

ORDER OF TOWN BOARD **ESTABLISHING SANITARY SEWER DISTRICT**

AT a special meeting of the Town Board of the Town of Forestport held at the Town Hall, Woodhull Street in the Town of Forestport, Oneida County, New York, on the 2nd day of September, 1992.

PRESENT:

Joan Ingwall
John Hartan
Roger Williams
Ernest J. Hershey, Supv.
Councilmen

WHEREAS the Town Board has heretofore, by resolution enacted April 24, 1991, approved the establishment of a sanitary sewer and laterals in the Forestport Sanitary Sewer District and the establishment of the sewer district as prayed for in a written petition dated September 18, 1990, pursuant to section 191 of the Town Law, and

WHEREAS the map and plan accompanying said petition been duly approved by the State Department of Health, and copies thereof duly filed with said department and with the Town Clerk of said Town of Forestport, pursuant to section 192 of the Town Law, and

WHEREAS upon application duly submitted pursuant to section 194 of the Town Law the State Comptroller has by order of September 1, 1992, granted permission for the establishment of said district as provided in said order,

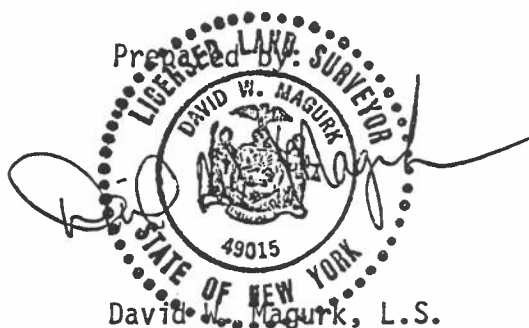
NOW, on motion of Councilman Joan Ingwall, seconded by Councilman Roger Williams, all members present voting therefor it is

ORDERED that the district prayed for in said petition, to wit, the Town of Forestport Sanitary Sewer District No. 1, be erected and established into the following described area in the Town of Forestport: (See attached description)

PROPOSED SANITARY SEWER DISTRICT
TOWN OF FORESTPORT, NEW YORK
LEGAL DESCRIPTION

BEGINNING at a point being the intersection of the centerline of River Street with the centerline of New York State Route 28 in the Town of Forestport, County of Oneida, State of New York; thence proceeding northeasterly along the centerline of said New York State Route 28 a distance of 1,170 feet, more or less, to the intersection of said centerline with the centerline of Bardwell Mills Road; thence northwesterly along the centerline of said Bardwell Mills Road a distance of 325 feet, more or less, to a point; thence northeasterly across said road and along the southeast boundary of Parcel #50, Block #1 as shown on the Town of Forestport Tax Map, Sheet #50.03 a distance of 166 feet, more or less, to the northeast corner of said Parcel #50; thence northwesterly along the northeasterly boundary of Parcels #50, #49, #48, #47 and #46 of said Block #1 a distance of 493 feet, more or less, to the northwest corner of said Parcel #46; thence westerly along the northerly boundary of Parcel #45, Block #1 to a point in the easterly boundary of Parcel #43, Block #1; thence northerly along the easterly boundary of Parcels #43, #41, #39, #38, #37, #36, #35, #34, and #33, Block #1 passing through the northeast corner of said Parcel #33 at a distance of 383 feet, more or less, a total distance of 430 feet more or less, to a point; thence easterly a distance of 110 feet, more or less, to the southwest corner of Parcel #30, Block #2; thence continuing easterly along the southerly boundary of said Parcel #30 a distance of 130 feet, more or less, to the southeast corner of said Parcel #30; thence northerly along the easterly boundary of said Parcel #30 a distance of 135 feet, more or less, to the northeast corner of said Parcel #30;

more or less, to a point on the easterly shoreline of said Black River Canal Feeder, said point also being a northeast corner of said Parcel #6; thence southwesterly and southeasterly along said easterly and northeasterly shoreline of said Black River Canal Feeder, as it winds and turns, a distance of 1,300 feet, more or less, to a point on said northeasterly shoreline; thence southeasterly across said Black River Canal Feeder a distance of 100 feet, more or less, to a point being the intersection of the southerly boundary of Parcel #6, Block #3 and the easterly shoreline of said Black River Canal Feeder; thence southeasterly and northeasterly along the southerly boundary of said Parcel #6 a distance of 770 feet, more or less, to a point in the centerline of River Street; thence southerly along said centerline of River Street a distance of 290 feet, more or less, to a point in the centerline of New York State Route 28, being the True Point of Beginning.



