

## Supervisor Chris Burdick's March Report

MAY 1, 2019



## Town Board Considers Allowing Bed & Breakfasts

As some of you may have read, a resident proposed to the Town Board at our April 23 meeting the adoption of a local law under which the Planning Board would have the authority to issue a special permit to homeowners wishing to operate a bed and breakfast.

Each member of the Town Board expressed interest, and the concept has received support from business and community groups. While there are reasons to proceed, we also need to exercise caution to avoid adversely affecting the wonderful character of Bedford. We must also consider potential noise, traffic and parking problems, and take care that we don't end up with absentee landlords who turn their houses into transient short-term rentals with no regard for their neighbors.

Established properly, however, bed and breakfasts could address a paucity of places to stay in town (there isn't a single hotel in Bedford), allow homeowners a way to help pay their high property taxes, and support our hamlet businesses and cultural organizations.

**What do you think?** My Town Board colleagues and I would like to hear from you.

**Town Clean Up Days  
are  
Friday May 3 and  
Saturday May 4.  
[Click here for details](#)**



## TOWN CLEAN UP DAYS

Please join us for Bedford Town-Wide Clean-up Days 2019 at the Crusher Road Highway Facility off Route 22, just North of Route 172, in Bedford Village.

**Town residents can bring household debris and metal waste to the Crusher Road Yard during the following periods:**

Friday, May 3, 2019 7:30am-3:00pm

Saturday, May 4, 2019 7:30am-4:30pm

The Highway Department will not accept any of the following items: tires, batteries, refrigerators, freezers, pressure treated lumber, air conditioners, propane tanks, paint, varnish, chemicals, medical waste, or other toxic materials.

**No E-Waste:** televisions, computers (desktops, monitors, and notebooks), computer mice and keyboards, printers, scanners, fax machines, cell phones, VCRs

Proof of Bedford residency is required, and fees are as follows:

- \$25 per carload
- \$60 per pickup truck load
- \$115 for small dump trucks (<6 yd)
- \$230 and up for large dump trucks (>6 yd)

Bedford Village Chowder & Marching Club will hold their Tag Sale on Friday, May 3 and Saturday, May 4 at the Crusher Road Highway Facility

In addition to the normal clean up activities, the Town will provide a mobile paper shredder to safely recycle unwanted personal papers and documents. Papers from businesses or commercial enterprises will not be accepted.

The Mobile Shredder will be available on Saturday May 4 from 9:00 AM to 12:00 PM at the Crusher Road Highway Yard. This free public service is intended for residents to shred their personal documents.

To speed up shredding and reduce waiting time, residents must remove all metal clips, fasteners, binders, folders and hard covers and place the papers loosely in a box. Hard covers – cardboard or plastic covers on items such as ledger books, marble composition books and hard-cover books – are not acceptable. Residents may rip away paper from these hard cover books for shredding and throw the covers in their household trash.

Please call the DPW Highway Division at 666-7669 with any questions.

## Reusable Bag Law Now in Effect

The Town's Reusable Bag Law took effect on April 1 with a 10 cent charge on either single use plastic or single use paper bags. It applies to Shoprite, DeCicco's, Key Foods, Pier I, Kohl's and CVS.

An out of town resident who may not be familiar with the law wanted to know what happens to the 10c fee. First, some background. Each of the grocery stores in Bedford has been an enthusiastic partner with the Town in embracing and advocating our efforts to reduce and ultimately eliminate single use plastic and paper, both of which are deleterious to the environment.

Each of the grocery stores' participation has been significant, including training of staff, considerable staff time, the distribution of free reusable bags to their customers, banners and other postings, and other efforts to get the word out. To date the grocery stores have distributed an astonishing number of free reusable bags to their customers: over 9,000. We also received generous contributions from Houlihan Lawrence, Bedford Village Business Association, and State Farm enabling us to distribute some additional 2,000 free reusable bags. The total number of free reusable bags distributed now exceeds 10,000. Each of the stores will keep the fee to pay for the cost of the bags and defray the costs incurred with their participation. Bedford 2020 and the Reusable Bags Task Force is continuing to give away free bags and they are available at various locations throughout Town including Town Hall, libraries and tabling events being held.

**We truly don't want anyone to pay a dime, but rather use the reusable bags.** So please put them in your car so you have them handy on your next shopping trip.

