



Supervisor Chris Burdick's Report – June 30, 2017



RECAP OF TOWN BOARD ACTIONS IN JUNE

PROPOSED CONTINUATION AND INCREASE OF OPEN SPACE TAX LEVY

Following a Public Hearing, the Town Board adopted a Local Law to set an open space tax levy to replace the existing levy which expires next month. The Board made the law subject to a referendum on November 7 (on the same ballot as the general election ballot). The replacement Local Law would continue the 1% levy and provide for a one-quarter of one percent increase starting in 2019 and each year thereafter until it reaches 2% after which there would be no further increase. I have made clear our continued commitment to stay within the property tax cap, including the Open Space tax levy. I believe that we can absorb the modest and phased increase while still meeting that commitment. [Click here](#) for a memorandum from Comptroller Abraham Zambrano setting forth the Open Space fund balance and the tax impact of the proposed Local Law.

AMENDMENTS TO THE LANDLORD REGISTRY LAW ADOPTED

The Town Board had held a Public Hearing on May 16 to consider proposed amendments to the which requires owners of two-family and multi-family residential rental buildings to register with the Town Building Department, pay a fee for each unit that is covered and that each unit be inspected by the Building Department once every two years. Following the Public Hearing the Town Board deferred action and allowed a public comment period through May 31. No further comments were received and the Town Board, on recommendation of the Building Inspector and Town Counsel Keane & Beane, adopted the amendments. The primary changes to the law are as follows:

- Mixed Used Buildings Added The amendment would add buildings which contain both commercial occupancy and at least one residential unit. It also clarifies that unoccupied rental units are subject to registration, fees and inspection requirements.
- Inspections Every Three Years Rather Than Two To coincide with the frequency required for fire inspections, the amendments would provide that the inspections are once every three years. Corresponding to the change, the registry fee would be paid at the time of the initial registration and every three years thereafter. In the current law, the registration / recertification fee must be paid every two years.
- Owner Occupied Units Exempt from Fee The amendment would exempt from payment of a registration fees units that are owner occupied or that are occupied by an owner's immediate family (parents or children).
- Staggering of Scheduled Filings The Building Department would be authorized to stagger the scheduled recertification filings and inspections during the first two years the revised law is in effect. This will allow the inspections to be spread out over a three year period, rather than having to conduct all inspections in the same year.
- Owner Responsibility for Arranging Inspections Under the amendments, if an owner does not contact the Building Department to schedule inspections within the appropriate time, then they could be subject to penalties. Previously, it was unclear whether the Owner or the Building Department had the burden of scheduling inspections. The Building Department will continue to check to make sure that inspections are scheduled and conducted as required. The revised Local Law clarifies that the burden of scheduling inspections is on the Owners, rather than the Building Department.

PAVING LIST UPDATED

The Town Board approved the recommendations of Public Works Commissioner Kevin Winn. I feel it's important for the community to know the basis for the recommendations which Commissioner Winn makes each year. Shortly after I came onto the Town Board in 2008, the Department of Public Works instituted a fair and equitable system for identifying the roads to be paved from year to year. It is based on the condition of the road, with the roads in the worst condition to be paved first before they deteriorate further and result in far more costly paving. Each spring the DPW updates its assessment of the condition of all 97 miles of the paved Town roads, since roads deteriorate at different rates over the winter. The condition assessment uses a rating system with 1 being in the best condition and 5 being the worst. As a result of higher appropriation levels, we have been able to pave all roads rated at 4 and 5 and now are working away at a lengthy list of roads rated at 3.5. I recognize that this explanation is disappointing to those who resident on roads which they'd like paved. If at all possible, we will continue the higher appropriation levels so that we can get to those roads sooner than otherwise. The paving list as approved by the Town Board can be viewed [by clicking here](#). As Mr. Winn notes: "These roads were selected based on their deteriorated conditions. Paving techniques will range from 1.5" to 2" of asphalt, varying based on road conditions."

UPDATE ON COMMUTER PARKING

July 1 will mark the beginning of the year for commuter parking customers. Renewal applications have been processed and permits have been mailed out to all those that have applied to buy a permit.

In order to improve services to our residents, we are exploring the acquisition of software that will streamline the process, improve services and create efficiencies within the parking bureau.

Currently, we are exploring Complus' and Parkmobile's parking software solution. Both software solutions have similar options and will allow applications and permits to be done through the Town's website.

