

Bedford Hills, New York
March 15, 2011

The second meeting for the month of March of the Town Board of the Town of Bedford was held on March 15, 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
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk
Joel H. Sachs : Town Attorney
Kevin Winn : Commissioner of Public Works
William Heidepriem : Supt. Of Recreation and Parks
Joan Gallagher : Director of Personnel
Amy Pectol : Receiver of Taxes
Edward J. Ritter : Comptroller
Jeffrey Osterman : Director of Planning
William Hayes : Chief of Police

Absent: Chris Burdick : Councilman

and approximately six (6) 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
Nays: None
Absent: Burdick

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

	2011
General Fund	\$ 118,440.36
Highway Fund	261,455.15
Consolidated Water District	68,884.25
Cedar Downs Water District	1,046.20
Farms Water District	3,023.74
Old Post Road Water District	3,109.50
Drug Abuse	627.62
Energy	47,088.65
Special Districts:	
Bedford Village Memorial Park	4,610.55
Bedford Hills Memorial Park	4,610.58
Katonah Memorial Park	4,610.96
Capital Projects	<u>216,569.36</u>
	\$ 734,076.92

MONTHLY REPORTS –

Building	Department of Public Works	Police Consolidated
Code Enforcement	Finance	Receiver of Taxes
Dog Control	Justice Court	Town Clerk
	Parking	Water

Mrs. Roberts advised that these were reports for available for review in the Offices of the Supervisor and the Town Clerk during regular business hours.

PRESENTATION – Status report on Department of Corrections water tank removal.

DEPARTMENTS –

1. Request to grant 5- day extension for the payment of taxes by senior citizens.

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

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

WHEREAS, New York State Real Property Tax Law Section 925-b permits municipalities, at their discretion, to grant an extension of time for the payment of real property taxes for certain persons over the age of sixty-five (65) who have received an exemption from a portion of real property taxes pursuant to Real Property Tax Law Section 467; and

WHEREAS the Town wishes to grant those eligible senior residents an extension of time to pay their real property taxes in accordance with Real Property Tax Law Section 925-b;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Real Property Tax Law Section 925-b Town of Bedford residents who have received an exemption from a portion of their taxes pursuant to Real Property Tax Law Section 467 are granted a five (5) day extension to May 9, 2011 to pay their real property taxes to the Town; and it is

FURTHER RESOLVED, any taxes not paid by May 9, 2011 shall be subject to the same interest and penalties that would have applied if no extension had been granted.

2. Bid Award Recommendation – Replacement Pool Fencing for the three hamlet parks.

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

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

RESOLVED that the Town Board does hereby award the contract for replacement pool fencing at the three (3) hamlet parks to the lowest, most responsible bidder, Quality Fence Company, 1223 Lincoln Terrace, Peekskill, New York 10566 in the amount of \$92,806.00 as per the memorandum dated March 1, 2011 from William Heidepriem, Superintendent of Recreation and Parks.

3. Bid Award Recommendation for 2011-2015 Seasonal Concession Stands for the three hamlet parks.

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

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

RESOLVED that the Town Board does hereby award the contract for the seasonal concessions at the three (3) hamlet parks to Westchester Food Service Inc., 519 Revere Road, Larchmont, New York 10538 for:

2011	\$10,500.00
2012	\$10,500.00
2013	\$10,600.00
2014	\$10,600.00
2015	<u>\$10,700.00</u>
	\$52,900.00

As per the memorandum dated February 22, 2011 from William Heidepriem, Superintendent of Recreation and Parks.

March 15, 2011 – Regular meeting - continued

4. Request for Proposal for removal and installation of oil storage tank at Historic Court House.

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

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

RESOLVED that the Town Board does hereby grant approval for the Building Department to issue a Request for Proposal (RFP) for the removal of an underground oil tank and the installation of an above ground tank, at the Historic Court House, 615 Old Post Road, Bedford, New York, as per the memorandum dated March 10, 2011 from Edward Ritter, Comptroller and James Genovese, Assistant Building Inspector.

