

Bedford Hills, New York
January 22, 2014

Minutes of Executive Session
Town Board of the Town of Bedford
January 22, 2014

On January 22, 2014 at approximately 7:35 p.m., the Town Board voted to go into Executive Session to discuss litigation and proposed leasing or sale of real property.

Supervisor Chris Burdick, Town Board members Frances Corcoran, David Gabrielson, Mary Beth Kass were in attendance. Also present was Eric L. Gordon, Esq., of Keane & Beane, P.C. Deputy Town Attorney. At the outset of the meeting, Eric L. Gordon was appointed Acting Deputy Town Clerk.

A discussion was held regarding potential litigation involving a proceeding pending before the Zoning Board of Appeals; the selling of Town owned properties that are not buildable lots; whether to commence an action against the sublessee of certain property and the possible lease or purchase of property to relocate the Town's existing salt facility. No decisions were made and no votes were taken.

At approximately 8:00 p.m. Supervisor Burdick adjourned the Executive Session and returned to the Public work session.

Respectfully submitted,

Eric L. Gordon
Acting Deputy Town Clerk

The second meeting of the Town Board of the Town of Bedford for the month of January was held on January 22, 2014, due to the snowstorm on January 21, 2014, at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:30 P.M. by Supervisor Burdick.

Present:	Chris Burdick	: Supervisor
	Francis T. Corcoran	: Councilman
	Mary Beth Kass	: Councilwoman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	Town Clerk
	Joel H. Sachs	: Town Attorney
	William Hayes	: Chief of Police
	Edward Ritter	: Town Comptroller
	Amy Pectol	: Receiver of Taxes
	William Heidepriem	: Superintendent of Recreation and Parks

And ten (10) residents/observers.

CONSENT AGENDA

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the following:

1. Approval of Abstract Claims and Paid Prior Bills.

	2013
General Fund	\$ 42,858.80
Highway Fund	304,895.78
Consolidated Water District	38,051.38
Farms Water District	3,124.20
Old Post Road Water District	202.36
Energy	8,394.99
Special Districts:	
Bedford Village Memorial Park	1,575.05
Bedford Hills Memorial Park	1,465.29
Katonah Memorial Park	1,597.89
Capital Projects	<u>47,339.35</u>
	\$ 449,505.09

	2014
General Fund	\$ 13,129.05
Highway Fund	32,761.58
Consolidated Water District	343.71
Farms Water District	19.96
Special Districts:	
Bedford Village Memorial Park	150.00
Bedford Hills Memorial Park	85.00
Katonah Memorial Park	65.00
Fire District #1	<u>66,389.20</u>
	\$ 112,943.50

2. Monthly Reports to the Town Board, which are available for review during business hours in the offices of the Town Clerk and Supervisor.

3. Personnel:

- a. Michael Tosto to be reappointed to Blue Mountain Housing Development Corp. and Blue Mountain Housing Agency for a 3 year term, said term to expire February 1, 2016.
- b. Rosemary Lee to be reappointed to the Open Space Acquisition Committee for a 4 year term, said term to expire December 31, 2016.
- c. Appointment of George Bianco and Glenn Ticehurst as co-chairs of Open Space Acquisition Committee.

4. Request to bid Winter Sand, as per the memorandum dated January 14, 2014 from Kevin Winn, Commissioner of Public Works.

5. Authorize Supervisor to enter into Interlocal Purchasing Agreement with Brazos Valley Council of Governments, as per the memorandum dated January 16, 2014 from Kevin Winn, Commissioner of Public Works.

6. Permission to plant a tree in honor of Lee V. A. Roberts near the Town House as per the letter dated January 16, 2014 from Ellen Conrad, Co-President Bedford 2020.

7. Budget adjustment, as per the memorandum dated January 15, 2014 from Edward Ritter, Comptroller.

New Business –

1. Request to establish a Pension Reserve.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
 Nays: None
 Absent: None

WHEREAS, the Town Board of the Town of Bedford may establish a reserve fund pursuant to the provisions of Section 6-r of the General Municipal Law for the purpose of financing retirement system contributions to the New York State and Local Employees' Retirement System; and

THEREFORE, BE IT RESOLVED, that the Town Board hereby establishes a reserve fund pursuant to Section 6-r of the General Municipal Law, to be known as the Retirement Contribution Reserve Fund, for the purpose of financing retirement contributions to the New York State and Local Employees' Retirement System. This Reserve is to be funded to a maximum of \$100,000.00.

2. Request to establish a Compensated Balance Reserve.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

WHEREAS, the Town Board of the Town of Bedford may establish a reserve fund pursuant to the provisions of Section 6-p of the General Municipal Law for the purpose of financing employee benefit accrued liability; and

THEREFORE, BE IT RESOLVED, that the Town Board hereby establishes a reserve fund pursuant to Section 6-p of the General Municipal Law, to be known as the Employee Benefit Accrued Liability Reserve Fund, for the purpose of financing payments of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowance granted in lieu of overtime and any other form of payment for accrued but unliquidated time earned by a Town of Bedford employee and payable to a Town of Bedford employee upon termination of service, whether by retirement or otherwise as authorized by ordinance, local law, or collective bargaining agreement or section 6 of the civil service law. This reserve is to be funded to a maximum of \$100,000.00.

