

Bedford Hills, New York
September 16, 2008

The second meeting for the month of September of the Town Board of the Town of Bedford was held on September 16, 2008 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:06 P.M. by Supervisor Roberts.

Present:

Lee V. A. Roberts	: Supervisor
Francis T. Corcoran	: Councilman
Chris Burdick	: Councilman
David Gabrielson	: Councilman
Lisbeth Fumagalli	: Town Clerk
Nancy Tagliafierro	: Town Attorney
Amy Pectol	: Receiver of Taxes
Joan Gallagher	: Director of Personnel
Kevin Winn	: Commissioner of Public Works
Christian Menzel	: Chief of Police
Edward J. Ritter	: Town Comptroller
Jeffrey Osterman	: Town Planner
William Heidepriem	: Supt. Of Recreation and Parks

Absent: Peter Chryssos : Councilman

And approximately five (5) residents/observers.

APPROVAL OF CLAIMS:

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

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

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

General Fund	\$	45,131.92
Highway Fund		61,985.41
Consolidated Water District		3,832.99
Special Districts:		
Bedford Village Memorial Park		2,555.13
Bedford Hills Memorial Park		2,723.76
Katonah Memorial Park		3,003.98
Bedford Lighting District		104.00
Bedford Hills Lighting District		652.40
Bedford Paramedic District #1		73,754.00
Capital Projects		57,788.50
	\$	<u>251,532.09</u>

MONTHLY REPORTS

Building	Parking
Code Enforcement	Police Consolidated
Dog Control	Receiver of Taxes
Department of Public Works	Town Clerk
Justice Court	

Mr. Burdick requested that the Comptroller's office submit a monthly report for the Town Board.

Mrs. Roberts advised that these reports were available for review during normal business hours in the offices of the Town Clerk and the Supervisor.

REPORTS/UPDATES/DISCUSSION

1 Tree Advisory Board

Tree Advisory Board member Bea Rhodes read a memorandum from Board chairman Mark Solomon concerning tree planting sites in the Town of Bedford. It was suggested that each park have twelve (12) trees planted by mid-November. Mrs. Roberts asked if this was wise in the Bedford Village Memorial Park at this time as they are doing a study. She asked that this be reviewed with Mr. Heidepriem. In addition, Mrs. Roberts suggested that instead of rushing to plant now, that the money for trees be carried over to next year and a more comprehensive plan be developed. Mr. Heidepriem commented that there are other sites in town for tree planting beside the Town's parks and felt that the Department of Public Works should be involved with this project. It was decided that the committee would work with the Parks department and DPW to determine the feasibility of planting now versus the spring as well as determining the best locations. The TAB will continue to work over the winter to develop its long-term plan and report back to the board once completed.

CORRESPONDENCE

1. Request from Michael Klemens for support of Metropolitan Conservation Alliance.

The Town Board acknowledged the receipt of a letter dated August 25, 2008 from Michael W. Klemens, Ph.D., requesting support for this group for 2009 and their work with the Eastern Westchester Biotic Corridor towns. He asked that each of the four (4) towns consider budgeting \$4,750 toward their efforts for next year.

The sense of the Town Board was that they would support this, but would adjourn it to the upcoming budget discussions.

2. Request for speed humps on Route 172 side of Indian Hill.

The Town Board acknowledged the receipt of a letter dated September 2, 2008 from Suzanne Sironi a resident of Indian Hill Road and six (6) of her neighbors requesting that speed humps be installed on this road. The matter was referred to the Department of Public Works, Police Department and Town Planner for their reports back by the October 7, 2008 Town Board meeting.

OLD BUSINESS

1. Recommendation from Chief Chris Menzel to authorize Supervisor to sign the RMSCO Inc. Service Agreement.

Chief Menzel introduced the Town's account executive from RMSCO, Inc., Brad Langoua stating that he was in the audience and available to answer any questions that the Board might have. The Chief noted that at this time, he handled these claims and that was very time consuming and that having the administrative work handled by RMSCO would be more efficient for the Police Department.

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

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

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the agreement with RMSCO to provide services for General Municipal Law Section 207c claims administration, at an annual fee of \$18,000 plus expenses, billed as incurred, as per the memorandum dated September 11, 2008 from Christian Menzel, Chief of Police.

2. Recommendation from Superintendent of Recreation and Parks Bill Heidepriem of bid award for purchase of zero turn riding turf mower for the Parks Department.

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

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

RESOLVED that the Town Board does hereby approve the purchase of a Zero Turn Turf Mower from the lowest, most responsible bidder Pine Bush Equipment Company, Holmes, New York in the amount of \$14,200.00 as per the memorandum dated September 16, 2008 from William Heidepriem, Superintendent of Recreation and Parks.

3. Recommendation from Superintendent Heidepriem for bid award for purchase of a winter pool cover for Bedford Hills Memorial Park main pool.

