

Bedford Hills, New York
June 16, 2020

The second meeting of the Town Board of the Town of Bedford for the month of June was held on June 16, 2020. The meeting was called to order at 7:19 P.M. by Supervisor Burdick. The meeting was conducted via videoconferencing.

Present: Chris Burdick : Supervisor
MaryAnn Carr : Councilwoman
Kate Galligan : Councilwoman
Bobbi Bittker : Councilwoman
Ellen Calves : Councilwoman

Lisbeth Fumagalli : Town Clerk
Eric Gordon : Town Attorney
Jeffrey Osterman : Director of Planning
Kevin Winn : Commissioner of Public Works
David Menken : Town Justice
Abraham Zambrano : Comptroller

There were forty-six (46) residents/observers.

Bedford Village second grader Ben Trotta led the Pledge of Allegiance.

CONSENT AGENDA

1. Approval of Abstract of Claims and Paid Prior to Audit in the amount of \$963,964.47.

On a motion by Mr. Burdick, seconded by Mrs. Galligan, the following resolution was ADOPTED by roll call vote

Ayes: Burdick, Carr, Galligan, Bittker, Calves
Nays: None
Absent: None

RESOLVED, that the following claims for 2020 be allowed for payment from their respective funds,

	2020
Paid Prior to Audit	\$ 422,546.40
General Fund	89,897.28
Highway Fund	103,380.66
Consolidated Water District	53,609.88
Cedar Downs Water District	202.20
Farms Water District	101.10
Old Post Road Water District	202.20
Special Districts:	
Bedford Village Memorial Park	2,867.82
Bedford Hills Memorial Park	2,867.82
Katonah Memorial Park	2,867.83
Fire District #1	105,271.90
Sewer District	176.60
Capital Projects	<u>179,972.78</u>
	\$ 963,964.47

2. Monthly reports – are available in the offices of the Town Clerk and Supervisor and are on the Town of Bedford website.
3. Request approval of a license agreement with Westchester County and sublicense agreements with the Katonah Bedford Hills Volunteer Ambulance Corps and American Red Cross.

RESOLVED that the Town Board does hereby approve the license agreement with Westchester County for the Guard Hill radio tower site, located at 75 Guard Hill Road in the Town of Bedford and sublicense agreements with the Katonah Bedford Hills Volunteer Ambulance Corps and American Red Cross **subject to final review** and approval by the Town Attorney: and it is further

RESOLVED that the Town Board does hereby authorize the Supervisor to take all actions necessary to effectuate the terms of these agreements as per the memorandum dated June 12, 2020 from Eric Gordon, Town Attorney.

4. Town Assessor Harold Girdlestone requests approval of proposed Tax Certiorari Settlement – 240 Mount Road, Katonah.

RESOLVED that the Town Board does hereby approve the tax certiorari settlement with Andrew and Barbara Cervasio, for property located at 240 Mount Holly Road, Katonah, New York, shown and designated on Town Tax Maps as Section 39.19 Block 1 Lot 3.2 in the R-4A district, for tax years 2017-2019 in the amount of \$13,885.19, subject to final review by the Town Comptroller, as per the memorandum dated June 10, 2020 from Harold Girdlestone, Assessor.

5. Department of Public Works Commissioner Kevin Winn requests approval to authorize Supervisor to execute a contract with Rosamilia Brothers for the unit prices in the tree bid.

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the contract for tree work in the Town of Bedford with the lowest most responsible bidder for the work, Rosamilia Brothers d/b/a BizeeBee Tree Service for the one (1) year period from June 1, 2020 to May 31, 2021, for the unit prices in the bid, as per the memorandum dated June 9, 2020 from Kevin Winn, Commissioner of Public Works.

