

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Johnson City, Broome County New York, at a meeting held on the 19th day of November, 2024, duly adopted the resolution published herewith **SUBJECT TO A PERMISSIVE REFERENDUM.**

Dated: Johnson City, New York,
November 20, 2024.

/s/ Charles Shager
Village Clerk

BOND RESOLUTION DATED NOVEMBER 19, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$625,000 BONDS OF THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE CONSTRUCTION OF A DPW FACILITY AT 60 LESTER AVENUE, IN AND FOR SAID VILLAGE.

WHEREAS, the Board of Trustees of the Village of Johnson City, Broome County, New York (the "Village"), on September 6, 2022, duly adopted a bond resolution authorizing the issuance of \$12,000,000 serial bonds of said Village to pay the cost of the construction of a DPW facility at 60 Lester Avenue in and for said Village of Johnson City, Broome County, New York, including costs incidental thereto; and

WHEREAS, it has now been determined that the maximum estimated cost of such object or purpose is \$12,625,000, an increase of \$625,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$625,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

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

Section 1. For the object or purpose of paying additional costs of the construction of a DPW facility at 60 Lester Avenue, including costs incidental thereto, there are hereby authorized to be issued an additional \$625,000 bonds of the Village of Johnson City, Broome County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$12,625,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$12,000,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted September 6, 2022; and
- b) By the issuance of the additional \$625,000 bonds of said Village authorized to be issued pursuant to this bond resolution; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11 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 Village of Johnson City, Broome County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations 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 serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial 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 serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. 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 Village Treasurer 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 Village 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, a summary thereof shall be published in the official newspaper, together with a notice of the Village 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.**