



**Town Board**  
**Special Joint Meeting – North Creek Fire District**  
**August 23, 2023**

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The Commissioners of the North Creek Fire District and the Town Board of the Town of Chester convened at Tannery Pond, 228 Main Street, North Creek, New York, at 7:00 pm.

**Roll Call:**

North Creek Fire District: Chairman Matt Allen, Commissioner Rick Bennett, Commissioner Matt Ordway, Commissioner Matt Thomas, Commissioner Paul Sears, and Treasurer/Secretary Justin Gonyo were present.

Town of Chester: Supervisor Craig Leggett, Councilperson Chris Aiken, Councilperson Karen DuRose, and Town Clerk, Mindy Conway were present. Councilperson Mike Packer and Councilperson Larry Turcotte were absent.

**Special Meeting:**

Chairman Allen opened the Joint Special Meeting at 7:01 pm.

**Public Hearing:**

Chairman Allen **opened** the public hearing for the proposed Consolidation Agreement Concerning the Proposed Consolidation of the North Creek Fire District and the North Creek Fire Protection District at 7:02 pm.

Supervisor Leggett **opened** the public hearing for the proposed Consolidation Agreement Concerning the Proposed Consolidation of the North Creek Fire District and the North Creek Fire Protection District at 7:02 pm.

Treasurer/Secretary Gonyo read into record the Public Hearing Notice and stated that the notice was duly published in the Post Star and posted as required by law.

Chairman Allen asked if anyone from the public would like to speak on this matter, noting that no one was present.

Chairman Allen **closed** the public hearing for the proposed Consolidation Agreement Concerning the Proposed Consolidation of the North Creek Fire District and the North Creek Fire Protection District at 7:08 pm.

Supervisor Leggett **closed** the public hearing for the proposed Consolidation Agreement Concerning the Proposed Consolidation of the North Creek Fire District and the North Creek Fire Protection District at 7:09 pm.

**Resolution:**

Supervisor Leggett read the following:

**Joint Resolution Approving Final Consolidation Agreement for  
Consolidation of the North Creek Fire District and the North Creek Fire Protection District**

**WHEREAS**, New York General Municipal Law Article 17-A authorizes local government entities such as a town's fire district and a fire protection district to consolidate into a combined fire district if such combination shall be conducive to the public health, welfare, and convenience and be of special benefit to the lands of the district, and

**WHEREAS**, the North Creek Fire Protection District ("NCFPD") was duly established by the Chester Town Board ("Chester") to provide fire protection services to the properties located within the NCFPD, and

**WHEREAS**, the North Creek Fire District ("NCFD") was duly established as a fire district to provide fire protection services to the properties located within the NCFD, and

**WHEREAS**, Chester annually contracts with the NCFD to provide fire protection services to the NCFPD, and

**WHEREAS**, consolidating the NCFPD and NCFD would be more efficient and allow those properties in the NCFPD to be treated identically as those within the NCFD and allow resident voters in the NCFPD to vote and participate in the NCFD, and

**WHEREAS**, the Chester Town Board is the body responsible for the administration the North Creek Fire Protection District, and

**WHEREAS**, the NCFD Board of Fire Commissioners is the body responsible for the administration of the North Creek Fire District, and

**WHEREAS**, the Chester Town Supervisor and NCFD Board of Fire Commissioners and its Treasurer have studied whether it would be to the mutual benefit and in the best interests of the properties and residents within each such district to consolidate the NCFPD into the NCFD and determined that such a combination would create greater operating efficiencies and more equitable distribution of fiscal responsibilities, provide better service to the public served by each District, and allow resident voters in the NCFPD to vote in NCFD elections, and generate cost savings by avoiding duplication in administrative services, and

**WHEREAS**, the Chester Town Supervisor, NCFD and counsel to the Districts have prepared a proposed Consolidation Agreement and provided it to the Chester Town Board and the NCFD Board of Commissioners for their review, and

