

Bedford Hills, New York
June 7, 2011

The first meeting for the month of June of the Town Board of the Town of Bedford was held on June 7, 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
Eric Gordon : Town Attorney
Jeffrey Osterman : Director of Planning
Amy Pectol : Receiver of Taxes
Jeffrey Dickan : Lieutenant – Bedford Police
Kevin Winn : Commissioner of Public Works

and approximately nine (9) residents/observers.

APPROVAL OF CLAIMS

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

	2011
Paid Prior to Audit	\$ 61,564.14
General Fund	92,610.21
Highway Fund	66,900.02
Consolidated Water District	7,803.22
Cedar Downs Water District	166.69
Farms Water District	113.25
Old Post Road Water District	333.38
Energy	27,307.60
Special Districts:	
Bedford Village Memorial Park	7,348.09
Bedford Hills Memorial Park	4,729.63
Katonah Memorial Park	5,820.17
Bedford Hills Lighting District	
Katonah Lighting District	340.00
Capital Projects	<u>1,368,462.08</u>
	\$ 1,645,130.59

PRESENTATION

1. Presentation of Proclamation commending Oren Cohn for attaining the rank of Eagle Scout.

Mrs. Roberts read the following proclamation then presented it to Mr. Cohn.

WHEREAS, Oren Cohn has done an outstanding job completing his Eagle Project; and

WHEREAS, his project was to remove, redesign, replace and extend the boardwalk in the Henry Morgenthau Preserve: and

WHEREAS, Oren met with the Ranger and the Board of the Preserve to discuss elements of the project, coordinated and directed volunteers, created a list of necessary supplies, raised funds and developed safety procedures; and

WHEREAS, the complete project will benefit the general public, hikers, bird watchers and members of the Morgenthau Preserve and Bedford Audubon Society;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bedford wishes to thank Oren Cohn for his contribution to the community and to commend him on achieving the high honor of Eagle Scout.

DEPARTMENTS

1. Approve update to the Town of Bedford Safety Policy.

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 update to the Town of Bedford Safety Policy to include the summary of the New York State law making texting while driving illegal, as per the memorandum dated May 25, 2011 from Joan Gallagher, Director of Personnel and requested that Mrs. Gallagher review all Town of Bedford policies and add this where applicable.

2. Approve Change Order #2, Eastern Excavation, Inc., for 12” Water Transmission Main, \$85,266.19.

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 approve Change Order #2 dated April 27, 2011 on the 12 inch Water Transmission Main project for Eastern Excavation Inc., 59 Nepperhan Avenue, Elmsford, New York in the amount of \$85,266.19 as per the memorandum dated May 16, 2011 from James J. Hahn, P.E., Town Consulting Engineer.

3. Authorize Commissioner of Department of Public Works to award Catch Basin Purchases bid to Expanded Supply Products.

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 authorize Kevin Winn, Commissioner of Public Works to award the catch basin bid to Expanded Supply Products, 3330 Route 9, Cold Spring, New York as follows:

Type A 36” Sump and flat top w/grate	\$525.00
Type B 48” Sump and flat top w/grate	\$565.00
Type A 36” Sump	\$244.00
Type B 48” Sump	\$284.00
Flat top w/grates	\$309.00
Curb top w/grates	\$317.00
Sump Extension 12”	\$85.00
Sump Extension 24”	\$154.00
Baby Catch Basin	\$348.00
Sump Extension 12” – baby catch basin	\$88.00
Sump Extension 24” – baby catch basin	\$129.50

4. Proposed Bedford Hills and Katonah Wastewater System. Set Work Session.

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 set a work session to discuss a proposed wastewater system for the hamlets of Bedford Hills and Katonah for Tuesday, June 28, 2011 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

CORRESPONDENCE

1. Request to hold annual Turkey Trot, Saturday, November 26th.

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 grant permission for the Turkey Trot Committee to hold the Seventh Annual Turkey Trot road race on Saturday, November 26, 2011, in Bedford Village. The event will begin at the Bedford Village Elementary School and end in the Bedford Memorial Park. All roads involved will be closed and Insurance will be through the Town as the Recreation Department is a co-sponsor. The Turkey Trot Committee shall coordinate with the Department of Public Works - Highway Division for road barricades as well as the Police Department for coverage, to protect the health, safety and welfare of the participants and attendees of the event, and shall reimburse the Town of Bedford for all costs associated with this coverage.