Residents will be able to submit proof of residency electronically before a paperless electronic permit is issued. Both systems tie in license plate numbers to the permit. There would be no physical permit.

Enforcement would be handled through license plate readers (LPR's). The software would enable the Parking Bureau much more flexibility in the types of permits which may be issued. In addition to issuing the types of permits which we presently issue (e.g. annual resident permits and non-resident permits (restricted to Lot 3), we can issue permits for shorter periods of time or temporary ones. Based on the information we have obtained, only Parkmobile's software had the ability to keep track of usage by customer.

Based on preliminary conversations with Complus, it would cost us nothing for the software, but we will have to buy additional Citrix licenses and we would need to lease or buy a second set of LPRs in addition to the ones which we already have. The software will allow customers to pay online for the parking permit and then there's a convenience fee which includes the cost of using Complus' Software. Complus would also handle the payment system. All transactions would go through their portal via the Town's website.

The preliminary costs associated with Parkmobile are between \$50,000 and \$60,000 and that includes the cost of additional LPR's, but the software has several additional features not available with Complus, such as a Pay-by-Phone option among others. Over the next few months, we will continue to explore options before a final recommendation is made to the Town Board.

UPDATE ON SEWER PROJECT

At a meeting held June 21st devoted solely to discussing how we would allocate the limited capacity of the wastewater treatment plant, the Town Board had staff explain the policy regarding unallocated capacity. As you may know, the Town will take over the WWTP as early as next year from the NYS Department of Corrections and Community Supervision (presently serving only the Bedford Hills Correctional Facilities). After creation of the sewer system, which may be completed as early as Summer/Fall 2019, the WWTP will serve the central business districts of Bedford Hills and Katonah, the correctional facilities, Katonah Elementary School, property of St. Mary's Church in Katonah and Bedford Park Apartments in Bedford Hills (together with a few other public buildings). There will be remaining capacity of approximately 64,000 gallons per day (GPD). As a point of reference, the average household would utilize approximately 400 GPD. The Town Board will implement a sewer law governing everything from permissible waste to capacity allocation.

We had invited all property owners whose properties are along the planned sewer lines but not within the sewer district. There were 18 such owners in attendance. We heard concerns about the cost of connection and the timing of connection. There also was concern expressed about being in non-compliance of Department of Health septic laws.

We emphasized that we are doing everything we can to move the project ahead expeditiously, which is the first phase in providing sewers to the most densely populated areas of the hamlets of Bedford Hills and Katonah (which, of course, are those with smaller lots and with septic

systems more prone to failure). We also assured property owners that the Septic System Repair and Maintenance Program has substantial funds remaining and is available for those who, under the policy, would be ineligible to connect to the system. *Please see below regarding the program.*

As part of the capacity allocation component, I will present to the Town Board at our July 6 the policy which we have been considering since last Fall and has been developed by staff, summarized as follows:

1. Sewer District Properties

Properties within the proposed sewer district will be permitted to use up to 15,000 gallons per day of uncommitted capacity on a first come/first served basis.

2. Out of District Properties

Residential or commercial properties outside the sewer district with cesspools or with failing septic systems and along a newly installed sewer main will be permitted to connect to the sewer main at the property owner's cost on a first come/first served basis.

These properties will be able to use up to 15,000 gallons of uncommitted capacity.

Properties in this situation may utilize the Town's Septic Reimbursement Program to pay for 50% of the cost to either connect to the sewer system or to repair a failed system.

3. Sewer Law Review

The newly enacted Sewer Law will include regulations governing the future connections to the sewer system. In this case, the law would specify the 15,000 gallon limits in items 1 and 2 above. The law will also determine estimates of sewer flow from newly connected uses, calculations for uncommitted capacity, application procedures and requirements, and costs and fees for future connections.

Review of the Sewer Law by the Town Board will be required for the following reasons, whichever first occurs:

- A. Five years from the adoption of the original Sewer Law.
- B. Sewer District properties using uncommitted capacity over 15,000 gallons per day.
- C. Out-of-District properties using uncommitted capacity over 15,000 gallons per day.

In its review, the Town Board will be permitted to modify any of the initial capacity allocation requirements or any other provision of the law. Of course, the Board could conclude that no revisions would be required.