5. Request to bid 2011 Highway materials and services.

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

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

RESOLVED that the Town Board does hereby authorize Kevin Winn, Commissioner of Public Works to advertise for bids for the following Highway Materials and Services for 2011:

- Bituminous Concrete, Asphalt, and associated services and material
- Stone, sand and gravel
- Guide Rail
- Liquid Calcium Chloride with Corrosion Inhibitor
- Liquid Magnesium Chloride with Corrosion Inhibitor
- Liquid Envirobrine with Corrosion Inhibitor
- Sidewalk Salt
- Pavement Marking Paint and Delineators
- Catch Basins
- Concrete Blocks
- Rock Crushing

As per the memorandum dated March 10, 2011 from Kevin Winn, Commissioner of Public Works.

6. Approve setting up a designation for the Explorers.

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

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

RESOLVED that the Town Board does hereby approve the implementation of a designation for the contributed funds for the Explorers group formed by Youth Officer Joseph Comunale in December 2010, as per the memorandum dated March 15, 2011 from Edward Ritter, Comptroller.

7. Budget Transfers and Revisions.

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

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

RESOLVED that the Town Board does hereby approve the following budget revision request for 2010 as per the memorandum dated March 15, 2011 from Edward Ritter, Comptroller:

<u>Description</u>	<u>Account</u>	<u>To</u>	<u>From</u>
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March 15, 2011 – Regular meeting - continued

Employee Benefits	001.9050.0800	\$10,032.35	
Unemployment Reserve	001.0888		\$10,032.35
DARE	002.2989.0401	\$1,624.99	
DARE Reserve	001.0001.2706		\$1,624.99
Wetlands Commission	001.8091.0428	\$18,468.75	
Escrow Revenue	001.0001.2117		\$18,468.75
Planning Engineer	001.1440.0405	\$72,284.12	
Escrow Revenue	001.0001.2117		\$72,284.12

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

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

RESOLVED that the Town Board does hereby approve the following budget transfers for 2010 as per the memorandum dated March 15, 2011 from Edward Ritter, Comptroller:

<u>Description</u>	<u>Account</u>	<u>To</u>	<u>From</u>
Police Personnel Services	001.3120.0001	\$294,554.00	
Engineer	001.1440.0405		\$79,148.00
Judgments, Claims	001.1930.0421		\$66,628.00
Contingency	001.1990.0421		\$148,778.00
Building Dept. Personnel Services	001.3620.0100	\$38,775.00	
Town Counsel	001.1420.0422		\$38,775.00
Off Street Parking	001.5650.0004	\$30,464.00	
Recreation Personnel Svcs.	001.7310.0100		\$30,464.00
BAN Interest	001.9760.0700	\$8,355.00	
PBA Dental	001.9065.0800		\$8,355.00
Open Space/Contractual	001.8020.0427	\$340,000.00	
Open Space Fund Balance	001.0001.0890		\$340,000.00

8. Confirm vote to permit request for proposal for Energize Northern Westchester.

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

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

RESOLVED that the Town Board does hereby confirm the vote on a request from Energize Northern Westchester to solicit proposals for a customer web portal stand alone application and program management platform.

NEW BUSINESS –

1. Request to issue refuse removal bid and approve resident rates for 2011 Town Clean Up – Thursday, April 28th, Friday, April 29th and Saturday, April 30th.

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

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

RESOLVED that the Town Board does hereby grant approval for the Commissioner of Public Works to advertise for bids for the removal of refuse generated from the 2011 Cleanup

March 15, 2011 – Regular meeting - continued

Days, Thursday, April 28, 2011 to Saturday, April 30, 2011 at the Crusher Road Highway Facility, and approves the rates to be charged as follows:

Car	\$25.00
Pickup	\$60.00
Small Dump Truck (< 6 yd)	\$115.00
Large Dump Truck (>6 yd)	\$230.00

as per the memorandum dated March 10, 2011 from Kevin Winn, Commissioner of Public Works.

