

Bedford Hills, New York  
June 15, 2010

The second meeting for the month of June of the Town Board of the Town of Bedford was held on June 15, 2010 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00 P.M. by Supervisor Roberts.

**Present:** Lee V. A. Roberts : Supervisor  
Peter Chryssos : Councilman  
Francis T. Corcoran : Councilman  
Chris Burdick : Councilman  
David Gabrielson : Councilman

Lisbeth Fumagalli : Town Clerk  
Nancy Tagliafierro : Town Attorney  
Amy Pectol : Receiver of Taxes  
Ed Ritter : Comptroller  
Ed Collins : Chief of Police  
William J. Hayes : Detective Sergeant  
Kevin Winn : Commissioner of Public Works  
Jeffrey Osterman : Director of Planning  
Marcy Marchiano : Asst. to Supervisor

and approximately seven (7) residents/observers.

#### **APPROVAL OF CLAIMS**

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

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

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

General Fund	\$	113,548.66
Highway Fund		105,387.42
Consolidated Water District		20,000.65
Trust & Agency		6,580.00
Special Districts:		
Bedford Village Memorial Park		10,969.86
Bedford Hills Memorial Park		10,688.88
Katonah Memorial Park		10,610.57
Capital Projects		<u>6,234.49</u>
	\$	284,020.53

#### **MONTHLY REPORTS**

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

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

#### **CORRESPONDENCE**

1. Proposal to hold Turkey Trot in Bedford Village on Saturday, November 27<sup>th</sup>.  
On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

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

RESOLVED that the Town Board does hereby grant permission for the Turkey Trot Committee to hold the Sixth Annual Turkey Trot road race on Saturday, November 27, 2010, in Bedford Village. The event will begin at the Bedford Village Elementary School and end in the Bedford Memorial Park. All roads involved will be closed and Insurance will be through the Town as the Recreation Department is a co-sponsor. The Turkey Trot Committee shall coordinate with the Department of Public Works - Highway Division for road barricades as well as the Police Department for coverage with ten (10) officers and one (1) supervisor, to protect the health, safety and welfare of the participants and attendees of the event, and shall reimburse the Town of Bedford for all costs associated with this coverage.

2. LC, Inc. application for Special Use Permit for Filming June 30<sup>th</sup>, July 1<sup>st</sup> and 2<sup>nd</sup>.  
On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

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

RESOLVED that the Town Board does hereby grant a Special Use Permit for filming to Jason McCauley, location manager, representing L.C. Inc., 96 Morton Street, Suite 2B, New York, New York to film on the property of George and Shirley Bianco, 20 Black Brook Road, Pound Ridge, New York from June 29, 2010 to July 2, 2010 between the hours of 7:00 am and 8:30 pm, subject to receipt of indemnification signed by an officer of the corporation.

3. Bedford Historical Society request to hold third bi-annual Bedford Village Treasure Hunt, Saturday, September 11<sup>th</sup>.

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

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

RESOLVED that the Town Board does hereby grant approval to the Bedford Historical Society to hold a treasure hunt and Revolutionary War re-enactors on the Village Green on Saturday, September 11, 2010 from 11 am to 3 pm; with police to be present during the event, to be hired by the Historical Society for the event for the health, safety and welfare of those attending the event.

4. Request to hold Walk for PKD in Bedford Hills, Saturday, September 25<sup>th</sup>.

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

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

RESOLVED that the Town Board does hereby grant permission to the Hudson Valley Chapter of the Polycystic Kidney Disease Foundation to hold a "Walk for PKD" on Saturday, September 25, 2010, starting in the Bedford Hills Memorial Park, proceeding along sidewalks to Cherry Street, Nottingham Road, the bike path along Bedford Road, back to the Bedford Hills Memorial Park, following the recommendation by Chief of Police Ed Collins for three (3) off duty police officers to be hired by the Foundation and that these officers are granted permission to use marked patrol cars to enhance safety.

