

REGULAR MEETING

SOUTHAMPTON FIRE DISTRICT

MAY 11, 2006

A Regular Meeting of the Board of Fire Commissioners of the Southampton Fire District was called to order by Chairman Press in the Library of the Tuckahoe School, 468 Magee Street, Southampton, New York, in accordance with the notice provided to the news media, copy of which is attached hereto. The meeting opened at 7:30 PM with the salute to the flag followed by a moment of silence.

PRESENT: Commissioners W. Mark Press, David Price, Secretary Bette-jeanne H. Schreier, Treasurer Mike Hadix, Commissioners Robert Grisnik and Thomas B. White arrived after the start of the meeting.

GUEST: William F. Glass, Jr., Fire District Attorney

Chief's Report – There is no report this evening. One is attending a Village Board meeting and another chief is taking a class out of the area. A copy of the district's minutes should be mailed to Chief Cooke.

A motion was made by Mr. Steudte and seconded by Mr. Price to accept the minutes of the Regular Meeting of April 13, 2006 as presented. The motion was approved by the following vote:

Mr. Press	Aye	Mr. Steudte	Aye	
Mr. Price	Aye			<u>VS3-64</u>

A motion was made by Mr. Steudte and seconded by Mr. Price to approve the 11 vouchers printed on summary and 2 additional vouchers as presented by Treasurer Hadix for payment. The motion was approved by the following vote:

Mr. Press	Aye	Mr. Steudte	Aye	
Mr. Price	Aye			<u>VS3-65</u>

The reconciliation reports were reviewed and signed by Commissioners Price and Press.

The Treasurer's Report was reviewed (a copy attached herein). A motion was made by Mr. Steudte and seconded by Mr. Price to accept the Treasurer's report as presented. The motion was approved by the following vote:

Mr. Press	Aye	Mr. Steudte	Aye	
Mr. Price	Aye			<u>VS3-66</u>

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Commissioner Price offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE SOUTHAMPTON FIRE DISTRICT, IN THE TOWN OF SOUTHAMPTON, NEW YORK, ADOPTED MAY 11, 2006, AUTHORIZING THE ACQUISITION OF A PARCEL OF LAND, AS THE PLANNED SITE OF A FIRE DISTRICT FACILITY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; APPROPRIATING SAID AMOUNT THEREFORE, INCLUDING THE EXPENDITURE OF \$800,000 IN DONATED FUNDS TO PAY A PART OF SAID APPROPRIATION; AUTHORIZING THE ISSUANCE OF \$1,700,000 SERIAL BONDS OF SAID FIRE DISTRICT TO FINANCE THE BALANCE OF SAID APPROPRIATION; STATING THAT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") IT HAS BEEN DETERMINED THAT SUCH ACQUISITION IS AN UNLISTED ACTION AND WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENT IMPACT AND THAT A NEGATIVE DELCRATION HAS BEEN ADOPTED; DETERMINING THAT THE PERIOD OF PROBABLE USEFULNESS OF SAID SPECIFIC OBJECT OR PURPOSE IS 30 YEARS; AND PROVIDING FOR THE LEVY OF A TAX TO BE COLLECTED TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

THE BOARD OF FIRE COMMISSIONERS OF THE SOUTHAMPTON FIRE DISTRICT, IN THE TOWN OF SOUTHAMPTON, SUFFOLK 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 Southampton Fire District, in the Town of Southampton, Suffolk County, New York (herein called the "Fire District"), is hereby authorized to acquire a parcel of land as the planned site of a fire district facility (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000 and said amount is hereby appropriated therefore. The plan of financing includes the expenditure of \$800,000 in donated funds to pay a part of said appropriation, the issuance of \$1,700,000 bonds of the Fire District 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.

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Section 2. Serial bonds of the Fire District in the principal amount of \$1,700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein 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 applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Fire District for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for expenditures made on or prior to such date if a prior declaration of intent has been made. 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) The Board of Fire Commissioners, acting in the role of Lead Agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), has determined that the Project is an Unlisted action for purposes of SEQRA and has reviewed an Environmental Assessment Form and has determined that the Project will have no significant adverse environmental impact. A Negative Declaration has been adopted.

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 without limitation of rate or amount. 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 annually 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. 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 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

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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 6. 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 of 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 7. A proposition for the approval or disapproval of this bond resolution shall be submitted to the qualified voters of the Fire District at the Special Election to be held on June 20, 2006, and this bond resolution shall take effect upon approval by such qualified voters at said Special Election.

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

AYES: Mr. Grisnik  
Mr. Press  
Mr. Price  
Mr. Steudte  
Mr. White

NOES: none

The resolution was declared adopted.

VS3-67

Commissioner Grisnik offered the following resolution and moved its adoption:

RESOLUTION OF THE SOUTHAMPTON FIRE DISTRICT, IN THE TOWN OF SOUTHAMPTON, NEW YORK, ADOPTED MAY 11, 2006, CALLING A SPECIAL ELECTION TO BE HELD ON JUNE 20, 2006, DIRECTING SUBMISSION OF A BOND PROPOSITION AT SAID SPECIAL ELECTION AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

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RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE SOUTHAMPTON FIRE DISTRICT, IN THE TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK, AS FOLLOWS:

Section 1. A Special Election of the qualified voters of the Southampton Fire District, in the Town of Southampton, Suffolk County, New York (herein called the "Fire District"), shall be held at the Library of the Tuckahoe School, 468 Magee Street, Southampton, New York, on June 20, 2006, at 5:00 o'clock P.M. (Prevailing Time) and the polls shall remain open until 9:00 o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes.

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 prepare said paper ballots to be used in voting.

