NEW CASTLE FIRE DISTRICT No. 1
Est. 1925

Board of Fire Commissioners
Post Office Box 64 • Chappaqua, New York 10514
Website: www.ncfd1.org • Phone: 914-238-6287

BOARD OF FIRE COMMISSIONERS
NEW CASTLE FIRE DISTRICT NO. 1
P.O. Box 64
Chappaqua, New York 10514 www.ncfd1.org

The Regular Monthly Meeting of the Board of Fire Commissioners of New Castle Fire District No. 1 was held at 491 King Street, Chappaqua, New York on the 16th of March, 2023 commencing at 7:00pm. The Meeting was videotaped by the New Castle Community Media Center ("NCCMC") and is available for viewing on the NCCMC website (NCCMC.com) or on NCFD1.org.

Present
Brian Murphy, Chairman
Edwin Frank, Commissioner
Charles Rauch, Commissioner
Dwight Smith, Commissioner
Michael Soldo, Commissioner

Also Present
Christine Dennett, Secretary

Absent
Robin Rizzo, Treasurer

Pledge of Allegiance

Commissioner Smith led the *Pledge of Allegiance* and the Board held a moment of silence for all the deceased members.

Correspondence

- None received.

Chief's Report:

First Assistant Chief Lange gave the Chief's Report.

- The thermal imaging camera needs replacing.
- The trailer may be used for specialty equipment storage if it's roadworthy and registered.

- A status update for the new Tahoe was requested.

Upon motion by Commissioner Smith, seconded by Commissioner Rauch, the Board voted unanimously to approve the Chief's expenditures in the amount of $44.95 with a vote of 5-0.

Treasurer's Report:

Upon motion by Commissioner Smith, seconded by Commissioner Frank, the Board of Fire Commissioners voted unanimously to approve the Check Register for March in the amount of $264,241.90 with a vote of 5-0.

Secretary's Report:

- Commissioner badges have been ordered from Rescue Stuff.
- The new website is live.

Approval of Meeting Minutes:

Upon motion by Commissioner Smith, seconded by Commissioner Rauch, the Board voted unanimously to approve the minutes of the Regular Meeting on February 16, 2023 with a vote of 5-0.

Committee Reports:

Chairman Murphy:

a) House
   - The sink is fixed.
   - Holiday lights need to be taken down still.
   - A bid for landscaping will be sent out.
   - Quotes for a message board will be sought.

b) Medical/Physicals – no report.
c) Town Board Liaison – no report.
d) Compliance Policy Review – no report.

Commissioner Frank:

a) Technology – no report
b) Engineering/Building – no report
c) Projects
   - All site plan documents have been signed and filed.
   - A banner will be put up on the building and downtown. A permit will be filed with the town.

Commissioner Rauch:

a) Insurance

- working with Guion to get everything in order. Will notify them of the death of a former member.

b) Finance – reviewed documents. No issues.
c) Purchasing – no report.

Commissioner Smith:

a) Trucks

- 2061 and Engine 243 are due for inspection soon.
- The Tower Ladder is back in service.
- Truck 144 has a broken valve that's getting repaired.
- Rescue 23 is operating fine.
- The new Tahoe is 70% complete.
- The iPad needs mounting in the old Chief's car.
- A new vendor Hendrickson for truck maintenance and repair is being looked in to and references are being checked.

b) Communications

- UPS backup batteries were replaced in the Chief's Office.
- A leak upstairs damaged the thumb print reader. A replacement will be purchased.

Commissioner Soldo

a) Uniforms/Turnout Gear – will discuss thermal imaging camera with Chief.
b) Town Liaisons – no report.
c) Legal and Contract Review – the contract expiration for the new website will be looked into.

Old Business:

a) Modernization Project Discussion

- The Community Information Sessions will be scheduled and advertised.

b) District Policies Discussion – tabled.

New Business:

a) Bond Resolution

Upon motion by Commissioner Frank, seconded by Commissioner Rauch, the Board voted unanimously to approve the following resolution with a vote of 5-0.

BOND RESOLUTION OF THE NEW CASTLE FIRE DISTRICT NO. 1 ("FIRE DISTRICT"), IN THE TOWN OF NEW CASTLE ("TOWN"), WESTCHESTER COUNTY, NEW YORK, ADOPTED MARCH 16, 2023,

AUTHORIZING NEW CONSTRUCTION AND MODERNIZATION OF THE NEW CASTLE FIRE DISTRICT NO. 1 OFFICES AND FIREHOUSE LOCATED AT 491 KING STREET, CHAPPAQUA, NEW YORK, FOR USE BY THE CHAPPAQUA FIRE DEPARTMENT (THE "PROJECT"); STATING THE ESTIMATED TOTAL COST THEREOF IS $15,205,580, INCLUDING PRELIMINARY COSTS AND COSTS INCIDENTAL THERETO AND TO THE FINANCING THEREOF; APPROPRIATING SAID AMOUNT THEREFOR; AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED $15,205,580 TO FINANCE SAID APPROPRIATION AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE PRINCIPAL OF SAID BONDS AND THE INTEREST THEREON AS THE SAME BECOME DUE AND PAYABLE.

