

**Public Hearing – Garrison Fire – Establishing a Fire District upon the
dissolution of the Garrison Fire Protection District.**

August 19, 2015 7:00 p.m. Town Hall

Public Hearing

Immediately Following:

Weekly Town Board Meeting

AGENDA

1. Any other business that may come before the Town Board.
2. Adjournment

RESOLUTION #

The following Resolution was presented by Councilman Van Tassel seconded by Councilman Flaherty;

WHEREAS, Town Law §170(2) authorizes a Town Board to establish in the whole or a portion of such town a fire district for the purposes stated in such law provided all of the territory in such fire district shall be contiguous; and

WHEREAS, it appears to the Town Board of the Town of Philipstown that the consideration of the formation of a fire district in the area now comprising the Garrison Fire Protection District within the Town of Philipstown may be in the public interest, and a public hearing on the formation of a fire district should be held for such purposes, pursuant to Town Law §171;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Philipstown shall convene and conduct a public hearing on August 19, 2015 at 7:30 p.m. at the Philipstown Town Hall in the Town of Philipstown for the purpose of considering the establishment of a fire district and that notice thereof be given by the Town Clerk as required by law.

ROLL CALL VOTE

Supervisor Shea	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE
Councilman Leonard	AYE
Councilman Flaherty	AYE


The resolution was thereupon declared duly adopted.

CERTIFICATION

I, **Theresa Crawley**, the duly qualified and acting Deputy Town Clerk of the Town of Philipstown, Putnam County, New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a Monthly Meeting of the Town Board of the Town of Philipstown, held on July 9, 2015, and that the Resolution set forth herein is a true and correct copy of the Resolution of the Town Board of said Town adopted at said meeting.


I FURTHER CERTIFY that pursuant to section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 10th day of July, 2015.


Theresa Crawley
Deputy Town Clerk

(seal)

A true copy of this Resolution was filed in the Office of the Town Clerk on July 10, 2015.


Theresa Crawley
Deputy Town Clerk

RESOLUTION #

The following Resolution was presented by Councilman Leonard, seconded by Councilman Flaherty;

WHEREAS, pursuant to General Municipal Law §773, the Town Board of the Town of Philipstown ("Town Board"), as the governing body of the Garrison Fire Protection District of the Town of Philipstown, a local government entity pursuant to General Municipal Law §750, may, by resolution, endorse a proposed dissolution plan for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law; and

WHEREAS, pursuant to Town Law §170(2), the Town Board may upon its own motion and without a petition establish fire districts; and

WHEREAS, the Town Board is considering the dissolution of the existing Garrison Fire Protection District of the Town of Philipstown ("Fire Protection District") and the creation of the Garrison Fire District may be in the public interest; and

WHEREAS, the Town Board, as the governing body of the Fire Protection District, has received and considered a Proposed Dissolution Plan for the Garrison Fire Protection District of the Town of Philipstown, for the purpose of commencing dissolution proceedings under Article 17A of the General Municipal Law, a copy of which Proposed Dissolution Plan is attached to these Resolutions as Exhibit 1;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that not later than five business days after adoption of these Resolutions, 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 Garrison Fire Protection District of the Town of Philipstown; and it is further

RESOLVED, that the Proposed Dissolution Plan, along with a descriptive summary thereof and a reference to the public place or places within the Garrison Fire Protection District of the Town of Philipstown where a copy thereof may be examined, shall be displayed on the website maintained by the Town of Philipstown; and it is further

RESOLVED, that a descriptive summary of the Proposed Dissolution Plan and a reference to the public place or places within the Garrison Fire Protection District of the Town of Philipstown where a copy of the Proposed Dissolution Plan may be examined, be published at least once each week for four (4) successive weeks in a newspaper having a general circulation within the Garrison Fire Protection District of the Town of Philipstown; and it is further

RESOLVED, that the Town Board of the Town of Philipstown shall convene and conduct a public hearing on August 19, 2015 at 8:00 p.m. at the Philipstown Town Hall in the Town of Philipstown for the purpose of considering the Proposed Dissolution Plan of the Garrison Fire Protection District of the Town of Philipstown and that notice thereof shall be given by the Town Clerk as required by law.

