

TOWN OF LEICESTER / VILLAGE OF LEICESTER
JOINT PUBLIC HEARING
REGARDING PROPOSED JOINT FIRE DIST
AUGUST 21, 2024, AT 6 PM

The Joint Meeting of the Leicester Town Board and the Village Trustees Public Hearing regarding Proposed Joint Fire District was held at the Leicester Fire Hall located at 126 Main Street Leicester, N.Y. 14481, on August 21st, 2024, at 6:00 p.m.

Present: Village Mayor, Barry Briffa; Village Trustees, Dan Christiano, Tom Frantz, Don Jacobs, Ken Rizzo; Town Supervisor Rich White; Town Councilmembers, Jason Yasso, Karen Roffe, Matthew Durbin, Gerald Hull; Town Clerk, Amy Neumann. Fire Attorney, Brad Pinsky and CGR Representative, Paul Bishop.

Others: Mary Yasso, Kate Rauber, John Rauber, Alex Raber, John Yasso, Jay Lynch, Jennifer Johnson, Frank Radesi, Barb Dutton, Cheryl Archibald, Tim Archibald, Dean Pendergast, Sandie Pendergast, Helen Chichester, Carl Chichester, Mike Constantino, Pete Hamilton, Cayce Dickens, Josh Dickens, Derrick Otis, Marcia Sanford, Branden Helton, Donald Kane, James Kane, Joel Yasso, Jack McAnany, Micheal Parsons, Rob Semmel, Lisa Semmel, Wayne Scofield, Jon Barratt, and one resident with unrecognizable signature.

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

Open Public Hearing: Supervisor White opened the meeting at 6:00 p.m. For the purpose of hearing public comments on forming a Joint Leicester Fire District.

Read public Hearing Notice and Affidavit:

84fbeb6

townclerk@townofleicester.org

AFFIDAVIT OF PUBLICATION
Livingston County News

State of New York,
County of, Livingston County,

The undersigned is the authorized designee of Livingston County News, a Weekly Newspaper published in Livingston County, New York. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

08/09/2024 ,08/16/2024

This newspaper has been designated by the County Clerk of Livingston County, as a newspaper of record in this county, and as such, is eligible to publish such notices.

Christina Henke Rea

Signature

Christina Henke Rea

Printed Name

Subscribed and sworn to before me,

This 21 day of August 2024



**LIVINGSTON COUNTY
NOTICE OF PUBLIC
HEARING**

PUBLIC NOTICE PLEASE TAKE NOTICE that a public hearing shall

be held on the 21st day of August, 2024 at 6:00 pm at 126 Main Street, Leicester, New York at the Village of Leicester Fire Hall. The Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester shall be present. The hearing shall hear all persons interested in the establishment of the Leicester Volunteer Joint Fire District to be formed over the entire limits of the Village of Leicester and the entire limits of the Town of Leicester. The proposed joint fire district boundaries are further described in Schedule A. **Schedule A is available for viewing on the respective Town and Village websites, and in the offices of the Town and Village clerks.**

The formation of the new Leicester Volunteer Joint Fire District will take effect upon the dissolution of the existing fire protection district in the Town of

Leicester. The hearing shall entertain public comment and discussion on whether to form a new joint fire district, the object and purposes for which is to consolidate the fire protection and rescue

services within the area of the new joint fire district.

All persons interested may be heard.

A meeting of the Town

Board of the Town of Leicester, and of the Board of Trustees of the Village of Leicester, may be held immediately following the close of the public hearing for the purpose of considering the question of the formation of the joint fire district.

Town Clerk, Amy Neumann

Open the Floor to Public Comment: Supervisor White wanted it Noted that there was a full Town Board and Village Trustees in attendance. Also, the rules of the meeting were to state names clearly and everyone to sign in.

People that spoke that evening was Fire Attorney Brad Pinsky, Barb Dutton, Kate Rauber, Jack McAnany, Tim Archibald, Maria Sanford, CRG Paul Bishop, Jim Kane, Carl Chichester, Dean Pendergast, John Rauber, Wayne Scofield, Jennifer Johnson, Mike Parsons, Josh Dickens.

All the people that wanted to speak were heard. Supervisor White thanked all who attended asked if anyone else would like to speak. There were none.

Close Public Hearing: Motion to close the Public Hearing at 8:06 p.m. by Town Councilmember Matthew Durbin and Seconded by Town Councilmember Gerald Hull. Motion carried for Town Board. Ayes 5, Noes 0.

