

Bedford Hills, New York
November 16, 2010

The second meeting for the month of November of the Town Board of the Town of Bedford was held on November 16, 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
Amanda Kandel : Town Attorney
William Hayes : Chief of Police
Amy Pectol : Receiver of Taxes
Thomas Polzella : Sole Assessor
Jeffrey Osterman : Director of Planning
Marcy Marchiano : Asst. to Supervisor

Absent: Peter Chryssos : Councilman

and approximately twelve (12) 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,

Paid Prior to Audit	\$	77,446.18
General Fund		395,798.93
Highway Fund		66,598.20
Consolidated Water District		13,633.93
Farms Water District		906.90
Old Post Road Water District		1,358.10
Drug Abuse		510.00
Special Districts:		
Bedford Village Memorial Park		668.14
Bedford Hills Memorial Park		797.25
Katonah Memorial Park		219.01
Capital Projects		<u>30,242.96</u>
	\$	588,179.60

MONTHLY REPORTS

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

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

DEPARTMENTS –

1. Dog Ordinance discussion. Set Public Hearing.

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

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

November 16, 2010 – Regular meeting - continued

RESOLVED that the Town Board does hereby set a public hearing to discuss the proposed Dog Ordinance for Tuesday, December 21, 2010 at 7:45 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

CORRESPONDENCE –

1. Request for Twin Lake Farms road dedication.

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

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

WHEREAS, on April 24, 2001, the Planning Board of the Town of Bedford approved a certain subdivision map entitled “Subdivision of Twin Lake Farms in the Town of Bedford, Westchester County, New York” submitted by Twin Lakes Farms Associates, which map was filed in the Westchester County Clerk’s Office on October 3, 2002 as Map No. 27042; and

WHEREAS, Stone Manor at Twin Lakes LLC (“Stone Manor”) and Twin Lakes Realty LLC (“Twin Lakes”) are presently the owner of the lands constituting the Twin Lakes Farms subdivision; and

WHEREAS, Stone Manor as owner of “Road B” a/k/a Lakeview Lane shown on the 2002 subdivision map for Twin Lake Farms subdivision has offered such road for dedication to the Town of Bedford; and

WHEREAS, the Town Engineer and Town Planner have conducted a final inspection of said Road B and the Town Engineer has recommended in a memorandum dated October 6, 2010, a copy of which is attached, that Road B be accepted by the Town as a Town road subject to the posting of a Maintenance Bond in the amount of \$140,000.00 for a two year period; and

WHEREAS, the easements executed by Stone Manor and Twin Lakes and recorded in the Westchester County Clerk’s Office and have been reviewed and approved by the Town Attorney, therefore it is

RESOLVED, that the Town Board accepts Road B as shown on the filed subdivision map for the Twin Lakes Farms subdivision as a Town Road, and it is further

RESOLVED, that the Town Board shall require a two year Maintenance Bond in the amount of \$140,000.00 for Road B from Stone Manor and it is further

RESOLVED, that prior to Road B becoming a Town Road the Town must receive satisfactory proof that Road B has been released from the applicable mortgages on the subject property held by M&T Real Estate Trust, and it is further

RESOLVED, that the Town Planner, Town Attorney and Town Engineer are authorized to take such other actions as it deems appropriate in order to finalize the acceptance of Road B a/k/a Lakeview Lane as a Town Road.

2. Katonah Chamber of Commerce request for holiday events:

a. Saturday, November 27th – Santa Comes to Town – 11am – 12 noon.

On a motion by Mr. Corcoran, 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 Katonah Chamber of Commerce request for a holiday event, Santa Comes to Town, on Saturday, November 27, 2010 between the hours of 11:00 am and 12:00 noon, with two (2) Police officers to be assigned at a cost of \$758 and two (2) workers from the Department of Public Works at a cost of \$400, said costs to be paid by the Katonah Chamber of Commerce to the Town of Bedford.

b. Sunday, December 5th – Tree Lighting at St. Luke’s Church – 6-7pm.

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

November 16, 2010 – Regular meeting - continued

Ayes: Roberts, Corcoran, Gabrielson, Burdick

Nays: None

Absent: Chryssos

RESOLVED that the Town Board does hereby approve the Katonah Chamber of Commerce request for a holiday event, Lighting of the Christmas Tree at St. Luke's Church, on Sunday, December 5, 2010 between the hours of 6:00 pm and 7:00pm, with two (2) Police officers to be assigned at a cost of \$758 and two (2) workers from the Department of Public Works at a cost of \$800, said costs to be paid by the Katonah Chamber of Commerce to the Town of Bedford.

Several members of the Chamber of Commerce expressed their concerns about the Town of Bedford charging community groups for the assistance from the Police and Department of Public Works, necessary for their events. They felt it was unfair and an additional burden financially to the Chamber.

c. Saturday, December 18th – Caroling at the gazebo.

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 Katonah Chamber of Commerce request for a holiday event, Caroling at the Gazebo, December 18, 2010 during the afternoon. No assistance is needed from the Police Department or the Department of Public Works as the event is contained to this site.

