

**DRAFT**

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
SPECIAL MEETING FOLLOWING JOINT PUBLIC HEARING OF THE  
TOWNS OF COXSACKIE AND NEW BALTIMORE  
DECEMBER 19, 2012- page 1**

**OPENING OF SPECIAL MEETING**

Supervisor O'Rorke called the Special Meeting to order at 7:09 pm at the Town Hall of the Town of Coxsackie, 16 Reed Street, Coxsackie, New York and the Pledge of Allegiance was said. Also attending from Town of New Baltimore: Councilwomen Benway and Finke, Councilman Norris, Attorney for the Town David Wukitsch, Town Clerk Brooks, and 1 member of the public who signed the attendance sheet.

Absent: Councilman Meredith.

Supervisor reviewed that the purpose of the Special Meeting was to act upon the proposed resolution, finding and order. Supervisor O'Rorke read.

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
RESOLUTION, FINDING AND ORDER OF THE  
TOWN BOARD OF THE TOWN OF NEW BALTIMORE APPROVING THE JOINT  
RESOLUTION TO INITIATE ANNEXATION  
DECEMBER 19, 2012**

**WHEREAS**, an agreement having been entered between the Town of Coxsackie and the Town of New Baltimore on May 14, 2012 to study and propose the annexation of certain territories located in their respective Towns, and

**WHEREAS**, a joint meeting of the Town of Coxsackie and the Town of New Baltimore having been held on November 27, 2012 at 7:00 p.m. at the Town Hall of the Town of Coxsackie located at 16 Reed Street, Coxsackie, New York, after having been properly noticed in accordance with General Municipal Law Section 703(a), and at which a quorum of each Town Board was present; and

**WHEREAS**, at the aforementioned joint meeting the Town Boards of the Town of New Baltimore and the Town of Coxsackie having considered the proposed annexations and having determined that they were in the best interest of their respective Towns and having thereafter adopted a joint resolution to initiate annexation and set a joint public hearing on December 19, 2012 at 7:00 p.m. in accordance with /704 of the General Municipal Law on said resolution and thereafter provided for notice, publication and mailing in accordance with /704 of the General Municipal Law; and

**WHEREAS**, a joint public hearing was held on December 19, 2012 at 7:00 p.m. on said resolution according to the law in such cases made and provided, at which time all parties interested in the matter were heard and all objections presented; and

**WHEREAS**, at, or prior to, said public hearing the owners of all the affected parcels, and all special districts and the school district having submitted written notice to each Town that they had no objection to the proposed annexation actions; and

**WHEREAS**, the Town Boards of both Towns having duly considered said matter and the evidence presented at said hearing,

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Town Board of the Town of New Baltimore finds as follows:

1. That the aforementioned joint resolution for annexation substantially complies in form and content with the requirements of General Municipal Law Article 17.

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2. That proposed annexation of a certain territory in the Town of Coxsackie and described in the notice as Tax Lot 41.00-5-35 and assessed to the Greene County IDA to the Town of New Baltimore is in the overall public interest of the territory to be annexed, the local governments to which the territory is proposed to be annexed, the remaining areas of the local government in which the territories are situated and any school district, fire district or other improvement district situated wholly or partly in the territory proposed to be annexed.
3. The proposed annexation of certain territory in the Town of New Baltimore and described in the notice as Tax Lot 40.04-2-9 currently owned by Slater Development LLC to the Town of Coxsackie is in the overall public interest of the territory to be annexed, the local governments to which the territory is proposed to be annexed, the remaining areas of the local government in which the territories are situated and any school district, fire district or other improvement district situated wholly or partly in the territory proposed to be annexed.
4. The aforementioned annexations result in a basic swapping of property and there will be little to no effect on any special district in the area. The overall change in the tax base of either Town will be minimal, if at all. These properties straddle Town lines and the current allocation of a portion of each lot, in two different Town, is not conducive to development and management of either lot.
5. There will be no change to the following services or their availability:
  - A. Public utilities
  - B. Public education
  - C. Garbage collection
  - D. Recreation programs.

The proposed annexation will not affect any zoning in either Town or create any issues of the zoning of the surrounding parcels.

**BE IT FURTHER RESOLVED AND ORDERED** that the consent and approval of the Town Board of the Town of New Baltimore is hereby given to the annexation of the territories now situate and described as aforesaid, and

**BE IT FURTHER RESOLVED AND ORDERED**, pursuant to General Municipal Law /711, copies of the agreement between New Baltimore and Coxsackie, the minutes of the joint public hearing on December 19, 2012, and this Resolution and Order shall be filed in the Office of the Town Clerk of New Baltimore and the Office of the Town Clerk of Coxsackie, and

**BE IT FURTHER RESOLVED AND ORDERED**, pursuant to General Municipal Law /717, a map and survey shall be filed showing the annexed territories, with the Town Clerk of New Baltimore, the Town Clerk of Coxsackie, the Greene County Clerk, and the Office of the New York Secretary of State.

**Upon motion of Councilman Norris and second to the motion by Councilwoman Benway**, and no discussion, the adoption of the foregoing Motion was duly put to a roll call vote, and the vote was as follows:

Aye    Nay    Absent

**Supervisor Susan O'Rorke**

  X

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**DRAFT**

Councilperson Christopher Norris	<u>  x  </u>	<u>    </u>	<u>    </u>
Councilperson Michael Meredith	<u>    </u>	<u>    </u>	<u>  x  </u>
Councilperson Barbara Finke	<u>  x  </u>	<u>    </u>	<u>    </u>
Councilperson Lisa Benway	<u>  x  </u>	<u>    </u>	<u>    </u>

ADOPTED

ADJOURNMENT

With no other business to come before the Board, Supervisor O'Rorke moved to adjourn the Special Meeting and was seconded by Councilwoman Benway. The adoption of the foregoing Motion was duly put to a vote, and the vote was as follows:

**AYES- O'Rorke, Benway, Finke, Norris**

**NAYES- none**

**ABSTENTION- none**

**ABSENT- Meredith**

**MOTION CARRIED**

The meeting was adjourned at 7:15 pm.

Respectfully,

Janet A. Brooks  
Town Clerk