

**SPECIAL MEETING OF THE BOARD OF TRUSTEES
OF THE
VILLAGE OF CHATHAM, NEW YORK**

MONDAY, MAY 6, 2013

A special meeting of the Village Board of the Village of Chatham, Columbia County, New York was convened in public session at the Tracy Memorial Village Hall, 77 Main Street, Chatham, New York 12037 on May 6, 2013 at 7:00 o'clock p.m., local time.

Pledge of Allegiance.

The meeting was called to order by Mayor Thomas A. Curran, and, upon roll being called, the following members were:

PRESENT:

Thomas A. Curran	Mayor
Adrienne Morrell	Trustee
Lenore Packet	Trustee
Jay Rippel, Jr.	Trustee

ABSENT:

Michael Wollowitz	Trustee
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The following persons were ALSO PRESENT: Fire Chief Paul Pratt; Paul Rideout, 1st Asst. Chief; Joe Cerami, 2nd Asst. Chief; and Frank Genovese.

Trustee Packet stated that this resolution was not posted in enough public places the first time it passed, so a new resolution is needed. Mayor Curran stated the resolution must be posted in six (6) public places and in two (2) local newspapers – the *Register Star* and the *Columbia Paper*. Discussion of where things are normally posted followed. Trustee Morrell asked how long the postings should remain up. Mayor Curran answered 30 days.

The following resolution was offered by Trustee Morrell, seconded by Trustee Rippel, to wit;

BOND RESOLUTION DATED MAY 6, 2013

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF CHATHAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$620,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE ACQUISITION OF A LADDER TRUCK IN THE VILLAGE OF CHATHAM, NEW YORK, PROVIDING THAT THIS RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TREASURER

BE IT RESOLVED, by the Village Board of the Village of Chatham, Columbia County, New York (the "Village") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the acquisition of a 75 foot ladder truck for Village fire department purposes. The estimated maximum cost of said purpose is \$620,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The Village Board plans to finance the cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$620,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 4. The proposed maturity of the serial bonds authorized hereby is in excess of five years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Sec 1.150-2 of the Treasury Regulations.

SECTION 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on said 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 said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds, (including statutory installment bonds), and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Treasurer, the Chief Fiscal Officer of the Village. The Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(I) of the Code.

SECTION 10. Pursuant to Section 36 of the Local Finance Law and Article 9 of the Village Law, this resolution shall take effect thirty (30) days after adoption, unless there shall be filed with the Village Clerk a petition signed and acknowledged by the electors of the Village in number equal to at least twenty percentum of such electors in the Village, as shown on the register of electors for the previous general village election, protesting against this resolution and requesting that the matter be submitted to the electors of the Village for their approval or disapproval in the manner provided by the Village Law.

SECTION 11. Within ten (10) days after the adoption of this resolution, the Village Clerk is hereby authorized and directed to cause to be published at least once in the Register Star and the The Columbia Paper, the official newspapers of the Village, and to be posted in at least six (6) public places in the Village, a notice which shall set forth the date of adoption of this resolution and contain an abstract thereof, concisely stating its purpose and effect and specifying that this resolution was adopted subject to a permissive referendum.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the 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 of New York.

SECTION 13. Following the effective date of this resolution, the Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Register Star and The Columbia Paper, newspapers having a general circulation in the Village and hereby designated as the official newspapers of the Village for such publication.

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

Thomas A. Curran	VOTING <u>Aye</u>
Adrienne Morrell	VOTING <u>Aye</u>
Lenore Packet	VOTING <u>Aye</u>
Jay Rippel, Jr.	VOTING <u>Aye</u>
Michael Wollowitz	VOTING <u>Absent, no vote</u>

The foregoing resolution was thereupon declared duly adopted.

Mayor Curran apologized to the Chatham Fire Department for having to re-do this posting. Chief Pratt stated that an emergency purchase is necessary, and stated that the truck is needed now.

Chief Pratt asked if anything could be done to speed up the process. Mayor Curran answered that he will check with the Village Attorney on this matter. Trustee Packet stated that she hopes to have an answer at the next regular Trustee meeting, May 9, 2013.

Chief Pratt asked if there would be any way to get a truck before June. Mayor Curran stated that the Village is trying to work out a lease for a truck, and will check with the Village Attorney.

Chief Pratt asked about permissive referendum. Trustee Packet answered that the Board will have to check with the Attorney to find out where we are in the process. The original notice was not posted properly, so at least that part has to begin again. Mayor Curran re-stated that he will find out about leasing a truck and that he will express the urgency in getting a truck.

Chief Pratt stated that the Chatham Fire Department will be hosting an aerial course/school on June 16. They can not hold the class if they do not have the truck.

Trustee Packet asked who else in the area has a ladder truck. Chief Pratt answered that this course/school request was submitted in January. Only the Chatham Fire Department is allowed to have this course this year. The course is specially designed for this truck. Mayor Curran stated that he would follow up with Chief Pratt after he speaks with the Village Attorney tomorrow.

Chief Pratt stated that the E-1 Instructor already had tickets to come here to certify the truck. He can keep the tickets on hold until May 31, 2013.

Motion made by Morrell, seconded by Packet to adjourn meeting at 7:25pm. All approved.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Chatham, Columbia, County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 6th day of May, 2013 and entitled:

BOND RESOLUTION DATED MAY 6, 2013

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF CHATHAM, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$620,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE ACQUISITION OF A LADDER TRUCK IN THE VILLAGE OF CHATHAM, NEW YORK, PROVIDING THAT THIS RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TREASURER

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Village Board was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Village Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 7th day of May, 2013.

Kathryn Burke
Village Clerk