

**TOWN OF CLAVERACK
RESOLUTION #45 of 2023
RESOLUTION APPROVING THE EXTENSIONS OF THE CLAVERACK FIRE DISTRICT
(FD261) AND MELLENVILLE FIRE DISTRICT (FD283) AND PROVIDING FOR THE
DISSOLUTION OF CLAVERACK FIRE PROTECTION DISTRICT (FP283)**

At the Regular meeting of the Town Board of the Town of Claverack, Columbia County, New York, held on December 14, 2023 at the Temporary Town Hall at the Old Claverack Library, 629 Route 23B, Claverack New York,

WHEREAS, Town Law §170 (2) authorizes a town board to extend the boundaries of a fire district upon its own motion after a public hearing thereon and upon the written consent of the board of fire commissioners of such fire district; and

WHEREAS, General Municipal Law Article 17A authorizes a town to dissolve a fire protection district when it is no longer necessary as in such cases when the territory within such fire protection district is being included within the boundaries of a fire district; and

WHEREAS, on November 27, 2023, the Town of Claverack Town Board as lead agency duly adopted a resolution under the State Environmental Quality Review Act ("SEQRA") determining that the extensions of the Claverack Fire District and the Mellenville Fire District are classified as Type II actions that will not significantly impact the environment or are otherwise precluded from further environmental review under New York State Environmental Conservation Law Article 8 and that no further action is required by the Town Board to comply with SEQRA; and

WHEREAS, on November 27, 2023 the Town Board duly adopted a resolution providing that the Town Board would conduct a Public Hearing on Thursday, December 14, 2023 commencing at 6:00PM at the Temporary Town Hall at the Old Claverack Library, 629 Route 23B, Claverack New York to hear all persons interested in the proposed extensions of the Claverack Fire District and the Mellenville Fire District and directed the Town Clerk to provide for the publication and posting of a Notice of Public Hearing for such hearing and for the transmittal of a certified copy of such Notice of Public Hearing to the Office of the New York State Comptroller for filing therewith; and

WHEREAS, that pursuant to Town Law §171(2)(b)(1), prior to the publication of the Notice of Public Hearing, a Detailed Explanation of How the Estimated Rates of Assessment for the Proposed Fire District Extensions" was prepared and filed with the Town Clerk for public inspection; and

WHEREAS, the Notice of Public Hearing was duly published and posted as prescribed by law and a certified copy of the Notice of Public Hearing was sent to the Office of the New York State Comptroller for filing on or about the date of the publication of such Notice pursuant to Town Law §171(2)(b)(1), and the Town Board has, at the time and place specified in the Notice of Public Hearing, duly met and considered the matter of such extension of Fire District boundaries, and heard all persons interested in the subject matter thereof who appeared and presented at the Public Hearing concerning the same; and

WHEREAS, pursuant to Town Law §170(2), the Town Board acknowledges receipt of

written consents to the extensions of the Claverack Fire District and the Mellenville Fire District from the Board of Fire Commissioners of the Claverack Fire District and the Board of Fire Commissioners of the Mellenville Fire District, respectively; and

WHEREAS, the proposed extension of the Claverack Fire District is generally described as including those parcels currently located within the northern portion of the Claverack Fire Protection District, roughly bounded by the Greenport Fire District on the west, the Town of Stockport and the Town of Ghent on the north, and the Mellenville Fire District as extended on the east; all being areas that were formerly served by the West Ghent Fire Department.

WHEREAS, the proposed extension of the Mellenville Fire District boundary is generally described as including those parcels starting at parcel # 111.-1-25, (Hudson Fish and Game Club) all properties east and North of Fish and game road to Tishouser Road, including properties of Robert Brew on 267 Kittle Road, proceeding to Gahbauer Road then proceeding north to parcel 101.-2.11-200, (Hudson Valley Classic Cars), to the northeast of parcel # 101.-2-8, (Sunoco Station) to include all of parcels and properties in the Gerald Simons Commerce Park east of NY Route 9H in the Town of Claverack.

