

TOWN OF LEICESTER
PUBLIC HEARING PROPOSED DISSOLUTION OF
LEICESTER FIRE PROTECTION DISTRICT
WEDNESDAY, SEPTEMBER 4, 2024, AT 6 :00 P.M.

The Public Hearing for the Leicester Town Board regarding the Proposed Dissolution of the Leicester Fire Protection District was held on Wednesday, September 4, 2024, at the Leicester Fire Hall located at 126 Main Street, Leicester, N.Y. 14481 at 6:00 p.m.

Present: Supervisor, Richard White; Councilmembers, Jason Yasso, Gerald Hull, Karen Roffe, Matthew Durbin; Town Clerk, Amy Neumann.

Others: John Yasso, Mary Yasso, Jack McAnany, Dan Christiano, Dixie Christiano, Tom Earle, Tim Archibald, Pete Hamilton, Marcia Sanford, Barb Dutton, Kate Rauber, John Rauber, Dean Pendergast, Sandie Pendergast, Carl Chichester, Helen Chichester, Michael Parsons, Barry Briffa, Ken Rizzo, Mike Constantino, James Kane, Wayne Scofield, Lisa Semmel, Rob Semmel, Megan Semmel, Joey Semmel, Branden Hertton, and one signature of resident unrecognizable.

Open Meeting: Meeting was opened with the Pledge to the Flag.

Open Public Hearing: Supervisor White opened the Public Hearing at 6:00 p.m. for the purpose of hearing public comments on the proposed dissolution of the Leicester Fire Protection and will remain open at least one-half hour.

Read Public Hearing Notice: Town Clerk, Amy Neumann read aloud.

LIVINGSTON COUNTY
NOTICE OF PUBLIC HEARING
PUBLIC NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Leicester is considering the following resolution: the Town Board of the Town of Leicester proposes to dissolve the existing fire protection district as required for the formation of the Leicester-Cuylerville Volunteer Joint Fire District, into all of the territory of the (former) existing fire protection district including all of the territory of the Town of Leicester and all of the territory of the Village of Leicester. The proposed dissolution shall become effective upon the effective date of the formation of the Leicester-Cuylerville Volunteer Joint Fire District. The Town Board may meet immediately following the public hearing to vote on the proposal.

PLEASE TAKE FURTHER NOTICE THAT A PUBLIC HEARING WILL BE HELD on the 4th day of September 2024, at the Village of Leicester Fire Hall located at 126 Main Street, Leicester, New York, which shall commence at 6:00 pm to consider the resolution. A copy of the proposed plan is available for viewing at the Town Hall, located at 132 Main Street, Leicester, New York.

DESCRIPTIVE SUMMARY OF DISSOLUTION PLAN The Town Board proposes to dissolve the existing fire protection district in the Town of Leicester as part of the process of creating the Leicester-Cuylerville Volunteer Joint Fire District, into the entire portion of the territory of the (former) existing fire protection district, including all of the territory of the Town of Leicester and all of the territory of the Village of Leicester, which will protect the residents of the entire town and village. The fire protection district has no assets, liabilities or employees and there are no costs related to the dissolution other than attorney's fees of up to \$15,000 to form the Leicester-Cuylerville Volunteer Joint Fire District. The dissolution will only happen if the Town forms the Leicester-Cuylerville Volunteer Joint Fire District, into the (former) fire protection district of the Town. The residents of the existing fire protection district area will continue to be provided fire protection by the same local fire companies. The

proposed dissolution is to become effective at the same time that the formation of the Leicester-Cuylerville Volunteer Joint Fire District becomes effective. The Town of Leicester will hold a public hearing on the proposed plan on the 4th day of September 2024, at the Village of Leicester Fire Hall located at 126 Main Street, Leicester, New York, which shall commence at 6:00 pm to take comment from interested persons. The proposed dissolution plan may be examined at the Town Hall, located at 132 Main Street, Leicester, New York.

