

BOND RESOLUTION DATED April 13, 2020,
AUTHORIZING THE ISSUANCE OF SERIAL
BONDS AND NOTES IN ANTICIPATION OF
THE ISSUANCE THEREOF AND/OR
STATUTORY INSTALLMENT BONDS AND
NOTES IN ANTICIPATION OF THE ISSUANCE
THEREOF, OF THE TOWN OF WADDINGTON,
NEW YORK, IN THE COUNTY OF ST.
LAWRENCE, PURSUANT TO THE
PROVISIONS OF THE LOCAL FINANCE LAW
OF THE STATE OF NEW YORK AND
PURSUANT TO THE TOWN LAW OF THE
STATE OF NEW YORK IN AN AMOUNT NOT
TO EXCEED ONE HUNDRED EIGHTY-FIVE
THOUSAND AND 00/100 DOLLARS
(\$185,000.00) FOR THE PURPOSE OF
FINANCING THE COST OF PURCHASING ONE
NEW FULLY EQUIPPED 2021 MACH GRANITE
64FR ALLISON PLOW TRUCK FOR THE
TOWN OF WADDINGTON, NEW YORK, AT A
TOTAL PROJECT COST NOT TO EXCEED
TWO HUNDRED SEVENTEEN THOUSAND
NINE HUNDRED TWENTY-ONE AND 00/100
DOLLARS (\$217,921.00).

WHEREAS, the Town Board of the Town of Waddington, County of St.

Lawrence, New York, has heretofore at this meeting adopted a resolution authorizing the issuance of obligations of the Town of Waddington, New York, in the County of St. Lawrence, in the sum not to exceed One Hundred Eighty-five Thousand and 00/100 Dollars (\$185,000.00) for the purpose of financing the cost of purchasing one new fully equipped 2021 Mach Granite G4FR Allison plow truck for the Town of Waddington, New York, at a total project cost not to exceed Two Hundred Seventeen Thousand Nine Hundred Twenty-one and 00/100 Dollars (\$217,921.00).; and

WHEREAS, no other outstanding obligations of the Town of Waddington, New York, have been previously issued by the Township for or with respect to such purpose; and

WHEREAS, the Town Board of the Town of Waddington, New York, now desires to provide for the issuance of obligations of the Town of Waddington, New York, and it now desires to provide for other matters with respect to such purpose;

BE IT, THIS 13th day of April, 2020

RESOLVED, by the Town Board of the Town of Waddington, County of St. Lawrence, New York, as follows:

Section #1. The Town of Waddington, in the County of St. Lawrence, New York, shall issue its serial bonds or statutory installment bonds of the aggregate principal amount not to exceed One Hundred Eighty-five Thousand and 00/100 Dollars (\$185,000.00), and notes in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York, in order to finance the specific purpose hereinafter described.

Section #2. The specific purpose to be financed pursuant to this resolution is: financing the cost of purchasing one new fully equipped 2021 Mach Granite 64FR Allison plow truck for the Town of Waddington, New York, at a total project cost not to exceed Two Hundred Seventeen Thousand Nine Hundred Twenty-one and 00/100 Dollars (\$217,921.00).

Section #3. It is hereby stated that the maximum cost of said purpose as estimated by the Town Board is Two Hundred Seventeen Thousand Nine Hundred Twenty-one and 00/100 Dollars (\$217,921.00) and no money has heretofore been authorized to be applied to the payment of the cost of said purpose except as herein indicated. The Town Board plans to finance the cost of said purpose entirely from funds raised from the issuance of such serial bonds or statutory installment bonds and notes issued in anticipation of the issuance thereof and from grants specific to the purpose. The Town of Waddington in the County of St. Lawrence, State of New York, shall reimburse the Town's General Fund from the proceeds of the debt obligations of the Town hereby authorized to be issued for monies expended from said General Fund, if any, for and with respect to said purpose.

Section #4. It is hereby determined that said purpose is an object or purpose described in Section 11.00 of the Local Finance Law of the State of New York and that the probable useful life of said purpose is fifteen (15) years. The final redemption date of said bond to be issued will not extend beyond fifteen (15) years from the date of their initial issuance. It is hereby further determined, pursuant to Local Finance Law Section 32.00(5) that the maximum

maturity of the serial bonds and/or statutory installment bonds herein authorized may exceed five (5) years.

