

Bedford Hills, New York
December 2, 2008

The first meeting for the month of December of the Town Board of the Town of Bedford was held on December 2, 2008 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:35 P.M. by Supervisor Roberts.

Present:

Lee V. A. Roberts	:Supervisor
Peter Chryssos	:Councilman
Francis Corcoran	:Councilman
Chris Burdick	:Councilman
David Gabrielson	: Councilman
Lisbeth Fumagalli	: Town Clerk
Nancy Tagliafierro	:Town Attorney
Amy Pectol	: Receiver of Taxes
Christian Menzel	: Chief of Police
William Heidepriem	: Supt. Of Recreation and Parks
Marcy Marchiano	: Asst. to Supervisor

And approximately three (3) residents/observers.

APPROVAL OF CLAIMS

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

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

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

Paid Prior to Audit	\$ 477,279.90
General Fund	72,247.34
Highway Fund	31,171.41
Consolidated Water District	3,494.36
Cedar Downs Water District	25.00
Farms Water District	25.00
Old Post Road Water District	50.00
Special Districts:	
Bedford Village Memorial Park	3,907.34
Bedford Hills Memorial Park	695.06
Katonah Memorial Park	669.01
Capital Projects (270-718)	42,716.27
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	\$ 643,671.09

CORRESPONDENCE

1. Letter from George F. Henschel requesting appointment to serve on the Historic Building Preservation Commission.

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

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

RESOLVED that the Town Board does hereby appoint George F. Henschel, Jr. AIA to the Historic Building Preservation Commission to fill the vacancy for an architect created by the resignation of Frederick Sheppard, for a three-year term, said term to expire August 10, 2011.

2. Westchester County Department of Emergency Services offer for EOC VoIP system.

Mr. Chryssos read the letter dated November 24, 2008 from Commissioner of the Department of Emergency Services Anthony W. Sutton.

Mrs. Roberts advised that the Town would be working with their IT consultant Glenn Sullivan on the implementation of this system.

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 Town's participation in the Westchester County Emergency Hotline System to support communications during an emergency situation, using Voice over Internet Protocol (VoIP), allowing system users to communication outside the normal phone system, with Westchester County providing the hardware and system maintenance at no cost to the Town of Bedford, and the Town of Bedford providing and maintaining the phone and internet connections.

OLD BUSINESS

1. Set work session on Water Filtration Plant.

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

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

RESOLVED that the Town Board does hereby set a work session on the Water Filtration Plant for January 6, 2009 at 7:00 PM at the Town House, 321 Bedford Road, Bedford Hills, New York.

2. Recommendation to award Fox Lane Turning Lane Construction.

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

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

WHEREAS, on November 17, 2008 bids were received for the construction of the Fox Lane Turning Lane; and

WHEREAS, eight (8) bids were received as follows:

- | | |
|------------------------------|-------------|
| 1. Xavier Construction | \$845,832 |
| 2. ELQ Industries | \$986,943 |
| 3. Paleen Construction Corp. | \$1,073,148 |
| 4. Bilotta Construction | \$1,139,551 |
| 5. Peckham Road Corp. | \$1,240,623 |
| 6. Marquis Dev. Corp. | \$1,250,000 |
| 7. Brennan Construction | \$1,304,149 |
| 8. Burtis | \$1,547,608 |

And;

WHEREAS, the low bidder Xavier Construction was determined to be non – responsive due to the following:

- A. Failure to meet the minimum qualifications requirements of the bid documents, which require documentation of a minimum of five (5) previous projects involving similar work.
- B. They submitted a letter to the Town of Bedford requesting that their bid be withdrawn due to a clerical error resulting in a bid value substantially lower than Xavier's intended bid.

And;

WHEREAS, the Commissioner of Works Kevin Winn recommends that the Town Board award the contract to the lowest responsive bidder, ELQ Industries;

NOW THEREFORE BE IT

RESOLVED, that the Town Board does hereby award the contract for the construction of the Fox Lane Turning Lane to the lowest responsive bidder, ELQ Industries, 567 Fifth Avenue, New Rochelle, New York 10801 in the amount of \$986,943, subject to the approval of the New York State Department of Transportation (NYSDOT), contingent up the approval of the funding from the NYSDOT, as this is a reverse betterment project to be fully funded by the NYSDOT and receipt of the necessary bonding and insurance documentation; and

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute the contract with ELQ Industries for the construction of the Fox Lane Turning Lane contingent up the approval of the funding from the NYSDOT and the review and approval of the bonding and insurance documentation by the Town Attorney and Insurance Broker.

NEW BUSINESS

1. Approval of additional compensation for DeSantis Consulting for attending additional meetings than specified in the project scope an increase of \$1350.

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

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

RESOLVED that the Town Board does hereby approve the additional compensation in the amount of \$1350.00 for DeSantis Consulting for attending additional meetings beyond the number of those specified in the project scope, bringing the total cost for this project to \$18,850.00 with a budgeted amount of \$20,000.00 as per the memorandum dated November 24, 2008 from William Heidepriem, Superintendent of Recreation and Parks and Brian McCabe, Chairman of the Recreation and Parks Advisory Committee.

2. Consider license for property access at Sunnyfield Farm.

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

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

RESOLVED that the Town Board shall discuss a license agreement for property access at Sunnyfield Farm, on South Bedford Road in the Town of Bedford in an executive session to be conducted at the conclusion of the regular meeting.

3. Consider going to bid for new phone system.

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

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

RESOLVED that the Town Board does hereby grant approval to go to bid for the new telephone system for the Town of Bedford facilities.

There being no further discussion, the meeting was adjourned at 9:10 pm.