Tree Removal/Stump Grinding Bid	
	BizeeBee
Tree Removal	
A. 12 " Diameter	70
B. 12" to 18" Diameter	180
C. over 18" to 24" Diameter	450
D. Over 24" to 30" Diameter	750
E. Over 30" to 36" Diameter	875
F. over 36" to 42" Diameter	1000
G. Over 42" to 48" Diameter	1450
H. Over 48" Diameter	3700

Stump Removal	
I. Up to 12" Diameter	20
J. 12" to 18" Diameter	30
K. over 18" to 24" Diameter	35
L. Over 24" to 30" Diameter	60
M. Over 30" to 36" Diameter	70
N. over 36" to 42" Diameter	80
O. Over 42" to 48" Diameter	90
P. Over 48" Diameter	100

Branch Removal & Tree Thinning	
Rates Per Hour	
A Aerial Lift Truck (Bucket Truck) with	90
Operator and hoisting/cutting equipment	

B. Brush Chipper and Operator	75
C. Forestry Truck and Operator	75
D. Additional Operators/Laborers	40
as needed	
E. Grapple Truck 10 c.y. min. capacity	75
with hydraulic articulating grappling arm	
and mechanical claw capable of picking up log sections up to 60” Diameter +	
If needed with operator	

6. Approval to purchase one (1) replacement police vehicle – 2020 Chevy Tahoe 4WD – with lighting and equipment for a total amount not to exceed \$58,220.99.

RESOLVED that the Town Board does hereby approve the purchase of one (1) replacement police vehicle at New York State contract pricing– 2020 Chevy Tahoe 4WD – with lighting and equipment for a total amount not to exceed \$58,220.99, with the funding to come from the insurance reimbursements for two (2) police vehicles that were totaled by the insurance carrier, as per the memorandum dated June 11, 2020 from Melvin Padilla, Chief of Police.

7. Approval of Resolution Amending Agreement with Westchester Food Services

WHEREAS, the Town of Bedford intends to open the three Town of Bedford park/pool facilities and the associated food concessions; and

WHEREAS, pool concessions have been approved for operations by the Westchester County Department of Health; and

WHEREAS, Westchester Food Service currently has an agreement with the Town of Bedford to operate the food concessions for the Town park/pool facilities which is set to expire at the end of this Summer; and

WHEREAS, the agreement with Westchester Food Service requires a payment of \$12,300.00 to the Town for the right to operate food concessions during the Summer of 2020; and

WHEREAS, due to the loss of at least one month of operations, the loss of two of the highest revenue days (Memorial Day and Father’s Day), the reduction of patrons at the pools due to COVID-19 related facility guidelines and a limited menu due to food handling protocols, Westchester Food Service has requested a reduction in their seasonal fee paid to the Town under the current agreement; and

WHEREAS, Westchester Food Services has also stated that it may chose not to operate the concessions this summer due to potential costs, but do not want this to impact their ability work with the Town in the future.

NOW THEREFORE, BE IT RESOLVED THAT, the Town Board agrees to reduce the amount due to the Town from Westchester Food Service for food concessions in the Summer of 2020 from \$12,300.00, to \$4,100.00; and

BE IT FURTHER RESOLVED THAT, in the event Westchester Food Service decides not operate the park/pool food concessions in the Summer of 2020 due to revenue issues, that they shall not be required to pay the Town any amount under the current agreement and this shall not be considered when determining whether to enter into a new agreement for food concessions in the Summer of 2021.

OLD BUSINESS

1. Approval of Resolution to incorporate relevant guidelines and recommendations set forth in the 2030 Climate Action Plan (CAP) to be incorporated into the Town of Bedford Comprehensive Plan.

Mr. Gordon read the proposed resolution.

On a motion by Mr. Burdick, seconded by Mrs. Galligan, the following resolution was ADOPTED by roll call vote

Ayes: Burdick, Carr, Galligan, Bittker
Nays: None
Absent: None
Abstain: Calves

WHEREAS, it has been demonstrated that climate change poses a massive threat to the American economy, the wellbeing of our community, the environment and climate stability and underscores the need for immediate climate emergency action at all levels of government to reduce greenhouse gas (“GHG”) emissions; and

WHEREAS, limiting warming to the 1.5°C (2.7°F) target established by the United Nations during this century will require an unprecedented transformation of every sector of the global economy over the next 10 years; and

WHEREAS, the impacts already wrought by climate change are evidenced by increased and intensifying wildfires, floods, rising seas, droughts and extreme weather; and

WHEREAS, it is projected that one-half-to-one million species are threatened with extinction, many within the next few decades, due to impacts from climate change; and

WHEREAS, human health has already been and will continue to be impacted by climate change; and

