

Bedford Hills, New York
January 4, 2011

The Organizational Meeting of the Town Board of the Town of Bedford was held on January 4, 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
Joel H. Sachs : Town Attorney
Eric Gordon : Town Attorney
William Hayes : Chief of Police
Kevin Winn : Commissioner of Public Works
William Heidepriem : Superintendent of Recreation & Parks

And three (3) residents/observers.

1. Designation of official newspaper.

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

WHEREAS, The Bedford Pound Ridge Record Review has submitted a letter requesting designation as the Town of Bedford official newspaper,

NOW, THEREFORE, BE IT RESOLVED

THAT pursuant to Section 64, Subdivision 11 of Town Law, The Bedford Pound Ridge Record Review, a newspaper having general circulation and which has been entered as second class matter at Bedford Hills, New York is hereby designated as the official newspaper of the Town of Bedford for the calendar year of 2011.

2. Town Board constituting an audit committee.

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 all members of the Town Board constitute an audit committee to audit bills and claims against the Town of Bedford prior to payment.

3. Resolution on Town credit cards.

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 as per New York State Municipal Law §5, the following Elected Official/Department Head has been designated by the Town of Bedford Town Board to accept credit card payments for the specific purpose(s) as listed:

Lisbeth Fumagalli Town Clerk Permits, licenses, copies of vital
Records, maps, books

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Amy Pectol	Receiver of Taxes	Real Property Taxes
William Heidepriem	Supt. of Parks and Recreation	Recreation programs and pool fees
James Genovese	Building Inspector	Permits, copies, applications
Jeffrey Osterman	Director of Planning	Permits, copies, applications

4. Accept updated official map of the Town of Bedford.

On a motion by Mr. Corcoran, 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 accept the updated official map of the Town of Bedford dated January 4, 2011 as submitted by the Town Clerk, Lisbeth Fumagalli and updated by Town Engineer James J. Hahn.

5. Membership in the Association of Towns:

A. Approve payment of dues.

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 approve the continuation of the membership of the Town of Bedford in the Association of Towns and pay the annual membership dues in the amount of \$1,650.00 for the calendar year of 2011, said dues based upon the population of the Town of Bedford.

B. Authorization to Supervisor to vote on behalf of the Town.

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED, that the Town of Bedford is entitled to one vote on all questions arising at the Association of Towns – 2011 Annual Business Session to be held in New York City, on February 14, 2011 and Lee V. A. Roberts, Supervisor is hereby authorized to vote at the 2011 Annual Business Session on behalf of the Town of Bedford.

C. Appoint an alternate to vote.

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 in the absence of Lee V. A. Roberts, Supervisor, Peter Chryssos, Deputy Supervisor is hereby authorized as the alternate to vote at the Association of Towns – 2011 Annual Business Session for the Town of Bedford.

6. Consider authorization to Supervisor to approve attendance of Town officials at seminars, etc. in accordance with the 2011 budget.

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

RESOLVED, that the Supervisor is hereby authorized to approve attendance of members of the Town government who wish to attend seminars or workshops in connection with their

employment and/or appointment and be reimbursed for actual and necessary documented expenses incurred by reason of such attendance thereat, as limited by the 2011 budget.

7. Finance – Request the following actions:
 - A. Adoption of Investment 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

WHEREAS, in order to comply with State Law it is necessary to annually review the Investment Policy the Town of Bedford adopted in 1994, and

WHEREAS, Mr. Ritter, Director of Finance advised that no changes are recommended for 2011,

NOW, THEREFORE, BE IT RESOLVED

THAT the Town Board does hereby approve the Town of Bedford Investment Policy for the calendar year 2011 as submitted by Edward J. Ritter, Town Comptroller, with the Supervisor designated as Chief Fiscal Officer.

- B. Designation of Depositories.

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

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

RESOLVED, that the following banks, as set forth be and they are designated, the depositories for the funds and accounts of the Town of Bedford for the period of January 1, 2011 though December 31, 2011:

JP Morgan Chase Bank
MBIA Class
Key Bank
TD Bank
Webster's

And,

BE IT FURTHER RESOLVED THAT the Supervisor, Deputy Supervisor and the Comptroller be authorized to transact business with the designated depositories.

- C. Authorize Supervisor to transact business with designated depositories and sign necessary paperwork.

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 Lee V.A. Roberts, Supervisor; Peter Chryssos, Deputy Supervisor; and Edward J. Ritter, Town Comptroller be authorized to transact business with the designated depositories and to sign the paperwork necessary (signature cards, resolutions, security and custody agreements, etc.) to maintain existing accounts and open new accounts for the Town of Bedford for the period of January 1, 2011 through December 31, 2011.

- D. Adoption of Transfer Policy.

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

WHEREAS, the Town's auditors, Bennett, Kielson, Storch, DeSantis, The Government Services Division of O'Connor Davies Munns & Dobbins, LLP, have proposed the Supervisor be authorized to approve transfers within the various funds in order to streamline the budgetary process, and

WHEREAS, the Supervisor prefers her approval of transfers between any particular budget lines in an amount not exceed \$5,000 quarterly, and

NOW, THEREFORE, BE IT RESOLVED

THAT for the fiscal year of 2011, the Town Board does hereby authorize the Supervisor to approve transfers between budget lines in an amount not to exceed \$5,000 quarterly, and

BE IT FURTHER RESOLVED

THAT transfers from Contingency and transfers in excess of \$5,000 quarterly are to be approved by the Town Board, and

BE IT FURTHER RESOLVED

THAT the Town Board does hereby authorize the Finance Department to make transfers within a Department code at the request of the Department Head.

E. Authorize payments prior to audit.

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 Supervisor be authorized to make payment in advance of audit to the City of New York, Westchester County, and the State of New York for fees and licenses and permits less than \$500.00 and further authorizes payment in advance of audit for utility bills, including electric, telephone, fuel, equipment leasing, water bills, permits, special summer events which programs are entirely funded by fees charged to participants, postage for the postage meter and payments made pursuant to Court Order, and

THAT all members of the Town Board constitute an audit committee to audit bills and claims against the Town of Bedford prior to payment and that the Finance Department liaison will review vouchers prior to disbursement and present to the Town Board for approval.

F. Mileage reimbursement - 51¢.

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

WHEREAS, by memorandum dated December 30, 2010, Edward J. Ritter, Town Comptroller advised that the 2011 IRS rate for mileage will be 51.0 cents per mile,

NOW, THEREFORE, BE IT RESOLVED

THAT the Town Board does hereby approve the reimbursement for the business use of a car, to be the 2011 IRS reimbursement of 51.0 cents per mile.

8. Vote on date of Town Board meetings – 2nd Regular Meeting in April and 2nd Regular Meeting in December 2011.

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 approve the change of date for the second regular Town Board meeting in April from Tuesday, April 19, 2011 to Monday, April 18, 2011 at 8:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

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 change of date for the second regular Town Board meeting in December from Tuesday, December 20, 2011 to Monday, December 19, 2011 at 8:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

9. Contracts – Consider authorization for Supervisor to enter into agreements:
A. BAS.

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 authorize the Supervisor to enter into an agreement with Business Automation Services, Inc., 636 Plank Road, Suite 207, Clifton Park, New York 12065 for the annual software support/maintenance of the BAS Licensing System and Minutes Indexing System in the Town Clerk's Office at an annual cost of \$1,465.00.

- B. SPCA.

This matter has been adjourned for further review.

- C. Spring Hill Kennel.

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 Supervisor is authorized to sign the agreement between Spring Hill Kennels, 171 Bedford Road, Katonah, New York 10536, Hank and Mary Tschorn, proprietors, and the Town of Bedford for the Town of Bedford's dog impounding facility as follows: \$195.00 per month rental and \$29.00 per dog per twenty four (24) hour boarding period, for the calendar year 2011.

- D. Stellaris.

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 authorizes payment to Stellaris Health Network, One North Greenwich Road, Armonk, New York 10504 to provide advanced lifesaving services with the "paramedic fly car" system to the Town of Bedford, at an annual cost of \$290,437.00 for 2011.

- E. Visiting Nurse Association.

