

Bedford Hills, New York
January 6, 2009

The first meeting for the month of January of the Town Board of the Town of Bedford was held on January 6, 2009 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:51 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 Tagliafierro	:Town Attorney
	Amy Pectol	: Receiver of Taxes
	Christian Menzel	:Chief of Police
	Kevin Winn	:Commissioner of Public Works
	William Heidepriem	: Superintendent of Recreation
	Marcy Marchiano	: Asst. to Supervisor

and approximately one (1) resident/observer.

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 for 2008 be allowed for payment from their respective funds,

	2008
General Fund	\$ 145,302.75
Highway Fund	106,876.56
Consolidated Water District	4,650.16
Cedar Downs Water District	854.70
Farms Water District	22.50
Old Post Road Water District	45.00
Special Districts:	
Bedford Village Memorial Park	1,238.55
Bedford Hills Memorial Park	592.22
Katonah Memorial Park	18.36
Capital Projects	<u>646,100.96</u>
	\$ 905,701.76

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	7,037.60
Highway Fund	980.00
	\$ 8,017.60

PRESENTATION

1. Recognition of Jude Blundell, County Legislator Peter Harckham
Mr. Harckham and Supervisor Roberts recognized local author Jude Blundell for her receipt of the 2008 National Book Award for Young People's Literature for her book What I Saw and How I Lied.

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2. Update on Westchester County Septic Management Database – County Legislator Harckham.

Mr. Harckham discussed the issues of septic management, water quality and sewers in Westchester County, noting that he was asking for a state environmental bond to help with this as well as a bill asking Congress for assistance in this area. He added that there are MS4 septic requirements and that the county has formed a sub-committee in order to get information out to homeowners about managing their septic systems and the financing that may become available to assist them. He reviewed the reporting that is required from the septic pumping companies.

He advised that each town should have its own local law based on the county protocol (the Town of Bedford is working on this) to be in compliance with the MS4 requirements. He noted that there would be an on-line database available through the county and Mrs. Roberts added that educating the residents would be an important component of the legislation.

REPORTS/UPDATES/DISCUSSIONS

Kevin Winn – Update on McLain Street Traffic Calming and Accident Reduction Study.

Mr. Winn reviewed his memorandum dated December 29, 2008 that discussed the results of the study conducted by Adler Consulting who was hired by the Town of Bedford to evaluate traffic conditions, perform a safety analysis and identify potential traffic calming measures due to concerns related to traffic volume and vehicle accidents.

Various actions requiring funding from Capital funds and the current operating budget were listed in the memorandum as well as a recommendation to enact a Local Law for the installation of an all way stop at McLain Street with West Patent Road.

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 does hereby schedule a public hearing to consider the installation of an all way stop at the intersection of McLain Street with West Patent Road for January 27, 2009 at 6:45 PM at the Town House, 321 Bedford Road, Bedford Hills, New York.

CORRESPONDENCE

Resignation of Thomas W. Powell, Jr., part-time Police Dispatcher.

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, by Resolution dated March 18, 2008, the Town Board approved the hiring of Thomas W. Powell, Jr. as part-time Police Dispatcher in the Town of Bedford Police Department, and

WHEREAS, by letter dated December 17, 2008, Mr. Powell submitted his resignation to Christian Menzel, Chief of Police,

NOW, THEREFORE BE IT RESOLVED

THAT the Town Board does hereby accept the resignation of Thomas W. Powell, Jr., from the position of part-time dispatcher in the Town of Bedford Police Department, effective December 19, 2008.

OLD BUSINESS

1. Confirmation of email vote – recommendation of company to remove Crusher Road Fuel Tank.

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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, the Town of Bedford was advised by the Westchester County Department of Health Department that the One Thousand (1000) gallon underground heating fuel tank at Town-owned property located at Crusher Road, Bedford, New York did not comply with code requirements; and

WHEREAS, the Town of Bedford was ordered by the County of Westchester to initiate action to remove the underground heating tank no later than December 31, 2008; and

WHEREAS, in accordance with the provisions of General Municipal Law §103(4) the Town Board of the Town of Bedford determined that a public emergency existed with respect to the removal of the underground heating fuel tank at Crusher Road, which emergency arose out of an unforeseen occurrence or condition and whereby circumstances require immediate assessment and action which could not await competitive bidding; and

WHEREAS, the Department of Public Works issued a request for proposals and received two proposals to remove the existing tank, install a temporary tank to provide for heating during the transition, and install a permanent above ground tank in compliance with applicable regulations. The request for proposal included providing engineering drawings for County Health Department approval, and provided for removal of contaminated soil in the event any contaminated soil was detected; and

WHEREAS, the lowest proposal was received from American Petroleum in the amount of Eighteen Thousand (\$18,000) Dollars and the Town Board voted via e-mail to retain American Petroleum to perform the work required by the Westchester County of Health,

NOW, THEREFORE, it is

RESOLVED, that the Supervisor and the Commissioner of Public Works are hereby authorized to enter into contracts for all necessary work related to the removal of the underground heating fuel tank at Crusher Road and replacement with an above ground tank; and it is

FURTHER RESOLVED that any and all actions heretofore taken by any Town officials in furtherance of this resolution are Ratified and confirmed.

