

Notice is hereby given that at a special meeting of the Board of Fire Commissioners of the Apalachin Fire District, Tioga County, New York, duly held at Fire Station 1 located at 230 Pennsylvania Ave, Apalachin, New York on the 28th day of January, 2009 at 6:30 p.m., the Board of Fire Commissioners of the Apalachin Fire District duly adopted a resolution, and the complete text of which follows, which resolution is subject to a permissive referendum pursuant to Town Law.

**RESOLUTION TO PURCHASE PROPERTY  
LOCATED AT 284 PENNSYLVANIA AVE**

**WHEREAS**, Apalachin Fire District has been offered an opportunity to purchase the property located at 284 Pennsylvania Ave, Apalachin, New York, and

**WHEREAS**, the Board of Fire Commissioners deems it advisable that the Apalachin Fire District acquire this real estate from Carol G. Defide, and

**WHEREAS**, the Apalachin Fire District has negotiated a purchase and sale contract with Carol G. Defide for the purchase of property known as 284 Pennsylvania Ave, Apalachin, NY, Tax No. 142.18-1-2 including all buildings and other improvements consisting on a lot approximately 106 feet by 195 feet in size, for the sum of Seventy Nine Thousand five Hundred Dollars (\$79,500.00) and

**BE IT RESOLVED**, subject to permissive referendum, that the Board of Fire Commissioners of the Apalachin Fire District hereby authorizes and directs the Chairman of the Apalachin Fire District, on behalf of the Board of Fire Commissioners, to take all actions necessary to sign a purchase contract to convey, transfer to, execute and deliver and, where appropriate, cause to be filed or recorded of record, any and all documents on behalf of the Apalachin Fire District as may be necessary or proper for the purpose of conveying, executing and delivering title from Carol G. Defide to the Apalachin Fire District pursuant to the terms and conditions of the purchase offer as may be modified by the approval letter to be issued by the District's attorney, and it is further

**RESOLVED**: The Board of Fire Commissioners, subject to the contingencies set forth in the purchase offer agreement and this Resolution and other contingencies relating to obtaining necessary approvals including, if a referendum is held, the approval of the voters of the Fire District, hereby authorizes the purchase of the property from Carol G. Defide as set forth in such purchase agreement, and further authorizes the undertaking of all of the obligations set forth in said purchase agreement, including without limitation, the preparation of a survey, obtaining and delivering all closing papers, and completion of the sale, all of said actions being authorized pursuant to Town Law 176, and it is further

**RESOLVED**: That the financing of said purchase consists of an expenditure of an amount not to exceed \$100,000.00 from the "Building" capital reserve fund, as subject to permissive referendum pursuant to General Municipal Law § 6-g; and it is further

**RESOLVED**: That said purchase offer shall contain a contingency for the permissive referendum to which this resolution is subject and a second contingency for any permissive referendum or approvals needed to finance the purchase of the property pursuant to the New York Local Finance

Law as well as such other contingencies as recommended by the District's attorney, and it is further

**RESOLVED:** The officers of the Apalachin Fire District, including the Chairman, Treasurer, Secretary, and the attorney for the Apalachin Fire District are hereby authorized to take such actions as they deem necessary or appropriate to complete the sale of the real property and it is further

**RESOLVED:** Within 10 days after the adoption of this resolution by the Board of Fire Commissioners, the District Secretary shall, post and publish a notice which shall set forth the date of the adoption of this Resolution and contain a copy of this Resolution, stating the purpose and effect thereof. Such notice shall specify that such Resolution was adopted subject to a permissive referendum, and it is further

**RESOLVED:** This Resolution shall take effect immediately, unless a referendum is requested, in which event it shall take effect, if approved at such referendum, upon such approval, and it is further

**RESOLVED,** that the district secretary shall advertise this Resolution as subject to permissive referendum in accordance with the laws of the State of New York.

The undersigned, Alicia Loso, certifies that she is the duly appointed Secretary of the Apalachin Fire District, and that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the Board of Fire Commissioners, which was held in accordance with State law.

Dated: January 28, 2009

Alicia Loso  
Secretary