ROLL CALL VOTE

Supervisor Shea	AYE
Councilwoman Montgomery	AYE
Councilman Van Tassel	AYE
Councilman Leonard	AYE
Councilman Flaherty	AYE

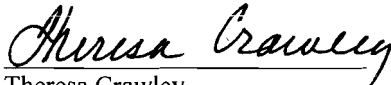
The resolution was thereupon declared duly adopted.

CERTIFICATION

I, **Theresa Crawley**, the duly qualified and acting Deputy Town Clerk of the Town of Philipstown, Putnam County, New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a Monthly Meeting of the Town Board of the Town of Philipstown, held on July 9, 2015, and that the Resolution set forth herein is a true and correct copy of the Resolution of the Town Board of said Town adopted at said meeting.

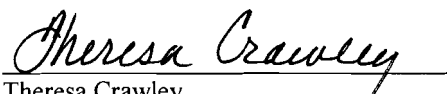
I **FURTHER CERTIFY** that pursuant to section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 10th day of July, 2015.


Theresa Crawley
Deputy Town Clerk

(seal)

A true copy of this Resolution was filed in the Office of the Town Clerk on July 10, 2015.


Theresa Crawley
Deputy Town Clerk

Descriptive Summary-Proposed Dissolution Plan

Garrison Fire Protection District of the Town of Philipstown

The Town of Philipstown is considering the proposed dissolution of the Garrison Fire Protection District of the Town of Philipstown, established for the taxation and funding of fire protection contract within the Garrison Fire Protection District of the Town of Philipstown.

The proposed dissolution would take place upon the formation of the Garrison Fire District and the formation of such Fire District is a condition precedent to the dissolution of the Garrison Fire Protection District of the Town of Philipstown.

There is no expected fiscal expense to the dissolution other than the associated legal, publication and filing fees, if any.

The Proposed Dissolution Plan addresses each of the requirements of General Municipal Law section 774 and may be examined in full at the Office of the Town Clerk, Town of Philipstown Town Hall, 238 Main Street, Cold Spring, New York 10516 during normal business hours, in addition to being posted on the Town of Philipstown website: www.philipstown.com

Dated: July 29, 2015

TOWN BOARD
OF THE TOWN OF PHILIPSTOWN

PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Philipstown, New York will meet at the Town Hall, Town of Philipstown, 238 Main Street, Cold Spring, New York 10516 on the 19th day of August, 2015 at 8:00 p.m. for the purpose of conducting a public hearing upon a proposal to dissolve the existing Philipstown Fire Protection District Garrison Fire Protection District of the Town of Philipstown pursuant to a Proposed Dissolution Plan, at which time and place said Town Board will consider such proposal and hear all persons interested in the same.

The Proposed Dissolution Plan addresses each of the requirements of General Municipal Law section 774 and may be examined in full together with a descriptive summary thereof at the Office of the Town Clerk, Town of Philipstown Town Hall, 238 Main Street, Cold Spring, New York 10516 during normal business hours, in addition to being posted on the Town of Philipstown website www.philipstown.com.

