

Special Town Board Meeting held October 14, 2015 at 3:00 P.M. at the Town Hall

in Schroon Lake N.Y.

Present:

Town Supervisor: Michael Marnell

Councilpersons: Roger Friedman, Clara Phibbs, Don Sage and Meg Wood

Town Clerk: Patricia Savarie

Highway Superintendent: Dana Shaughnessy

Budget Officer: Chris Stone

Also Present: Robert Hafner and Albert May

Supervisor Marnell called the meeting to order at 3:00 P.M. with a salute to the Flag.

Resolution # 178 ENDORSING PROPOSED PLAN OF DISSOLUTION OF SCHROON FIRE PROTECTION DISTRICT

Councilwoman Wood moved a resolution to endorse the proposed plan of the dissolution of the Town of Schroon Fire Protection District, seconded by Councilman Sage; carried.

RESOLUTION ENDORSING PROPOSED PLAN OF DISSOLUTION OF TOWN OF SCHROON FIRE PROTECTION DISTRICT

WHEREAS, the Town of Schroon Fire Protection District (“FPD”) was duly established by the Town Board to serve a portion of the Town of Schroon; and

WHEREAS, the Town of Schroon Fire District (“FD”) was duly established by the Town Board to serve other areas of the Town of Schroon; and

WHEREAS, the Town Board has studied whether it would be to the mutual benefit, and in the best interests of the Town, to consolidate the FPD and the FD, and has determined that such a combination would create greater operating efficiencies, provide better service to the public served by each District, and generate cost savings by avoiding duplication in administrative services; and

WHEREAS, in order to consolidate the FPD and the FD the Town Board must dissolve the FPD and extend the FD; and

WHEREAS, New York General Municipal Law Article 17-A provides that a local government entity (other than a town) may be dissolved and terminated by the procedure described therein; and

WHEREAS, GMA Article 17-A requires endorsement of a Dissolution Plan to commence proceedings to dissolve the FPD;

NOW, THEREFORE, BE IT:

RESOLVED, that the attached proposed plan for the dissolution of the Town of Schroon Fire Protection District is hereby endorsed by the Town Board; and be it further

RESOLVED, that pursuant to the provisions of Section 775 of the General Municipal Law of the State of New York, no later than five business days after the date of adoption of this Resolution, the Town Clerk is hereby authorized and directed to:

1. cause a copy of the proposed Dissolution Plan, along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in a public place or places

within the entity; and

2. cause the proposed Dissolution Plan, along with a descriptive summary thereof and a reference to the public place or places within the Fire Protection District may be examined, to be displayed on the Town's website; and
3. arrange for a descriptive summary of the proposed Dissolution Plan and a reference to the public place or places within the Fire Protection District where a copy thereof may be examined, to be published at least once each week for four successive weeks in the *Glens Falls Post Star*, a newspaper having a general circulation within the Town of Schroon; and

RESOLVED, that pursuant to the provisions of Section 776 of the General Municipal Law of the State of New York, a public hearing be held on Monday, November 23, 2015 at 6:00 p.m. at the Town Hall, 15 Leland Avenue, Schroon Lake, New York, at which any interested person shall be given a reasonable opportunity to be heard on any aspect of the proposed dissolution; and be it further

RESOLVED, that notice of such hearing containing a descriptive summary of the proposed Dissolution Plan and the public place(s) within the Town where a copy of the Plan may be examined shall be published in the *Glens Falls Post Star*, a newspaper having general circulation within the Town of Schroon, at least 10 but not more than 20 days prior to said hearing and displayed on the website of the Town.

Roll Call Vote

Supervisor Marnell	Aye
Councilman Sage	Aye
Councilwoman Phibbs	Aye
Councilman Friedman	Aye
Councilwoman Wood	Aye

Resolution was carried.

**DISSOLUTION PLAN
FOR
TOWN OF SCHROON FIRE PROTECTION DISTRICT**

WHEREAS, the Town of Schroon Fire Protection District ("FPD") was duly established by the Town Board to serve a portion of the Town of Schroon; and

WHEREAS, the Town of Schroon Fire District ("FD") was duly established by the Town Board to serve other areas of the Town of Schroon; and

WHEREAS, the Town Board has studied whether it would be to the mutual benefit, and in the best interests of the Town, to consolidate the FPD and the FD, and has determined that such a combination would create greater operating efficiencies, provide better service to the public served by each District, and generate cost savings by avoiding duplication in administrative services; and

WHEREAS, in order to consolidate the FPD and the FD the Town Board must dissolve the FPD and extend the FD; and

WHEREAS, New York General Municipal Law Article 17-A provides that a local government entity (other than a town) may be dissolved and terminated by the procedure described therein; and

WHEREAS, GMA Article 17-A requires endorsement of a Dissolution Plan to commence proceedings to dissolve the FPD, and the purpose of this Dissolution Plan is to comply with this requirement;

NOW, THEREFORE, in consideration of the foregoing recitals, the Town Board sets forth the following terms and conditions for the dissolution of the FPD:

- (a) Name of the District to be Dissolved: The name of the District to be dissolved is Town of

Schroon Fire Protection District.