#### **OLD BUSINESS**

1. Authorize Supervisor to sign License Occupation Agreement with Metro-North Railroad regarding installation of cable under railroad tracks.

Mr. Winn reviewed the memorandum he had submitted to the Town Board and explained the agreement.

June 15, 2010 – Regular meeting – continued

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

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

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the agreement with Metro North Railroad, 420 Lexington Ave, 12<sup>th</sup> Floor, New York, New York for a cable occupation on the Harlem Line for the water filtration plant 12" water main to be installed underneath the railroad tracks, subject to the costs as outlined in the memorandum dated June 9, 2010 from Kevin Winn, Commissioner of Public Works.

2. Authorize Supervisor to execute an agreement with Mercury Solar to install 25 KW photovoltaic system to generate electricity at the proposed water filtration plant.

Mr. Winn reviewed the memorandum he had submitted with the Town Board.

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

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

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the agreement with Mercury Solar Systems Inc., 36 Midland Avenue, Port Chester, New York, subject to the Town Attorney's review of the contract and subject to receipt of the required insurance documentation, at a maximum cost of \$109,134.00, as per the memorandum dated June 10, 2010 from Kevin Winn, Commissioner of Public Works.

3. Consider proposed amendment to Town of Bedford insurance coverage – liquor liability.

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

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

RESOLVED that the Town Board shall hereby add a liquor liability rider to the Town of Bedford insurance policy, at a cost of \$300.00 per year in order for groups using Town facilities for various functions to be able to have beer, wine or alcohol at those events.

The Town Board requested that the Town Clerk coordinate with the insurance broker to develop a permitting procedure for alcohol use on Town owned property.

4. Add an item to the agenda

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

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

RESOLVED that the Town Board shall add an item to the agenda, New Business 16 – Add pass through cost on credit card fees.

#### **NEW BUSINESS**

1. Approve the return of Ed Collins to his previous appointment as Police Lieutenant.

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

June 15, 2010 – Regular meeting – continued

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

RESOLVED that the Town Board does hereby approve the return of Edward J. Collins to his previous permanent appointment as Police Lieutenant in the Town of Bedford Police Department, effective June 16, 2010 after having served as Acting Chief since October 2009, as per the memorandum dated June 3, 2010 from Joan Gallagher, Director of Personnel.

Lieutenant Collins congratulated Mr. Hayes on his appointment to Chief and offered thanks to his wife Tracy for all the support she'd given him over the last several months. He also thanked Lieutenants Bob Mazurak and Jeff Dickan, Mr. Hayes, his secretary Chao – Yi Tien, the Town Board and the department heads for all their assistance during his tenure as Chief.

2. Approve the appointment of William J. Hayes to the position of Police Chief effective June 16<sup>th</sup> and the salary.

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

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

WHEREAS, by Resolution 98/150 dated March 17, 1998, the Town Board appointed William J. Hayes to the position of 1<sup>st</sup> year, Patrolman, 4<sup>th</sup> Grade in the Town of Bedford Police Department; and

WHEREAS, by Resolution 2004/269 dated July 20, 2004, Mr. Hayes was promoted to the rank of Sergeant; and

WHEREAS, by Resolution dated August 18, 2009, Sergeant Hayes was promoted to the rank of Detective Sergeant by the Town Board,

NOW, THEREFORE, BE IT RESOLVED

THAT, Detective Sergeant, William J. Hayes, is hereby appointed to the position of Chief of the Town of Bedford Police Department, effective June 16, 2010 at an annual salary of \$130,000.00 as per the memorandum dated June 3, 2010 from Joan Gallagher, Director of Personnel.

3. Authorize the Comptroller to lease new copiers.

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

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

RESOLVED that the Town Board does hereby grant approval for the Comptroller to enter into a contract on behalf of the Town of Bedford for the leasing of eight (8) copy machines from Xerox, at an annual cost of \$52,363.00, said contract for the copiers to include the cost of supplies, excluding paper and staples as per the memorandum dated June 10, 2010 from Ed Ritter, Comptroller.