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 Supervisor is authorized to sign the agreement between the Visiting Nurse Association of Hudson Valley, 540 White Plains Road, Suite 300, Tarrytown, New York 10591 and the Town of Bedford to furnish Bedford residents, as required or demanded, visiting and public health services which are performed in compliance with the rules and regulations promulgated by the Commissioner of Health of Westchester County, for the calendar year of 2011 as follows:

Skilled Nurses	\$200.00 per visit
Physical Therapy	\$180.00 per visit
Medical Social Service	\$200.00 per visit
Home Health Aide Service	\$ 46.00 per hour

10. Consultants – Consider authorization for Supervisor to enter into agreements:

A. Environmental Planning and Management.

On a motion by Mr. Corcoran, 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 renew the agreement as submitted by, A. Stacey Gogos, President of Environmental Planning & Management, Inc., to provide environmental services to the Town of Bedford for 2011 as follows:

<u>Name</u>	<u>Title</u>	<u>Rate/Hour</u>
A. Stacey Gogos	Sr. Engineer	\$115.00
T. Gogos	Sr. Project Manager	\$105.00
Richard Hart	Sr. Project Manager	\$105.00
S. Cherepanny/D. Frank	Project Scientist/Eng.	\$ 65.00
L. Feher/J. Shah	Staff Scientist	\$59.00
A. Recaldo/M. Horton	Architect/CAD	\$ 65.00

B. Evans Associates (Wetlands, Environmental Services).

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 renew the agreement dated October 12, 2010 as submitted by, Elizabeth H. Evans, of Evans Associates Environmental Consulting, Inc. for Environmental Consulting Services to the Bedford Wetlands Control Commission for the calendar year of 2011 for an annual figure of 80 hours of consulting time at the rate of \$125.00 per hour for an annual cost of \$10,000.00. In addition, if Ms. Evans is called as an expert witness for the Town of Bedford, the fee is \$125.00 per hour, with a minimum half-day fee of \$500.00, and should additional time be required by the Wetlands Control Commission or any other agency of the Town, the fee is \$125.00 per hour.

C. Hahn Engineering.

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 execute the 2011 agreement between the Town of Bedford and Hahn Engineering, Putnam Business Park, 1689 Route 22, Brewster, New York 10509, to provide engineering services to the Town of Bedford as specified in the agreement, effective January 1, 2011 to expire December 31, 2011, compensation as follows plus an overhead and profit factor of 1.5:

SCHEDULE A

Principal (Hahn)	\$66.50 per hour
Project Engineer (Annunziata)	\$57.00 per hour
Engineer (Pommer)	\$42.75 per hour
Engineer (Phillips)	\$33.25 per hour
Engineer (Hahn)	\$32.00per hour
Designer (Shimizu)	\$41.25 per hour
Technician/Inspector (Volpicelli)	\$33.56 per hour
Technician/Inspector (Angelo)	\$28.50 per hour

D. Horsley & Witten, Inc.

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 renew the agreement as submitted by Mark E. Nelson, Principal of Horsley & Witten Inc. for consulting Services to the Town of Bedford for hydro geologic and engineering review services for the calendar year 2011 as follows:

Principal	\$175.00 per hour
Associate Principal/Sr. Engineer	\$135.00 per hour
Senior Project Manager	\$110.00 per hour
Project Manager I	\$ 90.00 per hour
Project Manager II	\$ 75.00 per hour
Staff Engineer	\$ 80.00 per hour
Staff Jr. Engineer	\$ 70.00 per hour
Staff Scientist	\$ 75.00 per hour
Sr. Surveyor	\$ 80.00 per hour
Senior Graphics	\$ 70.00 per hour
Graphics	\$ 55.00 per hour
Environmental Technician	\$ 55.00 per hour
Administrative Assistant	\$ 45.00 per hour

Mileage \$.50/mile

Subcontractor cost	Cost plus 15%
Plotter Prints	\$1.50/sq. ft.
Facsimile	\$1.00/page
Photocopying (8 x 10)	\$.20/page
Photocopying (11 x 17)	\$.50/page
Telephone	\$.50 minute
Color copies (8 x 10)	\$1.00/page
Color copies (11 x 17)	\$1.50/page

E. H. Stanley Johnson & Co. (Tax Maps).

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 renew the agreement as submitted by, Robert S. Johnson, President of H. Stanley Johnson and Company, P.C., Land Surveyors for professional services to the Town of Bedford for the calendar year of 2011 as follows:

Revise and update tax maps of the Town of Bedford with centroids. Professional services for the above will be billed at \$79.00 per hour.