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

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

RESOLVED that the Town Board does hereby approve the purchase of a Mesh Winter Pool Safety Cover from the lowest, most responsible bidder Nu-Clear Swimming Pool Company, Port Chester, New York in the amount of \$14,850.00 as per the memorandum dated September 16, 2008 from William Heidepriem, Superintendent of Recreation and Parks.

4. Request from Commissioner of Public Works Kevin Winn to award Mechanical Shop Exhaust and Filtration System Contract.

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

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

RESOLVED that the Town Board does hereby award and authorize the Supervisor to sign the contract for the Mechanical Shop Exhaust and Filtration System Contract to the lowest, most responsible bidder, API, at the alternate bid price, without the electrical work, of \$23,563.00, with the electrical work to be performed by J.C. Beach Electric at a cost of \$4,200, as per the memorandum dated September 9, 2008 from Kevin Winn, Commissioner of Public Works.

5. Proposal to perform Asset Condition Assessment and Valuation and Construction Cost Estimate Updates as part of forming a sewer district.

Mr. Winn reviewed the letter dated August 13, 2008 from Catherine Mallon Traynor, Vice President, Malcolm Pirnie, Inc.

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

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

RESOLVED that the Town Board does hereby accept the proposal from Malcolm Pirnie, Inc. to perform Asset Condition Assessment and Valuation and Construction Cost Estimate Updates as part of forming a sewer district at a cost not to exceed \$65,000, subject to the receipt of funding from the Northern Westchester Watershed Committee.

NEW BUSINESS

1. Resignation of Volodia Gueorguiev from the Conservation Board.

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

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

RESOLVED that the Town Board does hereby accept the resignation of Volodia Gueorguiev from the Conservation Board effective immediately.

The Town Board expressed their thanks for Dr. Gueorguiev's service on the Conservation Board.

2. Set Work Session – traffic study for McLain Street – Tentative date 7:00 pm, October 7th.

The Town Board set a work session for 7:00 PM on October 7th at the Town House, 321 Bedford Road, Bedford Hills to review the traffic study for McLain Street.

3. Cub Scout Pack 171 Cubmobile Race, Court Road, September 21st.

It was noted that this event had originally been approved in June, but had been postponed due to inclement weather conditions.

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

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

RESOLVED that the Town Board does hereby grant permission to Bedford Village Cub Scout Pack 170 to hold their 8th annual Cubmobile race on Sunday, September 21, 2008 from 3PM to 6PM, on Court Road, which will be closed during this time period, and one uniformed officer shall be assigned for safety and traffic control. The approval is granted subject to the receipt of a Certificate of Insurance from the Boy Scouts of America and the Scout Master shall notify all surrounding residents of the event.

4. Memo from Director of Personnel to promote Tatiana Guaman.

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

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

RESOLVED that the Town Board does hereby approve the promotion of Tatiana Guaman from Data Entry Operator to Assessment/Tax Aide in the Assessor's office, effective September 17, 2008, from eligible list #68-150, at an annual salary of \$44,675, as per the memorandum dated September 16, 2008 from Joan Gallagher, Director of Personnel.

5. Executive Session –

- a. Tax Certiorari Proceedings, USPS v. Assessor of the Town of Bedford.
- b. Discuss Ethics Board Opinion.

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

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

RESOLVED that the Town Board shall discuss a tax certiorari proceeding and Ethics Board opinion in an executive session to be conducted at the conclusion of the regular meeting.

The Town Board adjourned to executive session at 9:50PM and reconvened the regular meeting at 10:00 PM to vote on the following:

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

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

RESOLVED that the Town Board does hereby authorize Judson K. Siebert, Esq., of Keane and Beane, P.C. to sign the Consent Judgment on behalf of the Town of Bedford to effectuate the settlement with the United States Postal Service, located at 66 Adams Street, Bedford Hills, shown and designated on Town of Bedford Tax Maps as Section 60.14 Block 5 Lot 15:

Assessment Year	Assessment	Revised Assessment	Amount of Reduction
1999	\$116,100	\$97,500	\$18,600
2000	\$116,100	\$94,000	\$22,100
2001	\$116,100	\$87,000	\$29,100
2002	\$116,100	\$81,300	\$34,800
2003	\$116,100	\$78,900	\$37,200
2004	\$116,100	\$75,500	\$40,600
2005	\$116,100	\$73,100	\$43,000
2006	\$116,100	\$70,800	\$45,300
2007	\$116,100	\$68,500	\$47,600
2008	\$116,100	\$68,500	\$47,600

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

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

RESOLVED that the Town Board does hereby reject the advisory opinion of the Ethics Board to allow Town employees to participate in the Bedford Golf and Tennis Outing and luncheon, as the invitation to play golf and have lunch was extended to Police Officers and DPW employees by virtue of their employment status and therefore, violates the Code of the Town of Bedford, Code of Ethics, Chapter 12.3 Standards, Section F.

On a motion duly made and seconded the meeting was adjourned at 10:15 pm.

Lisbeth Fumagalli, Town Clerk