

**GOVERNING BODY INITIATED  
PROPOSED JOINT CONSOLIDATION AGREEMENT  
of  
CORNING JOINT FIRE DISTRICT (FD385)  
in the TOWN OF CORNING  
and  
GIBSON FIRE DISTRICT #1 (FD381)  
in the TOWN OF CORNING  
pursuant to  
GENERAL MUNICIPAL LAW ARTICLE 17-A**

Prepared by:  
Boards of Fire Commissioners of  
Corning Joint Fire District and  
Gibson Fire District

Proposed Joint Consolidation Agreement Adopted:  
September 5, 2023

## INTRODUCTION

Corning Joint Fire District (FD385) (“CJFD”) in the Town of Corning was established by resolution of the Town Board of the Town of Corning on January 30, 2019 to have control over the prevention and extinguishment of fires within the boundaries of the fire district and to create a district corporation with the power to contract indebtedness and levy taxes to provide for fire protection and emergency services to the persons and properties within the fire district. The Board of Fire Commissioners of CJFD has always been and continues to be the “governing body” of the “local government entity” as those terms are defined in General Municipal Law §750(10) and (13). CJFD is the authority having jurisdiction and legally charged with the control of the North Corning Volunteer Fire Department, Inc., the South Corning Area Volunteer Fire Company, Inc., and the East Corning Fire Department, Inc. all three being domestic, not-for-profit corporations that serve as the designated fire department for CJFD pursuant to Not-for-Profit Corporation Law §1402, Volunteer Firefighters’ Benefit Law § 3(2) and Town Law §176(10).

Gibson Fire District #1 (FD036) (“GFD”) in the Town of Corning was established by resolution of the Town Board of the Town of Corning to have control over the prevention and extinguishment of fires within the boundaries of the fire district and to create a district corporation with the power to contract indebtedness and levy taxes to provide for fire protection and emergency services to the persons and properties within the fire district. The Board of Fire Commissioners of GFD has always been and continues to be the “governing body” of the “local government entity” as those terms are defined in General Municipal Law §750(10) and (13). GFD is the authority having jurisdiction and legally charged with the control of the Gibson Volunteer Fire Department, Inc. a domestic, not-for-profit corporation that serves as the designated fire department for GFD pursuant to Not-for-Profit Corporation Law §1402, Volunteer Firefighters’ Benefit Law § 3(2) and Town Law §176(10).

Until recently, GFD provided fire protection and emergency services within its territorial boundaries. Over the past several months, GFD has been unable to provide the resources necessary to provide fire protection and emergency services and has had to rely upon CJFD to provide those services under the aegis of “mutual aid”. Currently, CJFD’s firefighting forces and equipment respond to fire and related emergencies within the GFD’s boundaries. The 2023 annual fire taxes levied by GFD and collected from the owners of the taxable properties within the fire district have not been paid over to GFD or CJFD and remain in escrow with the Town of Corning.

The Board of Fire Commissioners of GFD and the Board of Fire Commissioners of CJFD believe that certain efficiencies may be realized by the consolidation of these two local government entities into a single, consolidated local government entity to be governed by the Board of Fire Commissioners of CJFD which is to (continue to) be called “Corning Joint Fire District”.

Pursuant to the Proposed Joint Consolidation Agreement, the boundaries of the consolidated local government entity shall include the entirety of the current GFD and CJFD. Only those properties located within the current boundaries of GFD and CJFD will be included within the boundaries of the consolidated local government entity. Under the Proposed Joint Consolidation Agreement, the respective resident electors and property owners of GFD will become resident electors and property owners within CJFD after the effective date of the consolidation.

