

Bedford Hills, New York
February 5, 2013

The first meeting for the month of February of the Town Board of the Town of Bedford was held on February 5, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:05 P.M. by Supervisor Roberts.

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

Lisbeth Fumagalli : Town Clerk
Joel H. Sachs : Town Attorney
Jeffrey Osterman : Director of Planning
William Hayes : Chief of Police
Kevin Winn : Commissioner of Public Works
William Heidepriem : Superintendent of Recreation & Parks
Edward Ritter : Town Comptroller
Amy Pectol : Receiver of Taxes

Absent: Peter Chryssos : Councilman

And seven (7) residents/observers.

APPROVAL OF CLAIMS

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

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

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	2012
General Fund	\$ 19,813.65
Highway Fund	1,365.86
Energy	2,000.00
Capital Projects	<u>109,493.01</u>
	\$ 132,672.52

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

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

RESOLVED, that the following claims for 2013 be allowed for payment from their respective funds,

	2013
General Fund	\$ 57,368.47
Highway Fund	183,614.35
Consolidated Water District	12,806.64
Drug Abuse	17.14
Energy	10,502.37
Special Districts:	
Bedford Village Memorial Park	10,422.70
Bedford Hills Memorial Park	5,847.17
Katonah Memorial Park	6,895.11
Katonah Lighting District	75.00
Capital Projects	<u>9,488.00</u>
	\$ 297,036.95

DEPARTMENTS

1. Request to go to bid for replacement Tractor Loader Backhoe and Ballfield Groomer for Recreation and Parks.

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

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

RESOLVED that the Town Board does hereby grant approval for the Recreation and Parks Department to advertise for bids for the replacement of a Tractor Loader Backhoe and a Ballfield Groomer, as per the memorandum dated January 31, 2013 from Bill Heidepriem, Superintendent of Recreation and Parks.

2. Authorize request for proposals for a Historic Resource Inventory.

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

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

RESOLVED that the Town Board does hereby grant approval for the Town Historian, John Stockbridge to send out a Request for Proposals (RFP) for a Historic Resource Survey to be performed in the Town of Bedford.

3. Town Clerk request to hold Records Management Day Friday March 1.

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

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

RESOLVED that the Town Board does hereby approve Records Management day for Friday, March 1, 2013, with all departments to be closed for public business, as per the memorandum dated January 25, 2013 from Lisbeth Fumagalli, Town Clerk.

4. Request to authorize Receiver of Taxes to include remaining unpaid water charges on the 2013 tax levy.

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

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

WHEREAS, certain customer accounts of the various water districts in the Town of Bedford currently have unpaid water charges totaling \$121,752.98; and

WHEREAS, it is legally permissible to include unpaid water accounts and penalties in the annual tax levy; and

WHEREAS, a notice will be sent to each customer with an unpaid balance, that unless the balance due is paid in full by March 1, 2013, it shall be added to the tax bill due on April 30, 2013,

NOW, THEREFORE BE IT

RESOLVED, that the Receiver of Taxes is hereby authorized to include the remaining unpaid water charges in the 2013 tax levy.

5. Consider dismissal of parking tickets issued prior to December 31, 2005.

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

February 5, 2013 – Regular meeting - continued

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

RESOLVED that the Town Board does hereby authorize Town Attorney Joel H. Sachs to proceed with the motion for the dismissal of parking tickets issued in the Town of Bedford prior to December 31, 2005.

6. Authorization of donations to be applied to Police training.

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

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

RESOLVED that the Town Board does hereby grant approval for the following donations received by the Town of Bedford Police Department to be applied towards police training, as per the memorandum dated January 29, 2013 from William Hayes, Chief of Police:

Soros - \$1,500.00
Weber - \$500.00
Stoddart - \$250.00
Backofen - \$100.00

PERSONNEL

1. Recommendation of promotion of Police Officer Michael Callahan to Police Sergeant.

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

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

RESOLVED that the Town Board does hereby approve the promotion of Police Officer Michael Callahan to the rank of Sergeant in the Town of Bedford Police Department, effective February 6, 2013, from civil service eligible list #79-617 at an annual salary per the PBA contract of \$106,447.00 to fill the vacancy created by the retirement of Sergeant Anthony Frasca, as per the memorandum dated January 30, 2013 from Joan Gallagher, Director of Personnel.

