

**Resolution and Determination of the Town Board of the Town of
Northampton Authorizing the Establishment of the Northville
Joint Fire District**

WHEREAS, Town Law §189-a authorizes the town board of a town or the town boards of more than one town, and the board of trustees of an incorporated village located in such town or towns, to establish in such towns and village a joint fire district for the purposes stated in such law provided all of the territory in such joint fire district shall be contiguous; and

WHEREAS, on December 12, 2019, the Town Board of the Town of Northampton, the Town Board of the Town of Benson, and the Village Board of Trustees of the Village of Northville conducted a joint meeting of the respective boards that was duly scheduled, noticed, and convened at a location within the proposed joint fire district, for the purpose of considering jointly proposing the establishment of a joint fire district; and

WHEREAS, pursuant to a resolution adopted by majority vote of the each of the boards present at the joint meeting, the Town Board of the Town of Northampton, the Town Board of the Town of Benson, and the Village Board of Trustees of the Village of Northville agreed to jointly consider the establishment of a joint fire district and further agreed to meet jointly and conduct a joint public hearing on January 7, 2020 at 7:00 p.m. at the Northville Central School located 131 South Third Street, Northville, NY 12134, a location within the proposed joint fire district, and that the statutory Notice of Joint Public Hearing was prepared, mailed, published, and posted by the respective Town Clerks and Village Clerk as required by law; and

WHEREAS, on January 7, 2020 at the time and place aforesaid, the Town Board of the Town of Northampton, the Town Board of the Town of Benson, and the Village Board of Trustees of the Village of Northville conducted a joint public hearing and obtained evidence and heard all persons interested in the establishment of a joint fire district and considered if the establishment of a joint fire district was or was not in the public interest; and

WHEREAS, upon the establishment of the joint fire district proposed herein, the joint fire district would not become the sponsor of a service award program pursuant to General Municipal Law §216-b, and consequently this resolution is not subject to mandatory referendum pursuant to Town Law §189-a(2)(b).

NOW THEREFORE,

BE IT RESOLVED, that after due deliberation upon the evidence and objections presented at the joint public hearing, the Town Board of the Town of Northampton hereby determines that the establishment of a joint fire district is in

the public interest of the residents and property owners of the Town of Northampton to be included in the proposed joint fire district; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that all property and property owners benefitted by the establishment of such joint fire district are included within its boundaries; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that all property and property owners within the boundaries of the joint fire district are benefitted thereby; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that such joint fire district be established in the Town of Northampton comprised of those parcels and areas previously served by the Northville Fire Department, that being those areas within the Town of Northampton with the exception and exclusion of those properties located in and commonly referred to as Fish House, the entirety of the Town of Benson, and the entirety of the Village of Northville; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that the establishment of the Northville Joint Fire District is subject to permissive referendum in the Town of Northampton; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that the Northville Joint Fire District shall be governed by a five-person Board of Fire Commissioners pursuant to Town Law §189-e, and that following the initial appointive Board, all future Boards of Fire Commissioners duly constituted shall be elective, as provided for and pursuant to the process set forth in Article 11 of the Town Law; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Northampton hereby determines that the restrictions on the alienation of real property or easements imposed by Town Law §189-f shall not apply and are hereby waived pursuant to this resolution; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Northampton in conjunction with companion resolutions enacted by the Town Board of the Town of Benson and the Village Board of Trustees of the Village of Northville to establish the Northville Joint Fire District designates and appoints the Town Clerk of the Town of Northampton on behalf of all municipalities involved, to prepare and file a certified copy of this determination with the New York State Department of Audit and Control and to record a certified copy this determination with the Clerks of the Counties of Fulton and Hamilton as required by Town Law §189-d and such filing and recording shall be presumptive evidence of the regularity and validity of the

creation of the Northville Joint Fire District and the acts of the above-named boards relating thereto; and

BE IT FURTHER RESOLVED, that Town Board of the Town of Northampton, the Town Board of the Town of Benson, and the Village Board of Trustees of the Village of Northville shall by agreement, appoint the initial five-person Board of Fire Commissioners of the Northville Joint Fire District whose appointments shall be effective 12:01 am October 2, 2020 and upon the selection of such commissioners, the Town Clerk of the Town of Northampton shall provide for the requisite notifications on behalf of all municipalities as required by Town Law §174; and

BE IT FURTHER RESOLVED, that the costs for the establishment of the joint fire district shall properly be a charge of the joint fire district following the first annual levy of the joint fire district.

For the Town Board of the **Town of Northampton**,

Motion to adopt the Resolution made by Councilman Gritsavage,

Seconded by Councilman Roosa,

and the Town Board voted as follows:

Name:	Voting: Aye or Nay:
Supervisor James K. Groff	AYE
Councilman Art Simmons	ABSENT
Councilwoman Molly Zullo	AYE
Councilman William Gritsavage	AYE
Councilman Darryl Roosa	AYE

The RESOLUTION Passed subject to permissive referendum

Elaine Mihalik, Town Clerk
Town of Northampton

Dated: January 15, 2020