3. Personnel:

- a. Cynthia Jaffee request to be appointed to Blue Mountain Housing Development Corp. and Blue Mountain Housing Agency – 3 year term.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby appoint Cynthia Jaffee to the vacant position on the Blue Mountain Housing Development Corp. and Blue Mountain Housing Agency, for a three (3) year term, said term to expire February 1, 2017.

- b. Jenny Weisburger request to be appointed to Cemetery Committee – no term.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby appoint Jenny Weisburger to the Town of Bedford Cemetery Committee.

- c. Police Officer Appointment – Eric R. Henderson.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED, that the Town Board does hereby approve the appointment of Eric R. Henderson to the position of Police Officer, 4th Grade, in the Town of Bedford Police Department, to fill the vacancy left by the resignation/transfer of Police Officer Matthew Whalen, pending a psychological/emotional fitness evaluation and medical evaluation, at an annual salary of \$61,746 with a tentative start date of February 18, 2014, as per the memorandum dated January 15, 2014 from Joan Gallagher, Director of Personnel.

4. Recommendation for Bid Award for Parks Department Equipment – Ball Field Infield Groomer.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby award the bid for the purchase of a 2014 John Deere 1200A Bunker-Infield Rake Machine to the lowest, most responsible bidder, Argento and Sons, White Plains, New York in the amount of \$12,890.00, funding for this purchase to be from the Capital Fund Shared Parks Equipment account, 006-7110.200-0131 as per the memorandum dated January 15, 2014 from Bill Heidepriem, Superintendent of Recreation and Parks.

5. Resolution waiving 2014 pool membership fees for Town residents who are members of Town fire departments and ambulance corps.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that Town of Bedford 2014 pool fees be waived for any active volunteer firefighter or ambulance corps member; provided such volunteer resides within the Town of Bedford and that the fire department or ambulance corps of which such volunteer is a member submits to the Town Recreation office a roster of all Town of Bedford resident members no later than March 15, 2014.

6. Authorize Supervisor to sign Letter of Intent to Participate in Westchester County Hazard Mitigation Plan Update.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign a Letter of Intent to participate in the Westchester County Hazard Mitigation Plan Update, as per the memorandum dated January 22, 2014 from Jeffrey Osterman, Director of Planning.

7. Taxi RFP.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board does hereby grant approval for the Town Clerk to send out a Request for Proposal (RFP) for car inspection services as part of the licensing process for the taxis that operate in the Town of Bedford, as per the memorandum dated January 17, 2014 from Lisbeth Fumagalli, Town Clerk.

8. Resolution to sent letter to Governor requesting Special Election.

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

WHEREAS, there is currently a seat open on the Town of Bedford Town Board; and

WHEREAS, the Town Board is desirous of having the vacant seat filled through a Special Election; and

January 22, 2014 – Regular meeting - continued

WHEREAS, the Governor, in his discretion, may call for a Special Election to fill the vacant Town Board seat,

NOW, THEREFORE the Town Board directs the Supervisor to prepare and send a letter to the Governor requesting that the Governor call for a Special Election to fill the open Town Board seat at the earliest possible date.

9. Set Work Sessions.

The Town Board set a work session to discuss the procedure concerning the open seat on the Town Board for Tuesday, February 18, 2014 at 7:00 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

10. Executive Session (regarding personnel, litigation and negotiations on property dispositions).

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

Ayes: Burdick, Corcoran, Gabrielson, Kass
Nays: None
Absent: None

RESOLVED that the Town Board shall discuss matters of personnel, litigation and negotiations on property dispositions in an executive session to be conducted at the conclusion of the regular meeting.

The Town Board adjourned to executive session at 9:20 pm.

Lisbeth Fumagalli, Town Clerk

Minutes of Executive Session
Town Board of the Town of Bedford
January 22, 2014

At approximately 9:20 p.m. on January 22, 2014, the Town Board voted to go into Executive Session to discuss labor negotiations.

Attending the meeting were Supervisor Burdick and Town Board Members Gabrielson, Corcoran and Kass. Also attending was Town Personnel Director Joan Gallagher, Ronald Longo, Esq. and Joel Sachs, Esq. of Keane & Beane, P.C., Town Attorney. At the outset of the meeting, Joel Sachs was appointed Acting Deputy Town Clerk.

Ron Longo gave a status report to the Town Board in regard to negotiations involving the Police Benevolent Association and the Blue Collar workers. There was discussion among the Board members, the attorneys and Joan Gallagher. No decisions were made and no votes were taken. The meeting was adjourned at approximately 10:15 p.m.

Respectfully submitted,

Joel H. Sachs, Acting Deputy Town Clerk