

EXTRACT OF MINUTES

Meeting of the Board of Fire Commissioners

of the Garrison Fire District,

in the Town of Philipstown,

Putnam County, New York

November 8, 2021

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A regular meeting of the Board of Fire Commissioners of the Garrison Fire District, in the Town of Philipstown, Putnam County, New York, was held at the firehouse located at 1616 Route 9, Garrison, New York, in said Fire District, on November 8, 2021, at 7:00 o'clock P.M. (Prevailing Time).

There were present: Linda Lomonaco, Chairman of the Board of Fire Commissioners

Commissioners: Fred Reich  
Sandy Bohl  
Nat Prentice  
David Brower

There were absent: Sandy Bohl

Also present: Jim Passikoff, Fire District Treasurer  
Cristin Erickson, Fire District Secretary

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Commissioner Prentice offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE GARRISON FIRE DISTRICT (“FIRE DISTRICT”), IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, ADOPTED NOVEMBER 8, 2021, AUTHORIZING THE PURCHASE OF A FIRE TRUCK, INCLUDING APPARATUS AND EQUIPMENT USED IN CONNECTION THEREWITH, FOR USE BY THE FIRE DISTRICT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$500,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE APPROPRIATION OF NOT TO EXCEED \$100,000 FROM THE EXISTING CAPITAL RESERVE FUND ENTITLED, “APPARATUS RESERVE FUND”, THE EXPENDITURE OF WHICH IS HEREBY APPROVED, TO BE EXPENDED TOWARDS THE COST THEREOF; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$400,000 BONDS TO FINANCE THE BALANCE OF SAID APPROPRIATION; DETERMINING THAT THE PERIOD OF PROBABLE USEFULNESS OF SAID FIRE TRUCK IS TWENTY (20) YEARS; DETERMINING THAT, PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”), THE ACQUISITION OF SAID TRUCK IS A TYPE II ACTION AND DOES NOT REQUIRE ANY FURTHER REVIEW; PROVIDING FOR THE LEVY OF TAXES TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AND PROVIDING THAT, IN LIEU OF THE ISSUANCE OF BONDS AUTHORIZED BY THIS RESOLUTION, THE FIRE DISTRICT IS AUTHORIZED TO ENTER INTO ONE OR MORE INSTALLMENT PURCHASE CONTRACTS TO FINANCE THE PURCHASE OF SAID FIRE TRUCK, THE TERMS OF WHICH SHALL NOT EXCEED TWENTY (20) YEARS.

THE BOARD OF FIRE COMMISSIONERS OF THE GARRISON FIRE DISTRICT, IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than three-fifths of all the members of said Board of Fire Commissioners) AS FOLLOWS:

Section 1. The Board of Fire Commissioners (hereinafter sometimes called “Board”) of the Garrison Fire District (hereinafter sometimes called “Fire District”), in the Town

of Philipstown, Putnam County, New York, is hereby authorized to purchase a fire truck, including apparatus and equipment used in connection therewith, for use by the Fire District. The estimated maximum cost of said fire truck, including preliminary costs and costs incidental thereto and to the financing thereof, is \$500,000 and the said amount is hereby appropriated therefor, including the appropriation of not to exceed \$100,000 from the existing Capital Reserve Fund entitled, "Apparatus Reserve Fund" (the "Capital Reserve Fund"), the expenditure of which is hereby approved, to be expended towards the cost thereof. The plan of financing includes the expenditure of not to exceed \$100,000 from said Capital Reserve Fund, the issuance of bonds of the Fire District in the principal amount of not to exceed \$400,000 to finance the balance of said appropriation and the levy and collection of taxes on all the taxable real property in the Fire District to pay the principal of said bonds and the interest thereon as the same shall become due and payable. In lieu of the issuance of bonds to finance the purchase of said fire truck and subject to the provisions of Section 109-b of the General Municipal Law and regulations promulgated thereunder by the New York State Comptroller, the Fire District is hereby authorized to entered into one or more installment purchase contracts to finance said purchase, the terms of which shall not exceed twenty (20) years.

Section 2. Bonds of the Fire District in the principal amount of \$400,000 are hereby authorized to be issued pursuant to the provisions of the New York Local Finance Law (herein sometimes called the "Law"), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said fire truck, the specific object or purpose for which said serial bonds authorized pursuant to this resolution are to be

issued, within the limitations of Section 11.00 a. 27 of the Law, is hereby determined to be twenty (20) years.

