

Bedford Hills, New York
February 1, 2022

The first meeting of the Town Board of the Town of Bedford for the month of February was held on February 1, 2022 via videoconferencing and in person beginning at 6:00pm.

Present: Ellen Calves : Supervisor
Bobbi Bittker : Councilperson
Stephanie McCaine : Councilperson
Andres Castillo : Councilperson

Lisbeth Fumagalli : Town Clerk
Eric Gordon : Town Attorney
Abraham Zambrano : Comptroller

There were thirty-five (35) residents/observers in person and via Zoom videoconference.

At 6:00pm the Town Board conducted a work session on amending Chapter 77 of the Code of the Town of Bedford concerning Leaf Blowers and Chapter 83 of the Code of the Town of Bedford concerning Noise.

6:55pm Executive Session

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLVED that the Town Board shall go into executive session to obtain legal advice.

PRESENTATION

Blue Mountain Housing with an affordable housing development opportunity.

John Sullivan and John Goodrich gave a presentation on an affordable housing opportunity at 12 McLain Street in the Town of Bedford for the Blue Mountain Housing Development/Bedford Town Housing Agency. It was noted that the zoning for this parcel would need to be changed in order to proceed with the project.

CONSENT AGENDA

On a motion by Mrs. McCaine, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

1. Approval of Abstract of Claims and paid prior in the amount of \$190,783.85 (2021) And \$91,792.38 (2022)

RESOLVED, that the following claims for 2021 be allowed for payment from their respective funds,

| | | |
|-----------------------------|----|------------------|
| | | 2021 |
| General Fund | \$ | 87,177.25 |
| Highway Fund | | 37,587.83 |
| Consolidated Water District | | 13,752.70 |
| Farms Water District | | 300.00 |
| Special Districts: | | |
| Bedford Hills Memorial Park | | 225.00 |
| Sewer District | | 35,373.27 |
| Capital Projects | | <u>16,367.80</u> |
| | \$ | 190,783.85 |

RESOLVED, that the following claims for 2022 be allowed for payment from their respective funds,

| | 2022 |
|-----------------------------|---------------|
| General Fund | \$ 28,172.58 |
| Highway Fund | 61,063.77 |
| Consolidated Water District | 5.99 |
| Sewer District | 1,625.00 |
| Capital Projects | <u>925.04</u> |
| | \$ 91,792.38 |

2. Request by Department of Works Commissioner Kevin Winn to approve the purchase of a Caterpillar 308-07A Excavator for \$121,775 from 2021 Capital Funds.

RESOLVED that the Town Board does hereby approve the purchase of a Caterpillar 308-07A Excavator for \$121,775 from 2021 Capital Funds, from H.O. Penn, from a Sourcewell contract(national public service agency which provides competitive bids which municipalities can purchase from under New York General Municipal Law § 103) as per the memorandum dated January 25, 2022 from Kevin Winn, Commissioner of Public Works.

3. Request to extend the January 1, 2022 Retainer Agreement with Keane & Beane for legal services through February 28, 2022.

RESOLVED that the Town Board does hereby approve the extension of the January 1, 2022 Retainer Agreement with Keane & Beane for legal services through February 28, 2022, as per the memorandum dated January 26, 2022 from Ellen Calves, Supervisor.

4. Request to approve the use of parking lots for a Bedford 2030 Earth Day Celebration on Sunday, April 24, 2022 at the Bedford Hills Train Station from 12:00pm to 4:00pm.

RESOLVED that the Town Board does hereby approve the use of parking lots for a Bedford 2030 Earth Day Celebration on Sunday, April 24, 2022 at the Bedford Hills Train Station from 12:00pm to 4:00pm.

5. Request to approve co-sponsorship in the amount of \$710.40 for the Bedford 2030 Earth Day celebration.

RESOLVED that the Town Board does hereby approve the co-sponsorship in the amount of \$710.40 for the Bedford 2030 Earth Day celebration, with the Town to contribute 100% of the overtime cost as it is less than \$1,000.00 as per the memorandum dated January 28, 2022 from Abraham Zambrano, Comptroller.