*New York State's just adopted budget includes a provision to ban single use plastic bags and also to allow counties and large cities the option of imposing a 5c fee on single use paper bags. This law does not go into effect until March 1, 2020. Meanwhile, the Town's law is in place so Bedford is doing its part to reduce the needless waste.*

## Town Events this weekend

The Bedford Hills Neighborhood Association presents  
*The Janet Jacobsen 10th Annual*  
**RUN for the HILLS**  
*5K Run · May 4th 2019*  
 8:30 a.m. Train Depot Downtown Bedford Hills



BEDFORD VILLAGE CHOWDER & MARCHING CLUB  
**SPRING CLEAN-UP AND TAG SALE**  
**FRIDAY & SATURDAY May 3 & 4**  
**8:30 am - 3:00 pm**

The Bedford Village Chowder & Marching Club is a community group in Bedford, NY that raises funds to help provide support for local youth programs and projects focusing on arts and music, club and school sports, scouts, athletics, youth outreach, scholarships and community service.

To request pickups logon to  
[www.chowderandmarching.org](http://www.chowderandmarching.org)  
 or call 914-234-5453

## Septic System Repair and Replacement Program Reinstated

Due to the importance of the **Septic System Repair and Replacement Program**, I am reiterating my update in last Friday's newsletter to the effect that the program has been reinstated now that we have received the \$750,000 funding under the inter-municipal agreement (IMA) between the Town and Westchester County, which provides the funding, and we've received clarification from the County on its rules for governing the program. Please read the following reimbursement criteria carefully before commencing any work for which you will be seeking reimbursement.

1. **Reimbursement is limited to 50% of eligible costs:** Eligible costs are highly limited. Eligible costs include engineering fees and the actual contractor cost of construction of the repair or replacement. Engineering costs may not exceed 20% of the total construction costs. You are allowed reimbursement for one pump-out at the time of inspection, providing it is determined that the system is not in working order. One pump-out of a system as part of a replacement or repair is also an eligible cost. No other pump-out expenses are eligible for reimbursement. Restoration of the lawn – reseeding – is allowed. No new topsoil, shrubbery or other landscaping is an eligible expense. If you are uncertain whether a particular expense is eligible, please contact Jeffrey Osterman, Town of Bedford, Director of Planning at [josterman@bedfordny.gov](mailto:josterman@bedfordny.gov) or 914-666-4434.
2. **Project Submission:** All projects must be submitted to Jeff Osterman prior to the commencement of work for review. If the total cost of your project is estimated to exceed \$20,000, you must obtain pre-approval for your work from the Westchester County Planning Department at 914 995-4400. Kindly copy Jeffrey Osterman on your submissions at [josterman@bedfordny.gov](mailto:josterman@bedfordny.gov) or 914-666-4434.
3. **Additional Requirements:**  
**PRIOR** to the commencement of work the property owner must:
  - Contact Joe Mancini of the Westchester County Department of Health at 914-224-7656 before any repair, remediation or replacement work is performed to ensure that prior approval or inspection of such work is properly coordinated with the Department of Health.
  - Supply the following to the Town of Bedford, attention: Jeffrey Osterman, Director of Planning, 425 Cherry Street, Bedford Hills, NY 10507 or [josterman@bedfordny.gov](mailto:josterman@bedfordny.gov) :
    - The completed, signed, dated and notarized application form
    - Copy of Notice of Non-Compliance issued by the Westchester County Department of Health that the septic system was found in failure. Please contact the Mount Kisco office of the Health Department at 914-864-7330 for a copy of the Notice of Non-Compliance.
    - Photographs of the property evidencing failure of the septic system, if practicable.
    - Septic contractor's contract for the work approved by the Health Department, including itemized scope of work with corresponding cost breakdown.
    - Work on the septic system may commence once the Town of Bedford and if applicable the County of Westchester, has approved and reviewed the Septic Contractor's contract.
4. Upon **COMPLETION** of the work, supply the following to the Town of Bedford, attention: Jeffrey Osterman, Director of Planning, 425 Cherry Street, Bedford Hills, NY 10507 or [josterman@bedfordny.gov](mailto:josterman@bedfordny.gov)
  1. Evidence of full payment to the contractor.
  2. Photographs showing each stage of the work, and the completion of the project.
  3. Health Department final approval or inspection report if required.
  4. Address to which the reimbursement check is to be mailed. The Town of Bedford will issue a check for 50% of the eligible and approved repairs, remediation or replacement.



## Update on Con Edison Gas Moratorium New NYS Incentives Available

We received the notice below from New York State regarding incentives now available for those affected by the Con Edison moratorium. Con Edison provides gas service in Bedford, so I wish to share the notice with you.

