

Bedford Hills, New York
January 18, 2011

The second meeting for the month of January of the Town Board of the Town of Bedford was held on January 18, 2011 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Supervisor Roberts.

Present: Lee V. A. Roberts : Supervisor
Peter Chryssos : Councilman
Francis T. Corcoran : Councilman
Chris Burdick : Councilman
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk
Amanda Kandel : Town Attorney
Joan Gallagher : Director of Personnel
Amy Pectol : Receiver of Taxes
William Hayes : Chief of Police
Kevin Winn : Commissioner of Public Works
William Heidepriem : Superintendent of Recreation & Parks

and approximately eight (8) resident/observers.

APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2010 be allowed for payment from their respective funds,

	2010
Paid Prior to Audit	\$ 110,741.40
General Fund	27,127.27
Highway Fund	136,392.03
Consolidated Water District	6,669.29
Cedar Downs Water District	808.37
Farms Water District	123.50
Old Post Road Water District	212.00
Special Districts:	
Bedford Village Memorial Park	3,035.62
Bedford Hills Memorial Park	2,021.18
Katonah Memorial Park	2,021.73
Bedford Lighting District	698.00
Bedford Hills Lighting District	322.30
Katonah Lighting District	494.50
Capital Projects	<u>596,024.58</u>
	\$ 886,691.77

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2011 be allowed for payment from their respective funds,

	2011
General Fund	\$ 158,882.76
Highway Fund	58,821.96
Consolidated Water District	17,834.42
Cedar Downs Water District	577.79
Farms Water District	4,699.35
Old Post Road Water District	4,699.35
Energy	2,071.16
Special Districts:	
Bedford Village Memorial Park	645.20
Bedford Hills Memorial Park	548.90
Katonah Memorial Park	<u>4,554.90</u>
	\$ 253,335.79

MONTHLY REPORTS

Building (Nov)	Finance (Nov & Dec)	Receiver of Taxes
Code Enforcement (Nov)	Justice Court	Town Clerk
Dog Control	Police	Water
Department of Public Works		

Mrs. Roberts advised that these reports were available for inspection during normal business hours in the offices of the Town Clerk and the Supervisor.

PRESENTATION

1. B2020 Environmental Action Day January 29th.

Energy Director Tom Bregman and later Olivia Farr explained the intent of the expo and encouraged individuals to register for and attend this event with the theme, "Taking Action".

DISCUSSION

1. Gift of Municipal Funds for Services.

The Town Board reviewed and discussed with the Town Attorney this topic along with the related memoranda that she had submitted. The Board discussed the legalities of providing services of the Police and Department of Public Works to service groups, which under New York State law, is considered a gift and is not legal. However, the libraries, police, fire departments and ambulance corps do not fall into this category as they perform municipal functions for the Town of Bedford. Mr. Corcoran suggested that a document be drafted to determine which organizations are eligible.

2. Collaboration between Putnam and Northern Westchester communities to achieve MS4 compliance and approval of modified fee for attorney to file comments on DEP/DEC Water Supply Agreement.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve a modified fee for the attorney to file comments on the Department of Environmental Protection/Department of Environmental Conservation Water Supply agreement on behalf of the collaboration between the Putnam and Northern Westchester communities to achieve MS4 compliance, said fee to be in excess of the previously agreed \$3,000 granted by resolution dated November 3, 2010, said amount not to exceed \$9,500.00.

NEW BUSINESS

1. Recreation and Parks requests:
 - a) Approval to award Katonah Memorial Park, Zema Property Study to Chazen Company.

On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

January 18, 2011 – Regular meeting - continued

Nays: None
Absent: None

RESOLVED that the Town Board does hereby award the contract to perform a park study, as outlined in the Request for Proposal (RFP), at the Katonah Memorial Park and the Zema Property to the Chazen Company, 21 Fox Street, Poughkeepsie, New York in the amount of \$27,500.00, to be paid for from the funding allocated in the 2010 Katonah Memorial Park District Capital budget, as per the memorandum dated January 7, 2011 from Brian McCabe, Chairman of the Recreation and Parks Advisory Committee with changes as outlined in Town Attorneys memo of 1/18/11.

b) Approval of “No Smoking” policy at Town Parks.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve a “No Smoking” policy to cover all three (3) Town of Bedford hamlet park facilities and the Beaver Dam Park, to prohibit smoking as follows:

- Inside all pool facilities and within fifty feet (50’) of the pool facility entrance point.
- All playground areas.
- All picnic areas/shelters.
- All athletic fields, basketball courts, tennis courts and platform tennis courts.
- All fenced areas of the Canine Commons dog park at Beaver Dam Park.