**GOVERNING BODY INITIATED PLAN OF CONSOLIDATION  
AND  
PROPOSED JOINT CONSOLIDATION AGREEMENT  
PURSUANT TO  
GENERAL MUNICIPAL LAW SECTION 752**

- (a) The names of the local government entities to be consolidated are:  
Gibson Fire District (FD381) [hereinafter “GFD”] and  
Corning Joint Fire District (FD385) [hereinafter “CJFD”].
- (b) The name of the proposed consolidated local government entity shall be **Corning Joint Fire District** .
- (c) The rights, duties and obligations of the proposed consolidated local government entity is to provide for the prevention and extinguishment of fires and attending to all other types of emergencies described within its Organizational Statement pursuant to 29 U.S.C. 651 *et seq.* and 29 C.F.R. 1910.156(b) and to exercise all of those powers conferred upon fire districts as district corporations pursuant to the laws of the State of New York.
- (d) The territorial boundaries of the proposed consolidated local government entity will be the aggregation of the existing boundaries of the existing GFD and CJFD with the exception that in the consolidated local government entity there will no longer be a boundary line between the current terminus of where the boundary of GFD meets the boundary of CJFD. A map depicting the boundaries of the proposed consolidated local government entity is annexed hereto as Schedule “A”. A listing of the tax map identification numbers for the parcels of property currently located within the Gibson Fire District that are to be added into the Corning Joint Fire District pursuant to the proposed plan of consolidation for local government entities is annexed hereto as Schedule “B”.
- (e) The proposed consolidated local government entity will be a fire district pursuant to Article 11 of the Town Law and a “political subdivision of the state” and a “district corporation” as set forth in Town Law §174(7) and as defined by General Construction Law §66(3).
- (f) The proposed consolidated local government entity will be governed by an elected a five-person board of fire commissioners comprised of adult residents of the proposed consolidated local government entity who are otherwise qualified pursuant to Town Law §174. The current Board of Fire Commissioners of CJFD will govern following the effective date of the consolidation and shall be deemed to be the governing body for purposes of a transitional plan.. Future annual elections for commissioners will be conducted in the proposed consolidated local government entity as provided for in Town Law §175 according to the existing schedule for the termination of offices for the current fire district commissioners holding office in CJFD. Appointed officers will be appointed by the Board of Fire Commissioners of CJFD as provided by law.

- (g) The fiscal estimate of the cost of and the savings that may be realized from the proposed consolidation of GFD and CJFD is approximately \$10,000 said amount being the annual budgetary allocation for insurance and administrative costs allocated annually for the operations GFD. The properties located within the boundaries of GFD will be incorporated into the consolidated CJFD fire district tax levy commencing in 2024 for tax year 2025. The fiscal estimate of the cost of the proposed consolidation of GFD and CJFD \$7,500 comprised primarily of legal fees and newspaper publication costs.

GFD does not have and indebtedness or liabilities and does not anticipate incurring any indebtedness or liabilities before consolidation apart from those costs reasonably and necessarily incurred in bringing about the consolidation; which costs are expected to be less than \$3,000.00.

- (h) The current value of the cash assets under the control of GFD is approximately \$18,000. The only real property (“property”) owned by GFD is an approximately .71 acre parcel of land adjacent to the GFD main station that is used as a parking lot. The property has an assessed taxable value of \$23,333. The property is listed under tax map identifier number 318.11-01-008.000. Following the consolidation, title to the property will be vested in CJFD as the successor in interest to GFD. The personal property of GFD consists primarily of rolling stock and firefighting equipment or other tangible assets. The value of the tangible assets of GFD are as follows: \$18,000 cash assets and capital reserves; \$ 114,000 apparatus and rolling stock; \$ 5,000 small vehicles; \$47,000 firemanic equipment; \$12,500 office and miscellaneous equipment.

The current value of the assets under the control of CJFD amount to approximately \$2,150,532 comprised as follows: \$402,475 cash assets and capital reserves; \$1,415,570 apparatus and rolling stock; \$78,285 small vehicles; \$632,077 firemanic equipment; \$26,600 office and miscellaneous equipment. CJFD does not own any real estate. The annual expense to CJFD for rental of real estate and fire station facilities is \$15,000.

