



The Mayor and Commissioners
of the Town of Elkton

Resolution R2-2011

“William M. Singerly Steam Fire
Engine and Hook and Ladder Company”

A RESOLUTION of the Mayor and Commissioners of the Town of Elkton designating the William M. Singerly Steam Fire Engine and Hook and Ladder Company (the “Fire Company”) as the volunteer fire department which provides firefighting services within the Town of Elkton.

WHEREAS, the Fire Company has determined to (i) finance the construction of an addition to the firehouse located at 300 Newark Avenue, Elkton, Maryland 21921 and (ii) pay costs associated with the issuance of this financing (the “Project”); and

WHEREAS, for more than 30 years, the Fire Company has provided to the Town of Elkton services as necessary for the protection of property and persons situated therein which includes, but is not limited to, the extinguishment of fires and the prevention of loss of life and property from fire, automobile accidents, medical emergencies, hazardous material incidents and other dangerous situations; and

WHEREAS, the Town of Elkton and the Fire Company have documented the services provided by the Fire Company in a written agreement required by Section 150(e) of the Internal Revenue Code of 1986, as amended (the “Code”) which requires the Fire Company to provide firefighting services to the Town of Elkton; and

WHEREAS, the Fire Company has requested that the Mayor and Commissioners of the Town of Elkton recognize the Fire Company as a volunteer fire company officially serving the Town of Elkton for the purposes of Section 150(e) of the Code; and

WHEREAS, upon the recognition by the Mayor and Commissioners of the Fire Company as a volunteer fire company officially serving the Town of Elkton, the Fire Company will qualify as a “qualified volunteer fire company” as that term is defined in Section 150(e) of the Code, and as a result will qualify, in certain instances, for tax exempt financing; and

WHEREAS, the Fire Company intends to borrow an amount not to exceed Four Million Dollars (\$4,000,000) from the Columbia Bank with the issuance of a tax-exempt note or notes; and

WHEREAS, PURSUANT TO THE Code, the financing of the Project by the Fire Company must be approved by the “applicable elected representative” of the governmental unit in which the Project is located after a public hearing and following reasonable notice; and

WHEREAS, pursuant to the Code, a Public Hearing was held on March 16, 2011; and

WHEREAS, pursuant to the Code, the term “applicable elected representative” means, among other things, the elected legislative body of the governmental unit in which the Project is located; and

WHEREAS, the Project is located in the Town of Elkton; and

WHEREAS, the Mayor and Commissioners of the Town of Elkton (the “Board”) is the “applicable elected representative” of the Town of Elkton within the meaning of the Code; and

WHEREAS, the Mayor and Commissioners of the Town of Elkton desire to authorize and direct the Mayor or any Commissioner of the Town of Elkton to act on the Board’s behalf as such “applicable elected representative”.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the Town of Elkton as follows:

1. The foregoing recitals are incorporated herein by reference and made a substantive part of this resolution.
2. The Fire Company, organized and existing under the laws of the State of Maryland and headquartered in the Town of Elkton, is hereby designated as an officially recognized fire company for the Town of Elkton. The Fire Company has continuously served the Town of Elkton since its incorporation.
3. The Mayor and the Commissioners of the Town of Elkton hereby empower, authorize and direct the Mayor or, in his absence, any Commissioner, to execute and deliver an approval of the project in the form of an “Approval of Applicable Representative” as attached hereto; such approval is being delivered following a public hearing held on March 16, 2011 on behalf of the Town of Elkton, which has allowed reasonable public notice with respect to the Project (described on such approval). The Mayor and Commissioners intend that this Resolution and subsequent execution and delivery of the approval of the “applicable elected representative” by the Mayor or any Commissioner shall constitute the “approval by a governmental unit” required by Section 147(f) of the Code.
4. The Town of Elkton acknowledges that the Fire Company is entitled to rely upon, and will rely upon, the findings and determinations of the Board as set forth in paragraphs 1 and 2 above.

READ AND PASSED THIS 16th DAY OF March 2011

The Mayor and Commissioners
of the Town of Elkton

Mayor Joseph L. Fisona
Commissioner Charles H. Givens, Sr.
Commissioner Charles E. Hicks, V
Commissioner Mary Jo Jablonski
Commissioner Earl M. Piner, Sr.