2. Request from Bedford Hills Free Library to terminate lease agreement for parking lot 6 (Section 32 Lot 54).

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

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

WHEREAS, by Lease Agreement dated October 20, 1987, between the Bedford Hills Free Library (“Landlord”) and the Town of Bedford (“Tenant”), the Tenant leased from the Landlord property known as Section 32 Lot 54 on the Town of Bedford Tax Assessment Map for public parking; and

WHEREAS, the Lease Agreement has been renewed from time to time by the consent of both parties, the Landlord and the Tenant; and

WHEREAS, the parties have discussed and agreed that it is to the mutual benefit of both that this Lease come to an end, the Tenant thereby relinquishing any and all rights and obligations therein; and the Landlord agrees thereto;

IT IS AGREED by and between the parties that the Lease Agreement dated October 20, 1987, as renewed from time to time thereafter for Section 32 Lot 54 on the Town of Bedford Tax Assessment Map for public parking is terminated as of and effective June 30, 2011.

3. Request to close Woodfield Road between Cherry Street and Oak Road for a birthday party Friday, June 10th.

Mrs. Roberts read the letter dated May 25, 2011 from Susan Ambinder, requesting that Woodfield Road be closed for few hours on June 10, 2011 for her son’s birthday party.

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 grant the request of Susan Ambinder, 17 Woodfield Road, Katonah, New York for the closure of Woodfield Road between Cherry Street and Oak Road from 4:00 PM to 7:30 PM on Friday, June 10, 2011 subject to the notification of the neighbors, Police and Department of Public Works (for road blocks) by Ms. Ambinder.

OLD BUSINESS

1. Reaffirm Town Board as lead agency for Stepping Stones Special Use Permit Application. Refer to Planning Board.

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 reaffirm their designation as Lead Agency in the review of the application for a Special Use Permit by Stepping Stones Foundation, Inc., 62 Oak Road, Katonah, New York, shown and designated on Town of Bedford Tax Maps as Section 60.06 Block 3 Lots 63, 65 and 66, and Section 60.09 Block 2 Lots 23 and 24, for the creation of a small parking area for a pre-existing “Philanthropic or Eleemosynary” use, under §125-82 of the Code of the Town of Bedford.

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 refer the application by Stepping Stones Foundation for the creation of a small parking area for a pre-existing “Philanthropic or Eleemosynary” use, under §125-82 of the Code of the Town of Bedford to the Town of Bedford Planning Board and requests that the Planning Board hold a public discussion in order to give the Town Board a recommendation as to whether or not the Town Board should issue a positive or a negative declaration regarding this application pursuant to the State Environmental Quality Review Act (SEQRA).

PERSONNEL

1. Approve ending of the temporary appointment of Joseph Bregante as Building Inspector effective May 27, 2011.

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 ending the temporary appointment of Joseph Bregante as Building Inspector, effective May 27, 2011, who was appointed to the position on March 15, 2011 while the Town of Bedford searched for a full time appointee as per the memorandum dated May 25, 2011 from Joan Gallagher, Director of Personnel.

NEW BUSINESS

1. Approve Letter of Agreement for Suite 101, at 666 Lexington Avenue, Mount Kisco between DP 33, LLC and the Town of Bedford.

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 approve the Letter of Agreement for Suite 101 located at 666 Lexington Avenue, Mount Kisco, New York between DP 33, LLC (Landlord) with offices at 333 North Bedford Road, Mount Kisco, New York and the Town of Bedford Energize Bedford (Tenant), for the period June 1, 2011 to May 31, 2012, with the Tenant responsible for all utilities, but not the monthly rent, as per the letter of agreement with changes made by the Town Board and the Town Attorney.

2. Review/update contract for services with Malcolm Pirnie.

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 updated contract for engineering services with Malcolm Pirnie, Inc., a professional engineering firm with its principal office at 104 Corporate Park Drive, White Plains, New York as per the correspondence dated May 12, 2011 from Carolyn Lowe of Malcolm Pirnie Inc.

PUBLIC COMMENT

Mike Serio, Chairman of the Town of Bedford Tree Advisory Board, showed the Board a picture of the sycamore tree in front of the Bedford Village Library. He explained that when this tree was taken down, clippings from the tree had been taken by an arborist and that two (2) had grown and rooted. He asked the Board for approval to plant the new trees next to the Bedford Oak on land owned by the Town. He added that they would have cages around them for protection and would require a lot of water. He asked for either the Department of Recreation and Parks or the Highway Department to perform the maintenance.

There being no further discussion and on a motion duly made and seconded the meeting was adjourned at 8:55 pm.

Lisbeth Fumagalli, Town Clerk