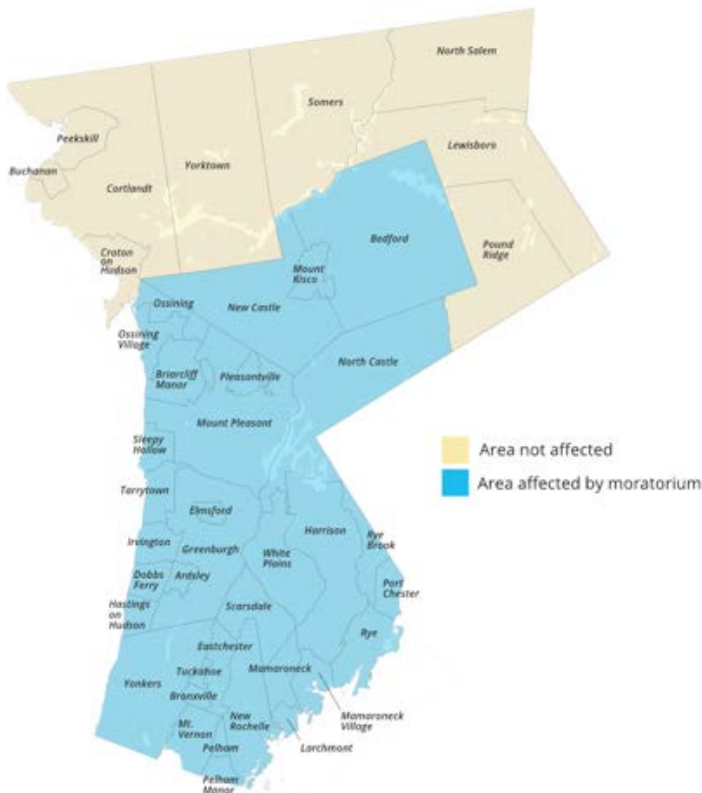
Municipalities in Westchester County affected by the Con Edison gas moratorium (in blue at left) are now eligible for increased incentives for clean energy alternatives. The New York State Energy Research and Development Authority (NYSERDA), the Department of Public Service (DPS), and the New York Power Authority (NYPA) are providing incentives and

programs through the Clean Energy Action Plan to lower energy costs for consumers, support economic development, and engage consumers through an awareness campaign.

Information is provided below on the \$250 million available to help consumers and businesses.

### Residents

- **NYSERDA:** Clean heating & cooling options and rebate information.
- **NYSERDA:** Information for residents and homeowners on how to reduce their energy costs by making their homes more efficient.
- **Con Edison:** Smart Solutions for Natural Gas includes non-pipeline solutions and alternatives for residents.
- **NYSERDA:** HeatSmart Westchester, a NYSERDA-funded campaign, is interested in working with communities on campaigns to increase clean heating and cooling for residents and small businesses. Municipalities and residents can learn more about this program by reaching out to Nina Orville at [Nina@AbundantEfficiency.com](mailto:Nina@AbundantEfficiency.com) or by calling (914) 693-6222.



### Multifamily, Commercial, & Industrial Customers

- **NYSERDA:** Clean heating & cooling options and incentive information for multifamily, commercial and industrial customers.
- **Con Edison:** Equipment incentives for multifamily buildings.
- **Con Edison:** Incentives for commercial and industrial customers.
- **NYPA:** Low-cost financing services for its customers for retrofitting of heating systems with clean energy alternatives.

### Additional Questions?

- NYSERDA's regional Community Energy Advisor is available to respond to questions from residents about non-gas heating & cooling options: Collin Adkins, Cornell Cooperative Extension Dutchess County, [cda37@cornell.edu](mailto:cda37@cornell.edu), (845) 677-8223, x113.
- Westchester County Director of Energy Conservation and Sustainability Peter McCartt is available to discuss moratorium issues at [PMcCartt@westchestergov.com](mailto:PMcCartt@westchestergov.com)

Visit the [Clean Energy Action Plan](#) for more information.

## Update on Work of the Traffic Safety Work Group

The Town Board established the Traffic Safety Work Group in 2014 to promote and encourage street and highway traffic safety. The TSWG is comprised of the residents of the community appointed by the Town Board, the Director of Planning, the Public Works Commissioner and the Police Chief or his designee. The TSWG meetings bimonthly and its meetings are open to the public. Please see the Town's website at [Traffic Safety Working Group](#) for additional information.

