

Bedford Hills, New York
March 19, 2013

The second meeting for the month of March of the Town Board of the Town of Bedford was held on March 19, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:10 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
William Hayes : Chief of Police
Kevin Winn : Commissioner of Public Works
Edward Ritter : Town Comptroller

And ten (10) residents/observers.

DISCUSSION – Alternative Septic Systems – County Legislator Peter Harckham

County Legislator Peter Harckham addressed the Town Board and informed the Board about changes to the regulations permitting what can be done in the New York City Watershed areas with septic systems. He noted that smaller sewer districts were now permitted such as in commercial areas and he cited the hamlet of Katonah as a possible area where that might work.

PRESENTATION – Bedford2020 Coalition

Olivia Farr of the Bedford 2020 Coalition gave a presentation to the Board of a proposed campaign to raise awareness of the mission of Bedford2020 for decreasing carbon emissions and the carbon footprint by Town residents 20% by the year 2020. The campaign included signs, bumper stickers and other items that would be displayed in various locations around the Town of Bedford, including the train stations, parks, on Town vehicles as well as private ones.

APPROVAL OF CLAIMS

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

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

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

	2012
General Fund	\$ 570.00
Capital Projects	93,013.13
	<u>93,583.13</u>
	\$ 93,583.13

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

	2013
Paid Prior to Audit	\$ 295,792.01
General Fund	68,762.31
Highway Fund	207,951.41
Consolidated Water District	16,293.23
Cedar Downs Water District	1,257.00
Farms Water District	37.00
Old Post Road Water District	74.00
Drug Abuse	17.14
Energy	6,305.87
Special Districts:	
Bedford Village Memorial Park	6,678.31
Bedford Hills Memorial Park	6,711.93
Katonah Memorial Park	7,253.50
Capital Projects	101,770.50
	<u>\$ 423,112.20</u>

MONTHLY REPORTS – Mrs. Roberts advised that the departmental monthly reports were available for review during regular business hours in the Offices of the Town Clerk and the Supervisor as well as on the Town of Bedford website.

DEPARTMENTS

1. NYS Snow and Ice Agreement for 2013-14.

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 Town Board does hereby authorize the Supervisor to sign the New York State 2014-2015 Municipal Snow and Ice Agreement Extensions, commencing July 1, 2014 and expiring June 30, 2015, thus extending agreement no. D014717 dated December 17, 2003, in the amount of \$2,505.19 per lane mile for 13.98 miles for the 2012/13 season for a total of \$35,022.56 and for the remainder of the term of the agreement commencing July 1, 2012.

2. Senior citizens extension of up to five business days for payment of taxes.

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

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 7, 2013 to pay their real property taxes to the Town; and it is

FURTHER RESOLVED, any taxes not paid by May 7, 2013 shall be subject to the same interest and penalties that would have applied if no extension had been granted.

3. DPW Water Division Ford 350 Pickup Truck purchase.

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

March 19, 2013 – Regular meeting - continued

Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the purchase of one (1) 2013 Ford 350 XL pickup truck for the Department of Public Works Water Division from Van Bortel Ford, East Rochester, New York, through the Chautauqua County, New York bid, in the amount of \$35,410.29, as per the memorandum dated March 14, 2013 from Kevin Winn, Commissioner of Public Works.

4. Westchester County Police Academy Instructor IMA.

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 authorize the Inter-Municipal Agreement (IMA) with the County of Westchester pertaining to the instructors at the Westchester County Police Academy, for a term to commence March 21, 2012 and in effect through March 20, 2017, as per the memorandum dated March 14, 2013 from William Hayes, Chief of Police.

CORRESPONDENCE

1. Homes for Westchester proposal February 15, 2013.

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 that Town Board does hereby refer the proposal from Homes for Westchester dated February 15, 2013 to the Town of Bedford Planning Board and Blue Mountain Housing Committee for their reports back to the Town Board.

2. Bedford Village Cub Scout Pack 170 annual Cubmobile Race on Court Road, Saturday May 11th.

This matter has been tabled until the Police have met with the organizers of the event.

3. Katonah Chamber of Commerce request to use Parking Lot #2 for June Fest, Sunday, June 2nd.

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 request of the Katonah Chamber of Commerce to hold an event on Sunday, June 2, 2013 in Commuter Lot 2 in Katonah starting at 1:00 pm, with the Chamber to remove any trash that is generated by the event and shall provide cones for the containment of the event to the parking lot, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed hold harmless agreement; and it is further

RESOLVED that the Chamber of Commerce shall pay the cost for one (1) Police Officer to protect the health, safety and welfare of those attending the event.