- (b) Territorial Boundaries of the District: The boundaries of the FPD are shown on the map attached as Schedule A.
- (c) Type and/or Class of the District: The district is a Fire Protection District.
- (d) Fiscal Estimate of the Cost of Dissolution: The only costs associated with dissolution of the FPD are attorney's fees and the cost of publication of notices, which are expected to total approximately \$4,000.
- (e) Any Plan for the Transfer or Elimination of Public Employees: There will be no transfer or elimination of public employees.
- (f) District's Assets, Including but Not Limited to Real and Personal Property, and their Fair Value: The FPD has no assets. If the dissolution of the FPD and extension of the FD are not completed prior to January 1, 2016, any tax revenues collected on behalf of the FPD which have not been paid to the FD before dissolution will be transferred to the FD to be used to provide fire protection services to the current area of the FPD.
- (g) District's Liabilities and Indebtedness, Bonded and Otherwise, and their Fair Value: The FPD has no liabilities or indebtedness.
- (h) Any Agreements entered into with the Town in which the District is Situated in order to Carry Out the Dissolution: None
- (i) The Manner and Means by which the Residents of the FPD Will Continue To be Furnished Municipal Services following the FPD's Dissolution (e.g., Formation of Fire District): Fire protection services will continue to be provided to residents within the FPD by extension of the boundaries of the FD to include all of the properties currently within the FPD concurrently with dissolution of the FPD.
- (j) Terms for the Disposition of the District's Assets and the Disposition of its Liabilities and Indebtedness, including the Levy and Collection of any Necessary Taxes and Assessments: As noted above, the FPD has no assets or liabilities. If the dissolution of the FPD and extension of the FD are not completed prior to January 1, 2016, any tax revenues collected on behalf of the FPD will be transferred to the FD to be used to provide fire protection services to the current area of the FPD.
- (k) Findings as to whether any Local Laws, Ordinances, Rules or Regulations of the District will Remain in Effect after the Effective Date of the Dissolution: There are no Local Laws, Ordinances, Rules or Regulations of the FPD.
- (l) Effective Date of the Proposed Dissolution (Coordinate with Effective Date of Fire District Extension): The Effective Date shall be the same date the FD is extended to include the area currently with the FPD. The Effective Date is expected to be approximately December 31, 2015, but if the extension of the FD has not been completed by that time the dissolution of the FPD will become effective upon extension of the FD to include the properties currently within the FPD.
- (m) Time and Place or Places for a Public Hearing or Hearings on the Proposed Dissolution Plan: The Town Board shall meet on November 23, 2015 at 6:00 p.m. at Town Hall, 15 Leland Avenue, Schroon Lake, New York, for a Public Hearing on the proposed Dissolution Plan.
- (n) Any Other Matter Desirable or Necessary to Carry Out the Dissolution: As noted above, extension of the FD to include the properties currently within the FPD is necessary to avoid interruption of fire protection services, and the dissolution of the FPD will not become effective until such extension is completed.

IN WITNESS WHEREOF, to signify the Town Board's approval of all of the terms and conditions hereof, the Town Supervisor has signed this Dissolution Plan as of October 14, 2015.

Resolution #179 ORDER SETTING PUBLIC HEARING ON PROPOSED EXTENSION OF TOWN OF SCHROON FIRE DISTRICT

Councilman Friedman moved a resolution to set the Public Hearing on Proposed Extension of the Town of Schroon Fire District, seconded by Councilwoman Phibbs; carried.

**ORDER SETTING PUBLIC HEARING ON
PROPOSED EXTENSION OF TOWN OF SCHROON FIRE DISTRICT**

WHEREAS, the Town of Schroon Fire District ("FD") was duly established by the Town Board to serve a portion of the Town of Schroon; and

WHEREAS, the Town of Schroon Fire Protection District ("FPD") was duly established by the Town Board to serve a portion of the Town of Schroon; and

WHEREAS, the areas of the FPD and the FD together constitute the entire Town boundaries; and

WHEREAS, the Town Board has studied whether it would be to the mutual benefit, and in the best interests of the Town, to consolidate the FPD and the FD, and has determined that such a combination would create greater operating efficiencies, provide better service to the public served by each District, and generate cost savings by avoiding duplication in administrative services; and

WHEREAS, in order to consolidate the FPD and the FD the Town Board must dissolve the FPD and extend the FD to include the entire area of the Town; and

WHEREAS, the Town Board deems it advisable that the Town of Schroon Fire District be extended to encompass the area of the Town currently designated as the Town of Schroon Fire Protection District concurrently with the dissolution of the Fire Protection District (the "Fire District extension");

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the Town Board shall meet on Monday, November 23, 2015 at 6:00 p.m. at the Town Hall, 15 Leland Avenue, Schroon Lake, New York, to hear all persons interested in the matter of the Fire District extension, and be it further

ORDERED, that the Town Clerk is hereby authorized and directed to publish notice of said hearing in the *Post Star*, the official newspaper of the Town, and to post copies of such notice in the manner provided by law.

Roll Call Vote

Supervisor Marnell	Aye
Councilman Sage	Aye
Councilwoman Phibbs	Aye
Councilman Friedman	Aye
Councilwoman Wood	Aye

Resolution was carried.

Councilman Sage moved to adjourn at 4:36 P.M., seconded by Councilman Friedman; carried.

I, Patricia J. Savarie, do hereby certify the foregoing to be a true and correct transcript from the minutes now on file in my office and of the whole such original minutes.

Dated: October 14, 2015 _____

Town Clerk