

Bedford Hills, New York
September 6, 2011

A public hearing was held by the Town Board of the Town of Bedford on September 6, 2011 at the Town Offices, 321 Bedford Road, Bedford Hills, New York to consider Local Law #7/2011 to amend Chapter 120 of the Code of the Town of Bedford regarding water. The meeting was called to order at 7:45.M. by Supervisor Roberts.

Present:	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Eric Gordon	: Town Attorney
	Kevin Winn	: Commissioner of Public Works
	Amy Pectol	: Receiver of Taxes
	William Hayes	: Chief of Police
Absent:	Francis Corcoran	: Councilman

and approximately three (3) residents/observers.

Proof of publication was presented and ordered filed. The public notice was published in the Bedford Pound Ridge Record Review on August 26, 2011.

Mr. Winn explained that this local law was to update the Code of the Town of Bedford on water to reflect that delinquent water bills would be added on to the tax bill.

Mrs. Roberts opened the floor to public comment and there was none.

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

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

RESOLVED that the Town Board does hereby close the public hearing to consider Local Law #7/2011 to amend Chapter 120 of the Code of the Town of Bedford regarding water.

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

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

RESOLVED that the Town Board does hereby adopt the following legislation:

BE IT RESOLVED, that the Town of Bedford Amends Chapter 120 of the Code of the Town of Bedford regarding WATER, as follows:

BE IT ENACTED by the Town Board of the Town of Bedford as follows:

Chapter 120 of the Code of the Town of Bedford entitled "Water." is hereby amended, as follows:

Article III Payments For Service; Rendering Of Bills (§ 120-13).

A. Water rates shall be set by the Town Board and listed in the Town Fee Schedule.

B. All bills are payable one month from the date of the billing statement. Any bill not paid within thirty (30) days shall be delinquent.

C. Each meter shall be read four times per year, at the close of each subscriber's billing period, following which each subscriber shall be billed for the amount of water consumed.

D. The billable quantity shall be the quantity of water recorded by the meter and shall be binding on both the customer and the Department (as defined in Chapter 121 of the Code of the Town of Bedford), except where it appears that the meter has ceased to register or has registered inaccurately.

(1) When a meter is found defective, the Department shall repair, test and properly adjust the meter as soon as possible.

(2) In the instance where it is found that the meter has ceased to register, the Department may issue an estimated bill for the billing period immediately preceding the date when such meter was found defective and for the period from said date to the date of replacement of the meter. The estimated bill shall be based upon the amount of water consumed in the corresponding period in the prior year. If there is no applicable corresponding billing period due to a change in occupancy of the premise, change in the use of water or where no prior experience exists, the estimated bill may be determined by the average registration of an operating meter in subsequent periods or by equitable adjustment, whichever method is determined to more accurately estimate the conditions existing during the period in question.

E. Each meter on the customer's premises shall be read and billed separately. The reading and billing of two or more meters will not be combined unless specifically provided for in the rate schedule or unless the Department's operating convenience requires the use of more than one meter or a battery of meters.

F. Each bill is due and payable on or prior to its due date. If a bill remains unpaid after two billing periods from the date payment was due, the Department or its agents may discontinue water service to the customer, and service will not be reestablished until all unpaid charges, including penalties, as elsewhere provided herein, are fully paid.

G. An initial penalty charge equal to 5% of the total amount of the bill shall be added to any delinquent bill. A 1% penalty per month shall be applied if the bill remains delinquent for subsequent months.

H. Delinquent bills which remain unpaid at the end of the subsequent billing period shall be added to and included in the total amount of the subsequent billing period's bill.

I. Following the end of each of the Town's fiscal years, the total balance of any delinquent account which remains outstanding as of the first Friday in March of the subsequent fiscal year shall be deemed to be assessed against the property serviced under the account as a lien, and the Receiver of Taxes shall, when extending the next general tax upon the Town assessment roll, place unpaid amounts thereon as against said property, and such amounts shall be collected at the same time, in the same manner and by the same proceedings as other taxes on said roll.

J. At the time of transfer to the tax roll, delinquent accounts which are to be added to the tax rolls shall be assessed an additional penalty equal to 10% of the total outstanding balance to defray the costs of transferring such accounts to the tax rolls.

K. The property owner shall be held responsible for all bills. Failure to receive a bill shall not be considered as an act of waiver of payment by the Department.

[-----] – deleted material

Red - added material

There being no further discussion the hearing was adjourned at 7:48 pm.

Lisbeth Fumagalli, Town Clerk