Town Board Approves Woodard & Curran for Sewer Project

The Board approved the engineering firm of Woodard & Curran for the design of the sewer system. Commissioner of Public Works Kevin Winn provided the following statement to accompany this agenda item:

“On April 27, 2017 I issued a request for proposals (RFP) to eight engineering firms. The scope was for engineering services to design, obtain regulatory approval for, and bid the wastewater collection system and connection to the DOCCS wastewater plant. Proposals were due on May 24, 2017. Five proposals were received. The RFP, which is attached, stated that proposals would be evaluated based on equal weighting of:

- Firm qualifications, project team qualifications, and proposal quality
- Project cost and schedule

The cost proposals were broken into two parts:

A) A fixed fee to complete the scope described in the RFP and to submit applications to NYCDEP, WCDOH, NYSDOT, and MTA that are deemed complete applications by all agencies.

B) A budget to respond to agency comments after complete applications are acknowledged by the regulatory agencies, and obtain approval to construct. The budget was based on the firm's experience with the regulatory agencies and will be negotiated between the Town and the firm once agency comments are received subsequent to complete applications being acknowledged.

The Town was fortunate to receive strong proposals from well qualified firms. Proposals were reviewed by the Sewer Working Group, consisting of Supervisor Chris Burdick, Deputy Supervisor Lee Roberts, Director of Planning Jeff Osterman, and myself. Interviews were held with the three firms deemed to have the highest in score. Cost proposals were:

Firm	Part A	Part B	Total
Dvirka and Bartilucci	\$ 610,188	\$ 47,996	\$658,184
Woodard and Curran	\$ 483,974	\$ 12,906	\$496,880
Obrien and Gere and Insite Engineering Team	\$ 632,546	\$ 262,677	\$895,223
Hahn Engineering and Arcadis Team	\$ 780,300	\$ 50,000	\$830,300
Delaware Engineering	\$ 936,360	\$ 22,270	\$958,630

ANTIOCH BAPTIST CHURCH AFFORDABLE HOUSING PROJECT MOVES FORWARD

This twelve unit affordable housing project is proceeding very well on schedule for completion later this year. The Town of Bedford partnered with Antioch Baptist Church on this project on Railroad Avenue in Bedford Hills. The project would not have been possible without the financial support of Westchester County, New York State's Community Development Block Grant, Blue Mountain Housing Corp. (the Town's affordable housing affiliate) and Community Preservation Corporation, a mortgage lender which specializes in affordable housing. Housing Action Council, a regional not-for-profit organization dedicated to affordable housing, will be handling the rental of the units. The application process has not yet started. We will advise the community when applications are available.

SEPTIC SYSTEM REPAIR AND REPLACEMENT PROGRAM

NOW THAT THE WARM WEATHER IS HERE.... Spring checklist: septic pump out - if you haven't done it within the last five years, the law requires you to. And, if you have a problem with your system, please check out the Town's Septic System Repair and Replacement program to deal with failing septic systems. The program allows Bedford property owners in the Croton Watershed (about 85% of the Town's land area) for a 50% reimbursement of repair/replacement costs. If you have a failing septic system, contact the Planning Department at 666-4434 for further information or visit our [website](#).

ALLIED COMMUNITY ENTERPRISES (ACE), a local affordable housing organization, has received funding for a Septic Repair/Replacement Program. ACE is led by Joan Arnold and has as its board members Katonah residents Don Scott and Betsy Weir. This Grant is administered by ACE and funded by New York State Affordable Housing Corporation

(AHC) to provide eligible homeowners with funding for septic repair/replacement. Grants are for systems that are in failure or failing, not for expansion.

[Click here](#) for Supervisor Chris Burdick's letter explaining the program

[Click here](#) for the link to the repair/replacement program

COMPTROLLER'S MONTHLY UPDATE

Comptroller Abraham Zambrano presented his May financial recap to the Town Board on June 15 as follows:

EXPENDITURES

General and Highway Funds. Detail reports for both the General and Highway have been included this month as part of the financial report. The overall expenditure percentage for the General and Highway Funds are within normal ranges as of May 31, 2017. The General Fund is at 36.99% while the Highway Fund is slightly under at 31.29% for the year. As the year moves forward, the warmer months will see an increase in activity as the various departments continue work normally scheduled for this time of the year.

REVENUE AREAS OF NOTE

Mortgage Tax. Figures obtained from Westchester County through the month of May indicated that the projected first Mortgage Tax installment will be approximately \$509,700. As reported in April, that amount is slightly lower than the first installment in 2016, but we are still projecting that the amount budgeted in 2017 will be exceeded by about \$100,000.

