Senate:</p> <p>Home Rule Counsel Senate Post Office The Capitol Albany, N. Y. 12224</p>	<p>To the Assembly:</p> <p>Home Rule Counsel Assembly Post Office The Capitol Albany, N. Y. 12224</p>
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Definition of terms:

Chief executive officer.
In the case of a county, the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors; in the case of a city or village, the mayor (not manager); and in the case of a town, the supervisor. (Municipal Home Rule Law §40)

Local legislative body.
The board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances. (Municipal Home Rule Law §2)

Local government.
A county, city, town or village (Const. Art. IX, §3; Municipal Home Rule Law §2)

Special law
A state statute which in terms and in effect applies to one or more, but not all, counties (other than those wholly included within a city) cities, towns or villages. (Const. Art. IX §3; Municipal Home Rule Law §2)

Total membership.
The total voting power of a legislative body. (Municipal Home Rule Law, §§20, 40)

(Cont.)

Supervisor Schmitt explained that when Sgt. Robert Behan and Officer James Evans were hired years ago, the Town of Carmel’s benefits coordinator at the time enrolled them in the wrong retirement plan. This resolution authorizes a request for the enactment of special legislation for consideration by the New York State Legislature to correct the error.

(Information required to execute the Home Rule Request Form was received by the Town Clerk on May 22, 2014.)

POLICE DEPARTMENT SCHEDULING AND PAYROLL SERVICES - ENTRY INTO AGREEMENT WITH RAGNASOFT INCORPORATED (PLANIT POLICE) AUTHORIZED - ANNUAL COST NOT TO EXCEED \$1,885.00 WITH \$950.00 AUTHORIZED FOR INITIAL YEAR EQUIPMENT AND STARTUP COSTS

RESOLVED that upon the recommendation of Police Chief Michael Cazzari, the Town Board of the Town of Carmel hereby authorizes entry into an agreement with RagnaSoft Incorporated, of Lancaster, Pennsylvania for scheduling and payroll services to be provided to the Town of Carmel Police Department at a maximum annual cost not to exceed \$1,885.00, with \$950.00 authorized for initial year equipment and startup costs as well; and

BE IT FURTHER RESOLVED that Police Chief Michael Cazzari is hereby authorized to executed such agency agreement with RagnaSoft Incorporated of Lancaster Pennsylvania, in form as is on file in the Office of the Town Supervisor.

Resolution

Offered by: Councilwoman McDonough
Seconded by: Councilman Schneider and 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>

Councilman Lupinacci thanked Police Chief Michael Cazzari for bringing this agreement to fruition as Councilman Schneider has been requesting the implementation of this type of software for two years.

Supervisor Schmitt thanked Councilman Schneider for his efforts in connection with the matter.

Councilman Schneider acknowledged the Police Department for carrying out the research and vetting process.

PUBLIC COMMENTS - AGENDA ITEMS

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

PUBLIC COMMENTS - OPEN FORUM

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

ADJOURNMENT

All agenda items having been addressed, on motion by Councilman Schneider, seconded by Councilman Lombardi, with all Town Board members present and in agreement, the meeting was adjourned at 8:08 p.m. to the scheduled Work Session.

Respectfully submitted,

Ann Spofford, Town Clerk