

Special Intermunicipal meeting of the Board of Trustees of the Village of Brockport, Town Board of the Town of Sweden and Town Board of the Town of Clarkson and Counsel was held at the Sweden Town Hall, 18 State Street, Brockport, New York, August 9, 2011 at 6:00pm.

PRESENT:

Special Counsel:

Ray DiRaddo, Esq.

Village of Brockport:

Mayor M. Connie Castañeda, Trustee Margaret B. Blackman, Trustee Kent R. Blair, Trustee Carol L. Hannan, Trustee Scott W. Hunsinger

Clerk Leslie A. Morelli, Village Attorney Robert S. Leni

Town of Sweden:

Supervisor Jack Milner, Councilperson Robert Carges, Councilperson Patricia Connors, Councilperson, Councilperson Rebecca Donahue

Town Attorney James Bell

Town Clerk Karen Sweeting, Finance Director Leisa Strabel

Town of Clarkson:

Supervisor Paul Kimball, Councilperson Patrick Didas, Councilperson Christa Filipowicz, Councilperson Allan Hoy, Councilperson Sheldon Myers

Town Attorney Richard Olson

Town Clerk Sharon Mattison

ALSO PRESENT: Jim & Joan Hamlin, Don Roberts, Ann Butler, Eric Leverenz, Fran Bovenzi, Paul Gallaway and Kristina Gabalski. A few others were present but did not sign in.

CALL TO ORDER: Supervisor Milner called the meeting to order, led the Pledge of Allegiance and turned the meeting over to Supervisor Kimball.

Supervisor Kimball stated the purpose of the joint meeting is to vote on the proposal to establish a joint fire district, which vote calls for a joint public hearing on September 6th to hear all interested persons on the creation of the Brockport Fire District. Mr. Kimball pointed out that there has been a request to change the proposal. The change in the proposal is that now the three boards are calling for a mandatory referendum on the establishment of the fire district. Mr. Kimball asked special counsel, Attorney Ray DiRaddo to explain.

Mr. DiRaddo stated the Memorandum of Understanding (MOU) agreed upon by all three boards included a proposal to establish the Brockport Fire District. That proposal needs to be amended to reflect the change to a mandatory referendum. The amended proposal will be subject to a favorable mandatory referendum and the dissolutions of the current towns' fire districts. Mr. DiRaddo distributed copies of the amended proposal, short EAF form, proposed district maps and resolutions to all board members.

Village Trustee Blair asked what the voting process would be for the mandatory referendum. Mr. DiRaddo explained that one district wide voting opportunity would take place.

Clarkson Councilperson Myers asked for clarification that the dissolution of current districts would be subject to a favorable referendum. Mr. DiRaddo explained that within the process the dissolution of the towns' current fire protection districts depends on the successful establishment of the Brockport Fire District.

Village Trustee Blackman questioned the wording in the proposal under "management of the joint fire district" concerning the original appointments of the five fire commissioners. It states, "appointed by a majority vote of the members of the Town Boards." Mr. DiRaddo explained that the Village, by law, does not participate in the appointment of the original five fire commissioners although three (3) must be residents of the Village. Once the fire district is formed there are no municipal lines. The fire commissioners are appointed to fulfill the position until the next election (depending on formation either December 31 of 2011 or 2012). Then any resident within the formed fire district may run for election as stated within the proposal.

→ MOTION made by Clarkson Supervisor Paul Kimball and seconded by Sweden Councilperson Patricia Connors to approve the amended proposal as related to the amendment of the MOU.

Roll Call of Village Trustees:

| | |
|-------------------|------------|
| Trustee Blackman | <u>Aye</u> |
| Trustee Blair | <u>Aye</u> |
| Trustee Hunsinger | <u>Aye</u> |
| Trustee Hannan | <u>Aye</u> |
| Mayor Castañeda | <u>Aye</u> |

Roll Call of Clarkson Town Board:

| | |
|--------------------------|------------|
| Councilperson Hoy | <u>Aye</u> |
| Councilperson Filipowicz | <u>Aye</u> |
| Councilperson Myers | <u>Aye</u> |
| Councilperson Didas | <u>Aye</u> |
| Supervisor Kimball | <u>Aye</u> |

Roll Call of Sweden Town Board:

| | |
|-----------------------|---------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Donohue | <u>Aye</u> |
| Councilperson Myers | <u>Absent</u> |
| Supervisor Milner | <u>Aye</u> |

Calling For a Joint Public Hearing for the Establishment of the Brockport Fire District

WHEREAS, the Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden and the Town Board of the Town of Clarkson, Monroe County, New York (the Boards) having determined that it is in the public interest of the citizens of the Village of Brockport, Town of Sweden and Town of Clarkson, to participate in a joint meeting to consider the proposal regarding the establishment of a joint fire district, to be called the Brockport Fire District; and

WHEREAS, the Boards having met at a joint meeting held on August 9, 2011, and the Boards having determined that it is in the public interest to make the proposal to establish the joint fire district to be called the Brockport Fire District; and

WHEREAS, the object and purposes for which it is proposed that a new fire district be created is to provide fire protection within the areas of the proposed Brockport Fire District; and

WHEREAS, the Boards having determined by a majority vote of each board that it is in the public interest to hold a public hearing on the proposal to establish the Brockport Fire District, pursuant to Town Law, which fire district would encompass the Village of Brockport, the Town of Sweden and a portion of the Town of Clarkson.

