

NOTICE OF ELECTION

Berlin Fire District #1
in the Town of Berlin, New York

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Board of Fire Commissioners, a special election of the qualified voters of the Berlin Fire District #1 in the Town of Berlin, County of Rensselaer, State of New York, will be held at the firehouse located at 11 Community Avenue, Berlin, New York 12022, on the 27th. day of July 2010, between the hours of 6 p.m. and 9 pm. to vote on whether to approve the following Resolutions adopted by such Board of Fire Commissioners:

RESOLUTION FOR PURCHASE OF TWO APPARATUS:

RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE BERLIN FIRE DISTRICT #1, TOWN OF BERLIN, RENSSELAER COUNTY, NEW YORK (THE "DISTRICT"), AUTHORIZING THE PURCHASE OF TWO FIRE VEHICLES, BEING AN AMBULANCE AND A TANKER-PUMPER; ESTIMATING THE TOTAL COST THEREOF AT A MAXIMUM OF \$398,800; APPROPRIATING SAID AMOUNT THEREFORE; AND AUTHORIZING THE FINANCING BY A COMBINATION, IN FULL OR IN PART, OF ANY OF THE FOLLOWING: BY ISSUANCE OF A SERIAL BOND OR STATUTORY INSTALLMENT BOND UP TO TEN YEARS FOR THE MAXIMUM AMOUNT OF \$398,800 PRINCIPAL AND/OR BY UTILIZING RESERVE FUNDS IN THE MAXIMUM AMOUNT OF \$39,880; OR FROM AN INSTALLMENT PURCHASE CONTRACT UP TO TEN YEARS FOR ALL OR PART OF THE TOTAL AMOUNT IN COMBINATION WITH THE RESERVE FUNDS, IF ANY, AND TO ISSUE BOND ANTICIPATION NOTES IN CONJUNCTION WITH THE ABOVE, FOR FIVE CONSECUTIVE YEARS, AND THE REMAINDER, IF ANY, FROM SURPLUS FUNDS ON HAND IN THE AMOUNT OF UP TO \$398,800.

That pursuant to Local Finance Law Section 80, the validity of such bonds or notes or any bond anticipation notes issued in anticipation of the sale of such bonds may be contested only if such obligations are authorized for an object or purpose for which the fire district is not authorized to expend money; or if the provisions of law which should be complied with as of this date 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 such obligations are authorized in violation of the provisions of the constitution.

All persons registered to vote in the district and residing in the district for at least thirty days prior to the day of the vote may vote in such special election.

RESOLUTION FOR THE PURCHASE OF VEHICLES

WHEREAS, the Board of Fire Commissioners of the Berlin Fire District #1 in the Town of Berlin, Rensselaer County, New York (the "District") desires to have the District purchase an ambulance and a tanker-pumper.

WHEREAS, the Board of Fire Commissioners has evaluated alternatives for financing, and in that evaluation has reviewed the cost of the purchases and whether or not indebtedness under a bond and/or reserve funds may be utilized or a combination of an installment purchase agreement and/or reserve funds or statutory installment bond as well as bond anticipation notes, and has estimated the cost of the purchases as partially financed under a statutory installment bond or installment purchase agreement and a portion with reserve funds, and has made a recommendation to utilize the statutory installment bond or installment purchase agreement, and bond anticipation notes, depending on rates available, and with the remainder from the reserve funds and cash on hand, if any, as proposed:

NOW, THEREFORE, THE BOARD OF FIRE COMMISSIONERS OF THE BERLIN FIRE DISTRICT #1 IN THE TOWN OF BERLIN, RENSSELAER COUNTY, NEW YORK (THE "DISTRICT") HEREBY RESOLVES (by the favorable vote of not less than three-fifths of all its members), AS FOLLOWS:

SECTION 1. The District is hereby authorized to finance the purchase of an ambulance and a tanker-pumper in sufficient amounts for use of the Fire District, with the maximum combined cost of \$398,800, utilizing a combination of any of the following: an installment purchase agreement, statutory installment bond, serial bonds, and/or reserve funds, plus bond anticipation notes and cash on hand, in amounts to be determined;

SECTION 2. The period of probably usefulness of the vehicles are each twenty (20) years pursuant to Local Finance Law Section 11.00(a)(27);

SECTION 3. The District officers, including the chairperson, are hereby authorized to take such actions and execute such documents as may be necessary to arrange for the financing and/or bonding of the vehicles in the amount of up to \$398,800 reduced by an as of yet undetermined amount from reserve funds, but in a maximum amount of \$398,800 from a reserve fund, but left to the discretion of the board at the time so as to obtain the best bonding/financing rates available;

SECTION 4. This resolution shall be subject to a mandatory referendum, to be held at a special election, held on the 27th. day of July, 2010, at the Berlin Fire District Fire House.

The polls will be open for the purpose of voting during the aforesaid hours, and the ballot will be in substantially the following form, to wit:

RESOLUTION FOR PURCHASE OF TWO APPARATUS:

RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE BERLIN FIRE DISTRICT #1, TOWN OF BERLIN, RENSSELAER COUNTY, NEW YORK (THE "DISTRICT"), AUTHORIZING THE PURCHASE OF TWO FIRE VEHICLES, BEING AN AMBULANCE AND A TANKER-PUMPER; ESTIMATING THE TOTAL COST THEREOF AT A MAXIMUM OF \$398,800; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE FINANCING BY A COMBINATION, IN FULL OR IN PART, OF ANY OF THE

FOLLOWING: BY ISSUANCE OF A SERIAL BOND OR STATUTORY INSTALLMENT BOND UP TO TEN YEARS FOR THE MAXIMUM AMOUNT OF \$398,800 PRINCIPAL AND/OR BY UTILIZING RESERVE FUNDS IN THE MAXIMUM AMOUNT OF \$39,880; OR FROM AN INSTALLMENT PURCHASE CONTRACT UP TO TEN YEARS FOR ALL OR PART OF THE TOTAL AMOUNT IN COMBINATION WITH THE RESERVE FUNDS, IF ANY, AND TO ISSUE BOND ANTICIPATION NOTES IN CONJUNCTION WITH THE ABOVE, FOR FIVE CONSECUTIVE YEARS, AND THE REMAINDER, IF ANY, FROM SURPLUS FUNDS ON HAND IN THE AMOUNT OF UP TO \$398,800.

duly adopted by the Board of Fire Commissioner of said Fire District on the 16th day of June, 2010 be approved with a vote of 4-0, with no abstaining and 1 absent.

SECTION 5. Pursuant to Local Finance Law Section 38.00, this resolution shall be subject to a mandatory referendum, to be held at a special election on the 27th day of July, 2010, 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. 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 to be published in full in the *Eastwick Press and Troy Record* which is designated as the official newspaper of the District for such purposes, together with a notice of the Clerk of the District in proper form.

SECTION 6. That pursuant to Local Finance Law Section 80, the validity of such bonds or notes or any bond anticipation notes issued in anticipation of the sale of such bonds may be contested only if such obligations are authorized for an object or purpose for which the fire district is not authorized to expend money; or if the provisions of law which should be complied with as of this date 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 such obligations are authorized in violation of the provisions of the constitution.

Those who are qualified to vote on the aforesaid proposition are qualified voters who shall have resided in said Fire District for thirty days next preceding such election.

Dated: Berlin, New York
June 16th, 2010

By Order of the Board of Fire Commissioners
of the Berlin Fire District #1 in the Town of Berlin,
Rensselaer County, New York

By: Kathleen A. Primeau
Kathleen A. Primeau, Fire District Secretary