

DISSOLUTION PLAN OF THE VILLAGE OF PORT HENRY

STATE OF NEW YORK
COUNTY OF ESSEX
VILLAGE OF PORT HENRY

PROPOSITION NUMBER 1:

PROPOSITION FOR THE DISSOLUTION OF THE VILLAGE OF PORT HENRY, DISPOSITION OF VILLAGE PROPERTY, ESTABLISHMENT OF TOWN SPECIAL IMPROVEMENT DISTRICT AND ESTABLISHMENT OF A PORT HENRY FIRE DISTRICT

Shall the Village of Port Henry be dissolved; shall Village property be disposed of as follows; shall Town of Moriah Special Improvements Districts be created to operate certain existing Village Improvements; and shall the Town of Moriah establish a Port Henry Fire District:

1. The Village of Port Henry will officially dissolve on December 31, 2011.
2. Following the dissolution of the Village of Port Henry, the Town of Moriah will assume the duties and functions of the Village and continue to provide certain services once provided by the Village. The cost of certain services in the existing Village- water, sewer, fire, refuse and recycling collection, and sidewalk snow removal- will be met by fees or taxes levied on real property located within bounds of Special Improvement Districts established by the Town Board as explained in Paragraphs numbered 14, 15, 16 and 17.
3. The Village Board of Trustees will be eliminated. All expenses associated with personnel and contractual obligations for this function will be saved since the Town will assume legislative responsibility for the former Village with no additional pay for its Town Board members. The size of the Town Board will not change.
4. The position of Village Mayor will be eliminated.
5. The part-time position of Clerk to the Town Clerk in the Town of Moriah will be eliminated.
6. The positions of Village Treasurer and Village Clerk will be eliminated. The Town will create an additional clerk position to provide support for administrative responsibilities the Town will have upon dissolution of the Village.

7. The position of Village code enforcement officer will be eliminated. Village code enforcement responsibilities, including safety inspection responsibilities, will be absorbed by the Town code enforcement officer.
8. The Village Attorney agreement will terminate. The Town will continue to have a contractual arrangement with an attorney.
9. Title to the Village Hall will be transferred to the Town and there will be a stipulation in the deed that if the Town decides to sell this property that the resulting revenue will be used to pay down the amount due on the 2009 E-One Fire Pumper.
10. Title to the Village Fire House located at 14 Church Street will transfer to the Town. The Town will lease space in the existing fire hall to a new Port Henry Fire District to be established in paragraph 16 below. If at some point in the future, the existing fire hall is no longer to be used by the Fire District, the responsibility to provide another facility will rest with the Fire District.
11. Title to the Champ RV Park properties consisting of a campground, beach, bathhouses and other facilities will be transferred to the Town, which will become responsible for operation of the beach/campground.
12. The Village Department of Public Works garage facilities will become the property of the Town. Operation of the facilities will be under the management of the Town Highway Superintendent.
13. Except as noted in paragraph 16 below, personal property and other fixed assets of the Village will not be sold upon dissolution but will be owned and used by the Town. Personal property owned by the Village at the time of dissolution will become the property of the Town.
14. Water services for Village residents will be maintained. The Town will create and establish by resolution a Special Improvement District to be known as the Port Henry Water District (Town water district #4) as provided by Articles 12 and 12A of Town Law and assume the responsibilities of the new Water District for water supply, and also maintenance and repair of all existing water lines within the existing Village. The boundaries of the Water District will be the boundaries of the existing Village. Costs for the Water District will be met by user fees. Existing Village water fund debt will revert to the Water District users and be paid for through the user fees.
15. Sewer services for Village residents will be maintained. The Town will create and establish by resolution a Special Improvement District to be known as the Port Henry Sewer District (Town sewer district #2) as

provided by Article 12 and 12A of the Town Law. The Town will assume the responsibilities of the new Sewer District for maintenance and repair of all sewer lines within the existing Village. The boundaries of the Sewer District will be the boundaries of the existing Village. Costs for the Sewer District will be met by user fees. Existing Village sewer fund debt will become the responsibility of the newly formed Sewer District and be paid through user fees.