September 17, 1990

BOND RENEWAL RESOLUTION

BOND RESOLUTION OF SEPTEMBER 2, 1992, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT OF \$100,000.00 OF THE TOWN OF FORESTPORT, ONEIDA COUNTY, NEW YORK, FOR THE CONSTRUCTION OF SEWER LINES IN THE TOWN OF FORESTPORT SEWER DISTRICT NO. 1.

Resolution by Councilman

James Ingwersoll

Seconded by Councilman

James Ingwersoll

WHEREAS, the Board of the Town of Forestport, Oneida County, New York, by resolution duly adopted on the 2nd day of September, 1992, authorized the Supervisor of the Town of Forestport, to issue a Bond Anticipation Note in the amount of \$100,000.00 for the construction of sewer lines in the Town of Forestport Sewer District No. 1.

NOW, THEREFORE, be it resolved,

1. That the Supervisor is hereby authorized to issue a Bond Anticipation Note in the amount of \$100,000.00 for the construction of sewer lines in the Town of Forestport Sewer District No. 1.

2. The Supervisor is further authorized to contact the Town Attorney for the purpose of drawing up said Note, and to contact the Chase Lincoln First Bank, Boonville Branch, for the issuance of said Note.

3. That the Supervisor is authorized to renew this Note as necessary until said Note is paid in full.

4. This resolution shall take effect immediately.

Upon the question of the adoption of the foregoing resolution, the Town Board unanimously voted "AYE" in favor of the resolution.

The resolution having received at least two-thirds of the vote of the members of the Town Board, was declared by the Supervisor to be duly adopted.

Dated: September 2, 1992.

Russell J. Hirschey

RUSSELL J. HIRSHEY
Town Supervisor
Town of Forestport

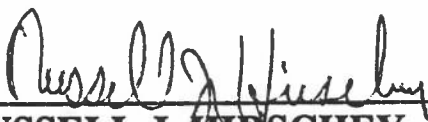
CLOSING CERTIFICATE FOR BOND ANTICIPATION NOTE

THE UNDERSIGNED DOES HEREBY CERTIFY that pursuant to the powers delegated to him as Supervisor of the Town of Forestport, County of Oneida and State of New York, in and by a resolution of the Board adopted on September 2, 1992, he has this day:

1. Fixed the date of maturity on such bond anticipation note as follows: September 3, 1993.
2. Fixed the interest rate on such bond anticipation note at 3.46% per annum payable annually.

THE UNDERSIGNED does further certify that such bond anticipation note was this date sold to Chase Lincoln First Bank, N.A. at private sale for \$100,000.00, representing the par value of such note.

Dated: September 2, 1992.


RUSSELL J. HIRSCHHEY
Town Supervisor
Town of Forestport

ARBITRAGE CERTIFICATE

\$100,000.00 Bond Anticipation Note, 1992

THE UNDERSIGNED certifies that he is the chief fiscal officer of the Town of Forestport, County of Oneida, State of New York (the "issuer") and that, in his capacity as such, he among others, is charged with the responsibility for issuing the above-mentioned obligation of the Issuer (the "Obligation") being issued on the date hereof, and further certified as follows:

1. The facts and circumstances set forth below are in existence on the date hereof. The issuer's expectations as to future events are also set forth below and include the expectations that the proceeds of the Obligation will not be used in a manner that would cause the Obligation to be "an arbitrage bond" within the meaning of Section 103 of the Internal Revenue Code of 1954 (the "Code") and the regulations promulgated by the Department of the Treasury thereunder. To the best of my knowledge and belief, the Issuer's expectations are reasonable.

