

Bedford Hills, New York
May 18, 2010

The second meeting for the month of May of the Town Board of the Town of Bedford was held on May 18, 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
Peter Chryssos : Councilman
Francis T. Corcoran : Councilman
Chris Burdick : Councilman
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk
Nancy Tagliafierro : Town Attorney
Ed Ritter : Comptroller
Ed Collins : Chief of Police
Kevin Winn : Commissioner of Public Works
Jeffrey Osterman : Director of Planning
Marcy Marchiano : Asst. to Supervisor

and approximately seven (7) residents/observers.

APPROVAL OF CLAIMS

Mr. Burdick requested that if any of the items required transfers that a notation should be made in this report.

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

Paid Prior to Audit	\$	88,820.21
General Fund		66,960.23
Highway Fund		34,948.17
Consolidated Water District		2,329.21
Drug Abuse		1,000.00
Special Districts:		
Bedford Village Memorial Park		3,096.45
Bedford Hills Memorial Park		2,250.83
Katonah Memorial Park		3,306.46
Bedford Hills Lighting District		169.90
Capital Projects		<u>212,426.70</u>
	\$	415,308.16

MONTHLY REPORTS

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

OLD BUSINESS

1. Authorize Supervisor to accept proposed engagement letter from Singleton and Singleton with regard to renewal of Cablevision Franchise Agreement.

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 grant approval to retain Whitney Singleton, Esq. of Singleton and Singleton to negotiate the renewal of the Cablevision Franchise Agreement with the Town of Bedford at a rate of \$250.00 per hour, with legal fees not to exceed \$10,000.00 as per the letter dated May 4, 2010 from Mr. Singleton.

2. Request to award paving bid.

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

RESOLVED that the Town Board does hereby award the contract for road paving, milling and associated work to ELQ Industries, 567 Fifth Avenue, New Rochelle, New York in the amount of \$513, 957.60, subject to the receipt and approval of the required bonds and insurance certificates, as per the memorandum dated May 13, 2010 from Kevin Winn, Commissioner of Public Works.

NEW BUSINESS

1. Application for Cabaret License – Moonrocks.

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

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

RESOLVED that Moonrocks LLC, having met all requirements as set forth in Chapter 44 of the Town Code be issued a Cabaret License for the remainder calendar year of 2010, such license to expire on December 31, 2010, with the addendum submitted with the original application withdrawn and subject to the following:

1. The applicant shall reinstall the down light over the front door.
 2. The applicant shall install plantings on the northerly portion of the site with the final location of the plantings to be determined in the field by Jeffrey Osterman, Director of Planning.
 3. The applicant may have large events on Wednesday, Thursday, Friday and Saturday nights from 6:00 p.m. to midnight (12:00 a.m.) with a maximum of 100 people.
 4. The applicant shall provide a staff person to assist the public in identifying off-street parking areas for these large events based on their agreement with InterCounty Supply.
2. Recreation and Parks Advisory Committee recommendation for summer day camp eligibility for 2010 – KLSD and BCSD – school district/non-resident enrollment.

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 does hereby approve the rates for Town of Bedford Day Camp School District/Non Resident eligibility for 2010 as follows:

Day Camp – 6 weeks

Regular Day Camp with ½ fee for pool use – \$935.00

With optional trip fees (+\$105.00): \$1,040.00

Tiny Tot Camp – 6 weeks - \$712.50

As per the memorandum dated May 13, 2010 from Brian McCabe, Chairman, Recreation and Parks Advisory Committee.

3. Request to renew Town Recycling Center Management Contract.

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

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

RESOLVED that the Town Board does hereby approve the renewal of the contract for the Town of Bedford Recycling Center with Rogan Brothers Sanitation, Inc., 69 Lockwood Avenue, Yonkers, New York 10703, for a period of one (1) year, with the renewed contract to expire June 30, 2011, as per the terms of the current contract, at the existing cost of \$22,500.00, with 50% of the recycling material revenue going to the Town of Bedford and to include that the prevailing wage shall be paid to the recycling center employees, with renewal of the contract at the end of the period to be at the discretion of the Town Board, as per the memorandum dated May 12, 2010 from Kevin Winn, Commissioner of Public Works.

4. Consider Declaration of Easements for Twin Lakes Subdivision.

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

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

WHEREAS, in conjunction with the approval by the Planning Board of the Twin Lakes residential subdivision, one of the requirements of the Planning Board was that the developer issue a Declaration of Site Easement, Drainage and Access Easement and Fire Main and Access Easement running in favor of the Town of Bedford; and

WHEREAS, pursuant thereto, a proposed Declaration has been prepared by the developer's attorney and reviewed and approved by the Town Planner and the Town Attorney's office, a copy of which Declaration is attached hereto.

NOW, THEREFORE, BE IT RESOLVED:

THAT the Town Board of the Town of Bedford hereby approves of the annexed Declaration of Sight Easement, Drainage and Access Easement and Fire Main and Access Easement; and it is further

RESOLVED, that the Town Supervisor is authorized to execute such Declaration on behalf of the Town of Bedford.

5. Discussion of Hazard Mitigation Plan.

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, the Town of Bedford has entered into an Intermunicipal Agreement (IMA) with the Towns of Lewisboro and North Castle for a Multi-Jurisdictional All-Hazard Mitigation Plan, the contract for the preparation of said plan, having been awarded to Tech-Tech in the amount of \$110,000.00, one third of which is to be funded by the Town of Bedford, with 90% reimbursement to come from the Federal Emergency Management Agency (FEMA),

NOW, THEREFORE BE IT

RESOLVED that the Town Board does hereby approve the funding for the Town of Bedford share of the Multi-Jurisdictional All-Hazard Mitigation Plan, in the amount of \$33,000.00, as per the memorandum dated May 14, 2010 from Jeffrey Osterman, Town Planner.

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

RESOLVED that the Town Board does hereby approve the following transfer of funds in order to pay for the All-Hazard Mitigation Plan:

To:		Amount	From:		Amount
Environmental Health	Environmental Services	\$33,000.00	001.1990.0421	Contingency	\$33,000.00
001.4090.0422					

6. Set Executive Session – Real Estate Acquisition.

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 shall discuss the acquisition of real estate in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion the Town Board adjourned to executive session at 9:05 P.M. At 9:40 P.M. the executive session was closed and the regular meeting reconvened.

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 appoint Nancy Tagliaferro to act as Clerk to take the minutes of the executive session.

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

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

RESOLVED that the Town Board does hereby authorize Code Enforcement Officer Bill O'Keefe to issue weekly violations for a trespass by a neighbor with respect to the Town owned Leatherman's Ridge parcel.

The meeting was adjourned at 9:45 P.M.

Lisbeth Fumagalli, Town Clerk