

E-12

BOND RESOLUTION DATED SEPTEMBER 3, 2020.

A RESOLUTION AUTHORIZING THE PURCHASE OF A 75 FT. TOWER LADDER FOR WATER DISTRICT NO. 1 IN THE TOWN OF HARRISON, WESTCHESTER COUNTY, NEW YORK, CONSTITUTING FIRE PROTECTION DISTRICT NO. 1, AT A MAXIMUM ESTIMATED COST OF \$1,569,983, AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS, THE EXPENDITURE OF \$400,000 FROM THE APPARATUS FUND AND \$400,000 FUND BALANCE TO PAY PART OF THE COST THEREOF.

BE IT RESOLVED, by the Town Board of the Town of Harrison, Westchester County, New York, acting as Fire Commissioners of Water District No. 1, constituting Fire Protection District No. 1, a District Corporation of the State of New York, as follows:

Section 1. The purchase of a 75 ft. Tower Ladder in and for Water District No. 1 of said Town constituting Fire Protection District No. 1, a District Corporation of the State of New York, at a maximum estimated cost of \$1,569,983 is hereby authorized for said District Corporation.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost shall be (a) by the issuance of \$600,000 bonds hereby authorized to be issued therefor; (b) by the expenditure of \$400,000 from the Fire District No. 1 Fund Balance; (c) the expenditure of \$400,000 from the Apparatus Fund and (d) \$1695,983 from the sale of Tower Ladder 9.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said District Corporation, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said District Corporation, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the

chief fiscal officer of the District Corporation. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

Section 10. This resolution is adopted subject to the approval of the qualified voters of said District Corporation, voting at a special election to be held on September 29, 2020.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

The following resolution was offered by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_, to-wit:

BE IT RESOLVED, by the Town Board of the Town of Harrison, Westchester County, New York, acting as the Fire Commissioners of Water District No. 1 of said Town constituting Fire Protection District No. 1, a District Corporation of the State of New York, as follows:

Section 1. A special election of the qualified electors of Water District No. 1 (Fire Protection District No. 1) of the Town of Harrison, Westchester County, New York, is hereby authorized to be held on the 29th day of September, 2020, at the West Harrison Fire Department in Harrison, New York, in said District Corporation, for the purpose of voting on the adoption or rejection of the bond resolution heretofore adopted at this meeting. Voting shall be by voting machine and the polls at such special election shall be kept open between the hours of 3:00 o'clock P.M. to 8:00 o'clock P.M., Prevailing Time.

Section 2. The Town Clerk is hereby authorized and directed to give notice of such special election by publication in The Journal News, the first publication of such notice to be made not less than twenty-seven (27) days nor more than thirty-four (34) days prior to the time of such special election. In addition, the Town Clerk shall post or cause to be posted a copy of such notice conspicuously in five (5) public places in the District Corporation at least twenty-seven (27) days prior to such election. Said notice shall be in substantially the following form, to-wit: