

Bedford Hills, New York
April 15, 2009

The first meeting for the month of April of the Town Board of the Town of Bedford was held on April 15, 2009 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 Corcoran	:Councilman
	Chris Burdick	:Councilman
	David Gabrielson	:Councilman
	Lisbeth Fumagalli	:Town Clerk
	Nancy Tagliafierro	:Town Attorney
	Jeffrey Osterman	: Director of Planning
	Amy Pectol	:Receiver of Taxes
	Christian Menzel	:Chief of Police
	Marcy Marchiano	:Asst. to Supervisor

And six (6) residents/observers.

APPROVAL OF CLAIMS

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

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

General Fund	\$ 87,461.77
Highway Fund	38,201.81
Consolidated Water District	16,049.68
Cedar Downs Water District	228.00
Farms Water District	123.50
Old Post Road Water District	57.00
Special Districts:	
Bedford Village Memorial Park	4,672.70
Bedford Hills Memorial Park	4,552.41
Katonah Memorial Park	3,189.29
Bedford Lighting District	951.50
Fire District#1	53,938.47
Bedford Paramedic District # 1	76,421.00
Capital Projects	<u>54,114.69</u>
	\$ 339,961.82

PRESENTATION

1. Katonah Museum of Art presentation of revised site plan.

Present on behalf of the Katonah Museum of Art were director Neil Watson, Michael Manfredi and Chris Ballentine of Weiss/Manfredi Architects, and Michael Steiner.

Mr. Watson reviewed the proposed site plan and Special Use Permit application, pointing out that they are attempting to make the museum area more pedestrian friendly to encourage foot traffic as the site is a short walk from the Katonah train station.

Mr. Manfredi, Mr. Ballentine and Mr. Steiner presented drawings and explained the proposed expansion with the changes for the museum.

On a motion by Mr. Chryssos, seconded by Mr. Gabrielson, 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 acknowledge receipt of the Special Use Permit application from the Katonah Museum of Art, 134 Jay Street, Katonah, New York and refers this matter to the Town of Bedford Planning Board for a review by that Board and report back to the Town Board.

On a motion by Mr. Corcoran, 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 declare itself the Lead Agency for the SEQR (State Environmental Quality Review) review of the Special Use Permit application by the Katonah Museum of Art, 134 Jay Street, Katonah, New York.

A nearby property owner expressed concern for increased traffic around the site, especially during larger events that might be held there.

CORRESPONDENCE

1. Announcement of presentation of Sustainability Awards to Bedford Energy Advisory Panel and Bedford Garden Club at Earth Day ceremonies at Kensico Dam Plaza, Sunday, April 19th.

Mrs. Roberts explained that the Bedford Energy Advisory Panel and the Bedford Garden Club would be receiving Sustainability Awards for 2009 from Westchester County at a ceremony to be held during the Earth Day celebration at the Kensico Dam Plaza on Sunday, April 19th. She congratulated these two groups and invited anyone interested to attend the ceremony. She added that the Westchester County Executive Andrew Spano had asked Bedford to act as a model Town and bring our experiences to all communities in Westchester.

2. Request from St. Patrick's Carnival Committee for Police presence for their annual carnival, May 12 through May 17.

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 authorize the Chief of Police to assign three (3) officers for 10.5 hours each, for a total of 31.5 hours overtime to cover traffic posts on Saturday, May 16, 2009 for the St. Patrick's carnival, as per Chief of Police Christian Menzel. This approval is granted subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured.

3. Request from Bedford Fire Department for assistance from Police and Highway for their Memorial Day ceremony on May 25th at 11:30 am and annual parade on July 31st at 7:00 pm.

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 grant approval for the Police to assist the Bedford Fire Department (Bedford Village), American Legion Post #1575 (Katonah) and American Legion Post 129 (Bedford Hills) with their Memorial Day Parades in each hamlet for two (2) officers for four (4) hours at the overtime rate as per Chief of Police Christian Menzel.

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 grant approval for the Police to assist the Bedford Fire Department with traffic control for its annual parade on Friday, July 31, 2009, with sixteen (16) officers for four (4) hours each at the overtime rate, with the Department of Public Works to provide barricades, as per Chief of Police Christian Menzel.

4. David S. Warne, NYCDEP in response to Supervisor Roberts regarding the security barriers at the Cross River Dam.

Mr. Chryssos read a letter dated April 1, 2009 from David S. Warne, Assistant Commissioner of the New York City Department of Environmental Protection advising that the DEP would be removing most of the existing barriers adjacent to the road and the dirt pile at the Route 35 end of the dam would be removed. The letter also noted that a gate and barrier would be installed at that end of the dam within the next two (2) months.

5. Notice of order from NYSDOT to set speed limit at 20 MPH on Babbitt Road between School Street and Glen Road.

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

WHEREAS, the Town of Bedford petitioned the New York State Department of Transportation to establish a school speed limit zone on a portion of Babbitt Road in Bedford Hills, New York; and

WHEREAS, on March 30, 2009 the New York State Department of Transportation filed an Order with the Secretary of State amending the speed limit on Babbitt Road, a town highway, between School Street and a point 120 feet north of Glen Road, between the hours of 7:30 a.m. and 9:30 a.m. and the hours of 2:30 p.m. and 4:30 p.m. on school days; and

WHEREAS, said Order of the Department of Transportation will become effective upon the installation of traffic control devices by the Town of Bedford;

NOW THEREFORE BE IT RESOLVED that the Commissioner of Public Works is hereby authorized to post the necessary school speed limit signs on Babbitt Road from School Street to a point 120 feet north of Glen Road between the hours of 7:30 a.m. and 9:30 a.m. and the hours of 2:30 p.m. and 4:30 p.m. on school days.