4. Authorize the Comptroller to lease postage meters.

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

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

RESOLVED that the Town Board does hereby grant approval for the Comptroller to enter into a contract on behalf of the Town of Bedford for the leasing of two (2) postage machines from Pitney Bowes, for a forty-eight (48) month lease, at an annual cost of \$18,816.00, as per the memorandum dated June 10, 2010 from Ed Ritter, Comptroller.

5. Approval of budget adjustments.

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

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

RESOLVED that the Town Board does hereby approve the following budget transfer:

Increase  
General Government Aid  
001.0001.3089 General Government Aid \$9,404.80  
Increase  
001.1110.400.17 JCAP Grant \$9,404.80

6. Computer replacement Phase II.

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

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

RESOLVED that the Town Board does hereby approve second phase of the replacement of computer equipment in the Town of Bedford to be purchased from CDW-G and further authorizes Sullivan Data to proceed with scheduling the installation of the equipment in an amount not to exceed \$34,950.00.

7. Consider adoption of 5-year bond resolution for \$242,400.00

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

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

**BOND RESOLUTION, DATED JUNE 15, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$242,400 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE TOWN OF BEDFORD , COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, OF VEHICLES, (II) THE ACQUISITION OF A COMPREHENSIVE PLAN FOR TOWN PARK IMPROVEMENTS, (III) THE ENVIRONMENTAL TESTING AND REPAIR OF TANKS AND (IV) THE ACQUISITION OF VARIOUS EQUIPMENT AND FURNISHINGS, ALL IN AND FOR THE TOWN.**

WHEREAS, the Town Board of the Town of Bedford (the "Town"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of (i) the acquisition of vehicles (\$186,150), (ii) the acquisition of a comprehensive plan for Town park improvements (\$30,750), (iii) the environmental testing and repair of tanks (\$10,750) and (iv) the acquisition of various equipment and furnishings (\$14,750), all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$242,400, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$242,400, pursuant to the Local Finance Law, in order to finance the costs of (i) the acquisition of vehicles (\$186,150), (ii) the acquisition of a comprehensive plan for Town park improvements (\$30,750), (iii) the environmental testing and repairs of tanks (\$10,750) and (iv) the acquisition of various equipment and furnishings (\$14,750), all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds authorized herein, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of motor vehicles for the Town, together any preliminary and incidental costs related thereto, at an estimated maximum cost of \$186,150 for which \$186,150 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(b) The acquisition of a comprehensive plan for park improvements for the Town, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$30,750 for which \$30,750 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 64 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(c) The environmental testing and repairs of tanks in and for the Town, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$10,750 for which \$10,750 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 88 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(d) The acquisition of various equipment and furnishings for the Town, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$14,750 for which \$14,750 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

Section 3. The Town Board of the Town has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$272,400; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board of the Town plans to finance the costs of the Project from the proceeds of the serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized herein together with \$30,000 in funds received from insurance

proceeds; (d) the maturity of the serial bonds authorized herein will not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay any costs of the Project for which proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board of the Town took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Record Review, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties

under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution will take effect upon its adoption by the Town Board.

8. Consider adoption of 15-year bond resolution for \$1,639,450.00.

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

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

**BOND RESOLUTION, DATED JUNE 15, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$1,639,450 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE TOWN OF BEDFORD, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO STREETS, (III) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO TOWN PARKS AND (IV) THE ACQUISITION OF IMPROVEMENTS TO EXISTING WATER TANKS IN AND FOR THE TOWN.**