WHEREAS, that upon considering the evidence offered at the Public Hearing, certain determinations must be made by the Town Board in considering the proposed extensions of the Fire Districts.

NOW, THEREFORE BE IT RESOLVED, by the Town Board for the Town of Claverack, that it be and is hereby determined as follows:

- (1) That it is in the public interest to extend the Claverack Fire District and the Mellenville Fire District in the Town to include in the respective fire districts the respective territory identified, described, and set forth in the attached Exhibit "A"; and
- (2) That all of the property, property owners, and interested persons within the proposed extensions of the Fire Districts are benefited thereby; and
- (3) That all of the property and property owners benefited are included within the boundaries of the proposed extensions of the Fire Districts.

AND BE IT FURTHER RESOLVED, that based upon the foregoing findings, the Town Board does hereby approve the extensions of the Claverack Fire District and Mellenville Fire District in the Town effective January 1, 2024 to include the territory identified, described, and set forth in Exhibit "A" and as depicted on the map attached as Exhibit "B" hereto; and

BE IT FURTHER RESOLVED, that upon the extensions of the Claverack Fire District and Mellenville Fire District as provided for herein, the Claverack Fire Protection District (FP283) is no longer necessary and the Town Board does hereby approve the initiation of proceedings to dissolve Claverack Fire Protection District pursuant to Article 17-A of the General Municipal Law; and

BE IT FURTHER RESOLVED, that pursuant to Town Law §173(1), the Town Clerk be and

is hereby authorized and directed to submit for recording in the Office of the Clerk in and for the County of Columbia a certified copy of this resolution as a determination of the Town Board and in addition, within 10 days after the adoption of this resolution, is authorized and directed to submit a certified copy of this resolution as a determination of the Town Board for filing with the office of the State Department of Audit and Control at Albany, New York; and

BE IT FURTHER RESOLVED, that pursuant to Town Law §173(1), that when so recorded in the Office of the County Clerk, this resolution as a determination shall be presumptive evidence of the regularity of the extension of the Fire Districts; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Clerk be and are hereby authorized and directed to execute any documents and do all things necessary on behalf of the Town to achieve the implementation of the purposes of this resolution.

Motion by Board Member: Kathleen Cashen

Seconded by Board Member: Stephen Hook

And duly put to a vote which resulted as follows:

The following Town Board members voted in favor of said Resolution

Clifford Weigeit	Supervisor
Stephen Hook	Councilman
Kathleen Cashen	Councilwoman
Douglas Colwell	Councilman

The following Town Board members voted in opposition of said Resolution


None

The following Town Board member abstained from vote:

George Duntz	Councilman
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The Resolution having been approved by a majority of the Town Board, the same was duly declared adopted by the Town Supervisor.