Section 3. The Fire District Secretary is hereby authorized and directed to give notice of said Special Election by causing a Notice in substantially the form set forth in Section 5 hereof to be published at least once, not less than twenty-seven (27) days nor more than thirty-four (34) days prior to the date of such Election, in "**The Southampton Press – Eastern Edition**," a newspaper having a general circulation within the Fire District and hereby designated as the official newspaper of the Fire District for such publication.

Section 4. The following resident Fire District electors who are registered voters of the Fire District are hereby appointed to act as Chairman, Inspectors of Election and Ballot Clerks at the Special Election:

Stanley Yastrzemski	Chairman
Wanda Azmoodeh	Inspectors of Election
Mary Alice Halsey	and
Daniel McKeever	Ballot Clerks
Joseph Tyborowski	

Section 5. Said Notice shall be in substantially the following form:

**NOTICE OF SPECIAL ELECTION**

**SOUTHAMPTON FIRE DISTRICT, IN THE  
TOWN OF SOUTHAMPTON,  
SUFFOLK COUNTY, NEW YORK**

**JUNE 20, 2006**

NOTICE IS HEREBY GIVEN that pursuant to the resolution duly adopted by the Board of Fire Commissioners of the Southampton Fire District, in the Town of Southampton, Suffolk County, New York, on May 11, 2006, a Special Election of the qualified voters of said Fire District will be held at the Library of the Tuckahoe School, 468 Magee Street, Southampton, New York, on June 20, 2006, at 5:00 o'clock P.M. (Prevailing Time) and the polls shall remain open until 9:00 o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes upon the following Bond Proposition:

PROPOSITION

SHALL the bond resolution of the Southampton Fire District, in the Town of Southampton, New York, entitled: "Bond Resolution of the Southampton Fire District, in the Town of Southampton, New York, adopted May 11, 2006, authorizing the acquisition of a parcel of land, as the planned site of a Fire District facility; stating the estimated maximum cost thereof is \$2,500,000; appropriating said amount therefore, including the expenditure of \$800,000 in donated funds to pay a part of said appropriation; authorizing the issuance of \$1,700,000 serial bonds of said Fire District to finance the balance of said appropriation; stating that pursuant to the State Environmental Quality Review Act ("SEQRA") it has been determined that such acquisition is an Unlisted Action and will not result in any significant adverse environmental impact and that a negative declaration has been adopted; determining that the period of probable usefulness of said specific object or purpose is 30 years; and providing for the levy of a tax to be collected to pay the principal of and interest on said bonds," BE APPROVED?

BY ORDER OF THE BOARD OF FIRE COMMISSIONERS  
DATED: MAY 11, 2006

BETTE-JEANNE HALSEY SCHREIER  
FIRE DISTRICT SECRETARY

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Section 6. This resolution shall take effect immediately.

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

AYES:        Mr. Grisnik  
                 Mr. Press  
                 Mr. Price  
                 Mr. Steudte  
                 Mr. White  
NOES:        none

The resolution was declared adopted.

VS3-68

Attorney Glass recommended that the board come up with a plan prior to their constituent informational meeting tentatively set up for June 8, 2006. This can be determined by a discussing different scenarios with a representative from Munistat Following the vote, the district has to vote on an estoppel notice within 20 days. A municipal seal should be ordered from Dunkerley's. Oath of election inspectors will be prepared for the night of the election and a notary must be present to complete same.

The Secretary reviewed the correspondence sent and received over the last month. A list is attached herein.

#### Committee Reports

Fire District Budget – no report

Fire Protection Contract – no report

Long Range Planning – no report

Wells, Hydrants & Water Mains – Commissioner Price sent a copy of the hydrants to the fire chiefs to get recommendations. We have not heard from LIPA regarding our request (dated 16 March 2006) to disconnect three electric deep wells in the district. Commissioner Press will follow through on this.

#### Old Business

On motion made by Mr. Price and seconded by Mr. White, Mr. Price is authorized to purchase an advertisement for the Southampton Fire District to be placed in the journal. The estimated cost is \$500. The motion was approved by the following vote:

Mr. Grisnik	Aye	Mr. Steudte	Aye
Mr. Press	Aye	Mr. White	Aye
Mr. Price	Aye		

VS3-69

Mr. Price will contact Michael Kampf to place the advertisement.

The ISO report has been received by the Village of Southampton. We have not received a copy of this as promised. Portions of the report have been distributed to Commissioners Press and Price by Mayor Epley and Trustee Robinson. The date on the ISO report is 26 April 2006. As per our 2006 contract for Fire Protection with the Village of Southampton (paragraph 15), "the Village Board of Trustees and the Southampton Fire District Board of Fire Commissioners will meet to discuss a multi-year contract for 2007-2007". A letter should be sent to the Village Administrator to set up a meeting and ask about certified verification from Village auditing firm of current fund balances.

Final changes for our mailing will be submitted to Yoko at Syntax Communication by Commissioner White and the secretary will get out the mailing prior to Memorial Day weekend. The pamphlets will be ready by 19 May 2006. The mailing labels from the Suffolk County Board of Elections will be ready on 16 May 2006.

Discussion on the statement from Coughlin, Foundotos, Cullen & Danowski, LLP for accounting services (\$4,000) was deferred to the June meeting.

There being no further business to be brought before the Regular Meeting of the Board of Fire Commissioners, a motion was made by Mr. Grisnik and seconded by Mr. White to adjourn the meeting. The motion was unanimously as follows:

Mr. Grisnik	Aye	Mr. Steudte	Aye
Mr. Press	Aye	Mr. White	Aye
Mr. Price	Aye		

VS3-70

Chairman Press declared the meeting adjourned at 10:00 PM.

Respectfully submitted,

Bette-jeanne H. Schreier