Section #5. Subject to the terms and conditions of this resolution, and the Local Finance Law of the State of New York, the power to authorize Bond Anticipation Notes in anticipation of the issuance of the Serial Bonds or Statutory Installment Bonds authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of such Serial Bonds or Statutory Installment Bonds and of such Bond Anticipation Notes and the power to sell and to deliver such Serial Bonds or Statutory Installment Bonds and Bond Anticipation Notes issued in anticipation of the issuance of such Serial Bonds or Statutory Installment Bonds is hereby delegated to the Chief Fiscal Officer of the Town of Waddington, County of St. Lawrence and State of New York. The Chief Fiscal Officer of the Town of Waddington is hereby authorized to sign any Serial Bonds or Statutory Installment Bonds issued pursuant to this resolution and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of said Serial Bonds or Statutory Installment Bonds and the Town Clerk is hereby authorized to affix the corporate seal of the Town of Waddington, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and renewals thereof and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by the facsimile signature of the Chief Fiscal Officer of the Town of Waddington, New York. Further, pursuant to Local Finance Law Section 21.00 (d), the Chief Fiscal Officer of the Town of Waddington, New York, is hereby authorized to determine whether or not the Serial Bonds and/or Statutory Installment Bonds hereby authorized to be issued will provide for substantially level or declining annual debt service.

Section #6. The faith and credit of the Town of Waddington, New York, is hereby pledged for the payment of the principal of and interest on such Serial Bonds or Statutory Installment bonds and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such Serial Bonds or Statutory Installment Bonds.

Section #7. This resolution shall be published in full by the Town Clerk of the Town of Waddington, County of St. Lawrence, State of New York, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York. The validity of the Serial Bonds or Statutory Installment Bonds and of any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such Serial Bonds or such Statutory Installment Bonds issued hereunder may be contested only if:

A. Such obligation is authorized for an object or purpose for which said Town is not authorized to expend money, or

B. If the provisions of law which should have been complied with as of the date of publication of such resolution were 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 obligation is authorized in violation of the provisions of the Constitution.

Section #8. These Serial Bonds and/or Statutory Installments Bonds and Notes issued in anticipation thereof are hereby designated a “qualified tax-exempt obligation” pursuant to Section 902(b)(3)(B) of the Tax Reform Act of 1986 (Section 265(b)3 of the Internal Revenue Code with respect to the deduction of the costs of purchasing or carrying the Note by banks and financial institutions). The Town of Waddington reasonably anticipates and hereby agrees that it will not issue “qualified tax-exempt obligations” in excess of ten million and no/100 dollars (\$10,000,000.00) during the calendar year of 2020. The Town of Waddington further certifies that the sum of the principal amount of the Serial Bonds and/or Statutory Installment Bonds and Notes and renewals thereof issued in anticipation thereof and the principal amount of any other “qualified tax-exempt obligations” hereby issued by the Town of Waddington, New York, during 2020 for the purpose of Section 902(b)(3)(B) of the Tax Reform Act of 1986 (Section 265(b)3 of the Internal Revenue Code with respect to the deduction of the costs of purchasing or carrying

the Note by banks and financial institutions) does not exceed ten million and no/100 dollars

(\$10,000,000.00).

The Serial Bonds and/or Statutory Installment Bonds and Notes and renewals thereof issued in anticipation thereof are hereby further designated a “small governmental unit” issue within the meaning of Internal Revenue Code Section 148(f)(4)(C), in that (I) it is issued by a governmental unit with general taxing powers, (II) no bond which is a part of such issue is a private activity bond, (III) ninety-five percent (95%) or more of the net proceeds of such issue are to be used for the local governmental activities of the Town of Waddington, New York, and (IV) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the Town of Waddington, New York, (and all subordinate entities thereof) during 2020 is not reasonably expected to exceed five million and no/100 dollars (\$5,000,000.00).

This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law of the State of New York and Article 7 of the Town Law of the State of New York.

STATE OF NEW YORK)

)SS:

COUNTY OF ST. LAWRENCE)

CAROL A. BURNS, Town Clerk of the Town of Waddington, County of St. Lawrence, State of New York, does hereby certify that the foregoing Resolution was duly adopted by the Town Board of the Town of Waddington at a meeting held on April 13, 2020.

TOWN BOARD
TOWN OF WADDINGTON, NEW YORK

Dated: April 20, 2020.

By: _____
CAROL A. BURNS, Town Clerk