

Bedford Hills, New York  
May 17, 2011

The second meeting for the month of May of the Town Board of the Town of Bedford was held on Tuesday, May 17, 2011 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Deputy Supervisor Chryssos.

**Present:** Peter Chryssos : Deputy Supervisor  
Francis T. Corcoran : Councilman  
Chris Burdick : Councilman  
David Gabrielson : Councilman  
  
Lisbeth Fumagalli : Town Clerk  
Joel H. Sachs : Town Attorney  
Amy Pectol : Receiver of Taxes  
Edward J. Ritter : Comptroller  
Jeffrey Osterman : Director of Planning  
Kevin Winn : Commissioner of Public Works  
Joan Gallagher : Director of Personnel  
  
**Absent:** Lee V. A. Roberts : Supervisor

and approximately seven (7) resident/observers.

**PRESENTATION** – Stormwater Management MS4 Annual Report – Jeff Osterman and Kevin Winn

Mr. Osterman gave an overview of the draft report and requested that any comments be submitted to him so that the report can be finalized. He noted that it had to be sent to the State of New York by June 1. Mr. Winn pointed out that as part of the stormwater management program the Town of Bedford had purchased a vacuum truck for the cleaning of the Town's catch basins.

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

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

RESOLVED that the Town Board does hereby acknowledge the receipt of the MS4 Annual Report for Stormwater Management in the Town of Bedford dated March 9, 2011 as prepared by Town Planner Jeffrey Osterman, to include any additional comments that may be submitted.

**APPROVAL OF CLAIMS**

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

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

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

	<b>2011</b>
General Fund	\$ 38,782.67
Highway Fund	57,310.15
Consolidated Water District	8,996.88
Cedar Downs Water District	31.50
Farms Water District	236.18
Old Post Road Water District	383.15
Drug Abuse	146.40
Energy	353.99
Special Districts:	
Bedford Village Memorial Park	2,395.39
Bedford Hills Memorial Park	2,308.29
Katonah Memorial Park	2,458.76
Capital Projects	<u>1,973.38</u>
	\$ 115,376.74

**MONTHLY REPORTS**

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

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

**DEPARTMENTS**

1. Recommendation to award paving bid.

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

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

RESOLVED that the Town Board does hereby award the bid for paving, milling and associated work to ELQ Industries, 567 5<sup>th</sup> Avenue, New Rochelle, New York 10801 in the amount of \$480, 455.00 representing a modification of the original bid due to a decrease in the cost of Item 1C - Polymer Modified Alternate 6.3 MM F2 from \$109.00/ton to \$104.00/ton, subject to the receipt of bonds and insurance certificates, as per the memorandum dated May 11, 2011 from Kevin Winn, Commissioner of Public Works.

2. Request for transfer – “Our Town” book.

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

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

RESOLVED that the Town Board does hereby approve the transfer of \$1,475.00 collected for the publication of the “Our Town” book, as follows:

From:	To:
1.1.909 Fund Balance	001.1220.424 Town Board Special Projects

In order to pay for costs related to the printing and mailing of this book, as per the memorandum dated May 17, 2011 from Boo Fumagalli, Town Clerk.

**CORRESPONDENCE**

1. Bedford Hills Centennial Committee and Bedford Hills Historical Museum request permission to investigate the installation of bike racks in Bedford Hills.

The Town Board referred this matter to the Town Planner Jeff Osterman and Superintendent of Recreation and Parks Bill Heidepriem for their recommendations and report back to the Board.

2. Request from Zoning Board of Appeals regarding customary home occupation.

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

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

RESOLVED that the Town Board does hereby refer the request from the Town of Bedford Zoning Board of Appeals to review the Special Permitting Process for Customary Home Occupations in Accessory Buildings to the Town of Bedford Planning Board for their review and report back.

**PERSONNEL**

1. Request to appoint Court Clerk.

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

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

May 17, 2011 – Regular meeting - continued

RESOLVED that the Town Board does hereby acknowledge the appointment of Nancy Artese, to the position of Court Clerk in the Town of Bedford Court, by Town Justice Erik Jacobsen, to replace the retiring Helen Magnotta, effective May 23, 2011 at an annual salary of \$57,041.00, as per the memorandum dated May 11, 2011 from Joan Gallagher, Director of Personnel.

2. Request to appoint Building Inspector.

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

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

RESOLVED that the Town Board does hereby approve the appointment of Steven J. Fraietta, to the position of Building Inspector in the Town of Bedford effective May 19, 2011, from Westchester County's Building Inspector Certified Eligible List #75-872 at an annual salary of \$95,000.00, as per the memorandum dated May 11, 2011 from Joan Gallagher, Director of Personnel.

**NEW BUSINESS**

1. Agreement between Town of Bedford and Northern Westchester Energy Action Committee.

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

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

RESOLVED that the Town Board does hereby hold the matter of the discussion of the agreement between Town of Bedford and Northern Westchester Energy Action Committee to the next Town Board meeting on June 7, 2011.

2. Discussion of participation in Urban County Consortium.

Mr. Osterman discussed the letter dated May 12, 2011 from Edward Burroughs of the Westchester County Department of Planning and requested that this matter be carried over to a future Town Board meeting.

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

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

RESOLVED that the Town Board does hereby adjourn the discussion of participation in the Urban County Consortium to a future Town Board meeting, said date to be determined.

3. Set Work Session on Model Housing Ordinance.

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

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

RESOLVED that the Town Board does hereby schedule a work session on the Model Housing Ordinance and participation in the Urban County Consortium for Tuesday, May 31, 2011 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

4. Authorize Supervisor to sign agreement on facility use with Katonah-Lewisboro School District.

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

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

May 17, 2011 – Regular meeting - continued

RESOLVED that the Town Board does hereby issue a negative declaration relative to the facility use agreement between the Town of Bedford and the Katonah Lewisboro School district as the implementation of this agreement will have no adverse physical or environmental impacts on the area.

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

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

RESOLVED that the Town Board does hereby approve the facility use permit intermunicipal agreement between the Town of Bedford and the Katonah Lewisboro School District for a one (1) year term, from May 18, 2011 to June 30, 2012, renewable for one (1) year terms, subject to the approval of each party's governing board.

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

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

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the facility use permit intermunicipal agreement between the Town of Bedford and the Katonah Lewisboro School District for a one (1) year term, from May 18, 2011 to June 30, 2012.

5. Change Tuesday, June 7<sup>th</sup> Public Hearing on Katonah Parking to Public Information Meeting.

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

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

RESOLVED that the Town Board does hereby cancel the previously scheduled public hearing on June 7, 2011 at 7:00 pm on a request from the Katonah Chamber of Commerce to change certain areas in the hamlet of Katonah from one (1) hour to two (2) hour parking.

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

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

RESOLVED that the Town Board does hereby schedule a public information session on the proposed change in parking in the hamlet of Katonah from one (1) hour to two (2) hours as requested by the Katonah Chamber of Commerce for Tuesday, June 7, 2011 at 7:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

There being no further discussion and on a motion duly made and seconded the meeting was adjourned at 9:11 pm.

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Lisbeth Fumagalli, Town Clerk