- (i) GFD does not have any bonded or long-term indebtedness and does not intend to incur any such obligations prior to the effective date of the proposed consolidation. The only long-term obligation of GFD is the annually renewable contract for services GFD has with CJFD that will no longer exist following consolidation.

CJFD currently has bonded indebtedness in the amount of \$635,979 for equipment and apparatus. The later of those obligations will be retired in July 2031.

- (j) The terms for disposition of GFD assets are as follows: all cash assets of GFD will be transferred to CJFD on or after the effective date of the consolidation

pursuant to this Proposed Joint Consolidation Agreement pursuant to a separate resolution of the Board of Fire Commissioners of GFD to be enacted before the effective date of the consolidation contingent upon the happening of the consolidation. The additional sum of \$16,677 collected by GFD in its 2023 tax levy and currently within the custody of the Town of Corning is deemed encumbered and will be paid to CJFD on or about January 1, 2024 in satisfaction of CJFD's provision of fire protection services for those properties within the current boundaries of GFD for calendar year 2023.

- (k) Both of the local government entities to be consolidated are governed by the same statutory and regulatory mandates and no need for the common administration of and uniform enforcement of such mandates is expected to be needed under this Proposed Joint Consolidation Agreement. The Fire District Secretary for CJFD will assume custody of all of the official records of GFD following consolidation and will maintain the records going forward pursuant to the LGS-1 or other document retention schedule mandated by law.
  
- (l) The effective date for the proposed consolidation is January 1, 2024.
  
- (m) The date, time, and location of the statutorily required Joint Public Hearing on the proposed joint consolidation plan is Wednesday October 18, 2023 commencing at 6:30 PM at the Town of Corning Town Hall Corning Town Hall, 20 South Maple Street, Corning, New York 14830.

## **DESCRIPTIVE SUMMARY OF JOINT CONSOLIDATION AGREEMENT**

The Board of Fire Commissioners of Corning Joint Fire District (FD385) and the Board of Fire Commissioners Gibson Fire District (FD381) propose this Joint Consolidation Agreement to provide for the consolidation of the two fire districts into a single, consolidated local government entity as defined by General Municipal Law §750(3).

- The proposed “consolidation” will bring about the combination of two local government entities resulting in the termination of the existence of the Gibson Fire District #1 with the result being that Corning Joint Fire District shall absorb the terminated local government entity.
- The newly “consolidated local government entity” that is to be formed shall (continue to) be known as “Corning Joint Fire District ”.
- The provision of fire protection and emergency services in the newly consolidated local government entity will be unaffected and unchanged from current practices. The effective date for the proposed consolidation is January 1, 2024.
- The North Corning Volunteer Fire Department, Inc., the South Corning Area Volunteer Fire Company, Inc., and the East Corning Fire Department, Inc. jointly operating as the Fire Department of the Corning Joint Fire District under the auspices of the Board of Fire Commissioners of Corning Joint Fire District will (continue to) provide active duty firefighting and emergency personnel who shall (continue to) serve as employees of the newly consolidated local government entity.
- All financial assets including all tax revenues collected by the local government entities will be remitted to the custody and control of Corning Joint Fire District for the continued provision of fire protection and emergency services in the consolidated local government entity.
- Corning Joint Fire District will be obligated to provide for the provision of fire protection and related emergency services to those properties within the former Gibson Fire District #1 that will be deemed to be included and incorporated within the boundaries of the consolidated local government entity, Corning Joint Fire District.

- The Board of Fire Commissioners of Corning Joint Fire District will become the authority having jurisdiction over the prevention and extinguishment of fires within the entirety of the former local government entity known as Gibson Fire District #1.
- Commencing in 2024, those taxable parcels currently within the boundaries of the Gibson Fire District #1 will be contained within Corning Joint Fire District subject to taxes levied by Corning Joint Fire District.
- The date, time, and location of the statutorily required Joint Public Hearing on the proposed joint consolidation plan is Wednesday October 18, 2023 commencing at 6:30 PM at the Town of Corning Town Hall Corning Town Hall, 20 South Maple Street, Corning, New York 14830.

