

## August 1, 2016 Special Joint Town Board Meeting

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**A special joint town board** meeting with the Towns of Clifton and Fine was held on Monday, August 1, 2016 at the Municipal Office Building in Star Lake. A quorum of both boards was present. The meeting was called to order with the Pledge of Allegiance at 5:00 PM.

Board Members	Present	Absent	Late	Arrived
Fine Supervisor Susan Westbrook	X			
Fine Councilman Philip Giardino	X			
Fine Councilman AD Butch Brown	X			
Fine Councilman Jeremy Thompson	X			
Fine Councilwoman Barbara Horner	X			
Clifton Supervisor Charles Hooven	X			
Clifton Councilwoman Julie Lanphear	X			
Clifton Councilman Cory Perrault	X			
Clifton Councilman John Russell	X			
Clifton Councilwoman Mary Zuhlsdorf		X		

**Others present:** Hope Dolan, Sharon Snider, Kelly Smith, Tracy Typhair, Chris Cooper, Mark Hall.

**Guests:** M. McManus, C. Tuttle, t. Sauter, C. Farnsworth, S. & P. Bryant, B. Donovan, S. & A. Craig, J. Cooper, P. MacKay, S. Smith, B. Dolan, R. Folsom, E. Stathopoulos, D. Zubin, A. Hynes, M. Friden, C. Westbrook, L. LeRoux, C. Cook, J. DeMart, C. Yartz, A. Splete, P. Pastella, and J. & S. Liberty.

**Thank you-** Susan Sweeney-Smith thanked all of the committee members for the time and hard work that they put in to the consolidation study.

**Smart Growth –** Melissa McManus made a presentation to the two boards about our present grants and where we are with them. She sees no issues with being able to get the reimbursements from the State for all of the money expended so far. She will work on coming up with match for some of the grant projects, but she is recommending looking at the remaining grants, and changing the scope of the projects. She will assist the towns through the DOS process.

Melissa explained that some of the projects addressed in the grants are not good for the DOS grants and may be better addressed on a local level such as the Cranberry Community Center landscaping, the J&L boat wash station and the Fine playground.

The golf course improvements is one area that may be a good project for the grants. Melissa would like to sit down with the golf course committee, Sue and Chuck to review the needs and wants. The whole project may need to be scaled back, but could move forward.

Two of the five grants will be closed out by the end of 2017. The boards have time to develop a plan and re-evaluate their projects.

**Consolidation –** Carrie Tuttle from the Development Authority (DANC) presented the final copy of the “Clifton-Fine Efficiency/Consolidation Report” to the boards. The report includes sections about Existing Conditions, Alternatives, and an Implementation Plan. Carrie gave an overview of the 18-month process, including monthly committee meetings and two public information sessions. Highlights of the proposed Implementation Plan include naming the new town “Clifton-Fine”, the annual savings realized by consolidation, town assets and liabilities, and an effective date for consolidation being January 1, 2020.

The consolidation committee is recommending that the two town boards adopt the proposed Consolidation Agreement. The committee proposes that the town boards hold the required public hearing on September 7, 2016. After public comment at the public hearing, the

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town boards, independently, will have the opportunity to amend the proposed plan, approve the proposed plan and set a referendum date, or end the process. The committee also recommends that if the town boards approve the plan, that it be done so as to allow the referendum date to be set at the same time as the general election date of November 8, 2016. This will allow the greatest amount of people to vote on the issue.

**Arena** – 41 lighting fixtures have been ordered to upgrade the lighting at the arena. They should arrive mid-August and then they will be installed.

**Floor** – Kelly is not recommending digging up the floor where a rock is poking through the blacktop. He may contact the County to see if they can grind the rock down.

**Custodial Worker** – The Town of Clifton needs to advertise the position of custodial worker at the arena, so that an appointment can be made at the November joint town board meeting.

**Fine – Appointment 08/2016-171** Upon recommendation of the Youth Commission Committee, moved by J. Thompson, seconded by A. Brown to appoint Syrena Haen as the Arts & Crafts director for the remainder of the 2016 season due to the resignation of Caitlin Goolden.

Ayes: 5                      Noes: 0                      Carried.