2. Approve amendment to Bedford Hills Train Station lease.

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

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

RESOLVED that the Town Board does hereby amend the “purpose” clause in lease for the Bedford Hills Train Station with the Metro-North Commuter Railroad Company, adding use of the building for municipal purposes, as follows:

PURPOSE Lessee may use and occupy the Demised Premises solely for:

- a) the operation and maintenance of the waiting room located in the northerly portion of the station solely for use by Lessor’s patrons;
- b) the sublease of the remainder of the station building to a profit or non-profit subtenant;
- c) utilization of the building for municipal purposes;
- d) the sublease of a portion of the demised premises for a taxi concession which shall include taxi parking spaces and the construction, operation and maintenance of a taxi dispatch office in the former ticket agent booth of the waiting room in the station building;
- e) Nine hour free parking and public street purposes;

No automatic, electric or coin operated vending machines; video arcades; lotto or gaming machines are permitted on the Demised Premises.

PERSONNEL –

1. Town Boards and Committees:

- a. Stanley W. Starr request for reappointment to the Conservation Board.

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

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

RESOLVED that the Town Board does hereby reappoint Stanley W. Starr to the Conservation Board for a two (2) year term, said term to expire January 20, 2013.

- b. Rita Carrozza request for reappointment to the Board of Assessment Review.

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

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

RESOLVED that the Town Board does hereby reappoint Rita Carrozza to the Board of Assessment Review for a five (5) year term, said term to expire September 30, 2015, said appointment is retroactive to October 1, 2010.

March 15, 2011 – Regular meeting - continued

- c. Luke Vander Linden requests for appointment to the Recreation and Parks Advisory Board.

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

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

RESOLVED that the Town Board does hereby appoint Luke Vander Linden to the Recreation and Parks Advisory Board, representing Bedford Hills, for a three (3) year term, said term to expire December 21, 2013.

2. Executive Session – Personnel.

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

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

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

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

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

RESOLVED that the Town Board does hereby set a work session to be held on Tuesday, March 29, 2011 at 7:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York to discuss an update from the Police and meet with the Energy Advisory Panel.

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

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

RESOLVED that the Town Board does hereby change the date of the second Town Board meeting in April from Monday, April 18, 2011 at 8:00 pm to Wednesday, April 20, 2011 at 8:00 pm, to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

There being no further discussion the Town Board adjourned to executive session at 8:45 pm.

Lisbeth Fumagalli, Town Clerk

On March 15, 2011 at 8:50 p.m., the Town Board met in Executive Session. Present at the Executive Session were Supervisor Roberts, Councilpersons Chryssos, Gabrielson and Corcoran. Town Attorney Joel Sachs and Joan Gallagher, Director of Personnel were also present.

At the outset of the Executive Session Joel Sachs was appointed Acting Deputy Town Clerk.

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

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

March 15, 2011 – Regular meeting - continued

RESOLVED that the Town Board does hereby appoint Joel Sachs as Acting Deputy Town Clerk for the purpose of taking the minutes of the Executive Session.

There then followed a discussion as to a possible temporary appointment of a Building Inspector. There then was a separate discussion concerning possible revisions to the Administrator's Manual.

At 9:05 p.m., the Town Board returned to public session.

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

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

RESOLVED that the Town Board does hereby approve the temporary appointment of Joseph Bregante to the position of Building Inspector on a part-time basis effective March 15, 2011. This appointment will terminate when a full time Building Inspector is appointed or within 90 days, whichever comes first. Mr. Bregante's hourly rate as Building Inspector will be \$49.45.

Thereafter,

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

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

RESOLVED that the Town Board does hereby approve the revisions to the Administrator's Manual effective March 16, 2011. Included in these revisions is the 10% contribution towards health benefits for administrators hired prior to January 1, 2011. This contribution will be effective April 1, 2011. Any administrators hired on or after January 1, 2011 will contribute 20% toward health benefits.

There being no further business before the Board, the Board adjourned its public meeting at 9:15 p.m.

Respectfully submitted,

Joel H. Sachs, Acting Deputy Town Clerk