### **My thanks to Sergeant Patricia McGraw of the Bedford Police Department for participating in the April 15 meeting of the TSWG and for preparing the following meeting minutes:**

**Attendance:** Chris Burdick – Town Supervisor, Jeff Osterman – Planning Board, Kevin Winn – Highway Dept., Patricia McGraw – Police Dept., Drew Marchiano, Michael Weisburger

#### **Speed Boards:**

We presently have 8 speed boards around town. Two of these boards (Cherry St/Park Ave and Pound Ridge Rd/Seminary Rd) are permanent (hard wired). Two more (Cherry St/Reyburn Rd and Bedford Center Rd/Succabone Rd) will be made permanent in the near future. The remaining four boards will be rotated around town. Data collection of speeds from the boards continues to show the effectiveness of decreased speed even with the board being up for a long time frame.

#### **Speed Studies:**

Eight studies have been conducted year to date.

#### **Safety Equipment:**

- Two additional radar units for patrol cars for enforcement have been ordered.
- One additional radar recorder (for speed studies) has been purchased.
- Two additional speed boards were purchased earlier this year making the total number of speed boards eight.

#### **Consideration for Speed Humps on Babbitt Rd:**

Babbitt Rd has many adult and children pedestrians due to having an elementary school on it and close proximity to the train station and bus stop. The group is evaluating speed calming options. At this time, the speed board on Babbitt Rd (30 mph zone) has decreased speeds of drivers. The 85th percentile prior to the speed board was 35mph for both lanes. Post speed board, the 85th percentile is 27 mph for southbound lane (facing the board) and 31 mph for northbound lane. The police department will keep this board at this location and will continue to monitor the data over time. At this time, there is no immediate plan for implementing speed humps due to the effectiveness of the speed board.

#### **Rt 117 and Green Lane/Con Edison gas line project/Village of Mt Kisco water line project/117 town border line:**

The roadway at Rt 117 and Green Lane was paved by Village of Mt. Kisco. The water main work is almost complete and curbing repairs are to be done by mid-May. In addition, Con Edison will be doing curb to curb paving and roadwork. The Bedford Planning Department and Village of Mt Kisco Planning Department are set to have a meeting to discuss the intersection at Rt 117 (on the border) near Foxwood Circle. The intersection will be modified to make entrances directly opposite each other.

#### **Bedford Hills Fire Department crossing concerns:**

A pedestrian was recently hit (not seriously injured) while crossing near the fire department. The traffic safety work group has been evaluating this area and ways to improve upon safety. One change that has already been made was to eliminate two parking spots opposite the fire department. Future steps included striping the entire area in front of the fire department, adding LED blinking lights when there is a fire call, adding flashing lights to the existing stop sign (off of northbound Rt 117 into Depot Pl) and putting in a rapid rectangular flashing beacon in the cross walk which can be activated by pedestrians.

#### **Village Green (Rt 22):**

Some concerns have been raised about the safety/visibility of making a left turn off of southbound Rt 22 onto Village Green. Different plans in changing the road configurations have been considered. However, it is likely that changing the road configuration may cause traffic back-up issues due to the high volume of traffic. Presently the visibility at this left turn does meet traffic code. This is a state road and any suggestions would have to be made to the state department of transportation. We are looking into accident history and will do a radar recorder speed study in the area as well to obtain further data.

In addition, we are considering adding a rapid rectangular flashing beacon and LED lighting in the present crosswalk near the theater to enhance pedestrian safety. Pedestrians are strongly encouraged to use the crosswalks. There is one near the theater and the post office.

#### **Other Concerns:**

One member brought up the issue of vehicles making U turns in the area of the Bedford Village Fire Department causing safety concerns. The police department will monitor this concern.

#### **Vacancy on the Traffic Safety Work Group:**

There is presently a vacancy on the Traffic Safety Work Group. Please contact the Supervisor's office if interested at [supervisor@bedfordny.gov](mailto:supervisor@bedfordny.gov) with a resume and cover letter/e-mail.

## Comptroller's Report

Town Comptroller Abraham Zambrano issued the February 2019 Finance Department Report to the Town Board on April 23rd as follows:

### EXPENDITURES

General and Highway Funds. The overall year-to-date expenditure percentage for the General and Highway funds are on target of the first quarter of the year and with prior year's trends. At this point, the overall expenditure percentage for the General Fund is consistent with the first quarter at 23.4% of the total yearly budget, while the Highway Funds is at 32.2%; which is reflective of the expenses relate to snow removal.

### REVENUE AREAS OF NOTE

#### Mortgage Tax

Based on information obtained from the Westchester County Clerk's office through March 31, 2019, we have been able to project that the first installment of the Mortgage Recording tax due in April will be in the \$451,035. Projections for the rest of the year indicate are indicating that we will end the year slightly below the budgeted amount. However, we are anticipating that the spring months will bring movement in the real estate market.