3. Bedford Fire Department request for lighting the Holiday Tree on the Village Green on Friday, December 3rd.

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 Bedford Fire Department request for a holiday event, lighting of the Holiday Tree on the Village Green, on Friday, December 3, 2010 and for the Fire Department to set the display up beginning December 1, 2010 and to continue until January 10, 2011, subject to the receipt of a Certificate of Insurance naming the Town of Bedford as an additional insured.

4. Bedford Hills Neighborhood Association request for tree lighting at Train Station on Friday, December 3rd.

The Bedford Hills Neighborhood Association advised that they were cancelling this event.

OLD BUSINESS –

1. Request from Assessor to award bid for appraisal services.

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 grant approval to award the bid for appraisal services to the following companies, as per the memorandum dated November 12, 2010 from Thomas Polzella, Town Assessor:

1. Greystone Valuation Group

a. \$400 for home valued up to 1 million dollars.

b. \$600 for a home valued over 1 million dollars up to 1.5 million dollars.

c. \$800 for a home valued between 1.5 million dollars and 2 million dollars.

d. Call for quote for home valued over 2 million dollars.

e. \$150/hour for court.

November 16, 2010 – Regular meeting - continued

2. Archer Meade Appraisal

- a. \$375.00 single family home with ½ hour court testimony.
- b. \$550.00 non-complex, 2-3 family property including ½ hour court testimony.
- c. \$650.00 - \$1,250.00 complex assignment, large or unique property.
- d. \$250.00/hour court testimony.

NEW BUSINESS –

1. Authorize Supervisor to sign NYS Snow & Ice Agreement for 2012-2013.

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 authorize the Supervisor to sign the New York State 2012-2013 Municipal Snow and Ice Agreement Extensions, commencing July 1, 2012 and expiring June 30, 2013, thus extending agreement no. D014717 dated December 17, 2003, in the amount of \$2,682.93 per lane mile for 13.98 miles for a total of \$37,507.39 for the 2010/11 season and for the remainder of the term of the agreement commencing July 1, 2010.

2. Executive Session - Proposed Settlement of Tax Certiorari proceedings.

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 shall discuss the proposed settlement of tax certiorari proceedings in an executive session to be conducted at the conclusion of the regular meeting.

3. Approval for RFP for video services for Energize Bedford.

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 grant approval for a Request for Proposals (RFP) for video services for Energize Bedford to be used for marketing outreach and education of the home energy efficiency program, as per the memorandum dated November 16, 2010 from Thomas M. Bregman, Program Director, Energize Bedford/Energize Northern Westchester.

4. Approval of conference attendance for Planning & Zoning Board members.

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 grant approval for members of the Planning and Zoning Boards to attend a conference on Regional Approaches to Conservation, November 19 – 21, 2010 at the Hotel Thayer, West Point, New York, at a cost not to exceed \$100.00 per person, which is eligible for satisfying the annual training requirements, as per the memorandum dated November 12, 2010 from Joel H. Sachs, Town Attorney.

5. Set Public Hearings on Willful Neglect and Sign Ordinance.

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 schedule the following public hearings:
a. Tuesday, December 21, 2010 at 7:30 pm to consider amendments to the Sign Ordinance.

November 16, 2010 – Regular meeting - continued

b. Tuesday, December 21, 2010 at 7:45 pm to consider amendments to the Dog Ordinance.

All hearings to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

6. Set Work Session on 2011 Budget – Monday, November 29th.

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 work session on the 2011 Town of Bedford Budget for Monday, November 29, 2010 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills, New York.

The Town Board adjourned to executive session at 9:05 pm.

Lisbeth Fumagalli, Town Clerk

TOWN OF BEDFORD
www.BedfordNY.info
TOWN BOARD
EXECUTIVE SESSION MINUTES
November 16, 2010

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

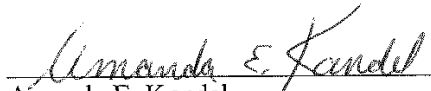
Supervisor Lee Roberts, Frances Corcoran, Chris Burdick, David Gabrielson were present Assessor Tom Polzella, and Town Attorney Amanda Kandel were also present.

At 9:30 p.m. Supervisor Roberts closed the Executive Session and opened the meeting in public session for the vote.

On motion by Chris Burdick and seconded by David Gabrielson, the Board voted to designate Amanda Kandel to act as Clerk to take the minutes of the meeting. The vote was 4-0.

On motion by Chris Burdick seconded by Frances Corcoran, the Board voted to adopt the November 1, 2010 recommendation of Keane & Beane, P.C. regarding a settlement of the litigation known as *Matter of Atlantic Refining & Marketing, Inc./Sunoco v. Assessor of the Town of Bedford, et al.* pending in the Supreme Court, Westchester County by refunding Town and Special District taxes in the amount of approximately \$600. The vote was 4 – 0.

The meeting was adjourned at 9:35 p.m.


Amanda E. Kandel