DATED: Philipstown, New York
July 29, 2015

By Order of the Town Board of the
Town of Philipstown, New York
Tina M. Merando, Town Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Philipstown, New York will meet at the August 19, 2015 at 7:00 p.m. at the Philipstown Town Hall 238 Main Street in the Town of Philipstown for the purpose of considering the establishment of a fire district upon the dissolution of the Garrison Fire Protection District of the Town of Philipstown with such proposed district being described as ALL that area in and section of the Town of Philipstown, bounded and described as follows: BEGINNING at a point in the center line of the present New York-Albany Post Road (U.S. Route 9), where same intersects the Southerly line of the Town of Philipstown and the Northerly line of the County of Westchester; THENCE running Northerly along the center line of said U.S. Route 9 to a point where same is intersected by the Southwesterly prolongation of the Southeasterly line of property of the Franciscan Friars of Atonement (Graymoor); THENCE Northeasterly along said prolongation of the Southeasterly line of the Franciscan Friars of Atonement and continuing Northeasterly along the Southeasterly and Southerly line of said Franciscan Friars of Atonement to a point in the center line of Old West Point Road; THENCE running Easterly along the center line of the Old West Point Road to a point where same intersects the center line of the Old Albany Post Road; THENCE Northerly along the center line of the Old Albany Post Road to a point where same intersects the Catskill Aqueduct; THENCE Northerly along the line of the Catskill Aqueduct to a point where said line meets the line of the property of the Franciscan Friars of Atonement; THENCE continuing Northerly along the line of the land of the Franciscan Friars of Atonement to a point where said line intersects the Easterly line of the lands of the Cattell Realty Corporation; THENCE Northerly along the Easterly line of said Cattell Realty Corporation to a point where same intersects the Southerly line of property now or formerly of Herman Stapf and George Stapf; THENCE running Easterly along said Southerly line of Stapf, crossing the Old Albany Post Road and continuing along the Southerly line of land now or formerly of Stapf to a point where said line intersects the Easterly line of the Town of Philipstown and the Westerly line of the Town of Putnam Valley; THENCE running Northerly along the Westerly boundary of the Town of Putnam Valley and Easterly boundary of the

Town of Philipstown to a point where said line intersects the boundary between the Southerly line of Haldane Central School District No. 1 and the Northerly line of the Garrison Union Free School District; THENCE running Westerly along the Southerly boundary line of the Haldane Central School District No. 1 to a point where said line intersects the center line of the Catskill Aqueduct; THENCE running Southerly along the center line of the Catskill Aqueduct to a point where said center line intersects the center line of Indian Brook; THENCE running Westerly and Southerly along the center line of said Indian Brook to the mouth of said Brook; THENCE running Southwesterly to a Southwest corner of a trestle or bridge of the New York Central Railroad; THENCE running West to the East bank of the Hudson River; THENCE running Southerly along the East bank of the Hudson River to the Northerly line of the County of Westchester and the Southerly line of the Town of Philipstown; THENCE running Easterly along the boundary of the Northerly line of Westchester County and the Southerly line of the Town of Philipstown to the center line of the New York Albany Post Road (U.S. Route 9) the point and place of BEGINNING. That the estimated rate per thousand of dollars of assessed valuation, based on the aggregate assessed valuation of taxable real of the proposed district shown in the latest completed final assessment roll, projected to be assessed, levied and collected for purposes of the proposed district for the first fiscal year of its operation is \$2.148415 which rate was computed by dividing the anticipated levy by the 2015 assessed taxable valuation of the proposed district. Upon establishment of the proposed fire district, the proposed fire district will become the sponsor of the current town-sponsored service award program pursuant to section two hundred sixteen-b of the General Municipal Law, the estimated annual cost of which is \$73,078.84. The Town Board of the Town of Philipstown will consider such proposal and hear all persons interested in the same at such time and place.

DATED: Philipstown, New York
July 29, 2015

By Order of the Town Board of the
Town of Philipstown, New York
Tina M. Merando, Town Clerk

Proposed Dissolution Plan

Garrison Fire Protection District of the Town of Philipstown

1. The name of the local government entity to be dissolved is the "Garrison Fire Protection District of the Town of Philipstown" (the "Fire Protection District") which was established by resolution of the Town Board of the Town of Philipstown on June 21, 1965.
2. The territorial boundaries of the Fire Protection District is set forth in Schedule A hereto and is wholly outside of any city or village.
3. The type of local government entity is a fire protection district under Town Law Article 11.
4. The fiscal estimate of the cost of dissolution is minimal, consisting only of the costs for legal, publication and filing fees, if any, attributable to the process of dissolution.
5. There will be no transfer or elimination of public employees in the dissolution of the Fire Protection District.
6. The Fire Protection District has no assets, including but not limited to real and personal property, other than accumulated Length of Service Award Program ("LOSAP") funds which funds will be transferred to the new Garrison Fire District upon its formation.
7. The Fire Protection District has no liabilities and indebtedness, bonded or otherwise other than accumulated and future payments of LOSAP benefits, which liabilities will be transferred to the new Garrison Fire District upon its formation and which Fire District will be fully responsible for sponsoring and administering such LOSAP thereafter.
8. There are no agreements entered into with the Town of Philipstown in order to carry out the dissolution.
9. The manner and means by which the residents of the Fire Protection District will continue to be furnished municipal services following the dissolution of the Fire Protection District is the creation of a new Fire District into the whole of the existing Fire Protection District and upon formation of the Fire District it will provide all the same fire and emergency services currently provided by or through the Fire Protection District.