#### Sales Tax

At the time of this report, the Westchester County Department of Finance had not released the sales tax figures for the month of March. However, we are in receipt of the amounts due to the Town for the months of January and February; this data had not been released on time to be included in the February report presented to the Town Board. Based on projections derived from the first two month's activity and historical trends, we are projecting being able to exceed the amount budgeted for 2019 by at least \$250,000.

#### Parking

Parking revenues recorded for the first quarter of the year is 21% greater than for the same period in 2018. We attribute the increase to the continuous evaluation of lot usage that has allowed the staff to continue selling commuter parking permits to our residents on the wait list. At this point, we are projecting to exceed the amounts budgeted for 2019 by over \$100,000. We are currently working with ParkMobile preparing renewal email notifications that will be sent to all current permit holders.

#### Fines and Forfeited Bail

The collection of fines imposed by the Justice Court are recorded a month in arrears due to the timing of the processing by the NYS Office of Court Administration. Fines collected the first two months of the year are still indicating that projected revenues will exceed budget.

#### Safety Inspections

Safety Inspections fees for the first quarter of the year demonstrate a surge of activity in the Building Department. The amounts collected thus far this year, are 46% higher than in 2018. If this trend continues, projected revenues will exceed \$300,000 for the year.



**Spring/Summer Brochure  
Sign up now!**  
For the full brochure please  
[click here](#)

Lisbeth Timagalli Town Clerk,  
Town of Boston



## Prior Posts Of Continued Relevance (cont.)

# Update: The Sewer Project/ Present Project & Looking Ahead to Phase II

**The Town is proceeding well on the first phase of providing sewers, which we refer to as Phase I.** Phase I will provide sewers to the neighborhood business districts of Bedford Hills and Katonah and to Katonah Elementary School, property of St. Mary's Church and to Bedford Park Apartments (these are known as the original upgrade sites). Our engineers, Woodard & Curran, are on schedule for completing the design and construction plans this summer.

In conjunction with its design work, Woodard & Curran, also has reviewed and updated the estimated project costs set forth in the Map, Plan and Report and found that such costs remain within the projected budget.

Please also refer to the "Sewer District Annual Report 2018" in the Town's 2018 [Annual Report](#) which provides background on the creation and scope of the sewer district, the Town's planned operation of the wastewater treatment plant (WWTP) of the Department of Corrections and Community Supervision (DOCCS) and other aspects of the project.

The launch of the Phase I hinges on the "registration" within New York City of an Intergovernmental Agreement (IGA) between the Town and the City. The process entails acceptance of the document by the New York City Council and we do not anticipate any problem in its ultimate approval or registration. The IGA is the source of \$13 million in funding for the project, so it's essential that it be in place before we bid out the \$21 million construction project.

The registration process began in June of 2018. It's a long process. At one point we thought it might be completed in January 2019 and we'd be going out to be in February 2019, but it has taken longer and likely will not be completed until late spring/early summer.

Following registration of the IGA, we would go out to bid, however the summer is the peak season for construction work and so doesn't place us in an ideal competitive environment. We also do not want to disrupt the business districts with construction in November or December.

**As such, the anticipated project schedule now is as follows:**

- **Complete design, regulatory approval, and IGA - August 2019**
- **Receive bids for Construction Work - November 2019**
- **Start Construction - Spring 2020**
- **Complete Construction - Fall 2021**

**So a few words about Phase II. Why would we consider the next phase of the sewer project if we haven't started Phase I?**

When we went out to the community to explain Phase I, we pledged that it was just the first step in providing sewers for all of the areas of Bedford Hills and Katonah which need them. We know too well that the process for building a sewer system is long and arduous. It is years between the initial planning through to the system being operational for the property owners. As such, in the Fall of 2018 the Town Board decided we should get started on the next phase.

We commissioned Woodard & Curran to prepare a [Preliminary Engineering Report](#) which centers on Bedford Lake Apartments/Lakeside at Bedford off of Haines Road. This property is the last of the DEP upgrade sites – one which DEP has slated for a new wastewater treatment plant. We have initiated discussions with DEP that rather than DEP proceeding with building a new plant, the Town would replace it with the "alternative upgrade" comprised of connecting the property to the sewer system. This is precisely the approach embodied in Phase I with an alternative upgrade of the three original upgrade sites mentioned above. DEP was receptive to the concept and discussions are ongoing, which is the cornerstone of any Phase II as it is the primary source of funding.