THE BOARD OF FIRE COMMISSIONERS OF THE NEW CASTLE FIRE DISTRICT NO. 1, IN THE TOWN OF NEW CASTLE, WESTCHESTER 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 Board of Fire Commissioners (hereinafter sometimes called "Board") of the New Castle Fire District No. 1 (hereinafter sometimes called "Fire District"), in the Town of New Castle, (hereinafter sometimes called "Town") Westchester County, New York, is hereby authorized to undertake a facilities improvement project consisting of new construction and modernization of the New Castle Fire District No. 1 offices and firehouse located at 491 King Street, Chappaqua, New York, for use by the Chappaqua

Fire Department (hereinafter sometimes called "Project"). The estimated total cost of the Project is $15,205,580, including preliminary costs and costs incidental thereto and to the financing thereof, and the said amount is hereby appropriated therefor. The plan of financing includes the issuance of $15,205,580 bonds to finance said appropriation and the levy and collection of taxes to pay the principal of said bonds and the interest thereon.

Section 2. Bonds of the Fire District in the aggregate principal amount of $15,205,580 are hereby authorized to be issued pursuant to the provisions of the New York Local Finance the Law (hereinafter sometimes called the "Law"), to finance 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 subparagraphs 11(a)(1) and 12(c) of Section 11.00 a. 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 or purposes for which said bonds are authorized. 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 bonds herein authorized will have a maturity in excess of five (5) years.

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. 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, including but not limited to the Sections thereof hereinafter referred to, 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 of 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 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 or 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 resolution shall be submitted to the qualified voters of the Fire District at the Special Election to be held on Tuesday, April 25, 2023, and this resolution shall take effect upon approval by such qualified voters at said Special Election. Annexed hereto, made a part hereof and designated **Exhibit "A"**, is a summary of this bond resolution which shall be published as prescribed by applicable provisions of the Law when and only when this bond resolution becomes effective.

b) Resolution to Schedule Special Election

Upon motion by Commissioner Rauch, seconded by Commissioner Smith, the Board voted unanimously to approve the following resolution with a vote of 5-0:

RESOLUTION OF THE NEW CASTLE FIRE DISTRICT NO. 1, IN THE TOWN OF NEW CASTLE, NEW YORK, ADOPTED MARCH 16, 2023, CALLING A SPECIAL ELECTION TO BE HELD ON APRIL 25, 2023, DIRECTING SUBMISSION OF A BOND PROPOSITION AT SAID SPECIAL ELECTION AND PUBLICATION AND POSTING OF THE NOTICE OF ELECTION AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE NEW CASTLE FIRE DISTRICT NO. 1, WESTCHESTER COUNTY, NEW YORK, AS FOLLOWS:

Section 1. A Special Election of the qualified voters of the New Castle Fire District No. 1, New York (hereinafter sometimes called the "Fire District"), will be held at the Bedford Road Firehouse building located at 491 King Street, Chappaqua, New York, in the said Fire District, on Tuesday, April 25, 2023, at 12:00 o'clock Noon (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 on the Proposition to be submitted to the said voters.

Section 2. The vote upon the Proposition to be submitted to the said voters shall be by paper ballot and the Fire District Secretary is hereby authorized and directed to have the

necessary paper ballots prepared for use in voting, in substantially the form annexed hereto and made a part hereof designated **Exhibit "A".**

Section 3. Pursuant to the provisions of Section 175 of the Town Law (hereinafter sometimes called the "Law"), the Fire District Secretary is hereby authorized and directed to provide the Notice of Special Election, in substantially the following form, to be published not less than twenty-seven (27) days nor more than thirty-four (34) days prior to the date of the Special Election in "*The Journal News*" newspaper having general circulation in the Fire District and hereby designated as official newspaper for such publication and, pursuant to the provisions of Section 175-c of the New York Town Law (hereinafter sometimes called the "Law"), said Notice or a copy thereof shall be:

(a) posted for at least fifteen (15) days, but not sooner than twenty (20) days prior to the Special Election, on the Fire District Website, if there be one, and on the municipal website of the Town of New Castle (hereinafter sometimes called the "Town") and on the website(s), if any, of any town(s) or fire district(s) with which the Fire District contracts;

(b) posted on the sign board of the Fire District, if there be one; and

(c) provided to the Town Clerk of the Town for posting on the bulletin board in the office of said Town Clerk and the sign board maintained by the Town Clerk pursuant to the provisions of subdivision six (6) of section thirty (30) of the Law; the Fire District Secretary shall confirm with the Town Clerk that pursuant to the provisions of said Section 175-c of the Law, the Town Clerk is directed to co-operate with the Fire District to ensure timely notification of the Special Election.