**WHEREAS**, the proposed Consolidation Agreement has been duly filed with (1) the Johnsburg Town Clerk's Office located at Johnsburg Town Hall, 219 Main Street, North Creek, NY 12853; (2) the Chester Town Clerk's office located at Chestertown Town Hall, 6307 State Route 9, Chestertown, NY; and (3) the NCFD Offices at its fire station located at 134 Main St, North Creek, NY 12853, and

**WHEREAS**, New York General Municipal Law Article 17-A requires the local government entities proposed to be consolidated to endorse a Consolidation Agreement by adoption of a joint Resolution to commence consolidation proceedings, and

**WHEREAS**, the Chester Town Board is the governing entity for the NCFPD and the NCFD Board of Commissioners is the governing entity for the NCFD, and the statutory requirement for a joint Resolution is satisfied by adoption of a joint Resolution by each such governing entity, and

**WHEREAS**, the Chester Town Board adopted a Resolution on July 11, 2023 and the NCFD Board of Commissioners adopted a Resolution on July 12, 2023, endorsing the proposed Consolidation Agreement and scheduling a Public Hearing to hear public comments on the proposed Consolidation Agreement, and

**WHEREAS**, after providing notice as required by General Municipal Law Article 17-A, the Chester Town Board and NCFD Board of Commissioners conducted a Public Hearing on the proposed Consolidation Agreement on August 23, 2023, and the Chester Town Board and NCFD Board of Commissioners have considered the evidence given together with other information, and

**WHEREAS**, the Chester Town Board and the NCFD Board of Commissioners wish to consolidate the North Creek Fire Protection District and North Creek Fire District in accordance with General Municipal Law Article 17-A,

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED:**

1. The Chester Town Board and the NCFD Board of Commissioners hereby determine that consolidation of the North Creek Fire Protection District and North Creek Fire District as described in the Consolidation Plan is not an “action” for purposes of SEQRA review as it does not involve any project or physical activity, planning and policy making activity or adoption of agency rules, regulations and procedures, that may affect the environment.

2. The Chester Town Board and the NCFD Board of Commissioners hereby determine that consolidation of the North Creek Fire Protection District and North Creek Fire District as described in the Consolidation Plan would be to the mutual benefit and in the best interests of the properties and residents within each such district to consolidate the NCFPD into the NCFD and that such a combination would create greater operating efficiencies and more equitable distribution of fiscal responsibilities, provide better service to the public served by each District, and allow resident voters in the NCFPD to vote in NCFD elections, and generate cost savings by avoiding duplication in administrative services.

3. The Chester Town Board and the NCFD Board of Commissioners hereby approve the final Consolidation Agreement and authorize the Chester Town Supervisor and the Chair of the Board of Commissioners to execute the Consolidation Agreement in substantially the form presented at this meeting.

4. The Chester Town Board authorizes and directs the Chester Town Supervisor, Town Clerk and Town Counsel to take all actions necessary to effectuate this Resolution and the Consolidation Agreement. The NCFD authorizes and directs the Chair of the Board of Commissioners and the Secretary and its Counsel to take all actions necessary to effectuate this Resolution and the Consolidation Agreement.

**TOWN OF CHESTER:**

On a motion by Councilperson DuRose, seconded by Councilperson Aiken, Resolution No. 136 of 2023 was duly **ADOPTED** this 23<sup>rd</sup> day of August, 2023 by the following votes:

ROLL CALL:

Councilperson Durose	AYE
Councilperson Aiken	AYE
Supervisor Leggett	AYE
Councilperson Turcotte	ABSENT
Councilperson Packer	ABSENT

**NORTH CREEK FIRE DISTRICT:**

On a motion by Commissioner Ordway, seconded by Commissioner Sears, Resolution was duly **ADOPTED** this 23<sup>rd</sup> day of August, 2023 by the following votes:

ROLL CALL:

Commissioner Sears	AYE
Commissioner Bennett	AYE
Commissioner Ordway	AYE
Commissioner Thomas	AYE
Chairman Allen	AYE

**Adjournment:**

On a motion by Chairman Allen, seconded by Commissioner Thomas, the meeting adjourned at 7:18 pm.

Respectfully submitted,

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Town Clerk