Sales Tax. The first quarter's sales tax payment in the amount of \$630,067 was received on May 5th. Projections for the rest of the year based on economic indicators and past history continue to demonstrate that the \$2,480,000 budgeted for 2017 will be exceeded.

Parking. Revenues reported for the month reflect the revenues received and processed as of May 31, 2017. Commuter Parking Permit renewal is on-going. Based on the number of renewal applications received and processed to date, the projected revenues for the year will exceed the amount budgeted for the year by over \$140,000. Better projections will be available next month. May was a very active month for parking. Parking Permits were mailed out on June 13th.

Fines and Forfeited Bail. The collection of fines imposed by the Justice Court are recorded a month in arrears due to the timing of the processing by the NYS Office of Court Administration. Fines collected from January through April are slightly higher than the same period in 2016. Projections for the rest of the year indicate that we will exceed budget by over \$100,000.

Safety Inspections. The trend in collections of Safety Inspection fees reported for the first four months have continued into May. Total collections to date are over \$100,000 below the amount recorded in the same period last year. We will continue to monitor these revenues and make recommendations to Board.

SUMMER SEASON IN THE PARKS

Pools:

The full time regular season pools hours started on June 19th with weekday hours starting at 12:00 noon (a full hour earlier than last season) until 8:00 PM Monday through Friday. The weekend hours are 10:00 AM – 8:00 PM (please note the always popular Katonah Pool Sunday Morning Adults Swim for Ages 18 + swim is held from 10:00 AM to 12:00 noon). Registration is ongoing for the weekday morning adult fitness swim from 6:30 to 7:30 AM held at the Katonah Pool.

The Swim and Dive Team programs at all three pools have been gearing up for the 2017 summer season with pre-season practices. Competitive swim and dive meets are scheduled to start this week.

Day Camps:

Beautiful weather greeted the first week of camps here in Bedford. Each town park hosts a day camp program for grades 1 – 7. The two Tiny Tot programs for ages 3 ½ - 5 are held at St. Patrick's School in Bedford Village and Katonah Elementary School in Katonah. The Teen Get A Way Travel camp for grades 7, 8 and 9 is based out of the Bedford Hills Community House. With the exception of the Travel Camp, registration is still open for the Day Camps and Tiny Tot program.

Summer Concerts / Entertainment – *Park it in Bedford:*

Each summer, there are two summer events scheduled at each park. In addition to the town sponsored events, the Chowder & Marching Club host a free Movie Night at Bedford Village Memorial Park. The movie this season is **The Secret Life of Pets** and is scheduled for Friday, July 14th at 8:30 PM. The Katonah Memorial Park Association is sponsoring a concert in the Katonah Memorial Park on Friday July 7th starting at 6:30 PM featuring the **Griffin Anthony Band**. The full schedule of Park it in Bedford events can be found on the town website at www.Bedfordny.gov under Recreation.

Tennis:

Working with our partner, the Saw Mill Club, a full slate of summer tennis lessons are being offered at the town courts. Both group and private lessons are offered.

Pickleball Open Play is ongoing at the Bedford Hills basketball courts on Thursday evenings from 7:00 to 10:00 PM and Saturdays from 9:30 AM until 12:30 PM through July 29th.

Picnic Shelter & Pavilions:

Reservations for use of our group picnic pavilions located in each park have seen an increase this season. In addition to renting/reserving the shelters & pavilions, the town rents large charcoal 6' grills for use. Town residents interested in reserving a shelter/pavilion can find information on the town website or call the Recreation office at 666-7004.

Bedford Community Theatre – 1776

In partnership with the John Jay Homestead, the Bedford Community Theatre will be performing **1776** starting July 7th through the 9th. For additional information and tickets visit the John Jay Homestead website at www.johnjayhomestead.org

Fall Brochure:

The Fall Recreation program brochure will be available online on Monday, August 21st. Fall program registration will start on **Monday, August 28th**.

BEDFORD HILLS TRAIN STATION – OPEN FOR COMMUNITY USE

We are delighted with the enthusiastic community response to the renovations to the Bedford Hills train station restoring it to its former glory from the early 20th century. As you may know, we had a wonderful and well-attended Grand Opening of the restored station. We thank the MTA (which is providing the Town a new long term lease of the station for a \$1 a year) and the New York State Historic Preservation Office for their lightning speed approval of the work a few months ago. The Bedford Hills Lions Club, Bedford Hills LIVE, Bedford Republican Committee, Bedford Democratic Committee, Bedford Hills Historical Museum and many others already have scheduled use of the station for meetings and events. This is precisely how we want the station used. We want it as a community resource and to help enliven and invigorate Bedford Hills. You might even consider it for a birthday celebration, graduation party or Bar Mitzvah. Hats off to our Superintendent of Recreation and Parks, Bill Heidepriem, for making all this come to pass. Bill has posted to the Town's website facility use forms and fee schedule should you be interested, [click here](#).