NOW THEREFORE NOTICE IS HEREBY GIVEN:

Sec. 1. That the following resolution for the establishment of a joint fire district, to be called the Brockport Fire District, will be presented to the Boards for their consideration at a joint public hearing to be held at the Auditorium of the Brockport Middle School, 40 Allen Street, in the Village of Brockport, State of New York on September 6, 2011, at 7:00 p.m. At such hearing all persons interested in the establishment of the district will be heard.

Sec. 2. That the Resolution to be considered is as follows:

A Resolution authorizing the Board of Trustees of the Village of Brockport, the Town Board of the Town of Sweden and the Town Board of the Town of Clarkson, Monroe County, New York, to establish a joint fire district to be known as the Brockport Fire District, which fire district will encompass the Village of Brockport, the Town of Sweden and portions of the Town of Clarkson, subject to the Terms and Conditions as set forth in the proposal dated July 28, 2011 and as amended August 9, 2011; which Resolution is subject to mandatory referendum.

Sec. 3. That a brief description of the boundaries of the proposed Brockport Fire District are as follows:

The proposed fire district shall encompass the entire Town of Clarkson excepting Lots 7, 8, 9, 10, 11, 12 and 13 of Section 15; Lots 6 and 12 of Section 18; and all

Sweden, including the Village of Brockport, all located within the County of Monroe, State of New York.

→ MOTION for adoption of this resolution by Sweden Supervisor Milner
Seconded by Village Mayor Castañeda

VOTE BY ROLL CALL AND RECORD:

Roll Call of Village Trustees:

| | |
|-------------------|------------|
| Trustee Blackman | <u>Aye</u> |
| Trustee Blair | <u>Aye</u> |
| Trustee Hunsinger | <u>Aye</u> |
| Trustee Hannan | <u>Aye</u> |
| Mayor Castañeda | <u>Aye</u> |

Roll Call of Clarkson Town Board:

| | |
|--------------------------|------------|
| Councilperson Hoy | <u>Aye</u> |
| Councilperson Filipowicz | <u>Aye</u> |
| Councilperson Myers | <u>Aye</u> |
| Councilperson Didas | <u>Aye</u> |
| Supervisor Kimball | <u>Aye</u> |

Roll Call of Sweden Town Board:

| | |
|-----------------------|---------------|
| Councilperson Carges | <u>Aye</u> |
| Councilperson Connors | <u>Aye</u> |
| Councilperson Donohue | <u>Aye</u> |
| Councilperson Myers | <u>Absent</u> |
| Supervisor Milner | <u>Aye</u> |

Submitted August 9, 2011

Adopted

Lead Agency Determination and Agreement for the Establishment of the Brockport Fire District

WHEREAS, the Village Board of the Village of Brockport, the Town Board of the Town of Sweden and the Town Board of the Town of Clarkson (the Boards) desire to conduct a coordinated environmental review procedure for the following actions involving the Boards:

- The establishment of a joint fire district for the Village and the Towns
- The dissolution of the Town of Sweden Fire Protection District
- The dissolution of the Town of Clarkson Fire Protection District

NOW THEREFORE BE IT RESOLVED:

Sec. 1.

That the Boards hereby agree to the following terms and conditions as part of compliance with the State Environmental Quality Review Act, Article 8, NYS Environmental Conservation Law, and the implementing regulations set forth in Title 6 NYCRR Part 617:

- The Clarkson Town Board shall serve as lead agency for all actions involving the Boards.
- The Lead Agency shall complete Environmental Assessment Form (EAF) Part II and shall make a determination of significance in accordance with 6NYCRR Part 617.
- The determination of the Lead Agency shall be binding on the Involved Agencies pursuant to 6NYCRR 617.6(b)(3)(iii).

Sec. 2.

That this agreement is authorized pursuant to 6NYCRR 617.6(b)(2)(i) and pursuant to the vote of the respective Boards.

MOTION for adoption of this resolution by Sweden Councilperson Connors
Seconded by Village Mayor Castañeda

VOTE BY ROLL CALL AND RECORD:

Roll Call of Village Trustees:

| | |
|-------------------|------------|
| Trustee Blackman | <u>Aye</u> |
| Trustee Blair | <u>Aye</u> |
| Trustee Hunsinger | <u>Aye</u> |

Trustee Hannan Aye
Mayor Castañeda Aye

**MINUTES OF MEETING HELD August 9, 2011 continued.....page
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Roll Call of Clarkson Town Board:

Councilperson Hoy Aye
Councilperson Filipowicz Aye
Councilperson Myers Aye
Councilperson Didas Aye
Supervisor Kimball Aye

Roll Call of Sweden Town Board:

Councilperson Carges Aye
Councilperson Connors Aye
Councilperson Donohue Aye
Councilperson Myers Absent
Supervisor Milner Aye

Submitted August 9, 2011

Adopted

ADJOURNMENT:

→ Motion by Trustee Blackman, seconded by Trustee Hunsinger to adjourn the intermunicipal meeting at 6:15pm.

Leslie A. Morelli, Village Clerk