Motion to close Public Hearing at 8:06 p.m. by Village Trustee Dan Christiano and Seconded by Village Trustee Tom Frantz.

Motion carried for Village Trustees. Ayes 5, Noes 0.

Resolution:

JOINT RESOLUTION TO FORM JOINT FIRE DISTRICT

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester having duly convened on August 21, 2024, in joint session for the purpose of jointly considering the formation of a joint fire district, to be called the “Leicester-Cuylerville Volunteer Joint Fire District”, pursuant to the provisions of section 189-a of the Town Law and section 22-2210 of the Village Law; and

WHEREAS, such joint fire district would include all parcels of land within the incorporated limits of the Village of Leicester and all parcels of land in the Town of Leicester; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester have each caused Notice of a Joint Public Hearing to be published in the Livingston County Newspaper on 8/9/2024 & 8/16/ 2024; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester have caused Notice of a Joint Public Hearing to be posted in five (5) public places within the fire protection district within the Town of Leicester and five (5) public places within the Village of Leicester for at least ten (10) days; and

WHEREAS, the Town Clerks for the Town of Leicester and the Village Clerk for the Village of Leicester mailed Notice of the Joint Public Hearing to each of the members of their respective governing bodies, at least ten (10) days in advance of the Joint Public Hearing; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester held a joint public hearing on August 21, 2024 at 6:00 p.m. at the Leicester Fire Department’s Firehouse, located at 126 Main Street, Leicester, New York, at which time the Board heard all those wishing to be heard on the question of the formation of said joint fire district; and

WHEREAS, the creation of the Leicester-Cuylerville Volunteer Joint Fire District is contingent upon the dissolution of the Fire Protection District in the Town of Leicester, for which a public hearing is scheduled on September 4, 2024 at 6pm; and

WHEREAS, said Town Board and Board of Trustees have considered the evidence and objections presented at said public hearing on the question of the formation of the joint fire district;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED, that, it is in the public interest to form the said Leicester-Cuylerville Volunteer Joint Fire District, that all property, property owners and interested persons in the proposed joint fire district are benefitted thereby, all property and property owners benefitted are included therein, and only such property and property owners as are benefitted shall be included therein, and that said joint fire district be, and hereby is formed and established subject to permissive referendum as provided in sections 90 and 189-a of the Town Law, and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-e of the Town Law, the property and affairs of the Leicester-Cuylerville Volunteer Joint Fire District shall be under the management and control of an APPOINTED board of five (5) fire commissioners, with one (1) commissioner (and any vacancies) appointed each year by the Town of Leicester's Town Board, pursuant to Article 11-A (§ 189-e) of the Town Law, and whose initial appointments shall be for the terms set forth in section 189-e of the Town Law as set forth below; and

IT IS FURTHER RESOLVED, that pursuant to section 189-e of the Town Law, the Town Board of the Town of Leicester, after consultation with the Village Board of the Village of Leicester, hereby will appoint five (5) persons as the initial commissioners either at this meeting or at a later session, with the appointment of one (1) commissioner expiring five (5) years from December 31 of the year 2024, another expiring four (4) years from the same date, another expiring three (3) years from the same date, another expiring two (2) years from the same date, and with remaining commissioner's term expiring one (1) year from December 31, 2024, with one (1) Commissioner being appointed annually to start their term on January 1 of the following year;

IT IS FURTHER RESOLVED, as required by section 189-e of the Town Law, as there will be an odd number of commissioners, the number of commissioners that are residents of the village shall not exceed the number of commissioners that are residents of the town of Leicester outside of the village by more than one; and

IT IS FURTHER RESOLVED, that the Leicester-Cuylerville Volunteer Joint Fire District shall have all the powers enumerated in Article 11 of the Town Law, Section 176, including but not limited to the power to acquire or purchase easements or property, both real and personal, as well as dispose of easements or property, both real and personal, without any further approval of the Board of the Town of Leicester and the Village of Leicester; and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-g of the Town Law, there shall be a treasurer appointed by the Board of Fire Commissioners annually; and

IT IS FURTHER RESOLVED, that the creation of the Leicester-Cuylerville Volunteer Joint Fire District is contingent upon the dissolution of the Town of Leicester's Fire Protection District; and

IT IS FURTHER RESOLVED, that upon the passage of the time for a permissive referendum as provided in sections 90 and 189-a of the Town Law, the Town Board for the Town of Leicester and the Board of Trustees of the Village of Leicester shall meet to pass resolutions related to the confirmation of the initial appointment of five fire commissioners, the transfer of firefighting assets of the Village of Leicester to the Leicester-Cuylerville Volunteer Joint Fire District (if any) and the transfer of funds, related to the provision of fire protection, from the Town of Leicester and the Village of Leicester, unless any of such determinations have been made herewith.

