

Bedford Hills, New York
December 1, 2009

The first meeting for the month of December of the Town Board of the Town of Bedford was held on December 1, 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
David Gabrielson	: Councilman
Chris Burdick	: Councilman
Lisbeth Fumagalli	: Town Clerk
Nancy Tagliafierro	: Town Attorney
Kevin Winn	: Commissioner of Public Works
Jeffrey Osterman	: Director of Planning
Amy Pectol	: Receiver of Taxes
Marcy Marchiano	: Asst. to Supervisor

And fifteen (15) residents/observers.

APPROVAL OF CLAIMS

On a motion by Mr. Burdick, 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	\$81,183.41
Highway Fund	22,024.41
Consolidated Water District	1,612.13
Cedar Downs Water District	28.13
Drug Abuse	4,950.00
Trust & Agency	2,005.00
Special Districts:	
Bedford Village Memorial Park	4,035.42
Bedford Hills Memorial Park	2,607.90
Katonah Memorial Park	2,606.72
Capital Projects	<u>319,263.86</u>
	\$ 440,316.98

PRESENTATION

Discussion of mural installation with Historian, John Stockbridge.

Mr. Stockbridge noted that the HSBC, formerly the Manhattan Savings Bank in Mount Kisco had made a donation of a 7' x 14' mural that had been in the bank to the Town of Bedford. He advised that Bill Bradsell of Bradsell Painting and Tim Delaney of Katonah Art and Frame had discussed and agreed upon proposed location of the mural in the rotunda at the Town House and that the Bedford Hills Museum would be paying for its installation. Mrs. Roberts, on behalf of the Town Board thanked Elin Sullivan, President of the Bedford Hills Museum, who was present at the meeting for this wonderful gift.

CORRESPONDENCE

1. NYC DEP determination of eligibility with regard to Town's proposed reallocation of the East of Hudson Water Quality Funds.

Mr. Winn reviewed the letter dated November 23, 2009 that was sent to Mary Beth Murphy, Chair, Northern Westchester Watershed Committee concerning the reallocation of \$312,500 of NYCDEP East of Hudson Funds currently allocated to the construction of a salt storage facility. He noted that the Town would like to revise the scope of the project for these funds to include

the purchase of a vacuum truck, street sweeper and implementing a stormwater improvement project.

2. MetroPCS application for Special Use Permit to co-locate a wireless telecommunications facility on the monopole at 5 Green Lane.

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 refer the application for a Special Use Permit from MetroPCS to co-locate a wireless telecommunications facility on the monopole at 5 Green Lane to the Planning Board for their review and report back to the Town Board.

3. Fiona Mitchell resignation from the Tree Advisory Board.

Mrs. Roberts thanked Ms. Mitchell for her time and service to the Town of Bedford

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 accept the resignation of Fiona Mitchell from the Town of Bedford Tree Advisory Board effective immediately.

4. Application for placement of holiday display on Town property, Bedford Fire Department.

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 approve the request of the Bedford Fire Department for the placement of a Christmas tree on the Bedford Village Green beginning December 1, 2009 until January 15, 2010.

OLD BUSINESS

1. Request to solicit bids for vacuum truck.

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 approval for the Commissioner of Public Works to bid to for the purchase of a vacuum truck as per the memorandum dated November 23, 2009 from Kevin Winn, Commissioner of Public Works.

2. Recommendation of company to install pavement markers on McLain Street.

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 award the contract for the installation of pavement markers on McLain Street in the Town of Bedford to the only responsive bidder, United Pavement Marking, 18016 127th Street, College Point, New York 11356 for 104 pavement markings at \$93.00 each, plus \$600 per day for traffic control, totaling \$10,872.00 as

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per the memorandum dated November 23, 2009 from Kevin Winn, Commissioner of Public Works.

NEW BUSINESS

1. Consider application from Tim Tynan to purchase six (6) plots at Chichester Cemetery. 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 approve the application of Tim Tynan for the purchase of six (6) plots in the Chichester Cemetery in the Town of Bedford.

2. Settlement of Tax Certiorari Proceedings with D.R. Katonah, LLC v. Board of Assessors of the Town of Bedford, et al.

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 shall discuss a tax certiorari matter in an executive session to be conducted at the conclusion of the regular meeting.

3. Resolve to support strategies, principles and recommendations detailed in The Croton Plan for Westchester, dated September 2009. Consider report from Planning Board. Mr. Osterman reviewed the memorandum from the Planning Board dated November 23, 2009 concerning the Croton Watershed Plan. He noted that the plan is quite complicated and is two (2) years old. He recommended that the resolution be modified as the Board does not want to adopt the current plan. The Town Board requested that Mr. Osterman and the Planning Board recommend a resolution and this be adjourned to the next meeting.

4. Set Work Session on Cherry Street Traffic Issues.

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 set a work session to discuss Cherry Street traffic issues for Tuesday, December 15, 2009 at 7:00 PM at the Town House, 321 Bedford Road, Bedford Hills, New York.

5. Request to go out to bid for care plan for the Bedford Oak.

The Town Board reviewed a memorandum dated November 25, 2009 from Michael Serio of the Tree Advisory Board concerning the care of the Bedford Oak. It noted that in a consultation with Cornell University, that this group did not feel it was necessary to treat the oak with chemicals. The following recommendations were made by Cornell for a six visit care program:

1. Horticultural oil.
2. Early fungicide application at bud break.
3. Second fungicide spray.
4. Summer rate horticultural oil application if needed.
5. Follow-up integrated Pest Management (IPM) visit.
6. Additional follow-up integrated Pest Management (IPM) visit.

The Town Board advised that if the care of the tree is to go out to bid that this should be done in collaboration with Kevin Winn, Commissioner of Public works.

The Town Board adjourned to executive session at 8:45 PM.

At 9:15 PM Mrs. Roberts closed the public hearing and reopened the public session.

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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 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 D.R. Katonah, LLC for the following property in the Town of Bedford:

122 – 138 Bedford Road, Section 60.07 Block 2 Lot 37

Assessment Year	Assessment	Adjusted Assessment	Amount of Reduction	Percentage Reduction
2004	\$523,400	\$445,000	\$78,400	14.98%
2005	\$523,400	\$440,000	\$83,400	15.93%
2006	\$523,400	\$430,000	\$93,400	17.84%
2007	\$523,400	\$420,000	\$103,400	19.76%
2008	\$523,400	\$415,000	\$108,400	20.71%
2009	\$523,400	\$410,000	\$113,400	21.67%

The meeting was adjourned at 9:20 pm.

Lisbeth Fumagalli, Town Clerk