6. Request from Personnel Director Tanya Orr to approve Rosemary Vorel to full-time Senior Advocate at an annual salary of \$63,643.00 per the approved 2022 budget.

RESOLVED that the Town Board does hereby approve the appointment of Rosemary Vorel to full-time Senior Advocate at an annual salary of \$63,643.00 per the approved 2022 budget, effective February 2, 2022 as per the memorandum dated January 24, 2022 from Christopher Soi, Superintendent of Recreation and Parks and memorandum dated January 26, 2022 from Tanya Orr, Director of Personnel.

7. Request from Building Inspector Alberto Ciraco to approval Preventative Maintenance Agreement with Atlantic Westchester for the Bedford Hills Community House.

RESOLVED that the Town Board does hereby approve the Preventative Maintenance Agreement with Atlantic Westchester for the Bedford Hills Community House for a two (2) year period commencing February 1, 2022 at a cost of \$9,500.00 per year.

8. Request from Building Inspector Alberto Ciraco to approve the renewal of Service Agreement with Atlantic Westchester for the HVAC Maintenance at the Bedford Hills Train Station.

RESOLVED that the Town Board does hereby approve the renewal of the Service Agreement with Atlantic Westchester for the HVAC Maintenance at the Bedford Hills Train Station for a two (2) year period commencing January 1, 2022 at a cost of \$3,400.00 per year.

9. Request to appoint John Goodrich and the Reverend Kymberly E. McNair to the Police Community Group.

RESOLVED that the Town Board does hereby appoint John Goodrich and the Reverend Kymberly E. McNair to the Police Community Group.

10. Request to appoint the following people to the Building Health and Performance Group: Kevin Brenner, Andres Castillo, Andrew Chintz, Frank Green, Rosemarie Noonan, Mariah Okrongly, Bill O’Neill, Lee Sauerhoff and Mark Thielking.

RESOLVED that the Town Board does hereby appoint the following people to the Building Health and Performance Group: Kevin Brenner, Andres Castillo, Andrew Chintz, Frank Green, Rosemarie Noonan, Mariah Okrongly, Bill O’Neill, Lee Sauerhoff and Mark Thielking.

11. Request to appoint Meesha Chang and Mindy Yanish to the Inclusion, Diversity and Equity Advisory Committee (IDEA).

RESOLVED that the Town Board does hereby appoint Meesha Chang and Mindy Yanish to the Inclusion, Diversity and Equity Advisory Committee (IDEA).

12. Request to re-appoint David Beckett to the Conservation Board for a two (2) year term beginning January 20, 2022 through January 20, 2024.

RESOLVED that the Town Board does hereby re-appoint David Beckett to the Conservation Board for a two (2) year term beginning January 20, 2022 through January 20, 2024.

13. Request to re-appoint Amy Dickan to the Blue Mountain Housing Development Corporation for a three (3) year term, beginning February 1, 2022 through February 1, 2025.

RESOLVED that the Town Board does hereby re-appoint Amy Dickan to the Blue Mountain Housing Development Corporation for a three (3) year term, beginning February 1, 2022 through February 1, 2025.

14. Request to re-appoint Andrew Messinger to the Wetlands Control Commission for a three (3) year term to begin January 20, 2022 through January 20, 2025.

RESOLVED that the Town Board does hereby re-appoint Andrew Messinger to the Wetlands Control Commission for a three (3) year term to begin January 20, 2022 through January 20, 2025.

NEW BUSINESS

1. Consider appointment to fill Town Board vacancy.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLVED that the Town Board does hereby appoint Thomas Catoliato to the vacancy on the Town Board created by the election of Mrs. Calves to the position of Supervisor, said term to run until December 31, 2022.

2. Schedule a public hearing for Park District Improvements – Bedford Hills Park District - \$146,500.00; Katonah Park District - \$78,500.00; Bedford Village Park District - \$125,000.00.