WHEREAS, the Town Board of the Town of Bedford (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of (i) the acquisition of machinery and apparatus for construction and maintenance (\$317,950), (ii) the acquisition, construction and reconstruction of improvements to streets (\$991,750), (iii) the acquisition, construction and reconstruction of improvements to Town parks (\$269,000) and (iv) the acquisition of improvements to existing water tanks (\$60,750), all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$1,639,450, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,639,450, pursuant to the Local Finance Law, in order to finance the costs of (i) the acquisition of machinery and apparatus for construction and maintenance (\$317,950), (ii) the acquisition, construction and reconstruction of improvements to streets (\$991,750), (iii) the acquisition, construction and reconstruction of improvements to Town parks (\$269,000) and (iv) the acquisition of improvements to existing water tanks (\$60,750), all in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the “Project”), the respective estimated maximum cost of such specific objects or purposes, the principal amount of serial bonds authorized herein, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, and the period of probable usefulness of such specific objects or purposes or class of objects or purposes pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of machinery and apparatus for construction and maintenance, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$317,950 for which \$317,950 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(b) The acquisition, construction and reconstruction of improvements to streets in and for the Town, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$991,750 for which \$991,750 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition, construction and reconstruction of improvements to Town parks, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$269,000 for which \$269,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 19 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(d) The acquisition of improvements to existing water tanks, in and for the Town, together with any preliminary and incidental costs related thereto, at an estimated maximum cost of \$60,750 for which \$60,750 principal amount of serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

Section 3. The Town Board of the Town has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$2,139,450; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board of the Town plans to finance the costs of the Project from the proceeds of the serial bonds, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, as authorized herein together with \$500,000 in funds received from grants and prior capital projects; (d) the maturity of the serial bonds authorized herein will be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay any costs of the Project for which proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board of the Town took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Record Review, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

9. Consider adoption of 25-year bond resolution for \$156,500.00

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None  
Absent: None

**BOND RESOLUTION, DATED JUNE 15, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$156,500 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE TOWN OF BEDFORD, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF BUILDING IMPROVEMENTS, IN AND FOR THE TOWN.**

WHEREAS, the Town Board of the Town of Bedford (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition, construction and reconstruction of building improvements, in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$156,500, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$156,500, pursuant to the Local Finance Law, in order to finance the costs of the acquisition, construction and reconstruction of building improvements, in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$256,500; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds together with \$100,000 in funds from a prior capital project; (d) the maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in *The Record Review*, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to

be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

10. Consider adoption of 30-year bond resolution for \$2,500,750.00.

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

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

**BOND RESOLUTION, DATED JUNE 15, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$2,500,750 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE TOWN OF BEDFORD, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF LAND, IN AND FOR THE TOWN.**

WHEREAS, the Town Board of the Town of Bedford (the "Town"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of the acquisition of land, in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$2,500,750, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$2,500,750, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of land, in and for the Town, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$2,500,750; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took "official

action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 21 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is thirty (30) years. The serial bonds authorized herein shall have a maximum maturity of thirty (30) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Record Review, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action

with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

11. Consider adoption of 40-year bond resolution for \$50,750.00.

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

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

**BOND RESOLUTION, DATED JUNE 15, 2010, AUTHORIZING THE ISSUANCE OF UP TO \$50,750 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE TOWN OF BEDFORD, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF DESIGNING IMPROVEMENTS TO THE TOWN WASTE WATER SYSTEM.**

WHEREAS, the Town Board of the Town of Bedford (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Town to authorize the financing of the costs of designing improvements to the Town water system, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$50,750, in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Bedford, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Town, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$50,750, pursuant to the Local Finance Law, in order to finance the costs of designing improvements to the Town waste water system, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”).

Section 2. The Town Board has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$50,750; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Town Board plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Town, the Town Board took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivisions 1 and 51 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town. The Town Supervisor is hereby authorized to execute on behalf of the Town all serial bonds issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Town Clerk is hereby authorized to impress the seal of the Town (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Town Supervisor.