2. Authorize Supervisor to sign Supplemental Agreements for Fox Lane Turning Lane.

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, the State of New York has requested the Town of Bedford to incorporate improvements to the traffic signal and intersection of Route 172 (the “State Betterment”) and Fox Lane (PIN 8047.08) combined with a Town improvements project to adjacent Town highways;

NOW, THEREFORE, the Town of Bedford duly convened does hereby;

RESOLVE, that the Town of Bedford hereby approves such project inclusive of the State Betterment (collectively the “Project”); and it is hereby further

RESOLVED, that the Bedford Town Board hereby authorizes the Town of Bedford to pay in the first instance 100% of the costs of the Project or portions thereof; and it is further

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RESOLVED, that the sum of \$1,037,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Bedford Town Supervisor be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests on behalf of the Town with the NYSDOT in connection with the implementation of the Project, and reimbursement of the approved costs associated with the State Betterment, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

NEW BUSINESS

1. Bedford Fire Department request to hold barbeque (fundraiser) on the Village Green, Saturday, September 12th, 3pm to 8pm.

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 grant permission for the closure of road in front of the Bedford Firehouse in order for the Fire Department to hold a Block Party fundraiser on Saturday, September 12, 2009 from 3:00 pm to 8:00 pm, with the Fire Department hiring two (2) on-duty officers between the hours of 2:30 pm and 8:30 pm for traffic control and for the health, safety and welfare of those attending the event, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured.

2. Accept dedication of Deepwood Road.

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, a Subdivision Map bearing number 25725 was filed in the Office of the County Clerk of Westchester County on June 11, 1996 regarding Green Ridge subdivision in the Town of Bedford; and

WHEREAS, said Subdivision Map includes a confirmation that it was approved by the Town of Bedford Planning Board by Resolution Number 95-18; and

WHEREAS, the Subdivision Map includes a notation contemplating the dedication of Deepwood Road to the Town of Bedford; and

WHEREAS, the Town Engineer and Town Attorney having reviewed and approved the proposed dedication of Deepwood Road,

NOW, THEREEFORE, be it

RESOLVED, that the Town of Bedford accepts the dedication of Deepwood Road; and it is

FURTHER RESOLVED, that the Supervisor and the Commissioner of Public Works are hereby authorized to enter into any and all documentation necessary to accept the dedication of Deepwood Road as a Town Road.

3. Bid Award – 2009 Seasonal Program Brochures (3) for the Recreation & Parks Department.

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

January 6, 2009 – Regular Meeting - continued

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: None

WHEREAS, the Town Board of the Town of Bedford previously authorized the Superintendent of Recreation and Parks to solicit bid for the printing and distribution of the Town of Bedford 2009 Seasonal Recreation and Parks Department Program brochures and other publications; and

WHEREAS, after the bid was advertised, five bids were received and publicly opened and read aloud in the Office of the Town Clerk on January 5, 2009; and

WHEREAS, at least three of the five remaining bids failed to incorporate the cost of postage into the bid amounts due to an ambiguity in the bid specification documents; and

WHEREAS, the Town of Bedford reserved the right to reject any and all bids and readvertise for new bids; and

THEREFORE, IT IS

RESOLVED, that the Town Board hereby rejects all of the bids for publication of the Town of Bedford 2009 Seasonal Recreation and Parks Department Program brochures and other publications, which bids were opened in the Office of the Town Clerk on January 5, 2009 on the grounds that the bid specification documents were ambiguous; and it is

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Clerk to readvertise the notice for bids for the printing and distribution of the Town of Bedford 2009 Seasonal Recreation and Parks Department Program brochures and other publications, with express specification that the cost of postage should not be included in the bids.

4. Intermunicipal Agreement with County of Westchester for Enhanced 911 Service. 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 the Intermunicipal Agreement with the County of Westchester for Enhanced 911 Service for a five (5) year term commencing July 11, 2008 and continuing through July 10, 2013.

5. Set date for Public Information Session for Water Filtration Plant. This matter has been adjourned at this time.

6. Set date for Zoning Board interviews, January 20th at 6:30pm.

The Town Board set the date of Tuesday, January 20th at 6:30 pm for interviews for the pending vacancy on the Zoning Board of Appeals.

There being no further discussion the meeting was adjourned at 10:12 pm.

Lisbeth Fumagalli, Town Clerk