2016 AUDIT REPORT

In last month's report, I mentioned that the Town's auditing firm, PKF O'Connor Davies, had issued the results of the Town's financial operations for the year ended December 31, 2016. The 2016 Audit Report among other things shows a \$1,117,000 increase in unappropriated General Fund balances and an increase of \$452,000 in unappropriated Highway Fund balances. The full report now is available on the Town's website by [clicking here](#).

PHONE SCAMS

Just a reminder that technology has been able to synthesize voices in calls that sound like real human beings. Don't be fooled. If it sounds too good to be true, there's a very real possibility that it's another scam. What to do? If you wish to report a scammer, please follow the advice from the Federal Trade Commission: <https://www.consumer.ftc.gov/articles/0076-phone-scams>

LEAF BLOWERS AND OTHER EQUIPMENT – PLEASE BE CONSIDERATE

As I mentioned in last week's newsletter, several residents have expressed concern about the noise, dust and other impacts created by leaf blowers. We also hear complaints about early morning and after dark use of noisy equipment. We recognize that you may have long hours at work that compress the time available to you to take care of tasks around your home. Please do be considerate of your neighbors. Our Town Code does not permit high noise activities, such as these, before 8 AM or after sunset.

POTHOLE REPAIRS – WE'RE GETTING TO THEM, BUT LET US KNOW

Our thanks to the residents who have called in potholes. With 97 miles of paved roads and 33 miles of dirt roads, it's hard for our crews to find them all, so please call our Pothole Hotline at 666-7669 or feel free to contact me at 666-6530 or Supervisor@bedfordny.gov. For potholes on state roads in our Town, such as Routes 22, 117, 121, 137 and 172 we would suggest that you call NYS's pothole line at 1-800-POTHOLE.

LOOKING FOR AFFORDABLE APARTMENTS AND CARING LANDLORDS

"A safe and peaceful home is the dream of every domestic violence victim. Hope's Door has a wonderful opportunity to make their dream come true. We received a 3-year grant award to

provide rental subsidies for victims fleeing abuse. During their subsidy period, we will work with victims to become economically self-sufficient. We have all the victims we need and all the funding we need. What we do need are reasonably-priced apartments with landlords who want to make a difference in the lives of victims and their children. Please help us. If you know any landlords that would be interested in partnering with us, please have them contact: Debbie Lauro Conn, Director of Community Services DLauroConn@HopesDoorNY.org or (914) 747-0828 x 1017."

FAIR & AFFORDABLE HOME OWNERSHIP OPPORTUNITIES IN THE TOWN

In a market where the median sale prices of homes in Westchester County are at \$600,000 - and even higher in Bedford -- there are affordable homeownership opportunities in Bedford. The Housing Action Council, a nonprofit organization, is accepting applications for single family properties and condos throughout Westchester including six in Bedford. These include one bedroom condos at Bedford Terrace, a one and two bedroom condo at Bedford Mews, a two bedroom single family property on Ridge St. and a 3 bedroom single family home on Church St. The affordable sale prices were made possible with financial help from Westchester County. Maximum household incomes, minimum occupancy, primary residency and resale requirements apply. For more information, applications and requirements, go to www.housingactioncouncil.org or email hac@affordablehomes.org or call (914) 332-4144.

MORTGAGE ASSISTANCE PROGRAM (MAP)

A new program offered by the NY AG's Office. The program will provide up to \$40k to homeowners facing foreclosure due to delinquent mortgage payments, property taxes or maintenance fees. If they qualify, they do not need to pay it back monthly. It is paid back if the homeowner refinances or sells the house over the life of the loan. Westchester Residential Opportunities Inc. (WRO) is designated to process the application from their office. Homeowners can call Veronica Raphael, Director of Foreclosure Prevention to see if they qualify for this program. 914-428-4507 x334 or vraphael@wroinc.org.

I ask you to please send me an e-mail at supervisor@bedfordny.gov should you have any questions or comments on this report or any of our work on the Town Board.



Chris Burdick
Town Supervisor