**Clifton – Appointment** - Upon recommendation of the Youth Commission Committee, moved by C. Perrault, seconded by J. Russell to appoint Syrena Haen as the Arts & Crafts director for the remainder of the 2016 season due to the resignation of Caitlin Goolden.

Ayes: 4                      Noes: 0                      Carried.

**Fine – Appointment – 08/2016-172** Upon recommendation of the Youth Commission Committee, moved by J. Thompson, seconded by P. Giardino to appoint Nichole Curry as volunteer soccer coach and Cory Perrault, Bobby Tebo III, Trent Curry and Derrick Daniels as volunteer assistant coaches providing the town receives all necessary paperwork from them.

Ayes: 5                      Noes: 0                      Carried.

**Clifton – Appointment** – Upon recommendation of the Youth Commission Committee, moved by J. Lanphear, seconded by J. Russell to appoint Nichole Curry as volunteer soccer coach and Cory Perrault, Bobby Tebo III, Trent Curry and Derrick Daniels as volunteer assistant coaches providing the town receives all necessary paperwork from them.

Ayes: 3                      Noes: 0                      Abstentions: 1 (Cory Perrault)                      Carried.

**Golf Course** – The golf course received two bids for the sale of the wood stove at the clubhouse. They were Jim Jacobs - \$500, and Leo Chatelain - \$450.

**Fine – Bid – 08/2016-173** Moved by A. Brown, seconded by P. Giardino to accept the bid from Jim Jacobs of \$500 for the sale of the wood stove at the golf course.

Ayes: 5                      Noes: 0                      Carried.

**Clifton- Bid** – Moved by C. Perrault, seconded by J. Russell to accept the bid from Jim Jacobs of \$500 for the sale of the wood stove at the golf course.

Ayes: 4                      Noes: 0                      Carried.

**Credit cards** – There was discussion again about credit cards at the golf course. The Town is working on getting the Square system set up. Pat was upset with how long this has taken, but it was explained that due to the Patriot Act, these companies are asking for personal social security numbers and we are trying to work around that.

**Adjourn – 08/2016-174** Moved by J. Thompson, seconded by P. Giardino the joint meeting was adjourned at 6:13 PM.

Ayes: 9                      Noes: 0                      Carried.

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## Special Fine Town Board Meeting

**Call to order** – A special meeting of the Fine Town Board was called to order at 6:22 PM.

**Consolidation** – Jeremy had questions on the proposed agreement. He questioned why #7 of the agreement contained a dollar amount to be saved when the figures are just an estimate. It was explained that the State requires certain things to be included in the agreement and that was one of them.

**Resolution -08/2016-175** Moved by J. Thompson, seconded by B. Horner to adopt the attached resolution.

Ayes: 5                      Noes: 0                      Carried.

Phil Giardino left the meeting. (Voting change)

**Committee** – The consolidation committee will have another meeting on August 24<sup>th</sup> to prepare for the public hearing on September 7<sup>th</sup>.

**Bills – 08/2016-176** Moved by A. Brown, seconded by B. Horner the town bills be paid.

*Highway Fund -        \$91,216.14*

Ayes: 4                      Noes: 0                      Carried.

**Adjourn – 08/2016-177** Moved by B. Horner, seconded by S. Westbrook the meeting was adjourned at 7:10 PM.

Ayes: 4                      Noes: 0                      Carried.

Respectfully submitted,

Hope M. Dolan, Town Clerk

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### **RESOLUTION OF THE TOWN BOARD TOWN OF FINE ST. LAWRENCE COUNTY, NEW YORK 08/2016-175**

Whereas the Town of Fine is a municipal corporation organized as a town in the State of New York, St. Lawrence County; and

Whereas the Town of Fine is a municipal corporation organized as a town in the State of New York, St. Lawrence County and is contiguous to the Town of Clifton; and

Whereas Clifton and Fine have engaged the Development Authority of the North Country (DANC) to study the consolidation of Clifton and Fine in an effort to reduce expenses, consolidate joint processes, and to benefit the citizens of both Towns; and

Whereas DANC has conducted a study (DANC Study) regarding the consolidation of the Towns and the Town of Fine agrees that a consolidation of the Towns would save money for the taxpayers of the Towns, would ease certain administrative burdens, and would generally be in the best interests of the residents of the Towns; and

Whereas, the Town of Fine would like to enter into an agreement pursuant to section 752 of the General Municipal Law so that the issue of the consolidation can be put to the voters of the Towns pursuant to Section 755 of the General Municipal Law, be it hereby

RESOLVED, pursuant to Section 751 of the General Municipal Law of the State of New York, the Town of Fine hereby adopts the proposed Consolidation Agreement between the Town of Clifton and the Town of Fine, St. Lawrence County, New York, a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Town Supervisor is directed to sign the proposed agreement on behalf of the Town of Fine, and be it further

RESOLVED, that a summary of the Consolidation Agreement be published pursuant to Section 753 of the General Municipal Law, that a full copy of the DANC Study and the Proposed Consolidation Agreement be placed in the office of the Town Clerk and on the Town's Website for consideration by the public, and be it further

RESOLVED, that pursuant to Section 754 of the General Municipal Law, a public hearing be held on the 7<sup>th</sup> day of September, 2016 at the Clifton-Fine Central School Auditorium, at 6:30pm so that the public may be heard regarding the proposed Consolidation Agreement.

By order of the Town Board of the Town of Fine this 1st day of August, 2016.

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Town Clerk of the Town of Fine

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## **Consolidation Agreement between The Town of Clifton and The Town of Fine St. Lawrence County, New York**

This agreement dated the 3<sup>rd</sup> day of August, 2016 by and between the Town of Clifton, with a place of business at 7171 State Highway 3, Cranberry Lake, New York (herein “Clifton”) and the Town of Fine, with a place of business located at 4078 State Highway 3, Star Lake, New York, (herein “Fine”), collectively Clifton and Fine may also be referred to herein collectively as the “Parties” and/or the “Towns”

Whereas Clifton is a municipal corporation organized as a town in the State of New York, St. Lawrence County; and

Whereas Fine is a municipal corporation organized as a town in the State of New York, St. Lawrence County; and

Whereas Clifton and Fine have engaged the Development Authority of the North Country (herein “Authority”) to study the consolidation of Clifton and Fine in an effort to reduce expenses, consolidate joint processes, and to benefit the citizens of both Towns; and

Whereas Authority has conducted a study, herein called Consolidation Study, a copy of which is attached hereto and made a part hereof as Exhibit A, regarding the consolidation of the Towns and the Towns agree that a consolidation of the Towns would save money for the taxpayers of the Towns, would ease certain administrative burdens, and would generally be in the best interests of the residents of the Towns; and

Whereas, Clifton and Fine would like to enter into an agreement pursuant to section 752 of the General Municipal Law so that the issue of the consolidation can be put to the voters of the Towns pursuant to Section 755 of the General Municipal Law,

Now Therefore, in exchange for the mutual promises herein contained and other good and valuable consideration, the parties agree as follows:

1. The parties to be consolidated herein are the Town of Clifton and the Town of Fine, contiguous towns located in St. Lawrence County New York with the mailing address and place of business as set forth above.
2. The name of the proposed consolidated town shall be the “Town of Clifton-Fine”.
3. The proposed Town of Clifton-Fine shall have the same rights, duties and obligations of the individual Towns except as to the rights, duties, and obligations as may exist in any agreement between Clifton and Fine. The proposed Town of Clifton-Fine shall have all of the rights, duties, and obligations of a Town located in the State of New York pursuant to the Town Law, the General Municipal Law, and the Constitution of the State of New York and such other and

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further laws, rules and regulations of the State of New York as are applicable to Towns of the State of New York.

4. The territorial boundary of the proposed consolidated Town of Clifton-Fine shall be the same as the territory of Clifton and Fine combined.

5. The proposed consolidated Town of Clifton-Fine shall be a Town of the Second Class pursuant to the Town Law of the State of New York.