SCHEDULE "A"

Map of Consolidated Fire District

# Town of Corning Fire Districts

1/23/2004  
NER: This map is based upon Steuben County  
tax maps. This map is intended for illustrative  
only. It is not intended for any legal purposes  
the conveyance of property.

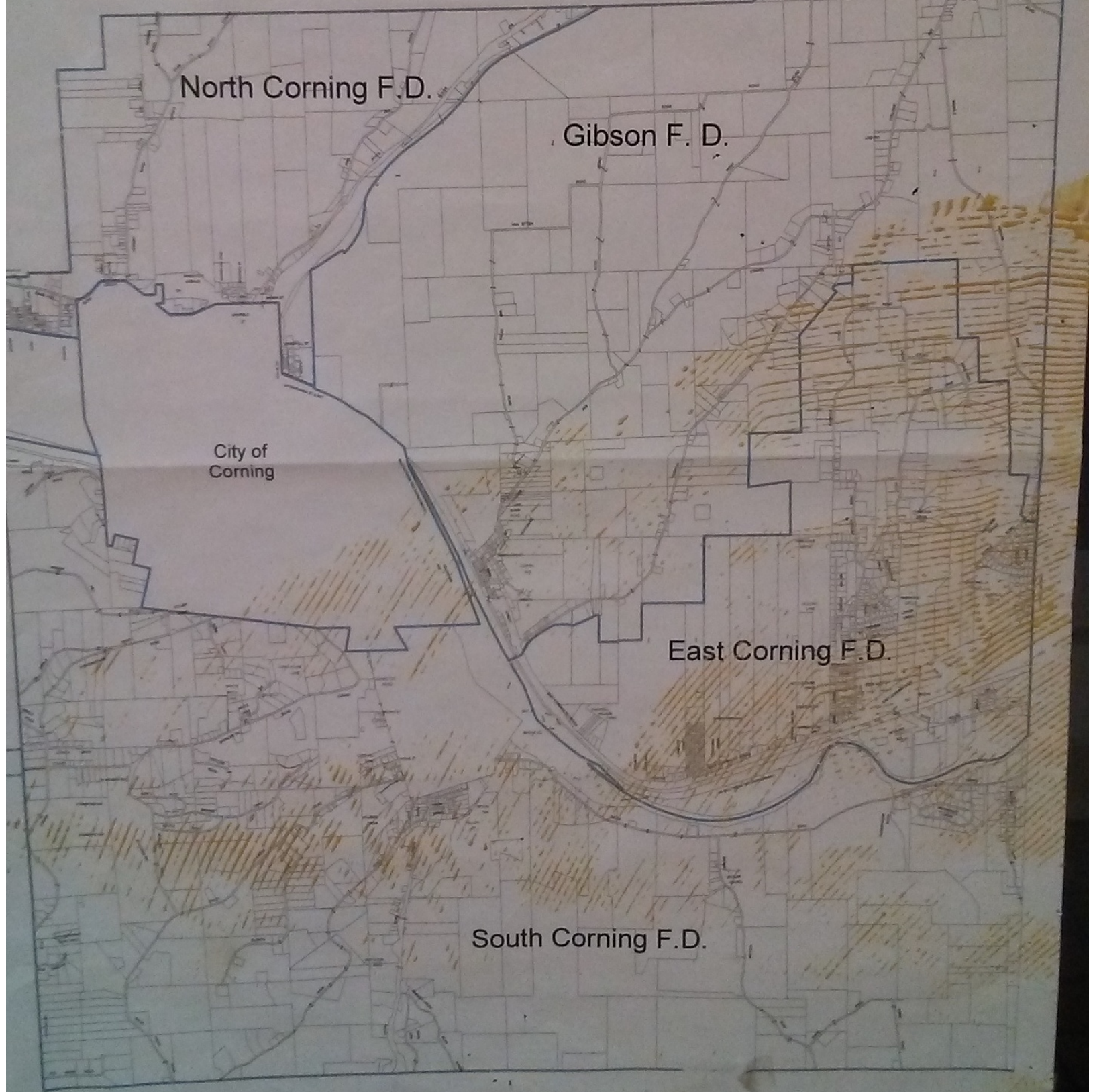
North Corning F.D.