Section 5. The faith and credit of the Town are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Town Clerk shall cause the same to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in The Record Review, a newspaper having a general circulation in the Town. The validity of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Town is not authorized to expend money, or the provisions of law, which should have been complied with at the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or

proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 7. Prior to the issuance of any obligations authorized herein, the Town Board shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Town Board will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Town Board that the Project will not have a significant effect on the environment.

Section 8. The Town hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Town covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Town, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Town to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Town made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution by the Town Board.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Town agrees, in accordance with, and as an obligated person with respect to such obligations under, Rule 15c2-12 (the “Rule”) promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the Town’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Town Supervisor is authorized and directed to sign and deliver, in the name and on behalf of the Town, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Town Clerk, which shall constitute the continuing disclosure agreement made by the Town for the benefit of holders and beneficial owners of such obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Town and that are approved by the Town Supervisor on behalf of the Town, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the Town’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Town would be required to incur to perform thereunder. The Town Supervisor is further authorized and directed to establish procedures in order to ensure compliance by the Town with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance

with the agreement or providing notice of the occurrence of any material event, the Town Supervisor shall consult with, as appropriate, the Town Attorney and bond counsel or other qualified independent special counsel to the Town and shall be entitled to rely upon any legal advice provided by the Town Attorney or such bond counsel or other qualified independent special counsel of the Town in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Town Board and the expiration of the period prescribed in the Town Law during which petitions for a permissive referendum may be submitted and filed with the Town Clerk.

12. Discussion of EFC funding of the water filtration plant.

The Town Board reviewed this matter with Mr. Ritter and Mr. Winn. Mr. Chryssos asked to be walked through the application. Mr. Ritter and Mr. Burdick recommended that the Town Board set up a conference call with Larry Turtle from Roosevelt & Cross.

13. Consider environmental compliance resolution.

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

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

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS  
AND DETERMINATIONS**

WHEREAS, Hahn Engineering, a competent architect/engineering firm, duly licensed by the State of New York (the “Architect/Engineer”), has, at the instance of the Town Board of the Town of Bedford (the “Town”), a municipal corporation of the State of New York, located in the County of Westchester, prepared plans and studies for various public improvements in and for the Town, including furnishings and preliminary work and the acquisition of any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (collectively, the “Project”) and said engineering plans and studies have been filed in the office of the Town Clerk and are on file for public inspection; and

WHEREAS, the Town Board of the Town has determined that upon the examination of an environmental assessment form (“EAF”) prepared by the Architect/Engineer, the Project is an “unlisted action”, as that term is defined in 6 NYCRR §617.2(ak), and therefore the Town has caused the EAF to be prepared and promptly filed with the Town Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$1,052,500 and that the costs of the Project, in whole or in part, are to be financed by the issuance of serial bonds of the Town in the aggregate principal amount of up to \$1,052,500 pursuant to the Local Finance Law of the State of New York (the “LFL”) and, if deemed advisable, by the issuance of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Town in annual installments determined by the Town Board of the Town in amounts sufficient to pay the principal of and interest on said serial bonds, to be authorized in a bond resolution to be adopted by the Town Board of the Town; and

WHEREAS, the evidence contained in such engineering plans and studies and in the EAF with respect to the Project permits the Town Board of the Town to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF BEDFORD , COUNTY OF WESTCHESTER, STATE OF NEW YORK, as follows:

Section 1. The Town, by and through its Town Board, hereby declares and designates itself to be the “lead agency”, as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project.

Section 2. Upon receipt and examination of the EAF, it is hereby determined that the Project is an “unlisted action”, as that term is defined in 6 NYCRR §617.2(ak).

Section 3. No other agency other than the Town is involved in said environmental review and no coordinated review or segmentation of such review is necessary or required with respect to the Project.

Section 4. No hearing as set forth in 6 NYCRR §617.9(a) (4) and no segmentation of the Project or scoping is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the serial bond resolution to be adopted under the LFL to finance the Project shall not be or be deemed to be an “action”, as that term is defined in 6 NYCRR §617.2(b), until such bond resolution is adopted by the Town Board of the Town.