SCHEDULE A

Proposed Plan for the Dissolution of the Existing Leicester Fire Protection District

The Town Board for the Town of Leicester hereby proposes, pursuant to General Municipal Law, section 774, the following as its dissolution plan for the dissolution of the existing fire protection district:

- (a) the name of the local government entity/entities to be dissolved is the Leicester Fire Protection District;
- (b) the territorial boundaries of the entity created in place of the existing fire protection district to be dissolved is the entire present borders of the Town of Leicester, where the existing fire protection district currently exist, and the entire present borders of the Village of Leicester;
- (c) the local government entity is a fire protection district located within the territorial boundaries of the Town of Leicester, New York;
- (d) the fiscal estimate of the cost of dissolution is less than \$15,000, being primarily legal fees, which also includes the formation of the Leicester-Cuylerville Volunteer Joint Fire District into the existing fire protection district;
- (e) there are no public employees of the fire protection district to be transferred or eliminated;
- (f) the entity has no assets; the entity does not own any real or personal property; the fair value thereof in current money of the United States of the entities assets is \$0.00;
- (g) the entity has no liabilities or indebtedness, bonded and otherwise; the fair value thereof in current money of the United States is \$0.00;
- (h) there are no agreements entered into with the Town of Leicester to carry out the dissolution which will exist as of **September 4**, 2024. The only present agreement which will terminate in accordance with such contract, is a fire protection contract for the fire protection district;
- (i) the manner and means by which the residents of the entity will continue to be furnished municipal services following the fire protection district's dissolution are by the services of the Leicester-Cuylerville Volunteer Joint Fire District once created, into the (former) existing fire protection district;
- (j) as there are no assets or liabilities of the entity, there are no terms for the disposition of the entity's assets and the disposition of its liabilities and indebtedness, including the levy and collection of the necessary taxes and assessments therefor;
- (k) there are no local laws, ordinances, rules or regulations of the entity, and thus, none shall remain in effect after the effective date of the dissolution and none shall remain in effect for a period of time other than as provided by section seven hundred eighty-nine of this title;
- (l) the effective date of the proposed dissolution of the existing fire protection district is contingent upon the formation of the Leicester-Cuylerville Volunteer Joint Fire District and dissolution will be effective upon the establishment thereof, which are anticipated to occur no later than **September 4**, 2024;
- (m) the public hearing on the dissolution of the existing fire protection district, shall be held on the 4th day of September, 2024, at the Village of Leicester Fire Hall located at 126 Main Street, Leicester, New York, which shall commence at 6:00 pm;
- (n) there are no other matters desirable or necessary to carry out the dissolution of the existing fire protection district.

Amy Neumann, Town Clerk

Open the Floor to Public Comment: Supervisor White asked that everyone sign in and speak name clearly when speaking.

People that spoke were Jack McAnany, Mary Yasso, John Yasso, Kate Rauber, Lisa Semmel, Marcia Sanford, John Rauber.

After waiting for everyone to speak there was still time left before the half-hour mark, Supervisor White read the Resolution into the record as seen below, however no action was taken until after the close of the public Hearing.

All the people that wanted to speak were heard. Supervisor White asked at 6:39 p.m. if there was anyone else who would like to speak, there was none.

Close Public Hearing: A Motion was made to close the Public Hearing at 6:40 p.m. by Councilmember Jason Yasso and Seconded by Councilmember Karen Roffe. Motion carried. Ayes 5, Noes 0.

Resolution: A Motion was made to Pass the Resolution by Councilmember Karen Roffe and Seconded by Councilmember Jason Yasso.

RESOLUTION DISSOLVING LEICESTER FIRE PROTECTION DISTRICT

WHEREAS, the Town Board of the Town of Leicester having duly convened this date for the purpose of holding a public hearing to take public comment on the proposed dissolution of the Leicester Fire Protection District, within the Town of Leicester, pursuant to the provisions of General Municipal Law, Article 17-A, and

WHEREAS, such dissolution of the fire protection district is a necessary prerequisite for the establishment of a joint fire district encompassing all parcels of land within the incorporated limits of the Village of Leicester and all parcels of land in the Town of Leicester currently within the Leicester Fire Protection District, thus encompassing the entire Town including the Village, and

WHEREAS, the majority of the members of the Town Board endorsed the proposed dissolution plan, attached hereto as **Schedule A**, and

WHEREAS, the Town Board has held the public hearing on the endorsed proposed dissolution plan, and has considered any comments made by members of the public.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Town Board of the Town of Leicester determines that it is in the public interest to dissolve the Leicester Fire Protection District pursuant to the proposed dissolution plan for the dissolution of the Leicester Fire Protection District, attached hereto as **Schedule A**, and