While the alternative upgrade for Bedford Lake Apartments/Lakeside at Bedford would be a benefit for the property owners, DEP and the Town, we wish to do more under Phase II.

**We need to identify areas which meet a number of criteria:**

- Houses on smaller lots with cesspools or septic systems prone to failure.
- Commercial properties with septic systems prone to failure.
- Proximity to existing sewer lines and otherwise cost effective for connecting to the Phase I system.
- A successful referendum among the property owners; i.e., property owners which are willing to pay the costs of connecting to the sewer main and would support the sewer rents likely to be charged.

To help identify the area or areas, we are sending a straw poll to property owners of areas which meet the criteria mentioned above. This week, we are sending a straw poll to the denser areas of Katonah not included in Phase I.

If the survey results are positive, then we'll consider other areas in Bedford Hills and Katonah.



## Prior Posts Of Continued Relevance (cont.)

### Town's Triple A Bond Rating Reaffirmed

I am pleased to report that late last week S&P Global Ratings reaffirmed the [Town of Bedford's AAA bond rating](#), which is the highest rating available. Fewer than 3% of municipalities in the Nation have the benefit of this highest rating. The rating was issued in connection with the Town's upcoming bond issuance in connection with the 2018 to 2019 portion of the Town's ten year Capital Plan for years 2018 through 2027 which the Town Board adopted in December of 2017. Capital Plan which the Town Board adopted in December. The triple A rating is important to the credit markets and therefore has a direct impact on the interest rate which the Town pays on its bonds.

With the highest rating, our interest costs are tens of thousands of dollars less than those municipalities with lower ratings.

My thanks go to Comptroller Abraham Zambrano, our Departments and my colleagues on the Town Board in following fiscally prudent and conservative budgetary principles and management of the Town's finances.

### Restoration of Route 117

We are pressing Con Edison to start as early as possible in the Spring to restore the chewed up surface of Route 117 following their natural gas line replacement project. While the project surely was needed, restoration of the road with a curb to curb re-surfacing is overdue.

We have been working both with the Village of Mount Kisco as well as NYS Department of Transportation since Route 117 is a state road – to get this work done just as soon as possible.

As to the restoration of Green Lane, which is a Town of Bedford road, the Village Manager of Mount Kisco confirmed that they have instructed the contractor to undertake the project as soon as the asphalt plant opens in March.

### 2019 Shredder Availability Expanded

As mentioned in this space, the Town Board included additional funding in the 2019 Town budget to enable the Public Works Department to increase shredder events from quarterly to monthly.

**The next one is THIS SATURDAY, MAY 4, from 9:00am until 12:00 NOON**

Crusher Road highway yard • 1 Crusher Road Bedford Village 10506

**Here's the complete 2019 schedule:**

Saturdays 1/5, 2/2, 4/6, 6/1, 7/6, 8/3, 10/5, 11/2, 12/7

Town Recycling Center • 343 Railroad Avenue, Bedford Hills 10507  
11:00am to 2:00pm

**Thursday 9/5**

Town Recycling Center • 343 Railroad Avenue, Bedford Hills 10507  
1:00pm to 2:00pm.

For a printable version: [Expanded 2019 Shredder Event Dates](#)

## Prior Posts of Continued Relevance (cont.)

### \$1 Million NYS Grant for Sewer Project

We are very grateful for a grant award of \$1 million toward our sewer project. Governor Cuomo announced the award on December 18 under the Department of Environmental Conservation's Water Quality Improvement Program. The project is described in the award: "The Town of Bedford will construct a sewage collection system consisting of six miles of sewer main and three sewage pump stations. This project will reduce the amount of nutrients entering the Upper New Croton Reservoir, a drinking water supply for New York City." Please see below for an update on the sewer project.

#### The Supervisors March Report click to read



**MARCH 2019**  
**Supervisor Chris Burdick's February Report**  
April 2, 2019

**Reusable Bag Law Now in Effect**

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Photo credits: <http://bedfordnewshouse.com/> • Phyllis Pacheco Cohen • Cheryl Ann Suttler

#### The Supervisors' Show - March Edition

Noise Law Amendment

Objectives of the  
Wireless Facilities Working Group  
Bedford Riding Lanes Association



## Prior Posts of Continued Relevance

### Update on Cell Towers and Wireless Communications – Moving Ahead in 2019

*As we move into 2019, the Town Board will be evaluating the wireless communication needs of the Police Department as well as those of the Fire Departments and the Katonah Bedford Hills Volunteer Ambulance Corps. We also wish to consider the public safety needs of the general public in light of deficiencies in wireless service in certain areas of town.*