APPROVALS:

VILLAGE OF LEICESTER

Aye
Barry Briffa, Mayor

Aye
Dan Christiano, Trustee

Aye
Tom Frantz, Trustee

Aye
Don Jacobs, Trustee

Aye
Ken Rizzo, Trustee

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

A Motion was made to sign the Joint Resolution to Form the Joint Fire District by Town Councilmember Karen Roffe and Seconded by Town Councilmember Gerald Hull.

Roll Call:

Town Supervisor Richard White, Aye

Town Councilmember Karen Roffe, Aye

Town Councilmember Jason Yasso, Aye

Town Councilmember Matthew Durbin, Aye

Town Councilmember Gerald Hull, Aye

Motion carried. Ayes 5, Noes 0.

A Motion was made to sign the Joint Resolution to Form the Joint Fire District by Village Trustee Dan Christiano and Seconded by Village Trustee Ken Rizzo.

Roll Call:

Village Mayor Barry Briffa, Aye

Village Trustee Dan Christiano, Aye

Village Trustee Tom Frantz, Aye

Village Trustee Don Jacobs, Aye

Village Trustee Ken Rizzo, Aye

Motion carried. Ayes 5, Noes 0.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF LEICESTER, AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LEICESTER

Dated: August _21_, 2024

Town Clerk for the Town of Leicester: Amy Neumann

Village Clerk for the Village of Leicester: Deborah Beardsley

PERMISSIVE REFERENDUM NOTICE

PLEASE TAKE NOTICE that the following resolution was approved by the Town and Village Boards of Leicester, subject to permissive referendum. All persons interested in petitioning for a mandatory referendum must submit a properly executed and sufficient petition to the Town Clerk within thirty (30) days of August 21, 2024.

(repeat and publish entire resolution here)

JOINT RESOLUTION TO FORM JOINT FIRE DISTRICT

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester having duly convened on August 21, 2024, in joint session for the purpose of jointly considering the formation of a joint fire district, to be called the “Leicester-Cuylerville Volunteer Joint Fire District”, pursuant to the provisions of section 189-a of the Town Law and section 22-2210 of the Village Law; and

WHEREAS, such joint fire district would include all parcels of land within the incorporated limits of the Village of Leicester and all parcels of land in the Town of Leicester; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester have each caused Notice of a Joint Public Hearing to be published in the Livingston County Newspaper on 8/9/2024 & 8/16/ 2024; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester have caused Notice of a Joint Public Hearing to be posted in five (5) public places within the fire protection district within the Town of Leicester and five (5) public places within the Village of Leicester for at least ten (10) days; and

WHEREAS, the Town Clerks for the Town of Leicester and the Village Clerk for the Village of Leicester mailed Notice of the Joint Public Hearing to each of the members of their respective governing bodies, at least ten (10) days in advance of the Joint Public Hearing; and

WHEREAS, the Town Board of the Town of Leicester and the Board of Trustees of the Village of Leicester held a joint public hearing on August 21, 2024 at 6:00 p.m. at the Leicester Fire Department’s Firehouse, located at 126 Main Street, Leicester, New York, at which time the Board heard all those wishing to be heard on the question of the formation of said joint fire district; and

WHEREAS, the creation of the Leicester-Cuylerville Volunteer Joint Fire District is contingent upon the dissolution of the Fire Protection District in the Town of Leicester, for which a public hearing is scheduled on September 4, 2024 at 6pm; and

WHEREAS, said Town Board and Board of Trustees have considered the evidence and objections presented at said public hearing on the question of the formation of the joint fire district;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED, that, it is in the public interest to form the said Leicester-Cuylerville Volunteer Joint Fire District, that all property, property owners and interested persons in the proposed joint fire district are benefitted thereby, all property and property owners benefitted are included therein, and only such property and property owners as are benefitted shall be included therein, and that said joint fire district be, and hereby is formed and established subject to permissive referendum as provided in sections 90 and 189-a of the Town Law, and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-e of the Town Law, the property and affairs of the Leicester-Cuylerville Volunteer Joint Fire District shall be under the management and control of an APPOINTED board of five (5) fire commissioners, with one (1) commissioner (and any vacancies) appointed each year by the Town of Leicester's Town Board, pursuant to Article 11-A (§ 189-e) of the Town Law, and whose initial appointments shall be for the terms set forth in section 189-e of the Town Law as set forth below; and