Gibson F. D.

City of  
Corning

East Corning F.D.

South Corning F.D.



SCHEDULE "B"

Listing of Tax Parcel Numbers  
for Consolidated District

Parcel Number	St Number	St Name	Fire Dist
318.15-01-013.200	2937	Main	Gibson fire dist
318.15-01-044.000	2942	Main	Gibson fire dist
318.15-01-009.000	2943	Main	Gibson fire dist
318.15-01-033.000	2883A-B	Main	Gibson fire dist
318.11-01-030.000	3006A-B	College	Gibson fire dist
318.11-01-015.000	3027	College	Gibson fire dist
318.00-01-023.000	3152A-B	College	Gibson fire dist
318.19-02-016.000	2735	Gorton	Gibson fire dist
318.15-01-005.000	2951	Main	Gibson fire dist
318.00-01-027.000	3120	College	Gibson fire dist
318.15-01-073.000	2890	Main	Gibson fire dist
318.15-01-021.000	2854	Delaware	Gibson fire dist
318.15-01-048.000	2958A-B	Main	Gibson fire dist
318.15-01-050.200		College	Gibson fire dist
318.00-01-013.000	3225	College	Gibson fire dist
318.15-01-023.000	2842	Delaware	Gibson fire dist
318.11-01-038.000	3004	College	Gibson fire dist
318.19-02-005.000	2741	Gorton	Gibson fire dist
318.00-01-064.000	2955	Main	Gibson fire dist
318.15-01-004.000	2955	Main	Gibson fire dist
318.15-01-025.000	2915	Main	Gibson fire dist
318.15-01-029.000	2897	Main	Gibson fire dist
318.15-01-054.000	2858	Cowan	Gibson fire dist
318.19-01-011.000	2801	Main	Gibson fire dist
318.15-01-042.000	2936	Main	Gibson fire dist
318.19-02-003.000	2736	Gorton	Gibson fire dist
318.00-01-022.000	3048	College	Gibson fire dist
318.19-02-002.000	2734	Gorton	Gibson fire dist
318.19-02-001.000	11221	East Corning	Gibson fire dist
318.00-01-076.000		Gorton	Gibson fire dist
318.19-02-007.000	2733	Gorton	Gibson fire dist
318.15-01-022.000	2846	Delaware	Gibson fire dist
318.00-01-003.000		Gibson	Gibson fire dist
318.11-01-001.000	2972	Main	Gibson fire dist
318.11-01-041.000		Back	Gibson fire dist
519.00-05-019.000		Special Franchise	Gibson fire dist
318.11-01-011.000	3007	College	Gibson fire dist
318.15-01-062.000	2889	Cowan	Gibson fire dist
318.15-01-065.000		Cowan	Gibson fire dist
318.00-01-031.200	3112	College	Gibson fire dist
318.15-01-068.000	2853	Cowan	Gibson fire dist
318.11-01-033.000	3018	College	Gibson fire dist
318.15-01-035.000		Cowan	Gibson fire dist
318.15-01-039.000	2926	Main	Gibson fire dist
318.15-01-012.000	2872	Delaware	Gibson fire dist
318.15-01-015.000	2864	Delaware	Gibson fire dist
318.19-01-004.000	2835	Main	Gibson fire dist
318.15-01-014.000	2868	Delaware	Gibson fire dist
318.00-01-028.000	3086	College	Gibson fire dist
318.11-01-005.000	2985	College	Gibson fire dist
318.11-01-008.000		College	Gibson fire dist