*We will not do this in vacuum, but rather in concert with the public safety agencies as well as Westchester County which historically has been at the center of addressing wireless communication needs for the County and municipalities.*

*The County is recipient of federal funds which in part finance projects to address such needs. In particular the County is in the process of implementing a major upgrade to the County's communications system which will include public safety agencies throughout the County (including those in the Town of Bedford).*

We also need to consider the overlay of federal law. We need to recognize that the Federal Communications Act and orders of the Federal Communications Commission largely pre-empt municipalities in decisions regarding the siting of cell towers as well as other wireless facilities. What this means is that municipalities are left with a sliver of authority. We need to consider how best to exercise it.

It is apparent that we have both a challenge and an opportunity. A challenge in light of the existing and anticipated applications of wireless carriers, such as AT&T, Sprint, T-Mobile and Verizon, and tower developers serving the carriers to site cell towers within the town to advance their quest for 5G service.

An opportunity to the extent that we can identify locations, such as existing tower sites and municipal property, that may have the least impact on residential communities. With the carriers and tower developers knocking on the door of our towns, it is apparent that we might at least attempt to accomplish the following:

1. Before the edicts of the Federal Communications Act and Federal Communications Commission's orders

overtake us, let's see whether we can find common ground (literally and figuratively) with the carriers/developers on sites which work for them and work for us or at least have less adverse impact than if they were to go about selecting such sites on their own.

2. If we can find common ground with carriers/developers, it is possible that the cost of new facilities (towers/antennae) will be borne by them in whole or in part while also providing revenue sources.
3. Partner with the County to combine all wireless telecommunications needs on existing and prospective towers:
  - a. Emergency services, as needed:  
State, County police, fire, ambulance.
  - b. Cell service as proposed by carriers/developers – let's recognize that this is a public safety need for us and not simply revenue source for them
4. NYS, County and our towns potentially may benefit by averting protracted and expensive battles with carriers/developers; providing needed cell service for our communities; having a modicum of control over the sites and perhaps avoiding siting forced upon us in residential neighborhoods; reducing expense to the County, municipalities and public safety agencies.

This will not be easy, but we believe it is preferable to be pro-active in addressing these issues than reactive. As to the former, we have a better chance of having at least a modicum of control as well as the possibility of funding sources to finance wireless equipment for our public safety agencies as well as providing improved wireless service for the community, which itself is a public safety matter and not simply a matter of convenience.

I expect the process will be frustrating, time-consuming and difficult. It also at least at times, will be politically difficult because inevitably there will be some unavoidable adverse impacts.

I do, however, strongly feel it is worth a try.



## Prior Posts of Continued Relevance

### **The Police Station Solar-Topped Carports**

The plans for the Police Station had long included carports to extend the life of police vehicles and reduce police officer time in making them ready for operation in inclement weather. We initially reasonably believed the carports would be financed through third party solar developers. Due to a change in tax and state incentive programs through the Public Service Commission, the financial viability for such projects in NYSEG service area disappeared. As a result, the Town is moving ahead with the carports at a cost of \$302,436. The carports will have solar panels as roofs. If the Town had elected to proceed with carports without solar panels, the cost would have been approximately \$250,000 or about \$52,000 less. It should be noted, however, that the Town will receive a credit estimated at \$18,067.50 from NYSERDA reducing the difference to about \$34,400. It is estimated that the solar panels will generate over 60% of the electricity needs of the station.

### **Update - Possible Cell Tower at Town Property at 425 Cherry Street**

As I mentioned previously, Homeland Towers, a company which builds towers for wireless providers, including Verizon, has indicated an interest in placing a tower at the Town's property at 425 Cherry Street to enhance wireless communications in the area. We have discussed with Homeland the possibility of providing police communication and other emergency communication equipment on top of the tower to replace aging equipment located on the Police Department's antenna atop the police station would be a significant benefit to the Town and the community.

Another potential site to erect a cell tower is on property owned by Petre Glass & Mirror on Haines Road (past Dunkin Donuts). However, only one of these locations will be necessary to address the providers' concerns. The Planning Board will review the application for the Petre Glass site and the Town Board will review the alternate siting at 425 Cherry Street. We will ask Homeland to provide balloon tests for both sites. We will notify the community when these tests are going to be performed.