10. The Fire Protection District's assets consisting solely of accumulated Length of Service Award Program ("LOSAP") funds will be transferred to the new Garrison Fire District upon creation, which Fire District will be fully responsible for sponsoring and administering such LOSAP thereafter. There will be no further asset acquisition, liabilities or indebtedness incurred in 2015.

11. There will be no local laws, ordinances, rules or regulations of the Fire Protection District which shall remain in effect after the effective date of the dissolution or that will remain in effect for a period of time other than as provided in General Municipal Law 789.

12. The proposed dissolution shall take place upon the formation of the Garrison Fire District and the formation of such Fire District is a condition precedent to the within dissolution.

13. The time and place for the public hearing on the proposed dissolution plan shall be made pursuant to General Municipal Law 776.

Dated: July 29, 2015

TOWN BOARD OF THE TOWN OF PHILIPSTOWN

SCHEDULE A

ALL that area in and section of the Town of Philipstown, bounded and described as follows:

BEGINNING at a point in the center line of the present New York-Albany Post Road (U.S. Route 9), where same intersects the Southerly line of the Town of Philipstown and the Northerly line of the County of Westchester;

THENCE running Northerly along the center line of said U.S. Route 9 to a point where same is intersected by the Southwesterly prolongation of the Southeasterly line of property of the Franciscan Friars of Atonement (Graymoor);

THENCE Northeasterly along said prolongation of the Southeasterly line of the Franciscan Friars of Atonement and continuing Northeasterly along the Southeasterly and Southerly line of said Franciscan Friars of Atonement to a point in the center line of Old West Point Road;

THENCE running Easterly along the center line of the Old West Point Road to a point where same intersects the center line of the Old Albany Post Road;

THENCE Northerly along the center line of the Old Albany Post Road to a point where same intersects the Catskill Aqueduct;

THENCE Northerly along the line of the Catskill Aqueduct to a point where said line meets the line of the property of the Franciscan Friars of Atonement;

THENCE continuing Northerly along the line of the land of the Franciscan Friars of Atonement to a point where said line intersects the Easterly line of the lands of the Cattell Realty Corporation;

THENCE Northerly along the Easterly line of said Cattell Realty Corporation to a point where same intersects the Southerly line of property now or formerly of Herman Stapf and George Stapf;

THENCE running Easterly along said Southerly line of Stapf, crossing the Old Albany Post Road and continuing along the Southerly line of land now or formerly of Stapf to a point where said line intersects the Easterly line of the Town of Philipstown and the Westerly line of the Town of Putnam Valley;

THENCE running Northerly along the Westerly boundary of the Town of Putnam Valley and Easterly boundary of the Town of Philipstown to a point where said line intersects the boundary between the Southerly line of Haldane Central School District No. 1 and the Northerly line of the Garrison Union Free School District;

THENCE running Westerly along the Southerly boundary line of the Haldane Central School District No. 1 to a point where said line intersects the center line of the Catskill Aqueduct;

THENCE running Southerly along the center line of the Catskill Aqueduct to a point where said center line intersects the center line of Indian Brook;

THENCE running Westerly and Southerly along the center line of said Indian Brook to the mouth of said Brook;

THENCE running Southwesterly to a Southwest corner of a trestle or bridge of the New York Central Railroad;

THENCE running West to the East bank of the Hudson River;

THENCE running Southerly along the East bank of the Hudson River to the Northerly line of the County of Westchester and the Southerly line of the Town of Philipstown;

THENCE running Easterly along the boundary of the Northerly line of Westchester County and the Southerly line of the Town of Philipstown to the center line of the New York Albany Post Road (U.S. Route 9) the point and place of BEGINNING.