

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

This agreement dated the 3rd 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 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 5th, 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, 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 1st, 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 7th 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

Exhibit B

(FT = full time; PT = part time)

Table 1 - Elected Officials

Elected Position	# of Employees
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

Appointed Position	# of Employees
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

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:

Table 4 – Town of Clifton-Owned Real Property			
Parcel ID	Property Class	Full Market Value¹	Use
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
Town of Fine-Owned Real Property			
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

¹ 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).

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.

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