## Prior Posts of Continued Relevance

### Tree Inventory of Town Trees

Thanks to the work of the Conservation Board, with the endorsement of the Tree Advisory Board, the Town earlier this year was awarded a grant from the NYS Department of Environmental Conservation Urban Forestry Grant for performing an inventory of trees and management plan in the Town three parks, other Town properties and its right of way along the streets.

Trees are an important component of parks in the Town. They offer shade for people walking/hiking or even watching a sporting event. They create habitat for local wildlife and are an important component of the wildlife corridors that the Town encourages as part of its comprehensive plan. Developing an inventory, assessing tree health and developing a management plan will provide the Town with the information it needs to improve the quality and diversity of its forest resources.

Trees beautify the streetscape, increase property values and also serve as an environmental resource by filtering storm water, purifying the air and sequestering carbon, reducing the heat index, and serving as a windbreak.

The Town needs an understanding of the location and types of trees and the health of those trees along its cul-de-sacs. A management plan that includes the Town's street trees will allow the Town to budget for their care, as well as for future plantings.

This inventory will provide a baseline of the number, location, health, and type of trees on public property and in the Town's rights-of-way.

This inventory will then be the basis for a community forest plan that will guide the Town, the Conservation Board, the Tree Advisory Board and its volunteers in the management of the community forest over a seven year period.

The inventory is expected to take through to the end of October and a final tally of the trees will be presented to the Town board once the inventory is complete.

The Town awarded the contract for carrying out the tree inventory to the low bidder Davey Resource Group.

February 2019

**Supervisor Chris Burdick's February Report**

February 28, 2019

As we're about to turn the calendar to March, our thoughts also turn to Spring – not far away notwithstanding the cold and wintry mix forecast for this weekend. Spring is a busy season for the community and here at the Town as well. Among other things, our Highway Department will be updating its condition assessment of the Town's 97 miles of paved roads in preparation for making recommendations to the Town Board on this year's paving projects.

Our Recreation & Parks Department will be preparing for summer registrations and the grounds crew readying the parks for the summer season.

We're also moving ahead with New York City Department of Environmental Protection so that this Summer/early Fall we can start construction on the sewer system. I'll do my best to keep you posted on developments.

COMING SOON: 2018 TOWN OF BEDFORD ANNUAL REPORT

Town Hall with  
County Executive George Latimer  
and County Legislator Kitley Covill

**Saturday, March 2 at 10:00 AM**

Bedford Hills Train Station  
46 Depot Plaza  
Bedford Hills, NY 10507

Photo credits: <http://bedfordhistoricalsociety.org/> • <http://bedfordloveshorses.com/> • Phyllis Pacifico-Cohen • Daryl Ann Sudlow

## Prior Posts of Continued Relevance

**I-684**

It's been a long haul trying to persuade New York State to pave the concrete portion of I-684 that runs through Bedford (the same original surface from the late 1960s). You may remember that in early 2014 shortly after coming into office, I started working with Assembly David Buchwald and then State Senator George Latimer to urge the re-paving of the portion of I-684 which runs through Bedford. We also worked with Congressman Sean Patrick Maloney, a member of the Transportation and Infrastructure Committee, to press for funds from Washington, since 80% to 90% of the funds to repair our State's highways comes from the federal government.

Thanks principally to the efforts of Assemblyman Buchwald a portion of the Bedford section was paved (the southerly portion up to Harris Road). But the portion from Harris Road through a bit north of Exit 6 is in terrible condition. One of our residents who is an engineer and works on major road projects described it in an e-mail earlier this week: "Spring has arrived!! Please take the time to drive northbound and southbound on I-684, including the exit ramps.

The pavement deterioration has become very severe in some areas due to the harsh winters. You may see large chunks of concrete in the shoulders that have broken free from the mainline pavement. Perhaps the board can urge the NYSDOT Highway Department to have maintenance crews fill the pot holes in the Katonah corridor as a priority."

**Your voice matters, so please contact our elected representatives to urge action to fix the unsafe road:**

**Governor Cuomo:** <https://www.governor.ny.gov/contact>; also try 1-518-474-8390

DOT Albany office: 518-457-6195

DOT Region 8 Acting Regional Director Lance MacMillan: 845-431-5750

If you send an e-mail, please consider copying me and our legislators:

**State Assemblyman David Buchwald:** [buchwaldd@assembly.state.ny.us](mailto:buchwaldd@assembly.state.ny.us), 914-244-4450

**State Senator Shelley Mayer:** [smayer@nysenate.gov](mailto:smayer@nysenate.gov), 518-455-2031

*I welcome suggestions and comments to my monthly reports,  
my weekly newsletter and my news to the community.*

Best regards,



Chris