WHEREAS, in addition to the threats posed by climate change, there are strong economic reasons to take local action to mitigate climate change, including but not limited to the following:

- Significantly declining costs to generate renewable energy and more affordable ways to procure renewable energy; and
- Employing efficiencies in our buildings and operations that lower energy consumption and reduce energy waste; and
- Electrification of heating will benefit both the Town of Bedford as well as community members by potentially lowering heating costs and reducing pollution; and
- There is also the benefit of job creation that provides economic opportunity for residents when new businesses start or existing businesses grow in response to greater demand for climate mitigation services; and
- Additionally, actions that result in GHG emission reductions will reduce the need for the Town of Bedford to make unplanned, high cost expenditures in response to major weather events and climate disasters which are estimated to at least triple in the next 70 years unless GHG emissions are reduced; and

WHEREAS, on February 2, 2010, the Town Board adopted a Climate Action Plan (the “CAP2020”) as an amendment to the Town of Bedford Comprehensive Plan; and

WHEREAS, as a result of the CAP2020 the Bedford community has already achieved substantial progress in reducing GHG emissions and surpassed its 20% by 2020 community wide reduction goal three years ahead of schedule; and

WHEREAS, a report of Bedford GHG emissions through 2017 showed a 44% reduction in community wide GHG emissions vs. the community’s 2004 baseline GHG emissions inventory; and

WHEREAS, New York State has passed the Climate Leadership and Protection Act that

has set into law statewide reductions of GHG emissions of 40% of 1990 levels by 2030 and 85% by 2050 and

WHEREAS, Environmental justice, the fair treatment and meaningful involvement of all people regardless of race, national origin, or income with respect to the development, implementation, and enforcement of environmental programs, regulations, and policies, is a plan imperative; and

WHEREAS, the Town of Bedford and Bedford 2020 has set more aggressive GHG emissions reduction goals based on harms threatening the community and intends to achieve an 80% reduction in GHG emissions by 2030 and net zero GHG emissions by 2040; and

WHEREAS, to achieve the initial goal of an 80% reduction by 2030, the community needs to reduce GHG emissions by an estimated 75,737 metric tons and the Town of Bedford municipal operations by an estimated 1,264 metric tons by 2030; and

WHEREAS, the majority of community's and the Town municipal operation's reductions in GHG emissions need to come from the energy and transportation sectors including replacing fossil fuels with renewable energy to power the production of electricity, replacement of fossil fuels with fossil free energy to power heating/cooling of buildings and reducing energy waste and dramatically cutting vehicle emissions; and

WHEREAS, in the proposed Town of Bedford Climate Action Plan Update 2030 (the "CAP2030"), Bedford 2020 and the Town will explore ways to obtain even more detailed community emissions data to better inform actions, programming and progress; and

WHEREAS, Bedford 2020, which is renaming itself "Bedford 2030", the Town Board and Department Heads and other community members have invested substantial time and energy into the development of the CAP2030; and

WHEREAS, the Town and Bedford 2020 have held three Town Hall sessions to review and discuss the CAP2030 and received substantial community input into the development of the CAP2030; and

WHEREAS, Bedford 2020, which is renaming itself "Bedford 2030", has been and will continue to partner with the Town of Bedford in order to lead community wide efforts to accomplish the CAP2030 goals.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Bedford Town Board hereby adopts the CAP2030; and

BE IT FURTHER RESOLVED, that as soon as practical and appropriate, relevant guidelines and recommendations set forth in the CAP2030 will be incorporated in the revised Town Of Bedford Comprehensive Plan currently being developed by the Town of Bedford, as well as into the Town of Bedford's municipal operations.

NEW BUSINESS

1. Proposed resolution to declare the Town of Bedford recognizes that the lives of Blacks (African Americans) matter.

Mrs. Carr spoke about this matter then read the proposed resolution.

