

Bedford Hills, New York  
July 19, 2011

The second meeting for the month of July of the Town Board of the Town of Bedford was held on July 19, 2011 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Acting Deputy Supervisor Corcoran.

**Present:** Francis T. Corcoran : Acting Deputy Supervisor  
Chris Burdick : Councilman  
David Gabrielson : Councilman  
  
Lisbeth Fumagalli : Town Clerk  
Eric Gordon : Town Attorney  
Jeffrey Osterman : Director of Planning  
Ed Ritter : Comptroller  
Kevin Winn : Commissioner of Public Works  
  
**Absent:** Lee V. A. Roberts : Supervisor  
Peter Chryssos : Councilman

and approximately twelve (12) residents/observers.

### APPROVAL OF CLAIMS

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

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

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

	<b>2011</b>
Paid Prior to Audit	\$ 191,116.03
General Fund	28,403.17
Highway Fund	441,966.17
Consolidated Water District	9,599.31
Cedar Downs Water District	938.58
Farms Water District	292.39
Old Post Road Water District	115.97
Energy	6,373.93
Special Districts:	
Bedford Village Memorial Park	2,057.09
Bedford Hills Memorial Park	2,176.69
Katonah Memorial Park	1,443.57
Capital Projects	<u>15,415.04</u>
	\$ 699,896.94

### DEPARTMENTS

1. Approval of the transfer of funds from the reserve fund for the computers for the TraCS grant.

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

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

RESOLVED that the Town Board does hereby approve the funding in the amount of \$42,880.75 for costs to be borne by the Town of Bedford, in order to commence the pilot period of the Traffic and Criminal Software ("TraCS") grant from the State of New York for the Town of Bedford Police Department, as per the memorandum dated July 14, 2011 from William Hayes, Chief of Police.

2. Award contract for removal and installation of oil storage tank at the historic court house.

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

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

RESOLVED that the Town Board does hereby award the contract for the removal of an underground oil tank and installation of a new above ground oil tank at the historic Bedford Village Court House to the lowest, most responsible bidder, Northeast Environmental, Inc., 225 Valley Place, Mamaroneck, New York 10543 in the amount of \$6,050.00, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement, as per the memorandum dated July 12, 2011 from Steven Fraietta, Building Inspector.

3. Approve additional scope of work for the 12” water main for the water filtration plant.

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

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

RESOLVED that the Town Board does hereby approve the additional scope of work for Hahn Engineering/O’Brien & Gere Engineers, Joint Venture for the 12” water main for the water filtration plant, consisting of providing construction administration and resident inspection services and to provide New York State Department of Transportation (NYSDOT) approvable resident inspector to the 12” water main crossing of I-684 and Jay Street overpass, increasing the contract limit by \$107,000.00 from \$1,284,080.00 to \$1,391,080.00.

4. Request to renew Town Recycling Center Management Contract.

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

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

RESOLVED that the Town Board does hereby approve the renewal of the contract for the Town of Bedford Recycling Center with Rogan Brothers Sanitation, Inc., 69 Lockwood Avenue, Yonkers, New York 10703, for a period of one (1) year, with the renewed contract to expire June 30, 2012, as per the terms of the current contract, at the existing cost of \$22,500.00, with 50% of the recycling material revenue going to the Town of Bedford; contract to include that the prevailing wage shall be paid to the recycling center employees, with renewal of the contract at the end of the period to be at the discretion of the Town Board, and subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the memorandum dated July 13, 2011 from Kevin Winn, Commissioner of Public Works.

5. Request to close certain Capital Projects.

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

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

RESOLVED that the Town Board does hereby approve the closure of certain Capital Projects as follows, as per the memorandum dated July 14, 2011 from Edward Ritter, Comptroller:

Bedford Hills Sidewalks	FUND 300	CLOSE PROJECT
Lapsley Benefiter Area	FUND 320	CLOSE PROJECT
Bedford Hills RR Station Roof	FUND 330	CLOSE PROJECT
Computer Software	FUND 350	CLOSE PROJECT
Purchase of Highway Vehicles & equipment	FUND 400	CLOSE PROJECT
Water Well Drainage	FUND 440	CLOSE PROJECT
Katonah Pool House Rebuild	FUND 520	CLOSE PROJECT
Reconstruct Town Hall Roof	FUND 530	CLOSE PROJECT