F. John Milnes Baker.

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

January 4, 2011 – Organizational Meeting - Continued

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

RESOLVED that the Town Board does hereby approve the agreement between the Town of Bedford and John Milnes Baker, AIA, 76 Spooner Hill Road, South Kent, Connecticut for consulting services to the Bedford Historic Building Preservation Commission at a rate of \$300 per meeting or site visit, with billing not to exceed \$3,000.00 for the calendar year 2011.

G. Keane & Beane, P.C.

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 renew the agreement as submitted by Joel H. Sachs, Esq. of Keane & Beane, P.C., 445 Hamilton Avenue, White Plains, New York 10601 to the position of Town Counsel to provide legal services for the Town of Bedford for the calendar year 2011, for a monthly fee of \$8,800.00. In the event of litigation or legal counsel is required to attend a meeting of the Planning Board, Zoning Board of Appeals or Wetlands Control Commission, that time will be billed at the hourly rate of \$240.00 for a partner (non-retainer) and \$210.00 for an associate (non-retainer); and

IT IS FURTHER

RESOLVED that the Town Board does hereby reappoint, Keane & Beane, P.C. as the Town Attorney for the Town of Bedford for the term January 1, 2011 to December 31, 2011.

H. Leggette, Brashears & Graham, Inc.

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 accept the proposal of Leggette, Brashears & Graham, Inc., 110 Corporate Park Drive, Suite 112, White Plains, New York 10604 as outlined in a letter and attached fee schedules dated October 27, 2010 from John Benvegna, for consulting services for 2011:

Senior Vice President	\$190 to \$255 per hour
Vice President	\$185 to \$250 per hour
Senior Consultants	\$160 to \$250 per hour
Senior Associates	\$150 to \$180 per hour
Associates	\$110 to \$175 per hour
Senior Hydrogeologists, Senior Environmental Engineers Senior Environmental Scientists	\$80 to \$160 per hour
Hydrogeologist II Environmental Engineers II Environmental Scientists II	\$70 to \$110 per hour
Hydrogeologist I Environmental Engineers I Environmental Scientists I	\$55 to \$85 per hour
Senior Technicians	\$70 to \$85 per hour
Technicians	\$55 to \$80 per hour
CAD Operators/Draftpersons	\$85 per hour
Clerical	\$65 per hour

I. Sullivan Data Management.

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 contract with Sullivan Data Management, 2226 Mohansic Avenue, Yorktown Heights, New York 10598 in the amount of \$42,880 to provide IT Consulting to the Town of Bedford for period January 20, 2011 to January 19, 2012.

11. Miscellaneous:

A. Carl Anderson (Court Stenographer).

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

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

RESOLVED that the Town Board accept the proposal from Carl Anderson, Court Reporter, P.O. Box 500, Bedford, New York 10506 for services as a Court Stenographer as submitted for the year 2011 as follows:

Half Day Rate (4 Hours)	\$285.00
Full Day Rate	\$535.00
Evenings (2 ½ Hours)	\$245.00
Evenings (3 ½ Hours)	\$290.00

B. Precise Translations (Court Interpreter).

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

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

RESOLVED that the Town Board accept the proposal dated September 10, 2010, from Annette Purdy of Precise Translations for the services during calendar year 2011 of Spanish Interpreters in the amount of \$165.00 for the first three (3) hours and \$90.00 for additional time for Spanish interpreters, with Jury Trials being \$250 per day (9:30am to 4:30 pm) with trials after 4:30pm billed at \$160.00 per hour and if interpreters of other languages are necessary, the rate will be \$225.00 for the first three (3) hours and may vary, depending upon the language and availability of the particular interpreter, with billing for Jury trials to be \$350.00 per day for other languages.

12. Appointments:

A. Town Historian.

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 John Stockbridge as Town Historian for a one (1) year term, January 1, 2011 to December 31, 2011.

B. Town Engineer and Stormwater Management Officer.

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

January 4, 2011 – Organizational Meeting - Continued

RESOLVED that the Town Board does hereby reappoint James J. Hahn as Town Engineer and Stormwater Management Officer for the Town of Bedford for a one (1) year term, January 1, 2011 to December 31, 2011.

There being no further discussion the meeting was adjourned at 8:53 pm.

Lisbeth Fumagalli, Town Clerk