

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY WORK SESSION
May 10, 2010**

Resolution No. 010-173

**A RESOLUTION AUTHORIZING THE EXECUTION OF A
PROPOSED JOINT CONSOLIDATION AGREEMENT
CONSOLIDATING TOWN OF PLATTSBURGH AMBULANCE
DISTRICT NO.1 AND TOWN OF PLATTSBURGH AMBULANCE
DISTRICT NO. 2, SUBJECT TO THE COMPLETION OF
PROCEEDING PURSUANT TO ARTICLE 17A OF THE GENERAL
MUNICIPAL LAW OF THE STATE OF NEW YORK**

WHEREAS, the Town of Plattsburgh has heretofore incorporated Town of Plattsburgh Ambulance District No 1. and Town of Plattsburgh Ambulance District No 2., pursuant to the provisions of the Town Law of the State of New York; and

WHEREAS, the Town Board is desirous of entering into the annexed proposed Joint Consolidation Agreement, Consolidating the two aforesaid Ambulance Districts into one consolidated district serving the entire Town of Plattsburgh pursuant to Article 17A of the General Municipal Law; and

WHEREAS, the new entity will assume jurisdiction over all areas, in the Town of Plattsburgh, that were previously served by the two terminated entities, and

WHEREAS, it is necessary that the Town of Plattsburgh comply with all provisions of Article 17A Title II of the General Municipal Law;

NOW THEREFORE, it is **ORDERED** that the Supervisor of the Town of Plattsburgh acting on behalf of the Town of Plattsburgh, Plattsburgh Ambulance District No1 and Plattsburgh Ambulance District No. 2 execute the attached proposed Joint Consolidation Agreement; and

IT IS FURTHER ORDERED, the Town personnel and officers shall undertake the steps required under the aforesaid Article 17A Title I and II of the General Municipal Law and comply with the provisions thereof to effect such Consolidation.

IT IS FURTHER RESOLVED AND DETERMINED, that the Town Board of the Town of Plattsburgh be established as Lead Agency for all SEQRA Review pursuant to 6NYCRR 617.6 and that a copy of this Resolution be submitted.

Motion: Thomas E. Wood

Seconded by: Martin D. Mannix

Discussion:

Roll Call:

Yes No

Thomas E. Wood
Gerard A. Renadette
Martin D. Mannix
Paul D. Lamoy
Bernard C. Bassett

x
absent
x
x
x

A handwritten signature in black ink, appearing to read "Ricky Williams", is written over a faint circular stamp or watermark.

JOINT CONSOLIDATION AGREEMENT

THIS AGREEMENT made the 10th day of May, 2010, between **TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO. 1**, (hereinafter known as “District No.1”) **TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO. 2**, (hereinafter known as “District No.2”), and **THE TOWN OF PLATTSBURGH, CLINTON COUNTY STATE OF NEW YORK**, (hereinafter known as “Plattsburgh”), a municipal corporation existing pursuant to the Laws of the State of New York, who agree as follows:

- a. The names of the Local Government entities to be consolidated are District No. 1 and District No.2
- b. The Proposed local government entity which will result from this consolidation will be known as “the Town of Plattsburgh Consolidated Ambulance District”, hereinafter known as “Consolidated District”.
- c. The Consolidated District shall have the duty and obligation to furnish ambulance service and all other authorized service to those who because of injuries or illness or otherwise require ambulance transportation and other authorized service and shall have the right to do so throughout the entire Town of Plattsburgh, and contract to offer services in other areas approved by the Town Board of the Town of Plattsburgh
- d. The territorial boundaries of the proposed Consolidated District shall be the territorial boundaries of the Town of Plattsburg, Clinton County, State of New York.
- e. The Consolidated District proposed, shall be of the type or class that would be formed as an ambulance district under the laws of the State of New York under Articles 12 and/or 12A of the Town Law of the State of New York, however this Consolidated District shall be formed by consolidation of the two existing districts under Article 17A, Title 2 of the General Municipal Law of the

State of New York.

f. The proposed Consolidated District shall be governed by the laws of the State of New York and operated and administered by the Town Board of the Town of Plattsburgh in the same fashion as ambulance districts created under Articles 12 and 12A of the Town Law. The present Members of the Plattsburgh Town Board, including the Supervisor, shall serve for the balance of their present terms, upon termination of their present term, successors shall be elected as set forth in the Town Law and Election Law of the State of New York, in the event any vacancy shall develop because of any reason, the vacancy shall be filled in accordance with the Town Law and Election Law of the State of New York.

g. Local government officials shall be those who will be elected according to the Election Law and the Town Law of the State of New York as Supervisor and Town Board Members under the Town Law. All appointed officials and public employees shall be appointed by the Town Board of the Town of Plattsburgh and shall be selected in accordance with the laws of the State of New York.

h. It is estimated that the cost of consolidation will not exceed \$10,000.00. It is anticipated there will be savings from consolidation of the two districts in that standard ad valorem tax rates will be charged through out the district as well as uniform services charges. The extent of the savings cannot be accurately estimated at this time. It is to be further anticipated there will a reduction in the time required to complete administrative services for the two districts.