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Kisco River Water Study	FUND 590	CLOSE PROJECT
Police Department Building	FUND 600	CLOSE PROJECT
Fox Lane Road Improvements	FUND 630	CLOSE PROJECT
Gazebo Project	FUND 640	CLOSE PROJECT
Stormwater Management	FUND 650	CLOSE PROJECT
Hamlets Projects	FUND 702	CLOSE PROJECT
Farm District Water Main	FUND 706	CLOSE PROJECT
Metro Station Improvements (Katonah)	FUND 708	CLOSE PROJECT
IT REPLACEMENT PROJECT	006.1680.0200.0101	CLOSE PROJECT
CEMETERY TREE WORK	006.8810.0400.0103	CLOSE PROJECT
UNMARKED POLICE CAR	006.3120.0200.0104	CLOSE PROJECT
PATROL CAR	006.3120.0200.0105	CLOSE PROJECT
PATROL CAR	006.3120.0200.0106	CLOSE PROJECT
POLICE SECURITY CAMERAS	006.3120.0200.0108	CLOSE PROJECT
TRAIN STATION ROOF	006.1621.0200.0109	CLOSE PROJECT
REMOVE OIL TANK - MAINTENANCE GARAGE	006.3620.0400.0113	CLOSE PROJECT
REMOVE OIL TANK - 21 PARK AVENUE	006.3620.0400.0114	CLOSE PROJECT
INSTALL OIL TANK - 21 PARK AVENUE	006.3620.0400.0115	CLOSE PROJECT
4WD HYBRID VEHICLE - BUILDING DEPARTMENT	006.3620.0200.0116	CLOSE PROJECT
4WD HYBRID VEHICLE - RECREATION DEPT	006.7020.0200.0117	CLOSE PROJECT
GAS LINE INSTALL - COMMUNITY HSE	006.1624.0400.0118	CLOSE PROJECT
REMOVE OIL TANK - COMMUNITY HSE	006.1624.0400.0119	CLOSE PROJECT
REPLACEMENT STOVE - COMMUNITY HSE	006.1624.0201.0120	CLOSE PROJECT
SOLAR POWERED SPEED SIGNS	006.5010.0200.0121	CLOSE PROJECT
6YD DUMP TRUCK	006.5010.0200.0122	CLOSE PROJECT
4WD HYBRID VEHICLE - HWY DEPT	006.5010.0200.0123	CLOSE PROJECT
ROAD REHABILITATION 2009	006.5010.0400.0124	CLOSE PROJECT
STORM WATER IMPROVEMENTS	006.5010.0400.0125	CLOSE PROJECT
BATH HOUSE WORK – KATONAH	006.7110.0400.0130	CLOSE PROJECT
POOL COVER - BEDFORD VILLAGE PARK	006.7110.0200.0134	CLOSE PROJECT
ROAD REHABILITATION (2010)	006.5010.0400.0150	CLOSE PROJECT
TRAILER-BRINE APPLICATION	006.5142.0200.0153	CLOSE PROJECT
BEDFORD HILLS D.E. PIT CLEANING	006.7110.0400.0157	CLOSE PROJECT
CEDAR DOWNS TANK PAINTING	006.8340.0400.0167	CLOSE PROJECT

**CORRESPONDENCE**

1. Request to allow roadside signs for local farm stands.

Mr. Gabrielson read the letter dated July 14, 2011 from Gwenn Brant of Daisy Hill Farm located on West Patent Road in Bedford. This matter was referred to the Town Planner Jeffrey Osterman and the Town of Bedford Planning Board for their report back to the Town Board.

2. Lions Club of Bedford Hills request to use Lot 3 for their annual Car Show – Sunday, October 16<sup>th</sup>.

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

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

RESOLVED that the Town Board does hereby grant permission for the Lions Club of Bedford Hills to use Town of Bedford Commuter Lot #3 located on Woodsbridge Road in Katonah, for their annual Car Show on Sunday, October 16, 2011 as per the letter dated received July 11, 2011 by the Supervisor's Office from John Santacroce, President of the Lions Club of Bedford Hills, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement.

3. Golden Apple notification of 30<sup>th</sup> Anniversary Bicycle Tour Sunday, September 4<sup>th</sup>. The Town Board acknowledged the receipt of a letter dated June 30, 2011 from Katie Marshall, Tour Director, Golden Apple Bicycle Tour, advising that on Sunday, September 30, 2011, this group would be going through the Town of Bedford.

4. Application for Special Use Permit for Filming at a private residence, July 23<sup>rd</sup> and 24<sup>th</sup>. On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Corcoran, Gabrielson, Burdick  
Nays: None

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Absent: Roberts, Chryssos

RESOLVED that the Town Board does hereby approve the application of Hallowell House, LLC, 184 5<sup>th</sup> Avenue 7<sup>th</sup> Floor, New York, New York 10010 for a Special Use Permit for Filming at the LeBoff residence, 27 Heron Lake Road, Bedford, New York shown and designated on Town tax maps as Section 85.16 Block 1 Lot 4, for Saturday, July 23, 2011 between the hours of 3:00 pm and 4:00 am and Sunday, July 24, 2011 from 5:00 pm to 8:00 am, for a fee \$2500/day for a total of \$5,000.00.

#### **NEW BUSINESS**

1. Consider low bidder for Huntville Road Sidewalk Improvement Project.

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

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

RESOLVED that the Town Board does hereby award the contract for the Huntville Road Sidewalk Improvement Project to the lowest most responsible bidder, Acocella Contracting Inc., 68 Gaylor Road, Scarsdale, New York 10583, in the amount of \$97,887.00, subject to the receipt of bonds and insurances that shall be reviewed and approved by the Town Attorney and the Town's insurance advisers, as per the memorandum dated July 14, 2011 from James J. Hahn, Town Consulting Engineer.

2. Approve hiring Jonathan Bernz for appraisal of Bedford Hills Train Station.

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

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

RESOLVED that the Town Board does hereby approve the contract with Jonathan A. Bernz, MAI, Hudson Property Advisors, LLC, Ten South Moger Avenue, Mount Kisco, for an appraisal to be performed on the Bedford Hills Train Station, in the amount of \$1,800.00 plus the cost of preparation of an appraisal report, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement.

3. Consider writing a letter to representatives requesting repeal of arbitration panels. Mr. Corcoran read the letter dated July 5, 2011 from Paul J. Feiner, Supervisor, Town of Greenburgh requesting that a letter be sent to state representatives in Albany for the repeal of arbitration panels. Mr. Corcoran advised that this matter would be adjourned at this time in order to discuss this with the full Town Board present.

4. Set Work Session – Litigation.

This matter has been adjourned at this time.

#### **PUBLIC COMMENT**

John Santacroce of the Bedford Hills Lions Club expressed his thanks to the Town Board for the permission to use Lot 3 for this groups annual car show to be held in October.

Dino DeFeo of Valerio Court noted his concern with a proposal by Splash Car Wash for the corner parcel of this road at the intersection with Bedford Road. He was advised that this project is currently being reviewed by the Planning Board and the Zoning Board.

There being no further discussion the meeting was adjourned at 8:55 pm.

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Lisbeth Fumagalli, Town Clerk