On a motion by Mrs. Calves, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
 Nays: None
 Absent: None

| | |
|--|---|
| <p style="text-align: center;">In the Matter of The Increase and Improvement of the Facilities of Town of Bedford Park Districts, in the Town of Bedford, Westchester County, New York</p> | <p>ORDER CALLING PUBLIC HEARING</p> |
|--|---|

WHEREAS, the Town Board of the Town of Bedford, Westchester County, New York, has caused to be prepared map, plan and reports, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of certain park districts, in the Town of Bedford, Westchester County, New York as follows:

- a) Bedford Hills Park District: Basketball Court, Tennis Courts and Pickle Ball Court Rehabilitation and Installation (\$78,000) and District share of maintenance equipment and vehicles (\$68,500) - \$146,500;
- b) Katonah Park District: Wooded Area Management (\$10,000); District share of maintenance equipment and vehicles (\$68,500) - \$78,500; and
- c) Bedford Village Park District: Softball Field and Tennis Court Improvements (\$57,000); and District share of maintenance equipment and vehicles (\$68,500) - \$125,500

in each case, including incidental improvements and expenses in connection therewith.

WHEREAS, said capital projects have been determined to be “Type II Actions” pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, as such will not result in any significant adverse environmental impact and the documentation relating to SEQRA compliance is available in the office of the Town Clerk for inspection during normal office hours; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of each of said park districts, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, 321 Bedford Road, in Bedford Hills, New York, in said Town, on February 15, 2022, at 7:00 o’clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of each of the Bedford Hills Park District, the Katonah Park District, and the Bedford Village Park District, in the Town of Bedford, Westchester County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and

posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

3. State Environmental Quality Review (SEQR) Environmental Compliance Resolution – 2022.

On a motion by Mrs. Bittker, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLVED that the Town Board does hereby issue a Negative Declaration under the State Environmental Quality Review Act (SEQRA) for issuance of bonds for 2022 Capital Improvement Projects, pursuant to the regulations promulgated under the State Environmental Quality Review Act (SEQRA) as the improvements will not result in any significant adverse environmental effects as per the Short Environmental Assessment Form, prepared by Jessica Youngblood, Director of Planning, dated January 26, 2022.

4. Approve Bond resolutions as follows:
 - a. 5- year aggregate Bond of \$895,000 for the following projects: Preservation of Town historic documents; purchase and installation of computer hardware and software for various departments, Building Department vehicle replacement, Municipality software replacement, rug replacement in Town owned buildings, purchase of a large scanner-copier, purchase of Police traffic control equipment, purchase of Police cars, preliminary planning for Crusher Road highway upgrade, tree replacement program.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN AGGREGATE \$895,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PROJECTS, IN AND FOR SAID TOWN.

WHEREAS, the capital projects hereinafter described, as proposed, have been determined to be Type II Actions pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital projects, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. The following are hereby authorized in and for the Town of Bedford, Westchester County, New York:

- a) Town historic documents preservation, including incidental expenses in connection therewith, at a maximum estimated cost of \$70,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law;
- b) Purchase and installation of computer hardware and software for various departments, including incidental expenses in connection therewith, at a maximum estimated cost of \$175,000, being a class of objects or purposes having a period of

probable usefulness of five years, pursuant to subdivision 89, based upon subdivisions 53(a), 81 and 108, each of paragraph a of Section 11.00 of the Local Finance Law;

- c) Building Department vehicle replacement, including incidental expenses in connection therewith, at a maximum estimated cost of \$35,000, being a specific object or purpose having a period of probable usefulness of three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law;
- d) MuniCity software replacement, including incidental expenses in connection therewith, at a maximum estimated cost of \$100,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 108 of paragraph a of Section 11.00 of the Local Finance Law;
- e) Rug replacement at Town-owned buildings, including incidental expenses in connection therewith, at a maximum estimated cost of \$125,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
- f) Purchase of a large scanner-copier, including incidental expenses in connection therewith, at a maximum estimated cost of \$30,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
- g) Purchase of police traffic control equipment, including incidental expenses in connection therewith, at a maximum estimated cost of \$65,000, being a class of objects or purposes having a period of probable usefulness of five years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
- h) Purchase of police cars to replace those in service for at least one year, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$130,000, being a class of objects or purposes having a period of probable usefulness of three years, pursuant to subdivision 77(1st) of paragraph a of Section 11.00 of the Local Finance Law;
- i) Preliminary planning for Crusher Road highway yard upgrade, including incidental expenses in connection therewith, at a maximum estimated cost of \$100,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 62(2nd) of paragraph a of Section 11.00 of the Local Finance Law; and
- j) Tree replacement program, including incidental expenses in connection therewith, at a maximum estimated cost of \$65,000, being a specific object or purpose having a period of probable usefulness of five years, pursuant to subdivision 57 of paragraph a of Section 11.00 of the Local Finance Law.

