

Bedford Hills, New York
January 20, 2009

The second meeting for the month of January of the Town Board of the Town of Bedford was held on January 20, 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 T. Corcoran	:Councilman
Chris Burdick	:Councilman
David Gabrielson	:Councilman
Lisbeth Fumagalli	:Town Clerk
Nancy Tagliaferro	:Town Attorney
Amy Pectol	:Receiver of Taxes
Jeffrey Osterman	:Director of Planning
Christian Menzel	:Chief of Police
Kevin Winn	:Commissioner of Public Works
William Heidepriem	:Superintendent of Recreation
Edward J. Ritter	:Town Comptroller
Marcy Marchiano	:Asst. to Supervisor

and approximately eight (8) residents/observers.

PUBLIC COMMENT

A resident expressed her concern about the number of handicap parking spaces at Depot Plaza and the Bedford Hills train station, as she had received a parking ticket for being parked for too long in the designated handicap space at Depot Plaza. She wanted to know why there was a one (1) hour limit on that space and why there weren't more spots designated for handicap parking. Mrs. Roberts advised that she would talk to the Chief of Police and the Parking Bureau about allocating more all day handicap parking spots.

Mr. Burdick thanked Receiver of Taxes Amy Pectol for her suggestion of terms for the tax payments and he asked Mr. Winn about the time frame for the construction of the Jug Handle at Fox Lane. Mr. Winn responded that it would be three (3) to six (6) months for the construction.

APPROVAL OF CLAIMS

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

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

RESOLVED, that the following claims for 2008 be allowed for payment from their respective funds,

	2008
General Fund	\$ 29,929.22
Highway Fund	100,868.96
Consolidated Water District	877.59
Drug Abuse	2,270.00
Special Districts:	
Bedford Village Memorial Park	896.72
Bedford Hills Memorial Park	896.65
Katonah Memorial Park	896.79
Capital Projects	<u>2,683.08</u>
	\$ 139,319.01

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 for 2009 be allowed for payment from their respective funds,

	2009
General Fund	6,041.65
Highway Fund	391.26
Bedford Village Memorial Park	224.61
Bedford Hills Memorial Park	374.61
Katonah Memorial Park	<u>224.62</u>
	\$ 7,256.75

MONTHLY REPORTS

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

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

PRESENTATION

1. Tree Advisory Board

Present representing the Tree Advisory Board were Mimi Lines, Michelle Miller and Fiona Mitchell.

Ms. Lines gave a presentation for the Long Range Planning Committee, a sub-committee of the Bedford Tree Advisory Board listing the mission of this committee and the goals they hoped to accomplish.

Mrs. Roberts recommended that this committee meet with Superintendent of Recreation and Parks Bill Heidepriem, Commissioner of Public Works Kevin Winn and Director of Planning Jeffrey Osterman to discuss their goals and the planting of trees in the Town of Bedford, then return to the Town Board for approval of a plan.

CORRESPONDENCE

1. Notice from the U. S. Census Bureau that they are recruiting Westchester residents for temporary part-time census positions for the 2010 Census.

Mr. Corcoran read a communication received from the U.S. Census Bureau advising this agency is recruiting Westchester residents for temporary part-time jobs for the upcoming 2010 Census. Mrs. Roberts requested that this information be posted on the Town's website.

2. Memo from Chief Menzel regarding allocating donations received.

Mr. Chryssos read a memorandum dated January 14, 2009 from Chief of Police Christian Menzel requesting approval to earmark donations that had been received in 2008 for the Bedford Town Police Centennial Celebration that would be happening later this year.

On a motion by Mrs. Roberts, 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 acknowledged donations in the amount of \$1825.00 received by the Town of Bedford Police Department and grants approval for these funds to be used towards the expenses for the Bedford Police Centennial celebration Community Dinner and Community Picnic in the Park, to be held in May and June of 2009.

OLD BUSINESS

1. Consider approval of appointment of School Crossing Guard.

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

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Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the appointment of Robert Pittelli to the position of School Crossing Guard, assigned to the intersection of Babbitt Road by North Street near Bedford Hills Elementary School as part of the Safe Routes to School program, effective January 26, 2009 working every day that school is in session from 8:30am to 9:00am and 3:00 to 3:30pm at a rate of \$26.00/day.