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

Jonathan Russell	Chairman/Election Inspector/Poll Clerk
Bonnie Golub	Election Inspector/Poll Clerk
Nancy Korte	Election Inspector/Poll Clerk
Kimberly Russell	Election Inspector/Poll Clerk

Section 5. In the event that, for whatever reason, any person appointed pursuant to Section 4 to act at the said Special Election in the capacity set opposite his/ her name, shall be unable to act in such capacity, then and in that event, the Fire District Secretary, after being so notified, shall thereupon exercise the power hereby delegated to said Fire District Secretary, to appoint a person possessing the requisite qualifications to serve in place of said person who is unable to act.

Section 6. The Chairman and Election Inspectors shall each be paid the sum of $100 each for preparing the register and conducting said Special Election.

Section 7. The Fire District Secretary shall furnish the Election Inspectors, at Fire District expense, with all necessary registration books, papers, equipment and supplies.

Section 8. The Notice of Special Election shall be in substantially the following form:

NOTICE OF SPECIAL ELECTION

TO BE HELD ON TUESDAY, APRIL 25, 2023

IN THE

NEW CASTLE FIRE DISTRICT NO. 1, IN THE

TOWN OF NEW CASTLE, WESTCHESTER COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that a Special Election of the qualified voters of the New Castle Fire District No. 1 (hereinafter called the "Fire District"), in the Town of New Castle, Westchester County, New York, will be held at the Bedford Road Firehouse building located at 491 King Street, Chappaqua, New York, in the Fire District, on **Tuesday, April 25, 2023**. The polls shall open at 12:00 o'clock Noon (Prevailing Time) and 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.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the resolution adopted by the Board of Fire Commissioners of the Fire District on March 16, 2023, the following Proposition will be submitted to the qualified voters of the Fire District for approval or disapproval:

PROPOSITION

Shall the bond resolution of the New Castle Fire District No. 1, Westchester County, New York, entitled: "BOND RESOLUTION OF THE NEW CASTLE FIRE DISTRICT NO. 1 ("FIRE DISTRICT"), IN THE TOWN OF NEW CASTLE ("TOWN"), WESTCHESTER COUNTY, NEW YORK, ADOPTED MARCH 16, 2023, AUTHORIZING NEW CONSTRUCTION AND MODERNIZATION OF THE NEW CASTLE FIRE DISTRICT NO. 1 OFFICES AND FIREHOUSE LOCATED AT 491 KING STREET, CHAPPAQUA, NEW YORK, FOR USE BY THE CHAPPAQUA FIRE DEPARTMENT (THE "PROJECT"); STATING THE ESTIMATED TOTAL COST THEREOF IS $15,205,580, INCLUDING PRELIMINARY COSTS AND COSTS INCIDENTAL THERETO AND TO THE FINANCING THEREOF; APPROPRIATING SAID AMOUNT THEREFOR; AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED $15,205,580 TO FINANCE SAID APPROPRIATION AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE PRINCIPAL OF SAID BONDS AND THE INTEREST THEREON AS THE SAME BECOME DUE AND PAYABLE," be approved?

All residents of the Fire District who were duly registered to vote with the Westchester County Board of Elections on or before April 3, 2023, shall be eligible to vote at said Special Election.

BY ORDER OF THE BOARD OF FIRE COMMISSIONERS

DATED: March 16, 2023

CHRISTINE DENNETT

FIRE DISTRICT SECRETARY

Section 9. This resolution shall take effect immediately.

c) Resolution to Appoint Election Inspectors

Upon motion by Commissioner Rauch, seconded by Commissioner Smith, the Board voted unanimously to approve the following resolution with a vote of 5-0:

BE IT RESOLVED that the New Castle Fire District No 1 hereby appoints Bonnie Golub, Nancy Korte, Kim Russell as Election Inspectors and Jon Russell as the Chairman for the Special Election scheduled for Tuesday, April 25, 2023 for the hours of 12:00pm-9:00pm at a rate of $100.00 per inspector.

d) Message Board – quotes will be sought.
e) Chair Lift for Front Stairwell – quotes will be sought.
f) Property Tax Exemption for Volunteer Firefighters – tabled to the next agenda to review the requirements and timeline.

Public Comment:

There were no public comments.

Future Dates:

Regular Monthly Meeting March 16, 2023 at 7pm at 491 King Street with a Work Session prior at 6:30pm.

Adjournment:

Upon motion by Commissioner Smith, seconded by Commissioner Frank, the Board of Fire Commissioners voted unanimously to adjourn the regular meeting at 7:40pm.

Respectfully submitted,
Christine Dennett
Fire District Secretary

April 3, 2023