It is hereby determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 2. The aggregate maximum estimated cost of the aforesaid objects or purposes is hereby determined to be \$895,000, and the plan for the financing thereof is by the issuance of \$895,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, to be allocated in accordance with the maximum estimated costs of each set forth in Section 1 hereof.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 4. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be

made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

- b. 10 year Bond of \$350,000 for Buxton Road sidewalk and drainage improvements.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$350,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF BUXTON ROAD SIDEWALK AND DRAINAGE IMPROVEMENTS, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. Sidewalk and drainage improvements on Buxton Road, including incidental improvements and expenses in connection therewith, in and for the Town of Bedford, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$350,000.

Section 2. It is hereby determined that the plan of financing of said specific object or purpose is by the issuance of \$350,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the

bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

- c. 10 year Bond of \$300,000 for Hamlet center sidewalk and curb replacement.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$300,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF SIDEWALK AND CURB REPLACEMENT IN THE HAMLETS OF BEDFORD HILLS AND KATONAH, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review

Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. Sidewalk and curb replacement in the Hamlets of Bedford Hills and Katonah, including incidental improvements and expenses in connection therewith, in and for the Town of Bedford, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$300,000.

Section 2. It is hereby determined that the plan of financing of said specific object or purpose is by the issuance of \$300,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

d. 10 year Bond of \$65,000 for Traffic Safety Improvements.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$65,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF TRAFFIC SAFETY IMPROVEMENTS, THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. Traffic safety improvements, including incidental expenses in connection therewith, throughout and in and for the Town of Bedford, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$65,000.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of \$65,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said

Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

- e. 15 year Bond of \$20,000 for Improvements to Town Cemeteries.

On a motion by Mrs. Calves, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo

Nays: None

Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$20,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF IMPROVEMENTS TO TOWN CEMETERIES, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. Improvements to Town cemeteries, in and for the Town of Bedford, Westchester County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$20,000.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of \$20,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

- f. 15 year Bond of \$496,000 for the purchase of Heavy Duty Trucks, Vehicles and Equipment.

On a motion by Mrs. Calves, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$496,900 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY PART OF THE COST OF PURCHASE OF HEAVY DUTY TRUCKS, VEHICLES AND EQUIPMENT FOR CONSTRUCTION AND MAINTENANCE PURPOSES, FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. The purchase of heavy duty trucks, vehicles and equipment for construction and maintenance purposes, each item of which costs \$30,000 or more, including incidental equipment and expenses in connection therewith, in and for the Town of Bedford, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$496,900.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of \$496,900 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

- g. 15 year Bond of \$650,000 for road reconstruction.

On a motion by Mrs. Calves, seconded by Mr. Castillo, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo

Nays: None

Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$650,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS ROADS LOCATED THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. The reconstruction and/or resurfacing of various roads located throughout and in and for the Town of Bedford, Westchester County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, traffic safety improvements, as well as other incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$650,000.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of \$650,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and

payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

- h. 30 year Bond of Aggregate \$1,100,000 for the purchase of a parcel of land/construction of a parking lot thereon.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo

Nays: None

Absent: None

BOND RESOLUTION DATED FEBRUARY 1, 2022.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN AGGREGATE \$1,100,000 BONDS OF THE TOWN OF BEDFORD, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF A PARCEL OF LAND AND CONSTRUCTION OF A PARKING LOT THEREON, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Bedford, Westchester County, New York, as follows:

Section 1. The purchase of a parcel of land located on Court Road and construction of a parking lot thereon, in and for the Town of Bedford, Westchester County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,100,000.

Section 2. It is hereby determined that the plan of financing of said specific objects or purposes is by the issuance of an aggregate \$1,100,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, allocated \$200,000 to the acquisition of land and \$900,000 to the parking lot construction.