6. The governmental organization of the proposed consolidated Town of Clifton-Fine shall be consistent with the Town Law, the General Municipal Law, the Constitution of the State of New York, and will comply with all rules, regulations, and laws of the State of New York. The consolidated town will organize its government in the same manner as each of the current Towns. Subject to the provisions of General Municipal Law section 767, attached hereto and made a part hereof as Exhibit B is an outline of the positions and the number of employees of the proposed consolidated Town of Clifton-Fine.

New officials of the proposed consolidated Town of Clifton-Fine required to be elected shall take office on the first Monday of January following the election to be held on Election Day, November 5<sup>th</sup>, 2019, or such other date designated as Election Day, 2019. At such election, the necessary officials of the proposed consolidated Town of Clifton-Fine shall be elected in accordance with the terms of the general law affecting Towns of the Second Class. Except as otherwise specified herein, all appointive officials of the proposed consolidated Town of Clifton-Fine thereafter shall be appointed by the individual or entity upon whom the power to appoint such officials is conferred by the terms of the general law affecting Towns of the Second Class. Successors in office for such elected or appointed positions shall thereafter be elected or appointed at the time, in the manner and for the terms provided by the general law affecting Towns of the Second Class.

7. The Towns agree that the consolidation shall result in annual fiscal cost savings of \$183,083.00 for the combined residents and taxpayers of Clifton and Fine.

8. A listing of the assets of Clifton and Fine and the Fair Market Value of such assets are attached hereto and made a part hereof as Exhibit C.

9. A listing of Clifton and Fines liabilities, and the fair market value thereof, as known to parties at the time of execution of this agreement, is attached hereto and made a part hereof as Exhibit D.

10. Clifton and Fine shall dispose of their assets by transferring them directly to the new consolidated Town of Clifton-Fine. The proposed consolidated Town of Clifton-Fine will evaluate any redundant assets and consider disposition of any such assets at Fair Market Value.

11. The Towns agree, with respect to terms for the common administration and uniform enforcement of local laws, ordinances, resolutions, orders, and the like, that all local laws,

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ordinances, rules or regulations of the component local government entities in effect on the effective date of consolidation shall remain in full force and effect within the respective areas of the proposed consolidated Town of Clifton-Fine, except as set forth herein.

The Towns have completed an extensive review of their local laws and compared them to see which laws differ and how. If the Towns were to consolidate, the Consolidation Study committee would appoint a Local Law Review committee which would work with the Town attorneys to draft and adopt a set of comparable local laws for the new combined Town that would take effect immediately after consolidation occurred. These local laws would be applied uniformly across the new consolidated Town, unless the law is specifically written to only apply to a certain district or area.

12. The effective date of consolidation shall be January 1<sup>st</sup>, 2020 at 12:00am.

13. The public hearing to consider the consolidation of Clifton and Fine shall occur at the Clifton-Fine Central School Auditorium on the 7<sup>th</sup> day of September, 2016 at 6:30pm. A copy of this agreement shall be maintained at the Office of the Town Clerk of the Towns, and a summary hereof shall be published as required by Section 753 of the General Municipal Law.

The undersigned Town Supervisors, on behalf of their respective Town, by their signature below, represent that they have been granted authority by their respective Town Board to sign this agreement and that the agreement has been adopted by lawful vote of the Town Board and binds the Town to the terms of this agreement.

Town of Clifton

By: \_\_\_\_\_  
Charles Hooven, Town Supervisor

Town of Fine

By: \_\_\_\_\_  
Susan Westbrook, Town Supervisor

***Exhibit***

***A***

***The full study is incorporated herein and the full copy is available in the office of both Town Clerk's for inspection and review.***



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### ***Exhibit B***

*(FT = full time; PT = part time)*

**Table 1 - Elected Officials**

<b>Elected Position</b>	<b># of Employees</b>
Supervisor	1 PT
Legislative Board Member	4 PT
Clerk	1 FT
Town Justice	1 PT
Highway Superintendent	1 FT

**Table 2 - Appointed Officials and Public Employees**

<b>Appointed Position</b>	<b># of Employees</b>
Assistant Town Clerk	1 PT
Assessor	1 PT
Board of Assessment Review	3 PT
Bookkeeper	1 FT, 1 PT
Code Enforcement	1 PT
Court Clerk	1 PT
Attorney	1 PT
Historian	1 PT
Buildings	1 PT
Community Action Coordinator	1 PT
Dog Control	1 PT
Insect Control	2 PT
Highway Operator	11 FT

