

**BOND RESOLUTION  
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Town Board of the Town of Union, Broome County, New York, held at the Town Hall, in Endwell, New York, on the third day of January 2024, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Robert Mack, and upon roll being called, the following were.

PRESENT:     Supervisor Robert Mack  
                 Councilman Thomas R. Augostini  
                 Councilman Frank J. Bertoni  
                 Councilman Joseph P. Nirchi, Sr.  
                 Councilman David Kudgus

ABSENT:       None

The following resolution was offered by Councilman Thomas R. Augostini, who moved its adoption, seconded by Councilman David Kudgus, to-wit:

BOND RESOLUTION DATED January 3, 2024.

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF ROADS IN AND FOR THE TOWN OF UNION, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$600,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$600,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Union, Broome County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping, and other incidental improvements, in and for the Town of Union, Broome County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$600,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$600,000 bonds of said Town, hereby authorized, to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Union, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such 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 such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form, and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of 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.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

Councilman David Kudgus            VOTING   YES

Councilman Joseph P. Nirchi, Sr.   VOTING   YES

Councilman Frank J. Bertoni        VOTING   YES

Councilman Thomas R. Augostini   VOTING   YES

Supervisor Robert Mack            VOTING   YES

The resolution was thereupon declared duly adopted.

\*   \*   \*   \*   \*   \*

## CERTIFICATION FORM

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF BROOME         )

I, the undersigned Clerk of the Town of Union in the County of Broome, New York (the "Issuer"),  
DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held, and conducted on the third day of January 2024.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**Press & Sun Bulletin Sunday January 7, 2024**

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

**Town of Union Sign Board Friday January 5, 2024 & Town of Union Website January 5, 2024**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 8<sup>th</sup>  
day of January 2024.

(CORPORATE SEAL)

Leonard J. Perfetti  
Town Clerk