16. Prior to the effective date of dissolution of the Village (December 31, 2011), in accordance with Village Law Article 19-1914 the Town will adopt an order establishing the Port Henry Fire District (Town fire district #3), encompassing all property in the Village of Port Henry. In accordance with Town Law Article 11 Section 172d, the Town Board will “upon the dissolution of the Village” extend the Port Henry Fire District to encompass all property bounded on the north by the Westport town line, on the south by the Crown Point town line, on the west by Routes 9N/22 and on the east by Lake Champlain that falls outside the existing boundaries of the Village of Port Henry. The costs of operating the Fire District will be met by taxes levied on the benefited real property located within the boundaries of the Port Henry Fire District.
 - a. Upon dissolution of the Village, the Board of Trustees of the Village of Port Henry will turn over to the Port Henry Fire District all of the Village’s rights, title and interest in the Village Fire Department, excluding the Fire Hall located at 14 Church Street. All such property, vehicles and equipment owned by the Village and used by the Village Fire Department for the purposes of firefighting will be turned over, at no cost, to the Port Henry Fire District.
 - b. The current Village obligation to pay for a new fire truck, a 2009 E-One pumper, will become a Port Henry Fire District obligation, with costs billed as separate district charges to taxpayers in the district.
 - c. When the Village turns over equipment and assets of the Village Fire Department to the Port Henry Fire District it will stipulate that if any equipment or assets are sold that the proceeds will be used to reduce the debt on the 2009 E-One pumper.
17. Refuse, recycling and sidewalk snowplowing services for Village residents will be maintained. The Town will create and establish by resolution a Special Improvement District to be known as the Port Henry Refuse and Sidewalk Snowplow District as provided by Article 12 and 12A of Town Law. The Town will provide refuse collection, recycling, and sidewalk

snow removal services only within the boundaries of the existing Village, with costs billed as a separate district charge to Village taxpayers.

18. Street lighting in the Village will become a Townwide expense.
19. The joint Village/Town wastewater treatment facility now operated by the Village will be operated by the Town.
20. Village streets, highways, roads, alleys, sidewalks, etc. (excluding sidewalk snowplowing which is described in paragraph 17 above) will be included in the Town highway and road system and can be operated and maintained by the Town as a Townwide expense. Contractual expenses for operations related to snow removal (excluding sidewalk snow removal), sidewalks and curbs and off-street parking will transfer to the Town. The Town will assume responsibility for these functions. To accommodate the added responsibilities, the town will hire the five (5) Village Department of Public Works (DPW) employees whose position will be eliminated when the Village dissolves.
21. The Town currently operates a Senior Citizens program. The Village currently provides gas for the senior van. The program will remain unchanged and the cost will transfer to the Town.
22. The Village provides support for the Sherman Free Library, the Town summer youth program, and the annual Labor Day celebration. The cost for each of these will transfer to the Town.
23. In accordance with Village Law §19-1910, all local laws, ordinances, rules and regulations of the Village of Port Henry that are in effect on the date of dissolution of the Village will be enforced and administered by the Town for a period of two (2) years. At the end of the two (2) year period, all local laws, ordinances, rules and regulations of the Village of Port Henry will become null and void unless the Town enacts certain Village laws or ordinances as Town laws and ordinances. The Town will plan to adopt or revises relevant Village laws and ordinances, as soon as is practical after dissolution.
24. Eight (8) employees will transfer to the Town staff, namely the Village Clerk, the Chief Operator and Operator of the water filtration plant, and all five (5) employees of the Village DPW staff.
25. Unless otherwise noted herein, all real property improved or not improved will become the property of the Town of Moriah. The Town will take title to the Village real property with the understanding that the Town will honor all existing leases, agreements, or other arrangements between the Village and lessees or other users of Village property.

26. All of the Village's current water and sewer debts will remain with the new Port Henry water and sewer districts.
27. The Village will pay off the current debt related to the DPW truck prior to dissolution.
28. The debt for the 2009 E-One fire pumper will remain with the Port Henry Fire District as described in paragraph 16.
29. Upon a vote to dissolve the Village and before dissolution on December 31, 2011, the Village of Port Henry will use any remaining general fund balance to pay down outstanding principal on the 2009 E-One fire pumper. There will be no change in how the Village's water fund balance will be used to benefit Village water users, and no change in how the Village's sewer fund balance will be used to benefit the Village sewer users. There will be no change in how the joint sewer fund balance will be used to jointly benefit Village and Town residents served by the wastewater treatment plant.
30. The Village has five (5) retired employees and one spouse of a retiree receiving benefits. One water employee retiree's costs will be funded by the Port Henry Water District. The spouse receiving benefits will continue to be paid from the joint sewer fund for the Wastewater Treatment Plant, and the remaining costs will become the responsibility of the Town.
31. Upon dissolution, revenues the Village now receives in state aid will all become Town revenues.
32. Upon dissolution all of the Village records, books and papers will be deposited with the Town Clerk and become the part of the Town records.