Section 3. It is hereby determined that the period of probable usefulness is thirty years as to the acquisition of a parcel of land, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law, and ten years as to the parking lot construction,

pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 6. The faith and credit of said Town of Bedford, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

5. Request to replace the current Municipality program with a Municipality 5 - “cloud based” software at the cost of \$91,600, and the funding for the upgrade to come from Capital Project 22413.

On a motion by Mrs. Calves, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the replacement of the current Municipality program with a Municipality 5 - “cloud based” software at the cost of \$91,600, and the funding for the upgrade to come from Capital Project 22413 as per the memorandum dated January 27, 2022 from Alberto Ciraco, Building Inspector.

February 1, 2022 – Regular meeting - continued

6. Schedule a work session for February 8, 2022 for Bedford 2030 on the Climate Action Plan and Clean Energy Communities Celebration.

On a motion by Mrs. Calves, seconded by Mrs. Bittker, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLVED that the Town Board does hereby set a work session on the Bedford 2030 on the Climate Action Plan and Clean Energy Communities Celebration for Tuesday, February 8, 2022 at 6:00pm to be held via videoconferencing and in person at the Town House, 321 Bedford Road, Bedford Hills, New York.

OLD BUSINESS

1. Consider approval of Option and Ground Lease Communication License Agreement with Homeland Towers, LLC – subject to permissive referendum.

On a motion by Mrs. Calves, seconded by Mrs. McCaine, the following resolution was ADOPTED.

Ayes: Calves, Bittker, McCaine, Castillo
Nays: None
Absent: None

RESOLUTION REGARDING ENTERING INTO AN OPTION AND GROUND LEASE AGREEMENT AND COMMUNICATIONS SITE LEASE WITH HOMELEAND TOWERS, LLC FOR A LARGE TELECOMMUNICATIONS FACILITY AT THE BEDFORD LAKES SEWER PLANT SITE

WHEREAS, Homeland Towers, LLC (“Homeland”) filed an application with the Town of Bedford Planning Board to erect a large cellular telecommunications facility at the Petre Glass site in Bedford Hills;

WHEREAS, according to Homeland, there were significant gaps in coverage, capacity and service in the Bedford Hills area that required a large cellular telecommunications facility to remedy;

WHEREAS, after the Petre Glass application was filed with the Planning Board, both the Planning Board and local residents expressed concerns about the proposed location. As a result, the Planning Board requested that Homeland review various other sites in the vicinity of Bedford Hills including in the Bedford Hills Park, the Town Hall parking lot, the Bedford Lakes sewer plant adjacent to Bedford Hills Park, as well as other locations in the Town;

WHEREAS, visual tests were performed at a number of these proposed locations and after numerous public discussions by the Planning Board with Homeland and various neighborhood groups, the Planning Board determined that the least intrusive site in Bedford Hills would be the location directly adjacent to the Bedford Lakes sewer plant on Town owned property (the “Sewer Plant Site”). The “Sewer Plant Site” is more particularly shown on the Site Plan attached hereto as Exhibit “A”;

WHEREAS, on November 9, 2020, the Planning Board provided a written recommendation to the Town Board setting forth its preference for the Sewer Plant Site;

WHEREAS, attached to the Planning Board’s written recommendation was a Memorandum dated October 3, 2019 from the Town’s wireless consultant, CityScape Consulting, Inc. (“CityScape”), confirming that Homeland has established the need for a new large cellular telecommunications facility in the area in question. Specifically, CityScape found that there was “justification for a new tower in the general vicinity as proposed by the Applicant”. Further studies have confirmed that the proposed facility on the Sewer Plant Site will remediate the lack of coverage, service and capacity in the area in question;

WHEREAS, the Town Board held a public meeting with respect to the consideration of the Sewer Plant Site on December 15, 2020, at which members of the public were permitted to provide public comments;

WHEREAS, at the meeting on December 15, 2020, the Town Board determined that the Sewer Plant Site is the least intrusive alternative location for the proposed large wireless cellular

telecommunications facility and referred the proposed site plan for the Sewer Plant Site to the Planning Board for further analysis and to conduct the required environmental review under the New York State Environmental Quality Review Act (“SEQRA”);