As per the memorandum dated January 7, 2011 from Brian McCabe, Chairman, Recreation and Parks Advisory Committee.

c) Approval to solicit bids for Seasonal Food Concessions at Town Parks/ Pools.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby grant approval for the Superintendent of Recreation and Parks to solicit “Requests for Proposals for Seasonal Food Concessions” at the three (3) hamlet park pools for 2011 through 2015, as per the memorandum dated January 11, 2011 from Bill Heidepriem, Superintendent of Recreation and Parks.

d) Approval for Supervisor to sign 2011 renewal of Interagency Agreement with North East Westchester Special Recreation Inc.

On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the 2011 interagency renewal for North East Westchester Special Recreation at a cost to the Town of \$16,069.81, as per the memorandum dated January 7, 2011 from William F. Heidepriem, Superintendent of Recreation and Parks.

2. W. Hayes/Police requests approval to:

a) Search for candidate to fill Sergeant vacancy.

On a motion by Mr. Gabrielson, seconded by Mrs. Roberts, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

January 18, 2011 – Regular meeting - continued

Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the request of Joan Gallagher, Director of Personnel, to commence proceedings to fill the vacancy for a Sergeant on the Town of Bedford Police department created by the retirement of Sergeant James Murphy on December 31, 2010, as per Mrs. Gallagher's memorandum dated January 3, 2011.

b) Modify Town's Mobile Phone Policy.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the modifications to the Town of Bedford Mobile Phone Policy as suggested and outlined in the memorandum dated December 30, 2010 from William Hayes, Chief of Police.

c) Supervisor to sign IMA with Westchester County for Radio Communications Infrastructure.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Inter-Municipal Agreement (IMA) with Westchester County for Radio Communications Infrastructure, to permit the Town of Bedford to use the Westchester County Infrastructure at the Bedford Central School District-Fox Lane Campus in order to investigate the possible relocation of the transmitter to the Westchester County existing radio site, as per the memorandum dated January 13, 2011 from William Hayes, Chief of Police.

3. Katonah Fire Department requests:

- a) Approval for annual parade on June 8th.
- b) Confirmation of appropriated funds to cover Police Dept. overtime expenses.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the request from Bennett Schuberg, Chief of the Katonah Fire Department, to hold the department's annual parade on Wednesday, June 8, 2011, and

BE IT FURTHER RESOLVED that the Town Board does hereby approve the funding for the overtime for the Police and Department of Public Works for the parade in the amount of \$8,000.00 and Police overtime for the carnival, June 8-11, 2011 in the amount of \$3,400.00.

4. DPW requests approval for:

- a) Supervisor to sign four month extension of current Westwood Organic Beaver Dam license.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize to sign a four (4) month extension of the current license with Westwood Organic, 15 Bedford Road, Armonk, New York, said license permits Westwood Organic to use their equipment to process and remove wood and leaf waste generated by the Town of Bedford, at the current cost of \$700.00 per month, through April 8, 2011 as per the memorandum dated January 13, 2011 from Kevin Winn, Commissioner of Public Works.

b) Approve one additional snow removal vendor.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the addition of Alfredo Site Development to the list of vendors for snow removal services, to provide two (2) front end loaders and three (3) triaxle dump trucks, when needed, at a rate of \$130 per hour for the front end loaders and \$90 per hour for the triaxle dump trucks, as per the memorandum dated January 13, 2011 from Kevin Winn, Commissioner of Public Works, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement.

c) Adopt Mailbox Replacement Policy.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby adopt the “Mailbox Replacement Policy” as submitted by Kevin Winn, Commissioner of Public Works as follows:

It is the policy of the Bedford Department of Public Works that if any mailbox or post is damaged as the result of snow removal operations the responsibility for making repairs shall be borne by the property owner. The only exception to this is when a mailbox or post is damaged by direct contact from the Town snow removal equipment. The Department of Public Works will not be responsible for the mailbox damage from snow being discharged from snow removal equipment. It is the property owner’s responsibility to install a mailbox that is appropriately designed and located for the impact of snow discharge.

