

LEGAL NOTICE
SPECIAL ELECTION
OF THE WHEATLANDSCOTTSVILLE JOINT FIRE DISTRICT
ON DECEMBER 13, 2022

NOTICE IS HEREBY GIVEN that a Special Election of the Wheatland Scottsville Joint Fire District will take place at the annual election of the Wheatland Scottsville Joint Fire District on Tuesday, December 13, 2022 , held at the Wheatland Scottsville Joint Fire Station , 385 Scottsville-Mumford Road, Scottsville, New York 14546, between the hours of 6:00 p.m. and 9:00 p.m. for the purpose of voting on the following proposition:

Shall the following resolution of the Board of Fire commissioners adopted on the 18th day of October 2022, be approved,

BOND RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE WHEATLAND SCOTTSVILLE JOINT FIRE DISTRICT IN THE TOWN OF WHEATLAND, MONROE COUNTY, NEW YORK, AUTHORIZING THE ACQUISITION OF AN EXISTING FIRE HOUSE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$985,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$985,000 IN SERIAL BONDS OF SAID FIRE DISTRICT TO FINANCE THE COST THEREOF

WHEREAS, the Board of Fire Commissioners (the "Board") of the Wheatland Scottsville Joint Fire District in the Town of Wheatland, Monroe County, New York (the "District") proposes to undertake the acquisition by the District from the Village of Scottsville of the existing fire house and land located at 385 Scottsville Mumford Road in the Town of Wheatland, Monroe County, New York (the "Project"), at an estimated maximum cost of \$985,000, and to finance a portion of the cost thereof through the issuance of up to \$985,000 in serial bonds of the District; and

WHEREAS the Board now wishes to appropriate funds for the Project and to authorize the issuance of the District's serial bonds and bond anticipation notes to be issued to finance a portion of the cost of the aforementioned specific object or purpose.

NOW, THEREFORE, THE BOARD OF FIRE COMMISSIONERS OF THE WHEATLAND SCOTTSVILLE JOINT FIRE DISTRICT IN THE TOWN OF WHEATLAND, MONROE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than three-fifths of all the members of such body), AS FOLLOWS:

SECTION 1. It is hereby determined that the Project and the financing thereof constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (16 N.Y.C.R.R. Section 617.5(25)) (collectively, "SEQRA") and that no further action under SEQRA with respect to the Project need be taken by the Board as a condition precedent to the adoption of this resolution.

SECTION 2. The District is hereby authorized to (i) undertake the acquisition by the District from the Village of Scottsville of the existing fire house and land located at 385 Scottsville Mumford Road in the Town of Wheatland, Monroe County, New York, at a maximum estimated cost of \$985,000, and (ii) issue serial bonds of the District (including statutory installment bonds) in the principal amount of \$985,000 or bond anticipation notes in anticipation of such bonds, pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance a portion of the cost of the aforementioned specific object or purpose.

SECTION 3. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose, including all incidental and financing costs, is approximately \$985,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of up to \$985,000 in serial bonds of the District authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all the taxable real property in the District to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

SECTION 4. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivision 11(b). of paragraph a. of Section 11.00 of the Law.

SECTION 5. The temporary use of available funds of the District, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purpose described in Section 2 of this resolution. The District shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 2 hereof with the proceeds of the bonds and notes authorized herein, as required by the United States

SECTION 6. Each of the serial 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 Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the District, payable as to both principal and interest by a general tax upon all the real property within the District subject to applicable statutory limits, if any. The faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the District by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining annual debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the District Treasurer, as the chief fiscal officer of the District (the "District Treasurer"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the District Treasurer, as the chief fiscal officer of the District.

SECTION 8. The District Treasurer is hereby 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 designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The District Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

SECTION 10. The intent of this resolution is to give the District Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. Pursuant to Section 38.00 of the Law, this resolution shall be subject to a mandatory referendum, to be held at the District's annual election on December 13, 2022, in the manner prescribed by Sections 175 and 179 of the Town Law of the State of New York. This resolution shall not take effect until approved by the affirmative vote of a majority of the duly qualified voters of the District voting on such proposition.

SECTION 12. As soon as reasonably possible after the date that this resolution takes effect, the Secretary of the District is hereby authorized and directed to cause a copy of this resolution, or a summary hereof, to be published in the official newspaper of the District for such purposes, together with a notice of the Secretary of the District in substantially the form provided in Section 81.00 of the Law.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are 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

(c) such obligations are authorized in violation of the provisions of the constitution.

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

Commissioner Barker (AYE
Commissioner Emerson (AYE
Commissioner Offen (AYE
Commissioner Merritt (AYE
Chairman Coates (AYE

The resolution was thereupon declared duly adopted by a vote of five (5) ayes and zero (0) nays.

*Ed Baginsky, Deputy Secretary
BOARD OF FIRE COMMISSIONERS
WHEATLAND SCOTTSVILLE JOINT FIRE DISTRICT
385 Scottsville-Mumford Road
Scottsville, New York 14546*

Only residents registered to vote with the Monroe County Board of Elections on or before November 13, 2022, shall be eligible to vote.

Dated: October 18, 2022

Ed Baginsky, Deputy Secretary
Board Of Fire Commissioners
Wheatland Scottsville Joint Fire District
385 Scottsville-Mumford Road
Scottsville, New York 14546