

**PROPOSED GOVERNING BODY INITIATED
PLAN OF DISSOLUTION
OF THE
GENERAL
FIRE PROTECTION DISTRICT (FD 384)
IN THE TOWN OF CORNING
PURSUANT TO
GENERAL MUNICIPAL LAW ARTICLE 17-A**

Prepared by:
Town Board
Town of Corning
ADOPTED April 16, 2019

INTRODUCTION

The General Fire Protection District (FD 384) ("Protection District") in the Town of Corning ("Town") was established by resolution of the Town Board of the Town to provide a means to collect tax revenue to provide for fire protection and emergency services to the persons and properties within the Protection District. The Town Board of the Town has always been and continues to be the "governing body" of the Protection District. The levy of taxes upon the taxable parcels in the Protection District has been the means utilized by the Town for providing tax-based funding for fire protection and emergency services within the boundaries of the Protection District. The fire protection and emergency services for all times relevant hereto have been provided to the Protection District by the East Corning Fire Department, Inc., the North Corning Volunteer Fire Department, Inc., and the Village of South Corning and the South Corning Area Volunteer Fire Company, Inc. ("Departments") by means of fire protection contracts negotiated between the Departments and the Town pursuant to Town Law §184.

By resolution dated January 30, 2019, the Town Board of the Town agreed to form the Corning Joint Fire District ("CJFD") in cooperation with the Village of South Corning. The determinations establishing CJFD have been filed with the New York State Department of Audit and Control and recorded in the office of the Clerk in and for the County of Steuben as required by Town Law §189-d.

The Board of Fire Commissioners for CJFD is scheduled to take office effective October 2, 2019. The first tax levy for CJFD is planned for 2020. With the transition to CJFD, the Protection District is no longer needed. Therefore the Town brings forth the within Governing Body Initiated Dissolution Plan to comply with the legal mandates in compliance with General Municipal Law Article 17-A.

**PROPOSED GOVERNING BODY INITIATED DISSOLUTION PLAN
PURSUANT TO
GENERAL MUNICIPAL LAW SECTION 774**

- (A) The name of entity to be dissolved is the General Fire Protection District (FD 384), hereinafter referred to as the "Protection District".
- (B) The territorial boundaries of the Protection District exist as designated by the Town Board of the Town of Corning as "FD 384", including all properties included in the 2019 final tax roll for FD 384. The boundaries are generally described as follows:

*****<INSERT DETAILED DESCRIPTION>*****

A map depicting the Protection District is available for inspection the office of the Town Clerk. The parcels within the boundaries of the Protection District and included therein are identical to the boundaries of and parcels that are included as part of the newly formed Corning Joint Fire District.

- (C) The type of entity is a fire protection district as described in Town Law §184.
- (D) If uncontested, the cost of the proposed dissolution is estimated to be less than \$500.00.
- (E) No public employees will be affected by the dissolution.
- (F) The Protection District does not own any physical assets. The Protection District does not have any long-term liabilities or indebtedness. The Protections District does not own cash assets.
- (G) The Protection District has no actual or contingent liabilities or indebtedness as of the date of the proposed Dissolution Plan. The Protection District does not anticipate incurring any liabilities before dissolution apart from those costs reasonably and necessarily incurred in bringing about the dissolution; which costs are expected to be less than \$500.00. The Protection District does not have any bonded indebtedness and does not intend to incur any obligations prior to dissolution.
- (H) Except as otherwise noted herein, the Protection District has not entered into any agreements with any other municipal entities. The only agreement contemplated being entered into is with the CJFD for the continuation for fire protection and emergency services by the Departments through December 31, 2019, as per the contract currently in effect between the Town and the Departments pursuant to Town Law §184. As the tax revenue collected in 2019 from the property owners in the Protection District and previously conveyed to the Departments may be loosely construed to be an asset, the Departments, and ultimately CJFD, is responsible for the obligation to assure that services continue and that proper

credit is made to 2019 tax levy for those parcels that were assessed and paid the 2019 Protection District tax levy.