(b) The proceeds of the bonds herein authorized, any bond anticipation notes issued in anticipation of said bonds or any installment purchase contracts may be applied to reimburse the Fire District for expenditures made after the effective date of this resolution for the purpose or purposes for which said bonds or installment purchase contracts are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) Pursuant to the applicable provisions of the State Environmental Quality Review Act (“SEQRA”), the Board of Fire Commissioners of the Fire District, acting as Lead Agency, hereby determines that the acquisition of said fire truck, including apparatus and equipment used in connection therewith, as hereinabove described in Section 1 hereof, is a Type II Action and does not require any further review.

(d) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Fire District, payable as to both principal and interest by general tax upon all the taxable real property within the Fire District. The faith and credit of the Fire District are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made specially in the budget of the Fire District by

appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. The Fire District's obligations under any installment purchase contract shall be subject to annual appropriation or renewal by the Board of the Fire District as set forth in each installment purchase contract and the Fire District's obligations under any installment purchase contract shall not constitute a general obligation of the Fire District or indebtedness under the Constitution or laws of the State of New York.

Section 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Fire Commissioners relative to authorizing bond anticipation notes and prescribing their terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Fire District Treasurer, the chief fiscal officer of the Fire District.

Section 7. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Fire 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 days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. A proposition for the approval or disapproval of this resolution shall be submitted to the qualified voters of the Fire District at the Annual Election to be held on Tuesday, December 14, 2021, and this resolution shall take effect upon approval by such qualified voters at said Annual Election. Annexed hereto, made a part hereof and designated **Exhibit "A"**, is a summary of this bond resolution which shall be published as prescribed by applicable provisions of the Law when and only when this bond resolution becomes effective.

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The adoption of the foregoing resolution was seconded by Commissioner Lomonaco and duly put to a vote on roll call, which resulted as follows:

AYES: Linda Lomonaco  
Fred Reich  
Nat Prentice  
David Brower

NOES:

The resolution was declared adopted.

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EXHIBIT "A"

BOND RESOLUTION OF THE GARRISON FIRE DISTRICT ("FIRE DISTRICT"), IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, ADOPTED NOVEMBER 8, 2021, AUTHORIZING THE PURCHASE OF A FIRE TRUCK, INCLUDING APPARATUS AND EQUIPMENT USED IN CONNECTION THEREWITH, FOR USE BY THE FIRE DISTRICT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$500,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE APPROPRIATION OF NOT TO EXCEED \$100,000 FROM THE EXISTING CAPITAL RESERVE FUND ENTITLED, "APPARATUS RESERVE FUND", THE EXPENDITURE OF WHICH IS HEREBY APPROVED, TO BE EXPENDED TOWARDS THE COST THEREOF; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$400,000 BONDS TO FINANCE THE BALANCE OF SAID APPROPRIATION; DETERMINING THAT THE PERIOD OF PROBABLE USEFULNESS OF SAID FIRE TRUCK IS TWENTY (20) YEARS; DETERMINING THAT, PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA"), THE ACQUISITION OF SAID TRUCK IS A TYPE II ACTION AND DOES NOT REQUIRE ANY FURTHER REVIEW; PROVIDING FOR THE LEVY OF TAXES TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AND PROVIDING THAT, IN LIEU OF THE ISSUANCE OF BONDS AUTHORIZED BY THIS RESOLUTION, THE FIRE DISTRICT IS AUTHORIZED TO ENTER INTO ONE OR MORE INSTALLMENT PURCHASE CONTRACTS TO FINANCE THE PURCHASE OF SAID FIRE TRUCK, THE TERMS OF WHICH SHALL NOT EXCEED TWENTY (20) YEARS

The object or purpose for which the bonds are authorized is a fire truck, including apparatus and equipment used in connection therewith, at the estimated total cost of not to exceed \$500,000.

The period of usefulness assigned to the fire truck is twenty (20) years.

The maximum amount of obligations to be issued for said object or purpose is \$400,000. The balance of the cost of the fire truck, in the amount of not to exceed \$100,000, is expected to be paid from the Fire District's existing "Apparatus Reserve Fund."

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Fire District Secretary, in the firehouse located at 1616 Route 9, Garrison, New York 10524.

Dated: November 8, 2021

Garrison Fire District, in the  
Town of Philipstown, Putnam County, New York

Commissioner Prentice offered the following resolution and moved its adoption:

RESOLUTION OF GARRISON FIRE DISTRICT, IN THE TOWN OF PHILIPSTOWN, NEW YORK, ADOPTED NOVEMBER 8, 2021, DIRECTING SUBMISSION OF A PROPOSITION AT THE ANNUAL ELECTION AND DETERMINING MATTERS IN CONNECTION THEREWITH.

RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF GARRISON FIRE DISTRICT, IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, AS FOLLOWS:

Section 1. At the Annual Election of the qualified voters of the Garrison Fire District, in the Town of Philipstown, Putnam County, New York (the “Fire District”), to be held at the firehouse located at 1616 US Route 9, Garrison, New York, in said Fire District, on Tuesday, December 14, 2021, at 5:00 o’clock P.M. (Prevailing Time), a Proposition, in substantially the form as hereinafter set forth, shall be submitted to the qualified voters of the Fire District for their approval or disapproval. Said Proposition shall appear in the Notice of Annual Election, and the Fire District Secretary is hereby authorized and directed to include such Proposition in said Notice by inserting therein the following:

“The following Proposition will be submitted to the qualified voters for their approval or disapproval:

PROPOSITION

SHALL the bond resolution of Garrison Fire District, in the Town of Philipstown, Putnam County, New York, entitled: “BOND RESOLUTION OF THE GARRISON FIRE DISTRICT (“FIRE DISTRICT”), IN THE TOWN OF PHILIPSTOWN, PUTNAM COUNTY, NEW YORK, ADOPTED NOVEMBER



8, 2021, AUTHORIZING THE PURCHASE OF A FIRE TRUCK, INCLUDING APPARATUS AND EQUIPMENT USED IN CONNECTION THEREWITH, FOR USE BY THE FIRE DISTRICT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS NOT TO EXCEED \$500,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE APPROPRIATION OF NOT TO EXCEED \$100,000 FROM THE EXISTING CAPITAL RESERVE FUND ENTITLED, "APPARTUS RESERVE FUND", THE EXPENDITURE OF WHICH IS HEREBY APPROVED, TO BE EXPENDED TOWARDS THE COST THEREOF; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$400,000 BONDS TO FINANCE THE BALANCE OF SAID APPROPRIATION; DETERMINING THAT THE PERIOD OF PROBABLE USEFULNESS OF SAID FIRE TRUCK IS TWENTY (20) YEARS; DETERMINING THAT, PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA"), THE ACQUISITION OF SAID TRUCK IS A TYPE II ACTION AND DOES NOT REQUIRE ANY FURTHER REVIEW; PROVIDING FOR THE LEVY OF TAXES TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AND PROVIDING THAT, IN LIEU OF THE ISSUANCE OF BONDS AUTHORIZED BY THIS RESOLUTION, THE FIRE DISTRICT IS AUTHORIZED TO ENTER INTO ONE OR MORE INSTALLMENT PURCHASE CONTRACTS TO FINANCE THE PURCHASE OF SAID FIRE TRUCK, THE TERMS OF WHICH SHALL NOT EXCEED TWENTY (20) YEARS," BE APPROVED?

Section 2. The vote upon the Proposition to be submitted to the qualified voters shall be by paper ballot and the Fire District Secretary is hereby authorized and directed to have the necessary paper ballots, in substantially the form annexed hereto and made a part hereof designated **Exhibit "A"** prepared for use in voting at said Annual Election.

Section 3. Pursuant to the provisions of Section 175 of the Town Law (hereinafter sometimes called the "Law"), the Fire District Secretary is hereby authorized and directed to provide a Notice of Annual Election, in substantially the following form, to be published not less than twenty-seven (27) days nor more than thirty-four (34) days prior to the date of the Election in the "*Putnam County News and Recorder*," such newspaper having a general circulation in the Fire District and hereby designated as the official newspaper for such

publication; and, pursuant to the provisions of Section 175-c of the Law, said Notice or a copy thereof shall be:

(a) posted for at least fifteen (15) days, but not sooner than twenty (20) days, prior to the Annual Election, on the Fire District Website, if there be one, and on the municipal website of the Town of Philipstown and on the website(s), if any, of any town(s) or fire district(s) with which the Fire District contracts;

(b) posted on the sign board of the Fire District, if there be one; and

(c) provided to the Town Clerk of the Town of Philipstown for posting on the bulletin board in the office of the Town Clerk and the sign board maintained by the Town Clerk, if any, pursuant to the provisions of subdivision six (6) of section thirty (30) of the Law; the Fire District Secretary shall confirm with the Town Clerk that pursuant to the provisions of said Section 175-c of the Law, the Town Clerk is directed to cooperate with the Fire District to ensure timely notification of the Annual Election.

Section 4. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by Commissioner Lomonaco and duly put to a vote on roll call, which resulted as follows:

AYES: Linda Lomonaco  
Fred Reich  
Nat Prentice  
David Brower

NOES: None

The resolution was declared adopted.

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