

**VILLAGE OF MOUNT MORRIS
SPECIAL BOARD MEETING
March 6, 2020 6:00 PM**

The Special Meeting of the Village Board of the Village of Mount Morris, County of Livingston and the State of New York was held at the Village Hall, 117 Main Street, Mount Morris, New York on the 2nd March 2020.

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| PRESENT: Frank Provo | Mayor |
| Rebecca Crocker | Trustee |
| Joseph Rawleigh | Trustee |
| Joel Mike | Trustee |
| Geoff Pagano | Trustee |
| Amanda Coniglio | Deputy Clerk/Treasurer |
| Lisa Torcello | Clerk/Treasurer |
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| Chuck DiPasquale | Supervisor |
| David DiSalvo | Councilman |
| Don Huff | Councilman |
| Nate Guzzardi | Councilman |
| Chelsey Woodworth | Councilman |
| Christy Murphy | Town Clerk |

ALSO PRESENT: Dana Regatuso, Trevor Martin, Ann Hunt, Mark Torcello, TJ Nicholas, Don Hopkins, Brian Palmer, Dean Smith, Stephen Morrison, Ray Bartolotti, Bob Brill, Tim Hill, Bill Gall, Joe Swick, Judith Clapood, Daniel Santini

Mayor Provo stated that this a Joint Meeting with the Town of Mount Morris and The Village of Mount Morris to pass the resolution to form Joint Fire District called Mount Morris Fire District.

Mayor Provo called the meeting to order and led in the Pledge of Allegiance.

The Town of Mount Morris opened their meeting.

RESOLUTION #39.20

APPROVAL OF RESOLUTION FOR FIRE DISTRICT

On a motion from Trustee Mike second by Mayor Provo the following resolution was

Aye- Mike. Provo, Crocker
Nay Pagano, Rawleigh

Mayor Provo stated that this a Joint Meeting with the Town of Mount Morris and The Village of Mount Morris to pass the resolution to form Joint Fire District called Mount Morris Fire District.

**JOINT RESOLUTION TO FORM JOINT FIRE DISTRICT CALLED
MOUNT MORRIS FIRE DISTRICT**

WHEREAS, the Town Board of the Town of Mount Morris and the Board of Trustees of the Village of Mount Morris having duly convened on July 11, 2019, in joint session for the purpose of jointly considering the formation of a joint fire district, to be called the Mount Morris 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 Mount Morris and all parcels of land in the Town of Mount Morris currently within the Town of Mount Morris Fire Protection District (or as otherwise formally known); and

WHEREAS, the Town Board of the Town of Mount Morris and the Board of Trustees of the Village of Mount Morris have each caused Notice of a Joint Public Hearing to be published: in the Livingston County News on July 18, 2019 by the Town of Mount Morris and by the Village of Mount Morris; and

WHEREAS, the Town Board of the Town of Mount Morris and the Board of Trustees of the Village of Mount Morris have caused Notice of a Joint Public Hearing to be posted in at least five conspicuous public places within the Town of Mount Morris Fire Protection District and five conspicuous public places within the Village of Mount Morris for at least ten days; and

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

WHEREAS, the Town Board of the Town of Mount Morris and the Board of Trustees of the Village of Mount Morris held a joint public hearing on July 29, 2019 at 6:00 p.m. at the Livingston County Campus Auditorium, located at 1 Murray Hill Drive, Mount Morris, New York, at which time the Boards heard all those wishing to be heard on the question of the formation of said joint fire district; and

WHEREAS, said Town Board and Board of Trustees held a joint public meeting on July 29, 2019 following the close of the Joint Public Hearing, for the purpose of holding further discussion on the topic of the formation of the Mount Morris Fire District; and

WHEREAS, said Town Board and Board of Trustees held an additional joint public meeting on March 6, 2020, for the purpose of holding further discussion on the topic of the formation of the Mount Morris Fire District; and

WHEREAS, the creation of the Mount Morris Fire District is agreed to be contingent upon the dissolution of the Town of Mount Morris Fire Protection District; and

WHEREAS, said Town Board and Board of Trustees have considered the evidence and objections presented at said public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, that, it is in the public interest to form the said Mount Morris 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 referendum as provided in sections 94 and 189-a of the Town Law.

IT IS FURTHER RESOLVED, that pursuant to the provisions of section 91 and 94 of the Town Law, the question of the establishment of said Mount Morris Fire District shall be presented to the qualified electors of the affected districts of the Town of Mount Morris: the qualified electors who reside in the Town of Mount Morris Fire Protection District (or as otherwise formally known), and the qualified electors of the Village of Mount Morris, separately, at special election to be held on May 5, 2020, at the Mount Morris Central School District Gymnasium, located at 30 Bonadonna Ave, Mount Morris, New York, between the hours of 12 noon and 9 p.m. and that the Mayor, the Supervisor, the Town Clerk and the Village Clerk be, and hereby are authorized and directed to prepare such documents and to take such actions as may be necessary and/or required to present this question at said special election.

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-e of the Town Law, the property and affairs of the Mount Morris Fire District shall be under the management and control of an elected board of seven (7) fire commissioners, elected each year by the voters of the District, pursuant to Article 11 of the Town Law, but whose initial appointments shall be for the terms set forth in section 189-e of the Town Law; and

IT IS FURTHER RESOLVED, that pursuant to section 189-e of the Town Law, the Town Board of the Town of Mount Morris, after consultation with the Village Board of the Village of Mount Morris, hereby intends to appoint the persons to serve as Fire Commissioners for the Mount Morris Fire District, with the following initial terms of office:

- Commissioner 1, whose term shall expire one year from December 31, 2020 (expiring on December 31, 2021);
- Commissioner 2, whose term shall expire two years from December 31, 2020 (expiring on December 31, 2022);
- Commissioner 3, whose term shall expire three years from December 31, 2020 (expiring on December 31, 2023);
- Commissioner 4, whose term shall expire four years from December 31, 2020 (expiring on December 31, 2024);
- Commissioner 5, whose term shall expire four years from December 31, 2020 (expiring on December 31, 2024);

- Commissioner 6, whose term shall expire five years from December 31, 2020 (expiring on December 31, 2025);
- Commissioner 7, whose term shall expire five years from December 31, 2020 (expiring on December 31, 2025).

IT IS FURTHER RESOLVED, that the Mount Morris 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 boards of the Town of Mount Morris and the Village of Mount Morris; 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 Mount Morris Fire District is contingent upon the dissolution of the Town of Mount Morris Fire Protection District; and

IT IS FURTHER RESOLVED, that upon the successful favorable votes of the voters of the Town of Mount Morris Fire Protection District, and the Village of Mount Morris, approving the resolution establishing the Mount Morris Fire District, the Town Board for the Town of Mount Morris and the Board of Trustees of the Village of Mount Morris shall meet to pass resolutions related to the appointment of the seven (7) initial fire commissioners who shall be thereafter elected pursuant to Article 11 of the Town Law, the transfer of firefighting assets of the Village of Mount Morris to the Mount Morris Fire District (or where appropriate the “buyout” of those assets), the creation of rental/lease agreements for the use and occupancy of the real property of the Village of Mount Morris necessary to temporarily house the Mount Morris Fire District, and the transfer of funds, related to the provision of fire protection, from the Town of Mount Morris and the Village of Mount Morris to the Mount Morris Fire District.