When a mailbox or post is damage by direct contact from our snow removal equipment, the DPW will inspect the mailbox and post to determine cause of damage. Following investigation, if it is determined that the Town equipment caused the damage, the Town will reimburse the mailbox owner \$125 which will cover the purchase of a standard mailbox and cedar post.

5. Approval to hire consultant to “ENERGIZE BEDFORD”.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the contract with Dick Kornbluth, LLC for homeowner advisory and support services for the Town of Bedford home energy and efficiency program and the Northern Westchester Energy Action Consortium (NWEAC), effective January 19, 2011 and ending on April 18, 2011 with an option to renew this contract for an additional thirteen (13) weeks on agreement by both parties, said project to be funded through the grant received from the Department of Energy. The approval is granted subject to receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, and submission of a signed Hold Harmless agreement.

6. Approval of John Collins Engineers, P.C. for Traffic Engineering Services for 2011.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board accept the proposal from John T. Collins of John Collins Engineers, P.C., 11 Bradhurst Avenue, Hawthorne, New York 10532 dated January 13, 2011 for consulting work on Traffic and Transportation projects within the Town for 2011, as follows:

John T. Collins, Ph.D., P.E.	\$190.00 per hour
Philip J. Grealy, Ph.D., P.E.	\$165.00 per hour
A. Peter Russillo, P.E.	\$125.00 per hour
Angelo Narcise	\$ 90.00 per hour
Ronald Rieman	\$ 90.00 per hour
Richard D'Andrea	\$ 90.00 per hour
Richard Hilario	\$ 70.00 per hour

7. Conservation Board requests:

a) Reappointment of Simon Skolnik, Chair.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby reappoint Simon Skolnik to the position of member and Chairman of the Conservation Board for a two (2) year term, said term to be January 20, 2011 to January 20, 2013.

b) Appoint Marian Rose as associate and Betsy Weir to full membership position.

On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that that Town Board hereby appoints Marian Rose to the Conservation Board as an associate member and Betsy Weir to the Conservation Board for a two (2) year term, January 20, 2011 to January 20, 2013.

8. Appoint George Fernandez to Tree Advisory Board.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby appoint George Fernandez to the Tree Advisory Board to fill one of the vacancies on this Board, for the remainder of the vacant term, said term to expire December 16, 2013.

9. Reschedule January 24th Work Session – Legislation.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby reschedule the January 24, 2011 work session on legislation to Tuesday, February 8, 2011 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

10. Executive Session – Personnel.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board shall discuss matters of personnel in an executive session to be conducted in at the conclusion of the regular meeting.

There being no further discussion the Town Board adjourned to executive session at 9:25 pm.

Lisbeth Fumagalli, Town Clerk

TOWN OF BEDFORD
www.BedfordNY.info
TOWN BOARD
EXECUTIVE SESSION MINUTES
January 18, 2011

The Town Board met in Executive Session at 9:30 p.m.

Supervisor Lee Roberts, Frances Corcoran, Chris Burdick, David Gabrielson Peter Chryssos were present. Joan Gallagher, and Town Attorney Amanda Kandel were also present.

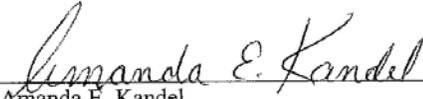
In the meeting, the Board discussed a Memorandum of Agreement and personnel Issues

At 10:30 p.m. Supervisor Roberts closed the Executive Session and opened the meeting in public session for the vote.

On motion by Lee Roberts and seconded by Peter Chryssos, the Board voted to designate Amanda Kandel to act as Clerk to take the minutes of the meeting. The vote was 5-0.

On motion by Chris Burdick seconded by Peter Chyrssos, the Board voted to adopt the January 18, 2011 Memorandum of Agreement between the Town of Bedford and the Bargaining Team for Local 456 of the International Bortherdhood of Teamsters (White Collar Unit). The vote was 5 – 0.

The meeting was adjourned at 10:35 p.m.


Amanda E. Kandel