2. The Note will be issued on or about September 4, 1992. The Note will mature on or about September 3, 1993.

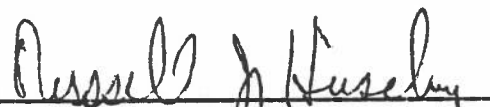
3. The principal amount of this Note issue is \$100,000.00.

To the best of my knowledge and belief, there are no other facts, estimates or circumstances that would materially change the expectations set forth in this certificate.

The certificate is executed as of the date of issue of the Note (i.e., the date of delivery of the Note in exchange for the issue price).

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town this 2nd day of September, 1992.

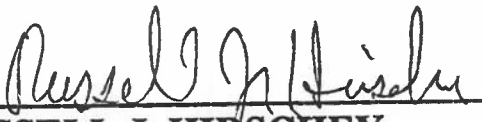
Dated: September 2, 1992.


RUSSELL HIRSCHHEY
Town Supervisor
Town of Forestport

DESIGNATION STATEMENT

"The \$100,000.00 hereby authorized is hereby designated a "qualified tax exempt obligation" pursuant to Section 265(B)(3) of the Internal Revenue Code. That the Note is not a private activity bond within the meaning of Section 141 of the Internal Revenue Code. The Town of Forestport does not anticipate that it will issue in excess of Ten Million (\$10,000,000.00) Dollars of qualified tax exempt obligations for the current calendar year".

Dated: September 2, 1992.


RUSSELL J. HIRSCH
Town Supervisor
Town of Forestport

UNITED STATES OF AMERICA
STATE OF NEW YORK
COUNTY OF ONEIDA

1992
\$100,000.00

THE TOWN OF FORESTPORT, COUNTY OF ONEIDA AND STATE OF NEW YORK, hereby acknowledges itself indebted and for value received promises to pay to the bearer of this Note, the sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, interest owing at the rate of 3.46% per annum, the balance to be paid in full one (1) year from the date of this Note. Both principal and interest on the Note will be paid in lawful money of the United States of America at the Chase Lincoln First Bank, Boonville Branch, Boonville, New York.

This Note is issued pursuant to the provisions of a resolution entitled: "NOTE RESOLUTION OF SEPTEMBER 2, 1992 AUTHORIZING THE BOND ANTICIPATION NOTE OF THE TOWN OF FORESTPORT, NEW YORK FOR THE CONSTRUCTION AND INSTALLATION OF SEWER LINES IN THE TOWN OF FORESTPORT SEWER DISTRICT NO. 1 THE NOTE TO BE IN THE SUM OF ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS.

Which resolution was duly adopted by the Board of the Town of Forestport, on the 2nd day of September, 1992. The faith and credit of such Town of Forestport are irrevocably pledged for the punctual payment of the principal and interest of the Note according to its terms.

THAT there shall be no prepayment of this Note prior to its due date.

IN WITNESS WHEREOF, the Town of Forestport, Oneida County, New York has caused this Note to be signed by its Supervisor and attested by its Clerk, and this note is to be dated as of the 4th day of September, 1992, due September 3, 1993.

TOWN OF FORESTPORT

By:

Russell J. Hirschey
RUSSELL J. HIRSCHHEY

Town Supervisor

Town of Forestport

ATTEST:

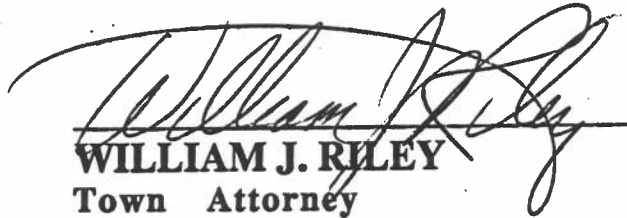
Patricia Kinville
PATRICIA KINVILLE

Town Clerk

LEGAL OPINION

THIS IS TO CERTIFY THAT I, WILLIAM J. RILEY, a
duly licensed attorney at law, have examined the within Note
Resolution, Bond Resolution and Bond Note of the Town of Forestport,
Oneida County, New York and in my opinion said resolution and notes
comply with the provisions of the Local Finance Law of the State of
New York and all other statutes of the said State.

Dated: September 2, 1992.


WILLIAM J. RILEY
Town Attorney
Town of Forestport