6. Cablevision announcement of limiting more channels on their Expanded Basic package to digital programming and their offer for a free iO digital cable box and remote for one year.

Mr. Gabrielson read the letter dated March 31, 2009 from Robert Hoch, Director of Government Affairs for Cablevision advising of changes being made to the system for the transition from analog to digital programming.

OLD BUSINESS

1. Proposal to award the bid for Clean-Up Day refuse removal.

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

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

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RESOLVED that the Town Board does hereby award the bid for Clean-Up Days refuse removal to the lowest, most responsible bidder, City Carting Inc., Stamford, CT subject to the receipt of a \$5,000 certified check and a certificate of insurance naming the Town of Bedford as an additional insured.

2. Consider Inter Municipal Agreement (IMA) with County for distribution of East of Hudson Grant Funds for review of the wastewater treatment plant at the Bedford Hills Correctional Facility.

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 authorize the Town of Bedford to enter into an Intermunicipal Agreement (IMA) with Westchester County for the distribution of East of Hudson Grant Funds to fund the review of the wastewater treatment plant at the Bedford Hills Correctional Facility, in an amount not to exceed \$65,000.00.

3. Consider ELQ Industries Change Order on the Katonah sidewalk projects.

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

RESOLVED that the Town Board does hereby approve Change Order #2 for the Hamlet of Katonah Paving, Sidewalks, Curbs and Drainage Improvement Project in the amount of \$38,776.00, with a portion of this, \$23,475.00 to be paid from unused quantities remaining in the contract and \$15,301.00 to be funded by the Town of Bedford as per the memorandum dated April 7, 2009 from James J. Hahn, Town Consulting Engineer.

NEW BUSINESS

1. Authorize Receiver of Taxes to correct two tax bills.

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

WHEREAS, on February 24, 2009 the Town Board of the Town of Bedford adopted a Resolution to include unpaid water accounts and penalties in the annual tax levy and authorizing the Receiver of Taxes to include unpaid water charges and penalties on the 2009 tax levy; and

WHEREAS, attached to said Resolution was a listing of unpaid water accounts; and

WHEREAS, the Water Department has informed the Town of Bedford that there was a mistake on the listing of unpaid water accounts in the Consolidated District which must be corrected and the tax bills re-sent to the two properties which were involved in the error;

NOW THEREFORE BE IT RESOLVED that the address of 8 North Street, Bedford Hills, be changed on the listing of unpaid water accounts to 10 North Street, Bedford Hills; and it is further

RESOLVED that the Receiver of Taxes be authorized to send revised bills to (i) the owner of 8 North Street, Bedford Hills removing the unpaid water charges; and (ii)

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adding the unpaid water charges as a tax levy, with penalty, to the owner of 10 North Street, Bedford Hills, New York.

2. Consider 2009 Games of Chance license application from the Katonah Fire Department.

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

WHEREAS, the Katonah Fire Department, located at 65 Bedford Road, Katonah, New York has made application for a Games of Chance License as authorized by Section 186 of Article 9A of the General Municipal Law, and

WHEREAS, said organization has been licensed in the past to conduct Games of Chance, and no violations of the rules and regulations were brought to the attention of the Board, and

WHEREAS, the applicant is an appropriate licensee, has paid the proper licensing fee and upon investigation of local records by the Police Department is found to be in compliance,

NOW, THEREFORE, BE IT RESOLVED

THAT a license to conduct Games of Chance License No. 2806-09 by the Katonah Fire Department, 65 Bedford Road, Katonah, New York on the occasion of their annual carnival, June 3rd to 6th, 2009 is hereby granted.

3. Request approval of change of title of Chao-yi Tien from Sr. Office Assistant – Automated Systems to Sr. Office Assistant – Police Department effective April 16, 2009.

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 change in title for Chao-yi Tien from Sr. Office Assistant – Automated Systems to Sr. Office Assistant – Police Department effective April 16, 2009 with no change in salary as per the memorandum dated April 7, 2009 from Joan Gallagher, Director of Personnel.

4. Proclamation for Arbor Day in the Town of Bedford – Monday, April 20th.

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

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

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

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; 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;

NOW, THEREFORE, I, Lee V. A. Roberts, Supervisor of the Town of Bedford, New York, do hereby proclaim Monday, April 20th, 2009 as the 137th anniversary celebration of 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.

5. Set work sessions with Energy Advisory Panel on Sector Recommendations.
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

RESOLVED that the Town Board does hereby set work sessions as follows for Tuesday, April 21, 2009 at the Town House, 321 Bedford Road, Bedford Hills, New York:

1. 6:30 p.m. - Telephone System
2. 7:30 p.m. – Town Board meeting
3. 8:00 p.m. – Energy Advisor Panel

There being no further discussion and on a motion duly made and seconded the meeting was adjourned at 9:10 P.M.

Lisbeth Fumagalli, Town Clerk