

Bedford Hills, New York
July 21, 2009

The second meeting for the month of July of the Town Board of the Town of Bedford was held on July 21, 2009 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Deputy Supervisor Chryssos.

Present:	Peter Chryssos	:Deputy Supervisor
	Francis Corcoran	:Councilman
	Chris Burdick	:Councilman
	David Gabrielson	:Councilman
	Nina Kellogg	:Deputy Town Clerk
	Nancy Tagliafierro	:Town Attorney
	William Heidepriem	:Supt. Recreation and Parks
	Edward J. Ritter	:Comptroller
	Amy Pectol	:Receiver of Taxes
	Kevin Winn	:Commissioner of Public Works
	Marcy Marchiano	:Asst. to Supervisor
Absent:	Lee V. A. Roberts	:Supervisor

And twelve (12) residents/observers.

APPROVAL OF CLAIMS

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

ADOPTED

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

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

General Fund	\$150,174.12
Highway Fund	49,070.76
Consolidated Water District	511.60
Cedar Downs Water District	28.50
Farms Water District	28.50
Old Post Road Water District	376.20
Special Districts:	
Bedford Village Memorial Park	3,792.39
Bedford Hills Memorial Park	3,365.51
Katonah Memorial Park	2,908.41
Capital Projects	<u>188,043.19</u>
	\$ 398,299.18

MONTHLY REPORTS

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

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

CORRESPONDENCE

1. Fred Silverman and Peter Michaelis request to be reappointed to the Communications Committee.

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

ADOPTED

Ayes: Chryssos, Corcoran, Gabrielson, Burdick

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Nays: None
Absent: Roberts

RESOLVED that the Town Board does hereby reappoint Fred Silverman to the Communications Committee for a three (3) year term, said term to expire July 1, 2012.

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

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

RESOLVED that the Town Board does hereby reappoint Peter T. Michaelis to the Communications Committee for a three (3) year term, said term to expire on July 1, 2012.

OLD BUSINESS

1. Approval of Hourly Fee for Property Searches performed by Historian's Office. Mr. Chryssos read Ms. Tagliaferro's letter dated July 17, 2009 concerning this request, which advised that the Historian's office may perform property searches for Town residents for an hourly charge as long as the searches relate to the Town's history.

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

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

RESOLVED that the Town Board does hereby grant approval for the Town Historian to institute an hourly charge of a \$40 per hour for the Town Historian's office to perform property searches, that would be determined as appropriate by the Board from time to time, so long as the searches are restricted to those properties within the Town of Bedford and relate to the history of the Town of Bedford, such fee to be set in the Town's fee schedule.

NEW BUSINESS

1. Approval for Supervisor to sign EPA Climate Showcase Grant Application and Town Board signature on Letter to US EPA.

Mr. Chryssos introduced the co-chairs of the Bedford Energy Advisory Panel, Mary Beth Kass and Mark Thielking. Ms. Kass introduced Ellen Conrad, president of the Bedford Garden Club and Jesse Catalano, a summer intern with the Garden Club.

Ms. Kass explained that a new entity had been formed, the Sustainable Bedford Coalition that would work together with a number of groups for the implementation of measures that would impact the reduction of greenhouse gases and the carbon footprint in the Town of Bedford. She reviewed the grant application and asked for the Town Boards support.

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

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

RESOLVED that the Bedford Town Board does hereby authorize Supervisor Lee V.A. Roberts, as an official representative of the Town of Bedford, to sign an application for a grant for the Environmental Protection Agency (EPA) Climate Showcase Communities Grant Program; and

BE IT FURTHER RESOLVED that the Town Board does hereby approve the Board signing the letter to the United States Environmental Protection Agency.

2. Consider increasing Limits of Liability coverage on Insurance Policy. Mr. Gabrielson read the communication dated July 1, 2009 from Thomas Sternberg of SKCG Group Inc. the Town's insurance broker regarding the Town's umbrella policy.

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

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

RESOLVED that the Town Board does hereby approve the increase in the Town's liability insurance coverage from \$10,000,000.00 to \$15,000,000.00 at an additional annual cost of \$11,400.00, to be prorated to expiration date of the policy, January 1, 2010.

3. Approval of Change in Lothrop Associates Contract for Water Filtration Plant. Mr. Winn addressed the Board and reviewed the memorandum he had submitted. He discussed the changes in the design of the proposed Water Filtration Plant that will result in a savings of \$2,000,000.00 on the cost of construction.

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

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

RESOLVED that the Town Board does hereby authorize the Supervisor to sign contracts with Lothrop Associates, 200 Summit Lake Drive, Valhalla, New York, authorizing a revised increase in the Phase I scope of the Water Treatment Plant Architectural Services, not to exceed \$42,828 and a lump sum fee for Phase II of \$136,000.00 design and \$34,000.00 for services related to the construction administration and bidding, as per the memorandum dated July 16, 2009 from Kevin Winn, Commissioner of Public Works.

4. Approval for Parks Department to Notice Bid for Zero-Turn Riding Turf Mower. On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

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

RESOLVED that the Town Board does hereby authorize the Town Clerk to advertise for bids for a Zero-Turn Riding Turf Mower, as per the memorandum dated July 16, 2009 from Bill Heidepriem, Superintendent of Recreation and Parks.

5. Request to rebid project for asphalt curb installation. Mr. Winn explained that the bid received had been higher than expected and that he would like to rebid the project with more specificity in the bid documents.

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

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

RESOLVED that the Town Board does hereby reject the bid received from Kect Construction for asphalt curb installation as it was above the expected price, as per the memorandum dated July 21, 2009 from Kevin Winn, Commissioner of Public Works.

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

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

RESOLVED that the Town Board does hereby grant approval for the Department of Public Works to rebid the project for asphalt curb installation as the bid received in the previous

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bid was beyond the expected price, as per the memorandum dated July 21, 2009 from Kevin Winn, Commissioner of Public Works.

6. Schedule Work Session for 2010 Budget Discussion.

The Board discussed possible dates for work sessions over the next two weeks.

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

ADOPTED

Ayes: Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: Roberts

RESOLVED that the Town Board does hereby schedule work sessions on the 2010 Budget for Tuesday, July 28, 2009 at 6:30 pm, contingent upon the Supervisor's schedule, and Tuesday, August 4, 2009 at 6:30 pm, to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

7. Decision in Article 78 Proceeding re Satisfied Customers Inc.

Mr. Chryssos read the memorandum from Town Attorney Nancy Tagliafierro dated July 20, 2009 concerning the Article 78 proceeding against the Town by Satisfied Customers Inc. and that on July 15, 2009, the Supreme Court, Westchester County had ruled in favor of the action taken by the Town Board, finding that the Board acted reasonably and within its rights, in denying the 2008 application for a cabaret license by the Katonah Grill.

8. Executive Session to discuss Union Negotiations, Personnel Matters and Litigation.

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

ADOPTED

Ayes: Chryssos, Corcoran, Gabrielson, Burdick

Nays: None

Absent: Roberts

RESOLVED that the Town Board shall discuss Union Negotiations, Personnel Matters and Litigation in an executive session to be conducted at the conclusion of the regular meeting.

PUBLIC COMMENT

A business owner in Bedford Hills expressed concerns about the traffic islands in Bedford Hills, the sidewalk in the hamlet, Bedford Center Road and the train station lease. Mr. Osterman and Mr. Winn addressed and answered all questions.

There being no further discussion the Town Board adjourned to executive session at 8:50 pm.

Nina Kellogg, Deputy Town Clerk