2. Recommendation of promotion of Police Officer Vincent Gruppuso to Police Sergeant.

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

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

RESOLVED that the Town Board does hereby approve the promotion of Police Officer Vincent Gruppuso to the rank of Sergeant in the Town of Bedford Police Department, effective February 6, 2013, from civil service eligible list #79-617 at an annual salary per the PBA contract of \$106,447.00 to fill the vacancy created by the retirement of Sergeant Matthew Dunn, as per the memorandum dated January 30, 2013 from Joan Gallagher, Director of Personnel.

OLD BUSINESS

1. Quit Claim Deed

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

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

WHEREAS, Elizabeth Tracy by deed dated April 2, 1906 and recorded in the Westchester County Register's Office on April 3, 2006 at Liber 1744, Page 299 granted to William Adams and Edward Haines a certain tract of land in the Town of Bedford as well a 20 foot wide easement or right of way across certain remaining lands of Elizabeth Tracy; and

February 5, 2013 – Regular meeting - continued

WHEREAS, the present owner of the 20 foot wide easement or right of way originally granted to Adams and Haines is the Town of Bedford which acquired a parcel known as the Leatherman's Ridge parcel from Bedford Hills LLC (formerly the Pecket Family Trust) on December 10, 2004, including the Adams/Haines easement to the Leatherman's Ridge parcel; and

WHEREAS, the present owner of the parcel located at 73 Haines Road, Bedford Hills, New York, designated as Tax Parcel 60.13-1-27, namely Joan Zafian, has requested that the Town release and extinguish its easement or right of way over the premises she owns located at 73 Haines Road, Bedford Hills, New York; and

WHEREAS, the Town has determined that it has no need to keep or maintain such right of way or easement in that such right of way or easement is not needed by the Town for access to the Leatherman's Ridge parcel or for any other Town purpose, THEREFORE, it is

RESOLVED, that the Town of Bedford hereby releases and extinguishes the right of way and easement that it presently has over the property owned by Joan Zafian at 73 Haines Road, and it is further

RESOLVED, that the Town Supervisor and Town Attorney are authorized to prepare and execute whatever documents are necessary in regard to the extinguishment of such easement and right of way.

2. Accept Easement for Bedford Riding Lanes Association.

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

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

WHEREAS, the Town Board of the Town of Bedford (the "Board") is considering adoption of a proposed License Agreement between the Town of Bedford (the "Town") and the Bedford Riding Lanes Association (the "BRLA") authorizing the BRLA to establish and maintain equestrian riding trails on certain parcels of town-owned real property situated within the Town (the "License Agreement"); and

WHEREAS, the Board, with advice of counsel, has met and reviewed the proposed License Agreement in its entirety; and

WHEREAS, the Board, pursuant to the State Environmental Quality Review Act (SEQRA), has considered the prospective environmental impacts that will result from adoption of the License Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby finds that the purpose of the License Agreement, authorizing the BRLA to establish and maintain equestrian riding trails on certain Town-owned real property, advances and encourages outdoor recreation in the Town and the responsible use and enjoyment of the Town's open spaces, and shall further enhance the unique and attractive character of the Town; and

BE IT FURTHER RESOLVED, that the Board hereby determines and finds that the proposed License Agreement shall not result in any significant impacts on the environment, and therefore, issues a "Negative Declaration" concerning the proposed License Agreement; and

BE IT FURTHER RESOLVED, that the Board hereby finds the terms and conditions of the License Agreement are acceptable and approves the License Agreement for execution; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Supervisor to sign and execute the annexed License Agreement, with attachments, on the Town's behalf and to renew same License Agreement subject to the terms and conditions stated therein.

3. Set Work Sessions.

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

February 5, 2013 – Regular meeting - continued

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

RESOLVED that the Town Board does hereby set a work session with the Tree Preservation Ordinance Revision Committee Work Group for Tuesday, February 19, 2013 at 7:30 pm to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

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

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

RESOLVED that the Town Board does hereby set an Open Meeting for discussion concerning the lot in Bedford Village located next to the Bedford Playhouse building, to be lead by Mr. John Nolon of the Pace University Law School, that would be open to all those interested, to go over issues and possibilities for the development of the lot, on Thursday, March 21, 2013 at 7:00 pm at the Town House, 321 Bedford Road, Bedford Hills.

There being no further discussion the meeting was adjourned at 8:45pm.

Lisbeth Fumagalli, Town Clerk