

**MINUTES OF TOWN BOARD MEETING OF AUGUST 7, 2019  
HELD AT THE TOWN HALL, 8529 MAIN ST., CAMPBELL, NEW YORK**

**PRESENT: Town Board Members:** Jeffrey Horton John R. Tschantre; Terry E. Wheat,  
James Drumm, Glenn Vogel **Town Clerk:** Michelle L. Seeley

**ABSENT:**

**GUESTS:** Joe Seeley, Linda Baird

**Call To Order/Pledge /Roll Call/ Prior Minutes.**

Mr. Horton called the special meeting to order at 7 p.m. at the meeting room of the Campbell Town Hall and led the pledge of allegiance. The Town Clerk then took roll call.

Discussion was had with Board about the special meeting held on August 2, 2019 Mr. Horton went over the rules regarding the resolution for the forming the water district extension.

**Resolution 18 of 2019 Dissolution of E. Campbell Fire Protection Dist.**

The Board discussed the proposed dissolution of the E. Campbell Fire Protection District. Mr. Buck, The Town Attorney has advised the Board to get out of the fire business and has drawn up a proposal to dissolve the district.

Mr. Horton read the following proposed resolution:

**Resolution for Consideration of the Dissolution of the Campbell Fire Protection District**

**WHEREAS**, pursuant to General Municipal Law §773 the Town Board of the Town of Campbell ("Town Board"), as the governing body of the Campbell Fire Protection District, 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 ("GML"); and

**WHEREAS**, the Town Board is considering the dissolution of the existing Campbell Fire Protection District ("Fire Protection District") and the extension of the Campbell Fire District #1 ("Fire District") with such Fire District becoming responsible for fire protection in the area of the current Fire Protection 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 Campbell Fire Protection District, 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 no 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 Campbell Fire Protection District; 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 Campbell Fire Protection District where a copy thereof may be examined, shall be displayed on the website maintained by the Town of Campbell; 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 Campbell Fire Protection District where a copy of the Proposed Dissolution Plan may be examined, be published at least once each week for four successive weeks in a

newspaper having a general circulation within the Campbell Fire Protection District; and it is further

**\*RESOLVED**, that the Town Board of the Town of Campbell shall convene and conduct a public hearing on September 17, 2019 at 7:00 p.m. at the Town Hall in the Town of Campbell for the purpose of considering the Proposed Dissolution Plan of the Campbell Fire Protection District, which public hearing shall be at least 35 days and not more than 90 days after commencement of dissolution proceedings pursuant to GML 774, and that notice thereof shall be given by the Town Clerk as required by law.

Discussion:

Glenn Vogel asked if the members of E. Campbell Fire Department had been notified. Jeffrey Horton explained that he had spoken to some of them and all of them would be notified if a public hearing were set.

Jeffrey Horton stated that the fire protection district would not own anything and payments for vehicles

Board Member Terry Wheat moved, and Board Member John Tschantre Seconded, and the Town Board voted as follows:

Vogel-Aye; Drumm-Aye; Wheat-Nay; Tschantre-Aye; and Horton-Aye.

The foregoing resolution was thereupon declared duly adopted.

Glenn Vogel asked if the members of E. Campbell Fire Department had been notified. Jeffrey Horton explained that he had spoken to some of them and all of them would be notified if a public hearing were set.

Jeffrey Horton stated that the fire protection district would not own anything and payments for vehicles would be assumed by the Fire District.

Linda Baird asked if the Fire Commissioners Board would be able to dissolve the E. Campbell Fire Department.

Glenn Vogel stated that his understanding is that the whole town would be one district and that by removing the fire protection district line the E. Campbell Members and residents would be able to run for the Board of Commissioners.

Mr. Horton explained that the Town Lawyer, Richard Buck, and the Fire Department Lawyer, Mark Butler, would be on hand to answer questions at the Public Hearing.

Board Member Terry Wheat moved, and Board Member John Tschantre

Seconded, and the Town Board voted as follows:

Adopted by roll call vote: Vogel-Aye; Drumm-Absent; Wheat-Aye; Tschantre-Aye; and Horton-Aye.

Mr. Horton then read the following Proposed Dissolution Plan:

**PROPOSED DISOLUTION PLAN CAMPBELL FIRE  
PROTECTION DISTRICT**

1. The name of the local government entity to be dissolved is the "Campbell Fire Protection District" (the "Fire Protection District") which was previously established by resolution of the Town Board of the Town of Campbell.

2. The territorial boundaries of the Fire Protection District are

the whole of the Town of Campbell exclusive of the Campbell Fire District #1 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.

7. The Fire Protection District has no liabilities and indebtedness, bonded or otherwise.

8. There are no agreements entered into with the Town of Campbell 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 extension of the existing Campbell Fire District #1 into the whole of the existing Fire Protection District and upon extension of the Campbell Fire District #1, such Fire District will provide all the same fire and emergency services currently provided by or through the Fire Protection District.

10. The Fire Protection District's most recent assets (tax collections for 2019) have been fully disbursed in 2019 for meeting all of its fire service contract obligations. There will be no further asset acquisition, liabilities or indebtedness incurred in 2019.

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 extension of the Campbell Fire District #1 and the extension 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.

There being no further business before the Board a motion to close the meeting at 7:22 pm was made by Jeffrey Horton and seconded by John Tschantre.

Respectfully Submitted



Michelle Seeley

Town Clerk

Dated August 12, 2019