§ 779. Initiative of electors seeking dissolution. 1. The electors of a local government entity may commence a dissolution proceeding by filing an original petition, containing not less than the number of signatures provided for in subdivision two of this section and in the form provided for in subdivision three of this section, with the clerk of the town in which the entity or the greater portion of its territory is located, except that if the entity is a village the original petition of electors from the village shall be filed with the clerk of the village. Accompanying the filed petition shall be a cover sheet containing the name, address and telephone number of an individual who signed the petition and who will serve as a contact person.

2. The petition shall contain the signatures of at least ten percent of the number of electors or five thousand electors, whichever is less, in the local government entity to be dissolved; provided, however, that where the local government entity to be dissolved contains five hundred or fewer electors, the petition shall contain the signatures of at least twenty percent of the number of electors. No signature on a petition is valid unless it is an original signature of an elector.

3. The petition shall substantially comply with, and be circulated in, the following form:

PETITION FOR LOCAL GOVERNMENT DISSOLUTION

We, the undersigned, electors and legal voters of (insert type of local government entity -- e.g., town, village or district) of (insert name of local government entity), New York, qualified to vote at the next general or special election, respectfully petition that there be submitted to the electors of (insert type and name of local government entity proposed to be dissolved), for their approval or rejection at a referendum held for that purpose, a proposal to dissolve and terminate (insert type and name of local government entity).

In witness whereof, we have signed our names on the dates indicated next to our signatures.

Date	Name - print name under signature	Home Address

1. _____ _____ _____

2. _____ _____ _____

3. _____ _____ _____

(On the bottom of each page of the petition, after all of the numbered signatures, insert a signed statement of a witness who is a duly qualified elector of the state of New York. Such a statement shall be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall subject the person signing it to the same penalties as if he or she has been duly sworn. The form of such statement shall be substantially as follows:

I, (insert name of witness), state that I am a duly qualified voter of the state of New York. Each of the persons that have signed this petition sheet containing (insert number) signatures, have signed their names in my presence on the dates indicated above and identified themselves to be the same person who signed the sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit, and if it contains a materially false statement, shall subject me to the penalties of perjury.

_____ _____

Date Signature of Witness)

(In lieu of the signed statement of a witness who is a duly qualified voter of the state of New York, the following statement signed by a notary public or a commissioner of deeds shall be accepted:

On the date indicated above before me personally came each of the electors and legal voters whose signatures appear on this petition sheet containing (insert number) signatures, who signed the petition in my presence and who, being by me duly sworn, each for himself or herself, identified himself or herself as the one and same person who signed the petition and that the foregoing information they provided was true.

_____ _____

Date Notary Public or Commissioner of Deeds)

4. An alteration or correction of information appearing on a

petition's signature line, other than an un-initialed signature and date, shall not invalidate such signature.

5. In matters of form, this section shall be liberally construed, not inconsistent with substantial compliance thereto and the prevention of fraud.

6. Within ten days of the filing of the petition seeking dissolution pursuant to subdivision one of this section, the clerk with whom the petition was filed shall make a final determination regarding the sufficiency of the signatures on the petition and provide timely written notice of such determination to the contact person named in the cover sheet accompanying the petition. The contact person or any individual who signed the petition may seek judicial review of such determination in a proceeding pursuant to article seventy-eight of the civil practice law and rules.

7. Upon the clerk's determination that the petition contains not less than the number of signatures of electors required in subdivision two of this section, the governing body of the local government entity to be dissolved shall, no later than thirty days thereafter, enact a resolution in accordance with subdivision two of section seven hundred seventy-seven of this title calling for a referendum on the proposed dissolution by the electors in the entity and set a date for such referendum.