2. Release Performance Bond – Penwood Subdivision.

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

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

WHEREAS, in conjunction with the approval of Penwood subdivision in the Town of Bedford, Bayswater Realty and Capital Corp. has heretofore posted a performance bond which bond is being held by the Town of Bedford and at the present time is in the amount of \$150,000; and

WHEREAS, Town Engineer, Hahn Engineering has indicated in a March 28, 2008 memorandum that the subdivision improvements secured by the bond have been satisfactorily completed; and

WHEREAS, the Town Planning Department in a memorandum dated January 16, 2009 attached hereto, has stated that there should be a reduction in the Penwood bond by the amount of \$128,318.79; and

THEREFORE, IT IS

RESOLVED that the present amount the Town is holding should be reduced by \$128,318.79 from the present sum of \$150,000.00; and it is further

RESOLVED, that said performance bond will be released to Bayswater Realty and Capital Corp. upon the obligor posting a new bond or other financial security with the Town of Bedford in the amount of \$21,681.21; and it is further

RESOLVED, that the new bond or other security to be posted and be approved by the Town Attorney, Town Planner and Town Engineer.

NEW BUSINESS

1. Memo from Chief Menzel recommending transferring two firearms to the Westchester County Department of Public Safety.

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

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

RESOLVED that the Town Board does hereby approve the transfer of two Heckler and Koch MP5 9mm firearms to the Westchester County Department of Public Safety, subject to the Westchester County Department of Public Safety signing a release for these items and as per the memorandum dated January 15, 2009 from Chief of Police Christian Menzel.

2. Consider Application for 2009 Bell Jar Licensing from American Legion Post #1575.

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, an application for a Bell Jar License with the appropriate fee was filed by the Katonah Post #1575, Department of New York, American Legion Inc., located at 132 Jay Street, Katonah, New York 10536, and

NOW, THEREFORE, BE IT RESOLVED

THAT the Town Board does hereby approve the issuance of Games of Chance License No. 2805-09 to be used for the operation of “Bell Jar” during the calendar year 2009, by the Katonah Post #1575, Department of New York, American Legion Inc., 132 Jay Street, Katonah, New York 10536.

3. Requests from Director of Personnel Joan Gallagher:
 - A. Consider accepting voluntary move of Mark Morin from Park Foreman to Assistant Park Foreman.
 - B. Consider approval of promotion of Tom Megna from Assistant Park Foreman to Park Foreman.

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 voluntary move of Mark Morin from Park Foreman to Assistant Park, effective January 21, 2009 at a salary of \$72,798.00 and the promotion of Tom Megna from Assistant Park Foreman to Park Foreman, effective January 21, 2009 at a salary of \$78,720.00 as per the memorandum dated January 15, 2009 from Director of Personnel, Joan Gallagher.

4. Appointment to Chair of the Zoning Board of Appeals.

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, by Resolution 2002/216 dated May 21, 2002 David Menken was appointed to the Town of Bedford Zoning Board of Appeals to fill the unexpired term of Hugh C. McMillan; and

WHEREAS, by Resolution dated January 9, 2007 Mr. Menken was reappointed to this Board for a five (5) year term; and

WHEREAS, by Resolution dated December 16, 2008 the Town Board accepted the resignation of Hazel W. Nourse, Chair of the Zoning Board of Appeals,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby appoint David Menken to the position of Chairman of the Town of Bedford Zoning Board of Appeals.

5. Set work sessions – 6:30 pm on February 3 and 17th.

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 set work sessions for the following dates:

February 3, 2009 at 6:30pm to discuss Capital Projects.

February 17, 2009 at 6:30pm to meet with the Film Committee

With the work sessions to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

ADD AN ITEM TO AGENDA

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

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

RESOLVED that the Town Board shall add New Business #6 to the agenda:
Secure a recommendation from the Communications Committee for a firm to provide Webcasting services for broadcasting of Town Board meetings.

6. Secure a recommendation from the Communications Committee for a firm to provide Webcasting services for broadcasting of Town Board meetings.

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 grant approval to secure a recommendation from the Communications Committee for a firm to provide Webcasting services for broadcasting the Town of Bedford Town Board meetings within the next thirty (30) days at a cost not to exceed \$500 per broadcast, pending the outcome of negotiations with Verizon and Cablevision, vis-à-vis PEG provisions for the Town.

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 Town Board shall hold an executive session on Tuesday, January 27, 2009 at 7:00pm to discuss the appointment of a member to the Zoning Board of Appeals to fill the vacancy resulting from the resignation of Hazel W. Nourse.

There being no further discussion the meeting was adjourned at 9:20 PM.

Lisbeth Fumagalli, Town Clerk