

Bedford Hills, New York
January 19, 2010

The second meeting for the month of January of the Town Board of the Town of Bedford was held on January 19, 2010 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:20 P.M. by Supervisor Roberts.

Present: Lee V. A. Roberts : Supervisor
Peter Chryssos : Councilman
Francis T. Corcoran : Councilman
Chris Burdick : Councilman

Nina Kellogg : Deputy Town Clerk
Joel H. Sachs : Town Attorney
Jeffrey Osterman : Director of Planning
Amy Pectol : Receiver of Taxes
Ed Collins : Chief of Police
Ed Ritter : Town Comptroller
Kevin Winn : Commissioner of Public Works
Marcy Marchiano : Asst. to Supervisor

Absent: David Gabrielson : Councilman

and approximately six (6) resident/observers.

HEARING – FOIL appeal from Kerry Lutz, Esq.

Mrs. Roberts called the meeting to order and explained the history of this matter as being an appeal of a denial on a FOIL request submitted by Mr. Lutz on December 8, 2009 for names, addresses and email addresses of anyone on the Town's email list. The Town Clerk denied the request and Mr. Lutz filed an appeal with the Town Board.

Mrs. Roberts asked if Mr. Lutz was present and he was not. Mr. Sachs explained that it was incumbent upon the Town Board to adjourn the matter or they could discuss the matter and write a decision that would be voted upon at the next meeting. He believed that Mr. Lutz had been notified of the meeting and had expected him to appear.

After a brief discussion the Town Board adjourned this matter to the Town Board meeting on February 2, 2010 and requested that the Town Clerk's Office notify Mr. Lutz that the hearing had been adjourned to the next meeting.

APPROVAL OF CLAIMS

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

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

RESOLVED, that the following claims for 2009 be allowed for payment from their respective funds,

	2009
Paid Prior to Audit	\$ 83,578.32
General Fund	56,003.66
Highway Fund	168,925.77
Consolidated Water District	10,107.48
Cedar Downs Water District	296.00
Farms Water District	24.00
Old Post Road Water District	72.00
Drug Abuse	3,682.50
Special Districts:	
Bedford Village Memorial Park	10.71
Bedford Hills Memorial Park	210.71
Katonah Memorial Park	10.71
Bedford Hills Lighting District	377.00
Capital Projects	<u>90,151.46</u>
	\$ 413,450.31

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

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

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

	2010
General Fund	\$ 74,092.10
Highway Fund	27,094.62
Consolidated Water District	4,930.72
Cedar Downs Water District	159.33
Farms Water District	176.10
Old Post Road Water District	150.94
Special Districts:	
Bedford Village Memorial Park	1,766.86
Bedford Hills Memorial Park	1,808.78
Katonah Memorial Park	1,808.76
Capital Projects	<u>74,971.00</u>
	\$ 186,959.21

MONTHLY REPORTS

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

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

CORRESPONDENCE

1. Resignation letter from Building Inspector Rick Megna.

Mrs. Roberts read Mr. Megna's letter dated January 12, 2010 announcing his intent to retire as of February 26, 2010 after more than thirty (30) years of service to the Town of Bedford. She commented that Mr. Megna had been a dedicated employee to the Town and that he would be greatly missed. On behalf of the Town Board and the residents of the Town of Bedford she offered her thanks for his many years of service.

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

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

WHEREAS, Richard Megna was provisionally hired by the Town of Bedford for the position of Laborer-Meter Reader-Maintenance in the Water Department by Resolution on October 2, 1979; and

WHEREAS, Mr. Megna was hired full-time by the Town of Bedford as of January 1, 1980, which was confirmed by Resolution dated February 19, 1980; and

WHEREAS, Mr. Megna passed Civil Service exams in 1982 and 1983 at which time he was appointed to the ranks of Water Maintenance II and Water Maintenance I; and

WHEREAS, by Resolution 85/355 dated October 29, 1985, the Town Board approved Mr. Megna's transfer to the Building Department to the position of Assistant Building Inspector, effective November 1, 1985; and

WHEREAS, Mr. Megna was reappointed to this position by Resolution 86/22 dated January 7, 1986 and during 1986 made recommendations to the Town Board concerning the wording of the fee schedule that is part of the Plumbing Ordinance as well as adoption of standards and legislation on dry hydrants; and

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WHEREAS, Mr. Megna's title was changed to reflect the scope of his duties to Assistant Building and Plumbing Inspector; and

WHEREAS by Resolution 90/23 dated January 2, 1990, Mr. Megna was reappointed to this position; and

WHEREAS, by Resolution 97/202 dated May 6, 1997, Mr. Megna was appointed to the position of Building Inspector, a position he has held for more than 12 years, doing countless building inspections, attending Zoning Board meetings, continuing his work on the placement of dry hydrants in the Town of Bedford, assisting in drafting legislation for the Town Board and working with and for the Town's residents each and every day;

NOW, THEREFORE, BE IT RESOLVED

THAT the Town Board does hereby accept the letter of retirement from Richard Megna from the position of Building Inspector for the Town of Bedford, effective February 27, 2010.

2. Michele Miller resignation from the Tree Advisory Board.

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

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

RESOLVED that the Town Board does hereby accept the resignation of Michelle Miller from the Town of Bedford Tree Advisory Board, effective immediately.

