

CERTIFICATE OF DISSOLUTION ELECTION
STATE OF NEW YORK
COUNTY OF ALLEGANY SS.:
VILLAGE OF FILLMORE

WHEREAS: On the 14th day of December, 1993, there was held in the Village of Fillmore, New York, a Special Village Election, at which election there was submitted to the qualified voters of the Village of Fillmore, New York, the following proposition:

PROPOSITION NUMBER 2
PROPOSITION FOR DISPOSITION OF VILLAGE PROPERTY,
TAX, AND ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS

“Shall the Village Property of the Village of Fillmore, Town of Hume, Allegany County, New York, remaining after the payment of all claims for which the Village shall be liable, be disposed of as follows; and shall Town of Hume Special Improvement Districts be created to carry on and operate certain existing Village Improvements as follows:

1. The Board of Trustees shall sell, transfer and turn over all water system property to a town improvement district to take over, carry on and operate the water system of the Village of Fillmore, which said district is by the approval of these proposals hereby created as provided by Section 19-1914 of the Village Law and by Article 12 of the Town Law, upon the assumption by such Town Improvement District of the payment of any outstanding indebtedness, now owed by the Village of Fillmore for such water system. Any assets of the water system shall be turned over to the Water District established by the Town of Hume, and such district shall consist of all of the area presently lying within the bounds of the Village of Fillmore. All of the real property lying within the bounds of the Village of Fillmore, as presently existing, shall be subject to tax assessment and/or benefit assessment for the purpose of paying any expenses or indebtedness of such district.

2. A Lighting District shall be created and established as provided by Section 19-1914 of the Village Law and by Article 12 of the Town Law, which Lighting District shall assume all of the lighting rights and shall be responsible for fulfilling all of the lighting duties and obligations of the Village of Fillmore as are not already assumed by the Town of Hume. The boundaries of the Lighting District shall be determined and established in accordance with the provisions of Section 19-1914 of the Village Law. Operation, maintenance, repair and capital improvements will be provided by contract between the Lighting District and the Rochester Gas and Electric Corporation. Costs to the Lighting District pursuant to the contract and other costs of the Lighting District, if any, shall be met by taxes levied upon the benefited real property located within the Lighting District.

3. A Sidewalk District shall be created and established as provided by Section 19-1914 of the Village Law and Article 12 of the Town Law, which Sidewalk District shall assume the responsibilities of the Village of Fillmore for maintenance and repair of all existing sidewalks within the Village of Fillmore. The boundaries of the Sidewalk District shall be determined and established by the Town Board of the Town of Hume, but shall be identical to the boundaries of the Village of Fillmore unless such Town Board shall determine to limit such District due to the inability to provide sidewalks to some portion of the current Village of Fillmore. The operation of such District shall be subject to the decisions of the Town Board. Costs of the Sidewalk District, for routine repair, maintenance and capital improvements, shall be paid

for by taxes levied upon the benefited real property located within the bounds of the Sidewalk District, as established by resolution of the Town Board.

4. There shall be created and established a Town Special Improvement District to be known as the Town of Hume Sewer District, pursuant to Section 19-1914 of the Village Law and Article 12 of the Town Law, to take over, carry on and operate the Village of Fillmore Waste Water System; such Sewer District to become, without payment, the successor in title to all of the present sewer and waste water system of the Village of Fillmore. Such district shall consist of all of the area presently lying within the bounds of the Village of Fillmore. All of the real property lying within the bounds of the Village of Fillmore, as presently existing, shall be subject to tax assessment and/or indebtedness of such district, including the outstanding obligations and bonds issued at the time of the construction of such waste water system.

5. The Board of Trustees of the Village of Fillmore shall transfer to the Town of Hume Fire Protection District all of the Village of Fillmore's rights, title and interest in and to the Village Fire District together with any firefighting equipment, facilities or other property. The Fillmore Fire District consisting of the Village of Fillmore shall be dissolved upon the dissolution of the Village of Fillmore, and all of the functions previously performed by such Fire District shall henceforth be performed by the Town of Hume Fire Protection District.

6. The Board of Trustees of the Village of Fillmore shall transfer and turn over to the Town of Hume, without consideration, all other property, both real, personal, mixed, intangible and tangible, owned by the Village of Fillmore and not specifically disposed of in the preceding paragraphs, which shall not have been liquidated as surplus, with the proceeds to be applied to the debts of the Village of Fillmore, if any.

7. Unless otherwise provided for in the preceding paragraphs, the outstanding debts and obligations of the Village of Fillmore, if any, shall be assumed by the Town of Hume and shall be a charge upon the real property located within the boundaries of the existing Village of Fillmore.

8. Any net savings resulting from the dissolution of the Village of Fillmore, or the implementation of the preceding proposals, shall be used to reduce the indebtedness of the former Village of Fillmore, or to enhance the governmental services called for in the preceding paragraphs for the area within the Village of Fillmore, rather than be distributed on an across the board basis within the area of the Town of Hume located outside of the Village of Fillmore.

9. Any unpaid taxes or assessments of the Village of Fillmore collected subsequent to the dissolution of the Village of Fillmore shall be levied and collected as the Town taxes are levied and collected, and shall be applied to any indebtedness of the former Village of Fillmore. All such taxes or assessments shall be administered in accordance with the provisions of Section 19-1918 of the Village Law.

10. Unless such action shall be contrary to the plan or inconsistent with law, the Town of Hume shall assume the duties and functions of the dissolved Village of Fillmore, and shall continue to provide the services theretofore provided by the Village. The cost of such services shall be a charge upon the taxable real property with the dissolved village unless the town board, acting pursuant to law, shall elect to provide such services by establishing or extending a special or an improvement district, or as a town function.

11. The offices of Mayor, members of the Board of Trustees, Treasurer, Village Clerk and Highway Superintendent shall be abolished upon the dissolution of the Village of Fillmore. The Town of Hume

agrees to hire the two full time employees of the Wastewater and Water District to operate the new Town Water and Sewer Districts. The Town of Hume also agrees to employ the present Village Clerk-Treasurer to fulfill similar functions with the operations of the Town administration, such services to be rendered as an assistant to the present Town Clerk.

12. All Local Laws, Ordinances, Rules and Regulations of the Village of Fillmore in effect on the date of the dissolution of the Village of Fillmore shall continue to be enforced and administered by the Town of Hume for a period of two (2) years from the effective date of the dissolution. At the end of such two (2) year time period the Local Laws, Ordinances, Rules and Regulations of the Village of Fillmore shall become null and void unless the Town of Hume shall have re-enacted such laws or ordinances as its own laws or ordinances in accordance with the provisions of Section 19-1910 of the Village Law.

We, the undersigned, Trustees of the Village of Fillmore, New York, do hereby certify and swear that we canvassed the vote cast at the Special Village Election and the results were as follows:

AS TO PROPOSITION NO. 2:

Total number of votes recorded in favor of Proposition No. 2	99
Total number of votes recorded in opposed to Proposition No. 2	9
Total number of spoiled votes	1
Total number of votes cast	109