- (I) The residents and businesses of the area included within the Protection District will continue to be provided fire protection and emergency services through December 31, 2019 pursuant to the contract between the Town and the Departments.
- (J) The terms for disposition of assets and liabilities are as follows:
 - (1) There are no assets to be disposed of.
 - (2) There are no liabilities or indebtedness. It is expressly provided that there shall be no further tax levies made by the Protection District provided that the CJFD 2020 tax levy proceeds as expected. In the unlikely the event that CJFD is prevented or precluded from instituting a 2020 tax levy, the Protection District will be deemed to continue wind down business until December 31, 2019 and for a sufficient period of time into 2020 solely as a means to implement a 2020 levy to fund fire protection services by CJFD.
- (K) No rule or regulation of the Protection District or Town is expected to be necessary or remain in effect after the dissolution occurs.
- (L) The effective date of the proposed dissolution is November 12, 2019. In the unlikely the event that CJFD is prevented or precluded from instituting a 2020 tax levy, the Protection District contracts will be deemed to continue to exist past December 31, 2019 and solely for a sufficient period of time so as to implement a 2020 levy to fund fire protection services on behalf of CJFD.
- (M) The date, time, and location of the statutorily required Public Hearing on the proposed dissolution plan is: **TUESDAY MAY 21, 2019** commencing at 7:00 PM at the **Town of Corning Town Hall 20 South Maple Street Corning, NY 14830**
- (N) Miscellaneous Matters
 - (1) Prior to and upon dissolution, that the CJFD will undertake such actions as may be reasonable and prudent to provide for the continued provision of fire protection to the area formerly known as the Protection District.
 - (2) The Corning Town Clerk on behalf of the Town Board of the Town of Corning shall cause this proposed Plan of Dissolution to be published in accordance with General Municipal Law §775 and conduct a public hearing concerning the proposed dissolution pursuant to General Municipal Law §776.

DESCRIPTIVE SUMMARY OF PROPOSED PLAN OF DISSOLUTION

The General Fire Protection District (FD 384) Plan of Dissolution provides for the dissolution of the General Fire Protection District (FD384) ("Protection District") effective December 31, 2019. The provision of fire protection and emergency services will be unaffected and will continue to be provided to the area comprising the Protection District of the East Corning Fire Department, Inc., North Corning Volunteer Fire Department, Inc. and the South Corning Area Volunteer Fire Company, Inc. under the auspices of the Board of Fire Commissioners of the newly created Corning Joint Fire District ("CJFD"). All tax revenue collected by the Protection District pursuant to the 2019 tax levy has already been remitted to the Village of South Corning as payment for services through December 31, 2019 by the Village of South Corning Fire Department comprised of the South Corning Area Volunteer Fire Company, Inc. The Protection District does not possess any cash assets or own any property. The Protection District has no employees. Once, the Board of Fire Commissioners of the CJFD is established and the CJFD becomes functional, CJFD will become the authority having jurisdiction over East Corning Fire Department Inc., the North Corning Volunteer Fire Department, Inc., and the South Corning Area Volunteer Fire Company, Inc. and will be obligated to provide for the provision of fire protection and emergency services to those properties within the former Protection District that are now deemed to be included and incorporated within the boundaries of the CJFD. The Protection District will be dissolved effective November 12, 2019, absent any contingency impeding the CJFD from implementing a 2020 budget and tax levy.

**PROPOSED GOVERNING BODY INITIATED
PLAN OF DISSOLUTION
OF THE
EAST CORNING
FIRE PROTECTION DISTRICT (FD 383)
IN THE TOWN OF CORNING
PURSUANT TO
GENERAL MUNICIPAL LAW ARTICLE 17-A**

Prepared by:
Town Board
Town of Corning
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INTRODUCTION

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