

Bedford Hills, New York  
August 3, 2010

The first meeting for the month of August of the Town Board of the Town of Bedford was held on August 3, 2010 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  
Francis T. Corcoran : Councilman  
Chris Burdick : Councilman  
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk  
Nancy Tagliaferro : Town Attorney  
Amy Pectol : Receiver of Taxes  
Joan Gallagher : Director of Personnel  
Ed Ritter : Comptroller  
Ed Collins : Lieutenant  
Kevin Winn : Commissioner of Public Works  
Jeffrey Osterman : Director of Planning  
Marcy Marchiano : Asst. to Supervisor

**Absent:** Peter Chryssos : Councilman

and approximately six (6) residents/observers.

#### **APPROVAL OF CLAIMS**

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

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

RESOLVED, that the following claims for 2010 be allowed for payment from their respective funds,

General Fund	\$	24,199.25
Highway Fund		8,165.37
Consolidated Water District		7,951.43
Special Districts:		
Bedford Village Memorial Park		7,480.94
Bedford Hills Memorial Park		2,029.70
Katonah Memorial Park		2,697.30
Capital Projects		<u>49,245.90</u>
	\$	101,770.09

#### **CORRESPONDENCE**

1. Request to hold Block Party at end of Millbrook, Saturday, August 28<sup>th</sup>.

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

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

RESOLVED that the Town Board does hereby grant approval for a block party to be held on the afternoon of Saturday, August 28, 2010 at the end of Millbrook Road, with the road to be blocked starting at 95 Millbrook Road and barricades to be provided by the Department of Public Works as per the request from Jennifer Albright-Wilson dated July 21, 2010.

2. Katonah Chamber of Commerce request to hold Fall Festival and 5K Run/Walk Saturday, September 25<sup>th</sup>.

The Town Board reviewed a request from the Katonah Chamber of Commerce to hold their annual Fall Festival and 5K Run/Walk on Saturday, September 25<sup>th</sup>, with a rain date of October 2<sup>nd</sup> beginning at 8:00 am. The letter dated July 28, 2010 asks for the police to be stationed at the

main intersections in the hamlet during the Fall Festival to help get cars out of the area and insure the Town roads can be closed by 10:00 am when the festival starts.

Lieutenant Collins advised that last year seven (7) officers were required for this event, 7 ½ hours each. He projected that the cost of manning this event would be approximately \$3200. Mrs. Roberts noted that she had discussed this with Chamber of Commerce co-president, Jennifer Cook. Lieutenant Collins commented that he would be in touch with the Chamber of Commerce and that this item should be re-calendared to the agenda for the August 17, 2010 Town Board meeting.

#### **OLD BUSINESS**

1. Set Public Hearing – Affordable Housing Law.

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

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

RESOLVED that the Town Board does hereby set a public hearing on the Affordable Housing Law for Tuesday, August 17, 2010 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

2. Discuss policy relating to service/consumption of alcohol on Town owned property. The Town Board continued their discussion from the Town Board meeting of July 6, 2010 on a policy for permitting the service/consumption of alcohol on Town owned property.

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

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

RESOLVED that the Town Board does hereby adopt the policy and insurance requirements for the service/consumption of alcohol on Town owned property.

#### **NEW BUSINESS**

1. Approval of promotion of Kim O'Brien from Recreation Leader to Senior Recreation Leader.

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

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

RESOLVED that the Town Board does hereby approve the promotion of Kim O'Brien Recreation Leader to Senior Recreation Leader in the Recreation and Parks Department from Eligible List #77-447, at an annual salary of \$52,473.00, effective August 4, 2010 as per the memorandum dated June 23, 2010 from Bill Heidepriem, Superintendent of Recreation and Parks and dated July 27, 2010 from Joan Gallagher, Director of Personnel.

2. Budget transfer request.

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

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

RESOLVED that the Town Board does hereby approve the following 2010 Budget Transfer request from the Department of Recreation and Parks:

To:	Amount:	From:	Amount:
Bedford	\$3,171.74	Fund Balance	\$3,171.74
Village Park	Equipment under \$5000	40.40.910	

40.7110.201

Bedford	\$3,171.73	Fund Balance	\$3,171.73
Hills Park	Equipment under \$5000	50.50.910	

50.7110.201

Katonah Park	\$3,171.73	Fund Balance	\$3,171.73
60.7110.201	Equipment under \$5000	60.60.910	

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

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

RESOLVED that the Town Board does hereby approve the following 2010 Budget Transfer request from the Police Department:

To:	Amount:	From:	Amount:
Police Department	\$4,100.00	Prior year	\$4,100.00
001.3120.446	DEA Expenditures	DEA Revenue	
		001.0001.910	

3. Request for approval to accept contract for parking meter maintenance.

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

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

RESOLVED that the Town Board does hereby approve the contract with Precision Technology Solutions for the maintenance of the parking machines in the commuter lots in the Town of Bedford at an annual cost of \$9,000.00 or \$1,500.00 per machine, as this vendor is the lowest most responsible bidder, with technicians that are certified by the parking machine manufacturer, Ventek, Inc., as per the memorandum dated July 29, 2010 from Edward Ritter, Town Comptroller; and

BE IT FURTHER RESOLVED

THAT the Town Board does hereby authorize Mr. Ritter to execute the contract with Precision Technology Solutions, subject to approval by the Town Attorney and compliance with the Town's insurance requirements.

4. Consider change order to DPW fuel management system contract.

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

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

WHEREAS, by Resolution dated April 1, 2008 the Town Board awarded the purchase of a Fuelmaster fuel monitoring system to Conklin Services and Construction, and

WHEREAS, there has been an ongoing problem with the frequency at which it operates interfering with the Town's two way radio communication system, and

WHEREAS, Fuelmaster has been unable to correct this problem, and

WHEREAS, by memorandum dated July 30, 2010, Kevin Winn, Commissioner of Public Works recommended a solution of a switch to another system, that with the credit for the previous system, would have a net cost to the Town of Bedford of \$2,862.00,

NOW THEREFORE BE IT

RESOLVED that the Town Board does hereby approve the change order request for the Department of Public Works fuel management system, replacing the existing Fuelmaster system with an OPW Petro Vend System, a comparable system, with a credit from Fuelmaster in the amount of \$13,914.00, which offsets the \$16,776.00 cost of the change order to Conklin Services and Construction, for a net cost to the Town of Bedford of \$2,862.00 as per the memorandum dated July 30, 2010 from Kevin Winn, Commissioner of Public Works.

5. Discussion of sale of School Street extension by bid.

The Town Board reviewed and discussed the appraisal of the School Street extension dated July 22, 2010 from Jonathan Bernz of Hudson Property Advisors.

6. Retirement Incentive – Set Public Hearing.

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

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

RESOLVED that the Town Board does hereby set a public hearing on the 2010 New York State Retirement Incentive for Tuesday, August 17, 2010 at 7:45 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

7. Executive Session:

- a. Consider extending a license agreement.
- b. Litigation – Authorize Supervisor to sign Stipulation and Exchange of Releases.
- c. Personnel.

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

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

RESOLVED that the Town Board shall discuss extending a license agreement, pending litigation to authorize the Supervisor to sign Stipulation and Exchange of Releases and Personnel in an executive session to be conducted at the conclusion of the regular meeting.

The Town Board adjourned to executive session at 8:50 P.M.

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Lisbeth Fumagalli, Town Clerk

TOWN OF BEDFORD  
[www.BedfordNY.info](http://www.BedfordNY.info)  
TOWN BOARD  
EXECUTIVE SESSION MINUTES  
August 3, 2010

The Town Board met in Executive Session at approximately 9:15 p.m.

Supervisor Lee Roberts, Councilmen Chris Burdick, David Gabrielson, Francis Corcoran were present. Town Attorney Nancy Tagliaferro, Commissioner of Department of Public Works Kevin Winn and Director of Personnel Joan Gallagher were also present. Councilman Peter Chryssos was absent.

At 9:40 p.m. Supervisor Roberts closed the Executive Session and opened the meeting in public session for the vote.

On motion of Lee Roberts and seconded by Chris Burdick, the Board voted to designate Nancy Tagliaferro to act as Clerk to take the minutes of the meeting. The vote was 4-0, and the motion carried.

On motion of Chris Burdick, seconded by David Gabrielson, the Board voted to approve the settlement in the Brown v. Bedford litigation and authorize the Supervisor to sign any and all documentation necessary to effectuate such settlement. The vote was 4-0, and the motion carried.

On motion of Francis Corcoran and seconded by Chris Burdick, the Board voted to accept a building permit fee of Seventy Five (\$75) Dollars per square foot from K'Hal Adas Kashau, conditioned upon the submission of substantial documentation reflecting that the cost of construction is Seventy Five (\$75) Dollars per square foot. The vote was 4-0, and the motion carried.

The meeting adjourned at 9:45 p.m.

  
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Nancy Tagliaferro