4. Bedford Fire Department Memorial Day Parade Monday May 27th at 11:30am and their annual parade Friday, July 26th at 7:00pm.

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 grant permission for the Bedford Fire Department to hold the Memorial Day Parade on Monday, May 27, 2013 at 11:30 am and does hereby approve services from the Police Department and Department of Public Works for the event; and

IT IS FURTHER

RESOLVED that the Town Board does hereby grant permission for the Bedford Fire Department to hold the annual Fireman's Parade on Friday, July 26, 2013 at 7:00 pm and does hereby approve services from the Police Department and Department of Public Works for the event.

5. Bedford Hills Fire Department 110th Anniversary Parade Saturday, May 18th at 4:00pm. 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 Town Board does hereby approve the request from Jason Nickson, Second Assistant Chief of the Bedford Hills Fire Department, to hold the department's 110th Anniversary parade on Saturday, May 18, 2013, and

BE IT FURTHER RESOLVED that the Town Board does hereby approve the funding for the overtime for the Police and Department of Public Works while they assist the Fire Department for the parade.

6. Katonah Fire Department Annual Parade on Wednesday, June 5th. 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 request from James F. McHugh, Chief of the Katonah Fire Department, to hold the department's annual parade on Wednesday, June 5, 2013, and

BE IT FURTHER RESOLVED that the Town Board does hereby approve the funding for the overtime for the Police and Department of Public Works while they assist the Fire Department for the parade.

7. St. Patrick's Church annual Carnival Tuesday, May 14 through Saturday, May 19. 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 authorize the Chief of Police to assign off-duty Police officers to cover traffic posts for Tuesday, May 14 to Sunday, May 19, 2013 for the annual St. Patrick's carnival, said costs to be paid for by St. Patrick's. This approval is granted subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement.

PERSONNEL

1. Reappoint Amy Pectol to the Anti-Discrimination & Harassment Committee. 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 reappoint Amy Pectol to the Anti-Discrimination & Harassment Committee for a five (5) year term, said term to expire March 19, 2018.

2. Andi Davis request to be reappointed to the Zoning Board of Appeals.

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 reappoint Andrea Schaefer Davis to the Town of Bedford Zoning Board of Appeals for a five (5) year term, said term to expire January 20, 2018.

NEW BUSINESS

1. Amendment to Municipal Agreement with Energy Improvement Corporation.

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

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

RESOLVED that the Town Board does hereby adopt the Amendment to the Municipal Agreement with the Energy Improvement Corporation as submitted and does hereby authorize the Supervisor to sign said amendment.

2. Changes to Energy Improvement Corporation By Laws.

On a motion by Mr. Gabrielson, 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 changes to the by-laws of the Energy Improvement Corporation (EIC) as submitted.

3. Communications Committee proposal of Website Subcommittee for the purpose of improving Town web presence.

The Town Board reviewed a proposal submitted by the Communications Committee for improvements to the Town of Bedford website and suggested that a Request for Proposals (RFP) be drafted for the project.

4. NYSERDA Amendment No. 1 to Agreement No. 23406.

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 Town Board does hereby approve Amendment No. one to Agreement No. 23406 with NYSERDA as per the letter dated February 26, 2013 from Elsyda L. Ahmed, Assistant Contract Administrator for NYSERDA.

5. Proposal for legal services to assist with creation of refuse district.

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 accept the proposal dated March 6, 2013 as submitted from Germano and Cahill, P.C., Holbrook, New York for legal services in the formation of a special garbage and refuse district and related collection and disposal contract at the following hourly rates:

Michael J. Cahill	\$280.00
Guy W. Germano	\$280.00
Associates	\$210.00
Paralegals	\$ 70.00

And a fixed round trip fee from Holbrook, New York to Bedford Hills, New York of \$350.00, with the funding source to be determined.

6. Executive Session – Contract Negotiations.

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 shall discuss contract negotiations in an executive session to be conducted at the conclusion of the regular meeting.

7. Set Work Sessions – Building Code and Waste Recycling.

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 Town Board does hereby set a work session to discuss possible changes to the Building Code for Tuesday, April 16, 2013 at 7:00pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

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 Town Board does hereby set a work session to discuss waste recycling for Thursday, April 25, 2013 at 7:00pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

The Town Board adjourned to executive session at 10:13 pm.

Lisbeth Fumagalli, Town Clerk