WHEREAS, the Town Board also referred a proposed Option and Ground Lease Agreement between Homeland and the Town of Bedford for the Sewer Plant Site to the Planning Board for further review and recommendation;

WHEREAS, at several meetings the Planning Board reviewed the proposed site plan for the placement of telecommunications equipment at Sewer Plant Site and the Option and Ground Lease Agreement (the “Lease”) and conducted a review pursuant to SEQRA;

WHEREAS, on December 13, 2021, the Planning Board issued a Negative Declaration pursuant to SEQRA and also recommended that the Town Board approve the site plan attached hereto as Exhibit “A” and the Lease between Homeland and the Town;

WHEREAS, the Planning Board also made recommendations with respect to certain modifications to the Lease which modifications have been made following negotiations between the Homeland and the Town Attorney;

WHEREAS, pursuant to Town Code §125-85.2.C(5), where “an application seeks to place a wireless telecommunications facility on property owned or controlled by the Town, other than within a Town-owned public right-of-way, such application shall be exempt from the requirements of this section and shall remain within the sole and absolute discretion of the Town Board, which may impose such conditions on any such use as it deems appropriate.

WHEREAS, the Town Board has considered the Planning Board’s recommendation with respect to the Sewer Plant Site, has considered this matter carefully and has determined that entering into the proposed Lease with Homeland to allow the placement of telecommunications equipment on the Sewer Plant Site is in the best interest of the Town because the proposed tower will fill an existing gap in coverage in the least intrusive manner; and

WHEREAS, the Town Board has also considered the proposed Lease with Homeland and determined that entering into the Lease will also benefit the Town because income derived from the Lease between Homeland and the Town of Bedford is for fair market value and will be used for the benefit of the “Bedford Hills Memorial Park District”.

WHEREAS, the proposed Lease with Homeland includes as Exhibit “C” a Communications License Agreement between the Town of Bedford and Homeland that will allow the Town to install, maintain and operate certain radio communications equipment to support three (3) omni antennas to be mounted at the 140’ level on the communications tower to be constructed on the Sewer Plant Site, along with cable runs, electrical and communications equipment, equipment shelter(s) and other supporting equipment.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Town Board hereby approves entering into the Lease between the Town of Bedford and Homeland for the purposes of allowing Homeland to install certain telecommunications equipment on the Sewer Plant Site as shown on the site plan attached as Exhibit “A” and as more particularly described in the Lease; and

BE IT FURTHER RESOLVED, that the Town Board also approves the entering into the Communications License Agreement between the Town of Bedford and Homeland attached to the Lease as Exhibit “C”; and

BE IT FURTHER RESOLVED, that Town’s execution of the Communications License Agreement is contingent upon execution of the Lease with Homeland; and

BE IT FURTHER RESOLVED, that the Town Supervisor, on behalf of the Town of Bedford, is authorized to execute the Communications License Agreement and to take any other actions required to enter into and finalize the terms of the Communications License Agreement and to ensure performance of the Communications License Agreement, subject to final review and approval of the Town Attorney as to form and content; and

BE IT FURTHER RESOLVED, that pursuant to the provisions of Section 64, Subdivision 2 of the Town Law of the State of New York, the Town Board does adopt this Resolution agreeing to enter into the Lease for not less than fair market value; and

BE IT FURTHER RESOLVED, that this Resolution is adopted subject to a permissive referendum with respect to the entering into the Lease and that the Town Clerk is directed to publish and post the notice of adoption of this Resolution in accordance with Article 7 of the Town Law within ten (10) days of the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that upon the expiration of the permissive referendum period, the Town Supervisor is authorized to execute all documents and take any other actions required to enter into and finalize the terms of Lease and to ensure performance of the Lease, subject to final review and approval of the Town Attorney as to form and content.

February 1, 2022 – Regular meeting - continued

PRESENTATION

1. The Bedford Central School District Board of Education with a brief overview of the BCSD bond project.

Alex White from the Bedford Central School District presented a brief overview of the upcoming capital infrastructure bond project for the School District.

There being no further discussion the meeting was adjourned at 8:30pm.

Lisbeth Fumagalli, Town Clerk