

Bedford Hills, New York  
April 3, 2012

The first meeting for the month of April of the Town Board of the Town of Bedford was held on April 3, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 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  
Joel H. Sachs : Town Attorney  
Jeffrey Osterman : Director of Planning  
Kevin Winn : Commissioner of Public Works  
Amy Pectol : Receiver of Taxes  
Steven Fraietta : Building Inspector  
Jeffrey Dickan : Lieutenant, Bedford Police  
Edward Ritter : Town Comptroller

And ten (10) residents/observers.

New York State Assemblyman Robert Castelli presented a summary of the 2012 New York State Budget prior to the start of the Town Board meeting. It concluded at approximately 8:35 pm.

#### **APPROVAL OF CLAIMS**

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

	<b>2012</b>
Paid Prior to Audit	\$ 129,347.98
General Fund	109,103.62
Highway Fund	53,406.14
Consolidated Water District	12,834.24
Cedar Downs Water District	632.67
Farms Water District	1,853.97
Old Post Road Water District	1,158.97
Drug Abuse	1,800.00
Trust and Agency	270.56
Energy	40,455.05
Special Districts:	
Bedford Village Memorial Park	1,362.85
Bedford Hills Memorial Park	1,340.75
Katonah Memorial Park	2,269.74
Capital Projects	<u>832,110.99</u>
	\$ 1,187,947.53

#### **DEPARTMENTS**

1. Request to go to bid for painting of the Cedar Downs Water District Tank.

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

April 3, 2012 – Regular meeting - continued

RESOLVED that the Town Board does hereby grant approval for the Town Consulting Engineer, James J. Hahn and Commissioner of Public Works, Kevin Winn to advertise for bids for the painting of the Cedar Downs Water District Tank as per the letter dated March 23, 2012 from James J. Hahn, Town Consulting Engineer.

2. Approve change order for RLJ Electric for the Water Filtration Plant.

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 Supervisor to execute and does hereby approve the change order for RLJ Electric for the modification of feeder wires and conduit to the Cross River Feed pumps 1, 2 and 3 in the amount of \$22,398.96, with a time extension of ten (10) days for the work, as per the memorandum dated April 3, 2012 from Kevin Winn, Commissioner of Public Works.

3. Proposal from Sullivan Data for IT services for water system remote sites.

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 approve the proposal from Sullivan Data Management for the water system remote sites, for the necessary hardware, software and labor in the amount of \$7,297.00 plus a 10% contingency to address the potential need for uninterruptable power supplies, for a total of \$8,026.70, as per the memorandum dated March 29, 2012 from Kevin Winn, Commissioner of Public Works.

4. Emergency declaration with regard to the elevator at 425 Cherry Street.

Building Inspector Steven Fraietta gave a history of the issues with this elevator dating back to November of 2011. He recommended that Otis Elevator, with a proposed cost of \$93,000.00 for the repairs to the unit plus costs for additional electrical work and drilling work if necessary.

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

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

BE IT RESOLVED, that in accordance with the provisions of General Municipal Law §103(4) the Town Board of the Town of Bedford hereby finds and determines that a public emergency exists with respect to the failure of the elevator (the "Elevator") in the Town Hall Annex located at 425 Cherry Street, Bedford Hills, New York, which emergency has arisen out of an unforeseen occurrence or condition and repair of the Elevator is immediately necessary in order to provide safe and reliable access for elderly and disabled persons to the Town offices located within the Town Hall Annex located at 425 Cherry Street, Bedford Hills, New York and therefore the repair cannot await competitive bidding; and

BE IT FURTHER RESOLVED that the Supervisor is hereby authorized to enter into contracts for services, materials and/or equipment relating to the emergency repair of the Elevator by Otis Elevator Company at a cost not to exceed \$100,000.00, to be appropriated from fund balance; and

BE IT FURTHER RESOLVED that any and all actions heretofore taken by any Town officials in furtherance of this resolution are ratified and confirmed.

5. Discuss Complus to retrieve unpaid parking tickets.

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

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

RESOLVED that the Town Board does hereby approve the expenditure of up to \$350.00 for postage with Complus Data to send out notices in order to collect on unpaid parking tickets issued in the Town of Bedford between 2006-2011, as per the memorandum dated March 28, 2012 from Edward Ritter, Town Comptroller.

6. Request to allow senior citizens an extension of up to five (5) business days for payment of taxes.

On a motion by Mr. Gabrielson, 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, 2012 to pay their real property taxes to the Town; and it is

FURTHER RESOLVED, any taxes not paid by May 7, 2012 shall be subject to the same interest and penalties that would have applied if no extension had been granted.

#### **CORRESPONDENCE**

1. First Presbyterian Church of Katonah request for Police assistance for drop off day for their annual rummage sale 12 noon to 5:00 pm Sunday, April 29<sup>th</sup>.