Dated: December 14, 2023



Mary Hoose, Town Clerk



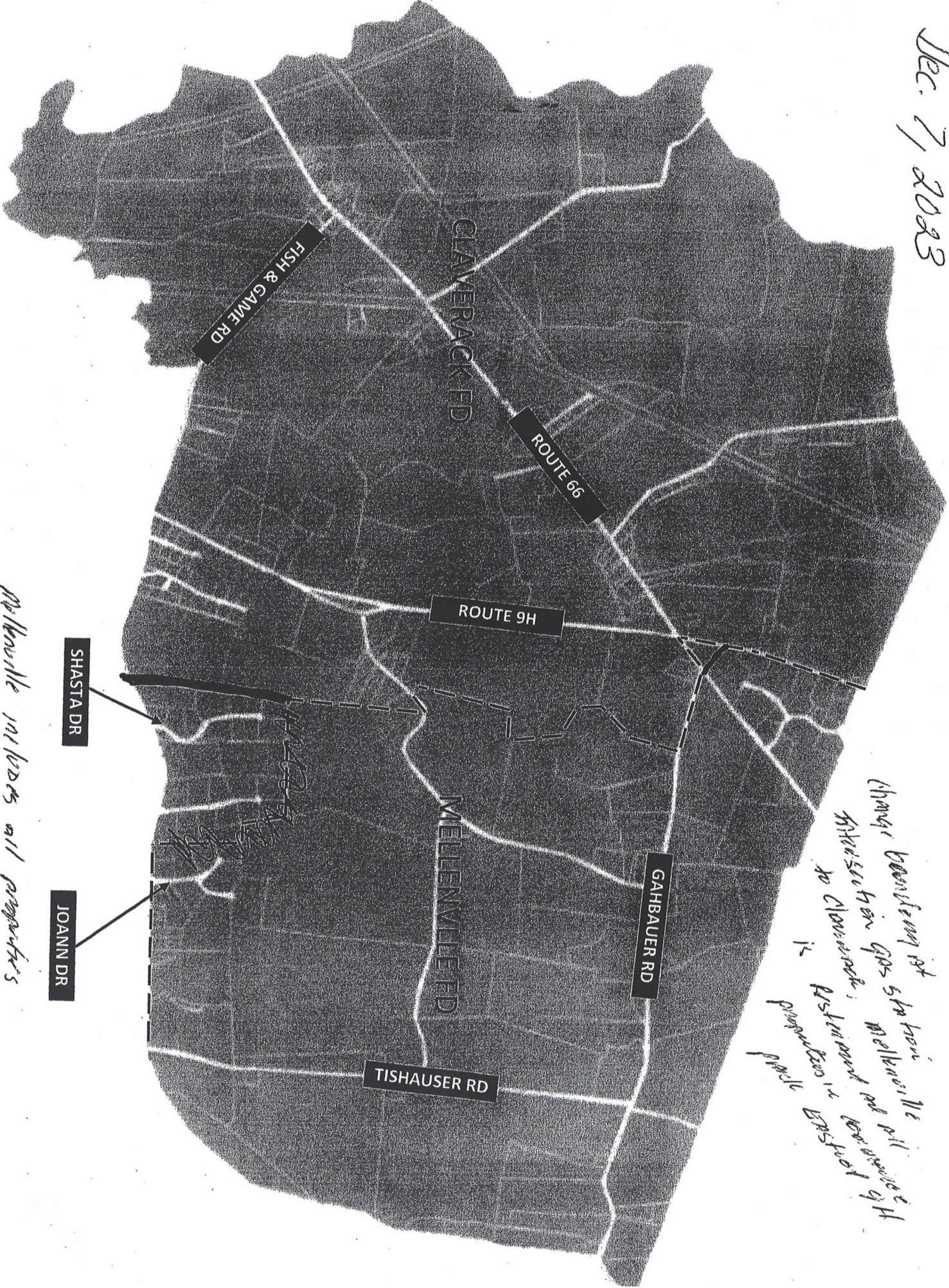
Exhibit A

102889	101.-1-73.3	750000	811 Route 66	FP283	Finck Realty Partnership LLC,		793 Route 66	Hudson, NY 12534
102889	101.-1-14.3	300618	Stottville Rd	FP283	Emerson Contractors,	1160		Pittsfield, MA 01202
102889	101.-1-1.3	213100	Stottville Rd	FP283	Emerson Contractors Inc,	1160		Pittsfield, MA 01202
102889	101.-1-71	7500	6542 Hill St	FP283	Jones, Faith		6542 Hill St	Hudson, NY 12534
		68005510						

102889	101.-2-2.3	290000	8 Bender Blvd	FP283	Columbia County IDA,	One Hudson City Centre	Hudson, NY 12534
102889	101.-2-2.4	78000	Bender Blvd	FP283	8 Columbia Commerce LLC,	2890 Redding Rd	Fairfield, CT 06824
102889	101.-2-6.100	218700	873 State Rte. 66	FP283	Hudson Premier LLC,	328 N Broadway Fl 2	Upper Nyack, NY 10960
		TOTAL					
		34146600					

Exhibit B

Dec. 7 2023



Melbourne includes all properties on Shasta, Dora + Joann Dues.

Change boundaries at 5th Ave
Melbourne
no Clamersack
system road
is
properties in
Epsford
Melbourne
all
of
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