IT IS FURTHER RESOLVED, that pursuant to section 189-e of the Town Law, the Town Board of the Town of Leicester, after consultation with the Village Board of the Village of Leicester, hereby will appoint five (5) persons as the initial commissioners either at this meeting or at a later session, with the appointment of one (1) commissioner expiring five (5) years from December 31 of the year 2024, another expiring four (4) years from the same date, another expiring three (3) years from the same date, another expiring two (2) years from the same date, and with remaining commissioner's term expiring one (1) year from December 31, 2024, with one (1) Commissioner being appointed annually to start their term on January 1 of the following year;

IT IS FURTHER RESOLVED, as required by section 189-e of the Town Law, as there will be an odd number of commissioners, the number of commissioners that are residents of the village shall not exceed the number of commissioners that are residents of the town of Leicester outside of the village by more than one; and

IT IS FURTHER RESOLVED, that the Leicester-Cuylerville Volunteer Joint Fire District shall have all the powers enumerated in Article 11 of the Town Law, Section 176, including but not limited to the power to acquire or purchase easements or property, both real and personal, as well as dispose of easements or property, both real and personal, without any further approval of the Board of the Town of Leicester and the Village of Leicester; and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-g of the Town Law, there shall be a treasurer appointed by the Board of Fire Commissioners annually; and

IT IS FURTHER RESOLVED, that the creation of the Leicester-Cuylerville Volunteer Joint Fire District is contingent upon the dissolution of the Town of Leicester's Fire Protection District; and

IT IS FURTHER RESOLVED, that upon the passage of the time for a permissive referendum as provided in sections 90 and 189-a of the Town Law, the Town Board for the Town of Leicester and the Board of Trustees of the Village of Leicester shall meet to pass resolutions related to the confirmation of the initial appointment of five fire commissioners, the transfer of

firefighting assets of the Village of Leicester to the Leicester-Cuylerville Volunteer Joint Fire District (if any) and the transfer of funds, related to the provision of fire protection, from the Town of Leicester and the Village of Leicester, unless any of such determinations have been made herewith.

APPROVALS:

VILLAGE OF LEICESTER

Aye
Barry Briffa, Mayor

Aye
Dan Christiano, Trustee

Aye
Tom Frantz, Trustee

Aye
Don Jacobs, Trustee

Aye
Ken Rizzo, Trustee

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

A Motion was made to sign the Joint Resolution to Form the Joint Fire District by Town Councilmember Karen Roffe and Seconded by Town Councilmember Gerald Hull.

Roll Call:

Town Supervisor Richard White, Aye

Town Councilmember Karen Roffe, Aye

Town Councilmember Jason Yasso, Aye

Town Councilmember Matthew Durbin, Aye

Town Councilmember Gerald Hull, Aye

Motion carried. Ayes 5, Noes 0.

A Motion was made to sign the Joint Resolution to Form the Joint Fire District by Village Trustee Dan Christiano and Seconded by Village Trustee Ken Rizzo.

Roll Call:

Village Mayor Barry Briffa, Aye

Village Trustee Dan Christiano, Aye

Village Trustee Tom Frantz, Aye

Village Trustee Don Jacobs, Aye

Village Trustee Ken Rizzo, Aye

Motion carried. Ayes 5, Noes 0.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF LEICESTER, AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LEICESTER

Dated: August _21_, 2024

Town Clerk for the Town of Leicester: Amy Neumann

Village Clerk for the Village of Leicester: Deborah Beardsley

Town Adjourned: A Motion by Town Councilmember Jason Yasso to adjourn the Joint Public Hearing at 8:13 p.m. and Seconded by Town Councilmember Karen Roffe.

Motion carried. Ayes 5, Noes 0.

Village Adjourned: A Motion by Village Trustee Tom Frantz to adjourn the Joint Public Hearing at 8:13 p.m. and Seconded by Village Trustee Dan Christiano.

Motion carried. Ayes 5, Noes 0.

**Respectfully Submitted by
Amy L. Neumann, Town Clerk**