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## Exhibit C

- 1) Upon consolidation, title to real property presently owned by the individual Towns will be transferred to the new Town. Town property consists of the following parcels:

<b>Table 4 – Town of Clifton-Owned Real Property</b>			
<b>Parcel ID</b>	<b>Property Class</b>	<b>Full Market Value<sup>1</sup></b>	<b>Use</b>
203.082-2-1	822 - Water Supply	\$70,652	Newton Falls Water District
204.000-1-1.3	720 - Mine/Quarry	\$21,196	Clifton, Gravel Pit
205.071-1-31	311 - Residential Vacant Land	\$5,000	Clifton, Vacant
205.071-1-32	311 - Residential Vacant Land	\$4,130	Clifton, Vacant
205.071-1-9	652 - Government Buildings	\$200,978	Clifton, Library and Community Center
205.071-2-17	560 - Improved Beach	\$166,304	Clifton, Beach
214.026-2-1	651 - Highway Garage	\$200,435	Clifton, Hwy Garage
214.026-5-37	311 - Residential Vacant Land	\$2,283	Clifton, Vacant
214.026-6-14	822 - Water Supply	\$81,522	Newton Falls Water District
224.000-2-10	682 - Recreational Facility	\$34,130	Clifton, Golf Course
224.000-2-9	323 - Vacant Rural	\$6,304	Clifton, Golf Course
224.031-2-3	822 - Water Supply	\$40,761	Clifton, Woodhaven Water District
<b>Town of Fine-Owned Real Property</b>			
202.000-2-49	311 - Residential Vacant Land	\$3,704	Fine, Cemetery
202.000-3-4.1	852 - Landfill	\$1,358	Fine, Former Landfill
202.029-2-23	652 - Government Buildings	\$190,247	Fine, Town Hall
202.040-2-2	720 - Mine/Quarry	\$7,037	Fine, Gravel Pit
203.000-1-4	910 - Private Forest	\$14,691	Fine, Griffin Memorial Forest
213.000-2-44	695 - Cemetery	\$3,704	Fine, Cemetery
213.000-3-21	720 - Mine/Quarry	\$4,691	Fine, Gravel Pit
213.000-5-3	720 - Mine/Quarry	\$13,827	Fine, Gravel Pit
213.051-1-8	311 - Residential Vacant Land	\$15,062	Fine, Park
213.067-1-1	651 - Highway Garage	\$876,543	Fine, Highway Garage

<sup>1</sup> Full Market Value is computed by dividing the assessed value by the equalization rates for the respective towns (i.e., 92% for the Town of Clifton and 81% for the Town of Fine).

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224.000-1-5	682 - Recreation Facility	\$1,840,494	Clifton & Fine, Arena and Golf Course
224.021-1-5	652 - Government Buildings	\$260,123	Fine, Municipal Building
224.030-1-2	682 - Recreation Facility	\$81,852	Fine, Save our Schoolhouse
224.030-2-21	822 - Water Supply	\$31,481	Fine, Water Supply
224.030-2-23	652 - Government Buildings	\$414,938	Fine, Community Center
225.072-1-16	314 - Rural Vacant <10 acres	\$988	Fine, Vacant
225.072-8-2	682 - Recreation Facility	\$4,321	Fine, Park
225.072-8-3	853 - Sewage	\$125,926	Fine, Wastewater Treatment Plant
225.072-8-4	853 - Sewage	\$6,296	Fine, Wastewater Treatment Plant

(2) Personal property and other fixed assets owned by the individual Towns at the time of consolidation will become the property of the new Town. Personal property includes vehicles, equipment, office furniture, computers, and any other item commonly considered to be personal property.

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### Exhibit D Town of Clifton & Fine Indebtedness

	Clifton	Fine
General Fund	\$0	\$180,000
Highway	\$305,562	\$0
Water	\$0	\$0
Sewer	\$710,000	\$182,300
Total	\$1,015,562	\$362,300