3. Don Scott request for reappointment to the Wetlands Control Commission.

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

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

RESOLVED that the Town Board does hereby reappoint Donald B. Scott to the Town of Bedford Wetlands Control Commission for a three (3) year term, said term to expire January 20, 2013.

OLD BUSINESS

1. Planning Board report regarding MetroPCS request for Special Use Permit to co-locate a wireless telecommunications facility on the monopole at 5 Green Lane. Set Public Hearing.

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

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

RESOLVED that the Town Board does hereby set a public hearing to consider the application from MetroPCS for a Special Use Permit to co-locate a wireless telecommunications facility on the monopole at 5 Green Lane for Tuesday, February 16, 2010 at 7:00 P.M. at the Town House, 321 Bedford Road, Bedford Hills, New York.

NEW BUSINESS

1. Consider approval of Sophia Jimenez to the position of Community Service Worker in the Police Department.

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

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

RESOLVED that the Town Board does hereby provisionally appoint Sophia Jimenez to the position of Community Service Worker in the Police Department, effective January 20, 2010 at an annual salary of \$36,430.00 as per the memorandum dated January 13, 2010 from Joan Gallagher, Director of Personnel.

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2. Authorize Supervisor Roberts to sign the Interagency Agreement Renewal with North East Westchester Special Recreation Inc. for 2010.

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

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

RESOLVED that the Town Board does hereby authorize Supervisor Roberts to sign the 2010 interagency renewal for North East Westchester Special Recreation at a cost to the Town of \$16,089.84.

3. Authorize Supervisor Roberts to sign the Drug Abuse Prevention Agreement for 2010. Mrs. Roberts advised that due to financial concerns, for this year, the contribution from the Town of Lewisboro had been decreased. She added that DAPC Coordinator Patty Warble had been working from home in order to reduce expenses for the Council.

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

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

WHEREAS, the Town of Bedford has been involved with the Drug Abuse Prevention Council (DAPC) since 1971, and

WHEREAS, in 1993 the Town of Bedford assumed the responsibility of coordinating all payments and receipts for the three municipalities that comprise the local DAPC, namely the Towns of Bedford, Lewisboro and Pound Ridge,

NOW, THEREFORE, BE IT RESOLVED

THAT the Town Board does hereby authorize the Supervisor to execute the Drug Abuse Prevention Council agreement by and among the Towns of Bedford, Lewisboro and Pound Ridge from January 1, 2010 to December 31, 2010, wherein the municipalities agree to the lawful costs as follows:

Bedford	\$26,000
Lewisboro	\$ 6,500
Pound Ridge	\$13,000 and

BE IT FURTHER RESOLVED

THAT the Town of Bedford will continue to act as Agent for the municipalities and process payment of claims.

4. Recommendation to purchase solar powered speed signs for McLain Street.

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

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

RESOLVED that the Town Board does hereby approve the purchase of two (2) Solar Powered Radar Actuated Speed Signs manufactured by Speed Sentry Model SS-12 for McLain Street from Glenco Supply at a cost of \$11,471.40 as per the memorandum dated January 14, 2010 from Kevin Winn, Commissioner of Public Works.

5. Resolution honoring William A. Colavito re: professionalism award.

Mr. Burdick read the proclamation issued by the Town of Bedford dated January 19, 2010 recognizing William Colavito for his achievements and congratulating him on receiving the 2010 Professionalism award from the New York State Bar Association. Mr. Burdick noted that Mr. Colavito had once been his boss and Mr. Sachs commented that the State Bar has only given out this award a few times, adding that Mr. Colavito was well respected among his peers. Mr. Sachs then offered his own congratulations. The proclamation read as follows:

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WHEREAS, William A. Colavito is a prominent and highly regarded New York real estate attorney whose considerable accomplishments are widely recognized and acclaimed; and

WHEREAS, Bill has contributed significantly to his colleagues in the New York real estate bar, providing them with the benefit of his experience, wisdom and advice; and

WHEREAS, on January 28, 2010, the Real Property Law Section of the New York State Bar Association will present to Bill its 2010 Professionalism Award for his numerous contributions of time and talent to New York real estate lawyers; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Bedford joins the New York State Bar Association in recognizing Bill for his achievements and congratulates him for the award which the Association is conferring upon him.

6. Set Public Hearing for Climate Action Plan.

Mrs. Roberts advised that the Climate Action Plan was completed and up on the Town's website. She noted that this was a national model and that she would like to set a public hearing for the review of this document.

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

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

RESOLVED that the Town Board does hereby set a public hearing to consider the Climate Action Plan prepared by the Energy Advisory Panel for Tuesday, February 2, 2010 at 7:30 P.M. at the Town House, 321 Bedford Road, Bedford Hills.

7. Set Work Sessions.

The Town Board set a work session to review the capital projects list and the legislative action agenda for Tuesday, February 23, 2010 at 7:00 P.M. at the Town House, 321 Bedford Road, Bedford Hills.

8. Executive Session – Personnel.

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

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

RESOLVED that the Town Board shall discuss personnel matters in an executive session to be conducted at the conclusion of the regular meeting.

The Town Board adjourned to executive session at 9:00 P.M.

Nina Kellogg, Deputy Town Clerk