Section 7. The Town shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the Town Clerk, containing the EAF.

Section 8. This resolution shall take effect immediately upon its adoption by the Town Board of the Town.

14. NYS Retirement System – set workday for Elected Officials and appointed employees.

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

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

BE IT RESOLVED, that the Town of Bedford hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participants in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
<b>Elected Officials</b>					
Supervisor	Lee Roberts	7	1/1/10 – 12/31/11	N	20
Town Clerk	Boo Fumagalli	7	1/10/10 – 12/31/13	N	20
Town Board	Peter Chryssos	6	1/1/10 – 12/31/13	N	1.93
Town Board	Francis Corcoran	6	1/1/10 – 12/31/13	N	2.78
Town Board	Chris Burdick	6	1/1/08 – 12/31/11	N	6
Town Board	David Gabrielson	6	1/1/08 – 12/31/11	N	6
Judge	Kevin Quaranta	6	1/1/08 – 12/31/11	N	6
Judge	Erik Jacobsen	6	1/1/10 – 12/31/13	N	6
<b>Appointed Employees</b>					
Tax Collector	Amy Pectol	7	1/1/10 – 12/31/11	Y	20
Comm. DPW	Kevin Winn	7	1/1/10 – 12/31/11	Y	20
Dep. Comm DPW	Bob Mascianica	7	1/1/10 – 12/31/11	Y	20
Comptroller	Ed Ritter	7	1/5/10 – 1/5/12	Y	20
Sup. Secretary	Marcy Marchiano	7	1/1/10 – 12/31/11	Y	20
Assessor	Tom Polzella	7	10/1/08 – 9/30/13	Y	20
Wetlands Commission	Don Scott	6	1/10/10 – 1/20/13	N	1.67

15. Executive Session.

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

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

June 15, 2010 – Regular meeting – continued

Nays: None  
Absent: None

RESOLVED that the Town Board shall discuss matters of land acquisition and pending legal action in an executive session to be conducted at the conclusion of the regular meeting.

16. Add pass through cost on credit card fees.

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

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

RESOLVED that effective immediately the Town Board hereby authorizes that a 1.8% transaction fee shall be added to each credit card transaction in all departments in the Town of Bedford to compensate the Town for the cost of accepting credit cards.

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Lisbeth Fumagalli, Town Clerk

TOWN OF BEDFORD  
[www.BedfordNY.info](http://www.BedfordNY.info)  
TOWN BOARD  
EXECUTIVE SESSION MINUTES  
June 15, 2010

The Town Board met in Executive Session at approximately 9:50: p.m.

Supervisor Roberts and Town Board members Peter Chryssos, Chris Burdick, David Gabrielson, Frances Corcoran were present. Town Attorney Nancy Tagliaferro was also present.


At 10:15 p.m. Supervisor Roberts closed the Executive Session and opened the meeting in public session for the vote.

On motion of Lee Roberts and seconded by Francis Corcoran, the Board voted to designate Nancy Tagliaferro to act as Clerk to take the minutes of the meeting. The vote was 5-0.

On motion of Chris Burdick, seconded by Frances Corcoran, the Board voted to authorize the Town Attorney to write to the attorney for a neighbor of the Leatherman's Ridge parcel with regard to pending violations of the zoning and Town code and; the possible erection of a fence. Frances Corcoran, Chris Burdick and Peter Chryssos voted in favor with Supervisor Roberts and David Gabrielson voting against the motion. The motion carried with a vote of 3-2.

On motion of Frances Corcoran seconded by Chris Burdick, the Board voted to proceed with the appraisal of certain real property being offered for sale. The vote was 5-0 in favor of the motion, and the motion carried.

The meeting adjourned at 10:30.

  
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Nancy Tagliaferro