318.15-01-030.000	2893	Main	Gibson fire dist
318.00-01-006.000	3142	College	Gibson fire dist
318.00-01-082.000	11136	Dutton	Gibson fire dist
318.19-02-011.000	2769	Gorton	Gibson fire dist
318.11-01-017.000	11105	Dutton	Gibson fire dist
318.15-01-013.100	2941	Main	Gibson fire dist
318.11-01-032.000	3020	College	Gibson fire dist
318.00-01-033.000	3064	College	Gibson fire dist
318.15-01-046.000	2950	Main	Gibson fire dist
318.15-01-056.000	2882	Cowan	Gibson fire dist
318.11-01-021.000	11112	Dutton	Gibson fire dist
318.00-01-004.000	3136	College	Gibson fire dist
318.00-01-029.000	3098	College	Gibson fire dist
318.15-01-072.000	2884	Main	Gibson fire dist
318.19-01-008.000	2815	Main	Gibson fire dist
318.00-01-005.000	3131	College	Gibson fire dist
318.15-01-026.200	2907	Main	Gibson fire dist
318.00-01-075.000	3055	College	Gibson fire dist
318.19-01-012.000	2795	Main	Gibson fire dist
318.15-01-031.000	2889	Main	Gibson fire dist
318.11-01-016.000	3035	College	Gibson fire dist
318.11-01-039.000	3041	College	Gibson fire dist
318.15-01-028.000	2899-2901	Main	Gibson fire dist
318.15-01-026.100	2909A-B	Main	Gibson fire dist
318.15-01-047.000	2952	Main	Gibson fire dist
318.11-01-036.000	2847	Cowan	Gibson fire dist
318.19-01-006.000	2831	Main	Gibson fire dist
318.15-01-063.000	2883	Cowan	Gibson fire dist
318.19-01-001.000	2851	Main	Gibson fire dist
318.00-01-032.000	11116	VanKurin	Gibson fire dist
318.19-02-006.000	2747	Gorton	Gibson fire dist
318.19-02-014.000	2789	Gorton	Gibson fire dist
318.00-01-010.000	3049	VanEtten	Gibson fire dist
318.11-01-010.000	3003	College	Gibson fire dist
318.00-01-007.000	3145	College	Gibson fire dist
318.15-01-066.000		Cowan	Gibson fire dist
318.15-01-067.000	2863	Cowan	Gibson fire dist
318.11-01-013.000		College	Gibson fire dist
318.11-01-014.000	3019	College	Gibson fire dist
318.11-01-007.000	2971	Main	Gibson fire dist
318.19-01-002.200	2841	Main	Gibson fire dist
318.15-01-027.000	2903	Main	Gibson fire dist
318.15-01-017.000	2927	Main	Gibson fire dist
318.15-01-024.000	2917	Main	Gibson fire dist
318.11-01-034.000	3014	College	Gibson fire dist
318.00-01-085.100		State Route 352	Gibson fire dist
318.11-01-002.000	2965	Main	Gibson fire dist
545.00-05-021.000		Special Franchise	Gibson fire dist
545.00-06-035.000		Outside Plant	Gibson fire dist
318.15-01-040.000	2932	Main	Gibson fire dist
317.00-03-002.000	10246	Lower Pace	Gibson fire dist
318.00-01-084.000		East Corning	Gibson fire dist

318.00-01-018.000	3230	College	Gibson fire dist
318.11-01-012.000	3011	College	Gibson fire dist
318.11-01-009.000	2997	College	Gibson fire dist
318.00-01-012.200	3167	College	Gibson fire dist
318.15-01-049.000	2980 A-B	College	Gibson fire dist
318.00-01-008.000	3151	College	Gibson fire dist
563.00-06-001.000		Hartman Gas Well	Gibson fire dist
563.00-06-012.000		Gross D1 Gas Well	Gibson fire dist
318.15-01-032.000	2887	Main	Gibson fire dist
318.00-01-088.000	3182	College	Gibson fire dist
318.19-02-010.000	2765	Gorton	Gibson fire dist
318.15-01-038.000	2922	Main	Gibson fire dist
318.11-01-037.000	2843	Cowan	Gibson fire dist
318.19-01-010.000	2803	Main	Gibson fire dist
318.15-01-008.000	2945	Main	Gibson fire dist
318.15-01-053.000	2852	Cowan	Gibson fire dist
318.00-01-024.000	3122	College	Gibson fire dist
318.00-01-035.000		College	Gibson fire dist
318.00-01-009.100	3043	VanEtten	Gibson fire dist
318.00-01-026.000	3116	College	Gibson fire dist
318.19-02-013.000	2781	Gorton	Gibson fire dist
318.11-01-004.000	2961A-B	Main	Gibson fire dist
318.15-01-070.000		Cowan End	Gibson fire dist
318.00-01-019.000	3056	College	Gibson fire dist
318.15-01-055.000	2874	Cowan	Gibson fire dist
318.00-01-025.000	3092	College	Gibson fire dist
318.15-01-051.000	2986	College	Gibson fire dist
318.15-01-043.000	2938	Main	Gibson fire dist
318.15-01-020.000	2921	Main	Gibson fire dist
318.00-01-031.100	3106	College	Gibson fire dist
318.19-02-009.000	2763	Gorton	Gibson fire dist
318.00-01-083.100		Cowan	Gibson fire dist
318.11-01-035.000	3010	College	Gibson fire dist
318.19-01-014.000	2825	Main	Gibson fire dist
318.15-01-059.200	2898	Cowan	Gibson fire dist
318.15-01-074.000	2900	Main	Gibson fire dist
318.19-02-004.000	2739	Gorton	Gibson fire dist
318.11-01-031.000	2898	Sherwood	Gibson fire dist
318.15-01-016.000	2931	Main	Gibson fire dist
318.15-01-041.000		Main	Gibson fire dist
318.15-01-019.000	2925	Main	Gibson fire dist
318.11-01-018.000	3032	College	Gibson fire dist
318.15-01-018.000	2858	Delaware	Gibson fire dist
318.00-01-083.200		Cowan	Gibson fire dist
318.15-01-036.000		Main	Gibson fire dist
318.15-01-059.100		Cowan	Gibson fire dist
318.15-01-071.000		Main	Gibson fire dist
318.19-01-013.000	2789	Main	Gibson fire dist
318.15-01-052.100	2844	Cowan	Gibson fire dist
318.15-01-057.000	2884	Cowan	Gibson fire dist
318.15-01-058.000	2888	Cowan	Gibson fire dist
318.00-01-087.000	3128	College	Gibson fire dist

546.00-06-039.000		Outside Plant	Gibson fire dist
318.15-01-007.000	2880	Delaware	Gibson fire dist
318.00-01-012.300	3183	College	Gibson fire dist
318.00-01-073.000		VanEtten	Gibson fire dist
318.00-01-086.000		College	Gibson fire dist
318.15-01-064.000	2879	Cowan	Gibson fire dist
318.11-01-042.000	11126	VanKurin	Gibson fire dist
318.00-01-017.000	3082	College	Gibson fire dist
318.15-01-006.000	2886	Delaware	Gibson fire dist
318.15-01-037.000	2918	Main	Gibson fire dist
318.11-01-040.000	3043	College	Gibson fire dist
318.19-01-007.000	2819	Main	Gibson fire dist
318.19-01-009.000	2807	Main	Gibson fire dist
318.15-01-045.000	2944	Main	Gibson fire dist
318.19-02-012.000	2775	Gorton	Gibson fire dist