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

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

RESOLVED that the Town Board does hereby approve the request for Police assistance to direct traffic for Sunday, April 29, 2012 from 12:00 noon to 5:00 pm for the Rummage Sale held by the Presbyterian Women of the First Presbyterian Church of Katonah, all costs to be the responsibility of the First Presbyterian Church, pending a conversation by Chief of Police William Hayes with the Rummage Sale Co-Chair Heidi Cambareri.

2. Notification of Bedford Fire Department Memorial Day ceremonies on Monday, May 28<sup>th</sup>.

On a motion by Mr. Burdick, 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 grant permission for the Bedford Fire Department to hold the Memorial Day Parade on Monday, May 28, 2012 at 11:30 am and does hereby approve services from the Police Department and Department of Public Works for the event.

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3. Notification of Bedford Fire Department Parade Friday, July 27<sup>th</sup>.

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 grant permission for the Bedford Fire Department to hold the annual Fireman's Parade on Friday, July 27, 2012 at 7:00 pm and does hereby approve services from the Police Department and Department of Public Works for the event.

4. St. Patrick's Carnival Committee regarding the Carnival Tuesday May 15<sup>th</sup> through Sunday May 20<sup>th</sup>.

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 15 to Sunday, May 20, 2012 for the annual St. Patrick's carnival, as per Lieutenant Jeffrey Dickan, 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.

5. Notification of 9<sup>th</sup> Annual Tri-State Trek traveling through Town on Sunday, July 22<sup>nd</sup>.

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 approve the travel of the Tri-State Trek through the Town of Bedford between July 20, 2012 and July 22, 2012 to benefit the ALS Therapy Development Institute subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured, as per the letter dated March 14, 2012 from Emily Wadsworth, Development Events Program Manager, ALS Therapy Development Institute.

6. Request road closure on Huntville Road from Cherry Street to Glen Ridge Road for a block party from 3:00 – 8:00 pm Sunday, May 27<sup>th</sup>.

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 the Town Board does hereby grant permission for a block party to be held on Huntville Road between Glen Ridge Road and Cherry Street on Sunday, May 27, 2012, between the hours of 3:00 P.M. and 8:00 P.M., with no costs involved for the applicant or the Town of Bedford, subject to the following conditions:

1. Katonah Elementary School shall be contacted by the party organizers to ensure that there will not be a conflicting event being held at the school during this time.
2. The residents of Huntville Road are to be advised of the closure of the road between Glen Ridge Road and Cherry Street.
3. The Highway Division of the Department of Public Works shall provide barricades for the event.

The road shall not be blocked to the point that Fire, Police or Ambulance cannot access in the event of an emergency.

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7. Country Children's Center celebrating the National Week of the Young Child from April 22<sup>nd</sup> through April 28<sup>th</sup>. Week of the Young Child Proclamation.

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

WHEREAS, the Country Childrens Center, and other local organizations, in conjunction with the National Association for the Education of Young Children is celebrating the Week of the Young Child from April 22 through April 28, 2012; and

WHEREAS, the Country Childrens Center is continuing its work to improve early learning experiences, which are crucial to the growth and development of young children, and to building better futures for everyone in Bedford; and

WHEREAS, all young children and their families across the country and in Bedford deserve access to high-quality early childhood education and care; and

WHEREAS, in recognizing and supporting the people, programs and policies that are committed to high-quality early childhood education as the right choice for our youngest citizens;

THEREFORE, I, Lee Roberts, Supervisor of the Town of Bedford, Ne York, do hereby proclaim April 22 through April 28, 2012 as the Week of the Young Child in Bedford and encourage all citizens to work to make an investment in excellent early childhood care and education.

#### **NEW BUSINESS**

1. Arbor Day Celebration Event. Arbor Day Proclamation.

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

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, the native trees of Bedford, New York are a particular source of community character and pride, significantly enhancing the quality of life in our town; and

NOW, THEREFORE, I, Lee V. A. Roberts, Supervisor of the Town of Bedford, do hereby proclaim Saturday, April 21<sup>st</sup>, 2012 as ARBOR DAY in the Town of Bedford, New York and I urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to gladden the heart and promote the well-being of this and future generations.

April 3, 2012 – Regular meeting - continued

2. O'Connor Davies, LLP, engagement letter for 2012, 2013 and 2014.

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 approve the proposal from O'Connor Davies LLP, 500 Mamaroneck Avenue, Suite 301, Harrison, New York 10528 for audit services, basic fees inclusive of the Justice Court, for fiscal years 2012 - \$50,000.00, 2013 - \$51,000.00 and 2014 - \$52,000.00, as per the letter dated March 26, 2012 from O'Connor Davies, LLP, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured and a signed Hold Harmless agreement.

**PUBLIC COMMENT**

Jane Pendergast addressed the Town Board to express her concerns about corporate donations to political campaigns.

There being no further discussion the meeting was adjourned at 9:35 pm.

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Lisbeth Fumagalli, Town Clerk