i. Ambulance District No. 1 has no assets except current funds held by the Town of Plattsburgh which will vary, but at the time of Consolidation will become funds of the Consolidated District. Pursuant to contracts between the Morrisonville, Schuyler Falls Volunteer Ambulance Service, Inc., hereinafter designated as "VAS". If VAS shall be dissolved pursuant to the Not For Profit Corporations Law of the State of new York, the assets of VAS consisting of an Ambulance House, real property and other assets upon said dissolution are to be

transferred to the Town of Plattsburgh and the Town of Schuyler Falls. The assets, real and personal properties, have been funded by annual payments from the Towns to VAS. Upon dissolution, the properties will be distributed between the two Towns in proportion to the contributions which each Town has made toward their purchase.

The fair market of the assets at this time is unknown. Presently it cannot be determined when the assets would be distributed, if at any time, and the division between the two Towns has not been determined. Under the Contracts, the distribution is to be determined by a Court unless agreed upon the parties.

Ambulance District No. 2 does not have any real or personal property assets except funds which might be held by the Comptroller of the Town of Plattsburgh.

j. Except for current liabilities, neither Ambulance District has any liabilities, and any liabilities existing on December 31, 2010 will be paid from funds held then by the Consolidated District. VAS has a Building Loan Mortgage recorded in the Clinton County Courthouse as Instrument number 126598 dated November 1, 2000, Tupper Lake National Bank is Mortgagee and the original amount of such Mortgage was \$350,000.00. The interest rate on that Mortgage is 9.50% annually.

k. Administration and uniform enforcement of local laws and ordinances, resolutions, orders and the like in the proposed Consolidated District shall during the two years following the effective date of consolidation, be enforced in the same fashion and to the same extent as heretofore existing in ambulance Districts No. 1 and No. 2. Not later than two years following the effective date of consolidation, the Town Board of the Town of Plattsburgh shall adopt new laws, ordinances, rules and regulations as necessary to redress any conflicts and redress any ambiguities, if any, among the then existing laws, ordinances, rules and regulations of Ambulance Districts Nos. 1 and 2 to provide for

consolidating administrative and uniform government of the Consolidated District.

l. The effective date of the proposed consolidation shall be January 1, 2011.

m. The place or places for public hearings on such joint consolidation pursuant to Section 754 of Article 17A Title 2 of the General Municipal Law shall be the Town Hall of the Town of Plattsburgh located at 151 Banker Road ,Plattsburgh ,New York 12901. On such date and at such time as shall be directed by the Town Board of the Town of Plattsburg and after notice as required by law.

IN WITNESS WHEREOF, the hereto have executed this Agreement as of the date and first written above.

TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO. 1

By: Bernard C Bassett 5/12/10
Bernard C. Bassett, Supervisor

Ricky Gallina

TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO.2

By: Bernard C Bassett 5/12/10
Bernard C. Bassett, Supervisor

TOWN OF PLATTSBURGH, CLINTON COUNTY, STATE OF NEW YORK

By: Bernard C Bassett 5/12/10
Bernard C. Bassett, Supervisor

SUMMARY OF JOINT CONSOLIDATION AGREEMENT PROPOSED TO CONSOLIDATE THE TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO. 1 AND TOWN OF PLATTSBURGH AMBULANCE DISTRICT NO 2. PURSUANT TO THE PROVISIONS OF ARTICLE 17 TITLE 2 OF THE GENERAL MUNICIPAL LAW

It is proposed as of January 1, 2011, to consolidate the two Ambulance Districts within the Town of Plattsburgh pursuant to Article 17A Title 2 of the General Municipal Law of the State of New York.

The purpose of the consolidation is to combine the two districts to service the entire Town of Plattsburgh.

Consolidation of the two Districts will also make ad volarem tax rates, and the charges for services uniform throughout the entire Town.

It is anticipated the two districts will function as one, depending upon the administrative determinations, to be made and proposals received. The services will be rendered by third parties under contract with the Consolidated Districts. Service contracts may be made to service areas outside the Town of Plattsburgh.

The proposed Consolidation Agreement is on file in the Town of Plattsburgh, Town Clerk's Office at 151 Banker Road, Plattsburgh, New York . A copy of the proposed Joint Consolidation Agreement and this summary are displayed upon and available for public inspection at the Plattsburgh Town Clerk's Bulletin Board in the Plattsburgh Town Hall, 151 Banker Road, Plattsburgh, New York and upon the Town of Plattsburgh web site.

A Public Hearing on the Consolidation shall be held at the Town Hall, of the Town of Plattsburgh, 151 Banker Road, Plattsburgh, New York on such date and at such time as shall be directed by the Town Board of the Town of Plattsburgh. All parties interested in the matter shall have an opportunity to be heard at such public hearing in support of, or opposition to the proposed consolidation and to address questions to the Town Board and Town representatives.