On a motion by Mr. Burdick, seconded by Mrs. Galligan, the following resolution was ADOPTED by roll call vote

Ayes: Burdick, Carr, Galligan, Bittker, Calves
Nays: None
Absent: None

WHEREAS, current events compel local and national leaders and communities to stand in solidarity against the murder by police officers of an unarmed Black man, George Floyd; and

WHEREAS the Town of Bedford condemns all racist acts of police violence and

extends our deepest condolences to the family and friends of George Floyd and the countless other victims of racially biased police violence; and

WHEREAS, of these men, women and children who have died at the hands of police, a disproportionate number are Black, and therefore we declare unequivocally that Black lives absolutely matter; and

WHEREAS the Town of Bedford condemns racist acts, practices of oppression and structural racism that have targeted Black and Brown communities for far too long; and

WHEREAS, the Town of Bedford supports sound and unbiased law enforcement policies that reduce the disparate impact of brutality and use of force on people of color and other historically marginalized communities; and

WHEREAS, the Town of Bedford expects all levels of government to hold individual police officers and police departments accountable for acts of brutality and excessive force, so that justice is served; and

WHEREAS, we celebrate diversity in our community, and we pledge to work to eliminate barriers to success and an equitable future for our Black residents and other people of color; and

WHEREAS, by proclaiming that Black lives absolutely matter we reinforce our commitment to respect all lives; we recognize that all of our lives are connected, and that until all people have the freedom, rights and protections granted by the United States Constitution, no one is free; and

WHEREAS, we recognize that historic disparities between the experiences of Black and Brown persons in our own communities persist, and that our Black and Brown community members add unique perspectives as well as professional and personal value to our community; and

WHEREAS, on June 12, 2020, the Governor of the State of New York issued Executive Order 203 entitled “New York State Police Reform and Reinvention” which Executive Order concluded that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, Executive Order 203 requires, among other things, that the Town Board of the Town of Bedford, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and other local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing; and

WHEREAS, pursuant to Executive Order 203 such plan must be ratified and adopted on or before April 1, 2021; and

WHEREAS, it is essential that all members of the Bedford Police Department remember that in the execution of their duties, they act, not for themselves, but for the good of the public. They shall respect and protect the rights of individuals, regardless of race, religion, sex, national origin, or sexual orientation, and shall perform their services with honesty, zeal, courage, discretion, fidelity, and sound judgement. Police Officers must seek and preserve public confidence by demonstrating impartial service to law and by offering services and trust to all members of the public; and

WHEREAS, it is the expressed policy of this Department that Police Officers will use only the minimum degree of physical force which is necessary upon any occasion for achieving a police objective. When the use of force is necessary and/or appropriate, members shall, to the extent possible, utilize a de-escalating scale of options and will not use more forceful measures than needed.

NOW THEREFORE, BE IT RESOLVED THAT, the Town of Bedford joins people and communities all over the United State and the world to declare that Black lives absolutely matter; and

BE IT FURTHER RESOLVED THAT, the Town of Bedford supports public forums, community meetings, and peaceful demonstrations which educate the community about the ongoing struggle for racial justice for Black people and all people of color in the United States; and

BE IT FURTHER RESOLVED THAT, the Town of Bedford supports the findings, policies and principles set forth in Executive Order 203 and shall take immediate action to address the requirements set forth in Executive Order 203.

2. Schedule Work Session to discuss Diversity and Inclusion Advisory Committee and Governor's Executive Order No. 203.

Mrs. Bittker explained the issues for the Diversity and Inclusion Advisory Committee and the need to deal separately with the Governor's Executive Order.

On a motion by Mr. Burdick, seconded by Mrs. Carr, the following resolution was ADOPTED by roll call vote

Ayes:	Burdick, Carr, Galligan, Bittker, Calves
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby set a work session to discuss Diversity and Inclusion Advisory Committee and Governor's Executive Order No. 203 for Tuesday, July 14, 2020 at 7:00pm.

After a brief discussion, the following meeting was set.

On a motion by Mr. Burdick, seconded by Mrs. Carr, the following resolution was ADOPTED by roll call vote

Ayes:	Burdick, Carr, Galligan, Bittker, Calves
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby set a work session to discuss Diversity and Inclusion Advisory Committee and Governor's Executive Order No. 203 for Tuesday, July 14, 2020 at 6:30pm with the regular to Town Board meeting to begin at 7:45pm.

There being no further discussion the meeting was adjourned at 8:25pm.

Lisbeth Fumagalli, Town Clerk