

**RESOLUTION #16 OF 2013 –
RESOLUTION FOR CONSOLIDATION OF FIRE DISTRICTS
AFTER PUBLIC HEARING**

WHEREAS, a motion having been passed by the Town Board of the Town of Middletown (the "Town") on the 11th day of September, 2013, according to law, requesting that the Village of Margaretville Fire Protection District of said Village and the Middletown Hardenburgh Fire District be consolidated into one fire district (the "consolidated fire district"), and

WHEREAS, said Town Board duly adopted on the 13th day of August, 2013, a resolution providing that said Town Board shall meet at the Town Hall, 42339 State Highway 28, Margaretville, New York, on the 11th day of September, 2013, at 6:30P.M., to consider said motion and hear all persons interested in the matter of the consolidation of such Fire Districts, and notice of such hearing was duly published and posted as prescribed by law, and said Town Board has, at the time and place specified in said notice, duly met and considered the matter of such consolidation, and heard all persons interested in the subject thereof who appeared at such time and place, concerning the same, and

WHEREAS, the said Town Board has considered said motion and the evidence submitted at such hearing,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines that it is in the public interest to consolidate the aforementioned fire districts, and be it

FURTHER RESOLVED, that effective September 11th, 2013, the Middletown Hardenburgh Fire District and the Village of Margaretville Fire Protection District are hereby consolidated into one fire district to be known as the consolidated fire district by dissolving the Village of Margaretville Fire Protection District, and be it

FURTHER RESOLVED, that this Resolution to Consolidate is subject to a permissive referendum. This resolution will not take effect until thirty (30) days after its adoption or until approved by the affirmative vote of a majority of the qualified electors of the Town voting on such proposition for its approval if within thirty (30) days after its adoption there is filed with the Town clerk a petition signed and acknowledged by the electors of the Town in number equal to at least twenty percent (20%) of such electors in the Town as shown on the register of electors for the previous general Town election protesting against such resolution and requesting that it be submitted to the electors of the Town for their approval or disapproval, and be it

FURTHER RESOLVED, at the expiration of thirty (30) days after the resolution is approved and no petition having been filed for a referendum the Resolution shall be deemed adopted, that the Town Clerk be and she hereby is authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the clerk of Delaware County in which said consolidated Fire District is located, and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution in the office of the State Department of Audit and Control, at Albany, New York, within ten (10) days after the adoption of this resolution.

Motion made by: _____

Seconded by: _____

Resolution adopted by a vote of _____ ayes and _____ nays

I hereby certify that the above resolution was duly adopted by the Town Board of the Town of Middletown at its regular meeting held on September 11th, 2013

Dated: September 11th, 2013

Patricia F. Kelly
Town Clerk
Town of Middletown

SEAL

I, Patricia F. Kelly, Town Clerk of the Town of Middletown, Delaware County, DO HEREBY CERTIFY that I have compared the preceding resolution with the original thereof filed in my office at Margaretville, NY on the 11th day of September, 2013 and adopted by the Town Board of the Town of Middletown, Delaware County, New York, on the 11th day of September, 2013 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed the seal of the said Town of Middletown this 11th day of September, 2013.

Patricia F. Kelly
Town of Middletown

SEAL