BE IT FURTHER RESOLVED AND ORDERED that the Town Clerk is hereby directed to cause a certified copy of this resolution to be duly recorded in the office of the clerk of Livingston County and shall, within ten (10) days cause a certified copy of this resolution to be filed in the New York State Department of Audit and Control at Albany, New York, and

BE IT FURTHER RESOLVED AND ORDERED that, as the condition precedent to the establishment of the Leicester-Cuylerville Volunteer Joint Fire District has now been met with the resolution to dissolve the Leicester Fire Protection District, the Town Clerk is hereby directed to

cause a certified copy of the resolution establishing the Leicester-Cuylerville Volunteer Joint Fire District to be duly recorded in the office of the clerk of Livingston County and shall, within ten (10) days cause a certified copy of the resolution establishing the Leicester-Cuylerville Volunteer Joint Fire District to be filed in the New York State Department of Audit and Control at Albany, New York;

BE IT FURTHER RESOLVED AND ORDERED that the dissolution of the fire protection district and the formation of the Joint Fire District shall occur after the expiration of the time for filing a petition has expired, if no such proper and sufficient petition has been filed, or upon the favorable vote of the electors of the proposed Joint Fire District if such vote has been mandated by filing of a proper and sufficient petition.

TOWN OF LEICESTER

_____ Aye

Richard White, Supervisor

_____ Aye

Karen Roffe , Council Member

_____ Aye

Jason Yasso, Council Member

_____ Aye

Matt Durbin, Council Member

_____ Aye

Gerald Hull , Council Member

BY ORDER OF THE TOWN BOARD OF THE TOWN OF LEICESTER

Dated: September 4, 2024

Town Clerk for the Town of Leicester: Amy Neumann

Motion carried. Ayes 5, Noes 0.

SCHEDULE A

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(a) the name of the local government entity/entities to be dissolved is the Leicester Fire Protection District;

(b) the territorial boundaries of the entity created in place of the existing fire protection district to be dissolved is the entire present borders of the Town of Leicester, where the existing fire protection district currently exist, and the entire present borders of the Village of Leicester;

(c) the local government entity is a fire protection district located within the territorial boundaries of the Town of Leicester, New York;

(d) the fiscal estimate of the cost of dissolution is less than \$15,000, being primarily legal fees, which also includes the formation of the Leicester-Cuylerville Volunteer Joint Fire District into the existing fire protection district;

(e) there are no public employees of the fire protection district to be transferred or eliminated;

(f) the entity has no assets; the entity does not own any real or personal property; the fair value thereof in current money of the United States of the entities assets is \$0.00;

(g) the entity has no liabilities or indebtedness, bonded and otherwise; the fair value thereof in current money of the United States is \$0.00;

(h) there are no agreements entered into with the Town of Leicester to carry out the dissolution which will exist as of September 4, 2024. The only present agreement which will terminate in accordance with such contract, is a fire protection contract for the fire protection district;

(i) the manner and means by which the residents of the entity will continue to be furnished municipal services following the fire protection district's dissolution are by the services of the Leicester-Cuylerville Volunteer Joint Fire District once created, into the (former) existing fire protection district;

(j) as there are no assets or liabilities of the entity, there are no terms for the disposition of the entity's assets and the disposition of its liabilities and indebtedness, including the levy and collection of the necessary taxes and assessments therefor;

(k) there are no local laws, ordinances, rules or regulations of the entity, and thus, none shall remain in effect after the effective date of the dissolution and none shall remain in effect for a period of time other than as provided by section seven hundred eighty-nine of this title;

(l) the effective date of the proposed dissolution of the existing fire protection district is contingent upon the formation of the Leicester-Cuylerville Volunteer Joint Fire District and dissolution will be effective upon the establishment thereof, which are anticipated to occur no later than September 4, 2024;

(m) the public hearing on the dissolution of the existing fire protection district, shall be held on the 4th day of September 2024, at the Village of Leicester Fire Hall located at 126 Main Street, Leicester, New York, which shall commence at 6:00 pm;

(n) there are no other matters desirable or necessary to carry out the dissolution of the existing fire protection district.

Adjourned: A Motion was made to adjourn the Public Hearing at 6:41 p.m. by Town Councilmember Karen Roffe and Seconded by Town Councilmember Matthew Durbin. Motion carried. Ayes 5, Noes 0.

Respectfully submitted by
Amy L. Neumann