§ 184-c. Water supply outside of fire districts. The town board of any town, on behalf of a fire protection district or fire alarm district situated therein, or on behalf of the area of the town outside of any village, fire district, fire protection district or fire alarm district, which area is hereinafter referred to as the "unprotected area", (1) may purchase permanent or temporary rights to take water from cisterns, wells, and bodies of water and water-courses within the fire protection district, fire alarm district or unprotected areas, or may lease such rights, and (2) may construct and maintain, fire suction pools in bodies of water and water-courses, fire cisterns and fire wells, including necessary pipes, pumps, hydrants and other facilities in connection therewith and may purchase and lease necessary real property and rights in land and water therefor, in order to provide a supply of water for any area of such district or unprotected area which does not have an adequate and available supply or which cannot be suitably supplied by contract pursuant to section one hundred eighty-four-a of this chapter.

Before making any purchase or lease of water rights or constructing fire suction pools, fire cisterns and fire wells or acquiring any real property and rights in land and water therefor, the town board (1) shall secure the written statement of the fire chief, or chief engineer, of the fire department or fire company, if any, furnishing fire protection in the district or unprotected area that such sources of water supply are adequate and that such fire suction pools, fire cisterns and fire wells are located properly for fire-fighting purposes and (2) shall hold a public hearing in the district or unprotected area. Notice of the hearing shall be published at least once in at least one newspaper having general circulation in the district or unprotected area, the first publication thereof to be at least ten days prior to the day set for the hearing. The notice shall specify the time when and place where the hearing shall be held, and shall describe in general terms what is proposed to be done pursuant to the provisions of this section.

The water and improvements shall be used for fire-fighting purposes only and such water shall not be sold. The fire suction pools, fire cisterns and fire wells constructed and maintained for the purposes of any such district or unprotected area shall be fenced or covered to

prevent trespass by children and domestic animals. Any such improvement shall be located upon real property within the fire protection district, fire alarm district, or unprotected area, which has been acquired by gift, purchase or lease, or upon which an easement has been acquired, by the town board in the name of the town for the purposes of any such district or area, except such portions of the improvement which are located within the bounds of public highways, roads or streets with the consent of the state or local official charged with the supervision of the highway, road or street. No officer or employee of the town shall be liable personally for any damages to persons or property resulting from the maintenance of any such improvement on behalf of any such district or unprotected areas, except such damages as result from his wilful negligence or malfeasance. The town board may purchase insurance to protect the district or unprotected area from liability for damage to persons and property resulting from the maintenance of any such improvement for the district or unprotected area. Expenditures for any such purposes, and any liabilities for any such damage, shall be raised only upon the taxable real property in the district or unprotected area and shall be assessed, levied and collected in the same manner, at the same time, and by the same officers as town taxes are assessed, levied and collected, and, when collected, the amount thereof shall be paid to the supervisor of the town. The supervisor shall disburse such moneys for the purposes aforesaid. Moneys shall not be borrowed to finance the cost of any expenditure made pursuant to this section.

If a fire protection district or fire alarm district shall be situated partly in each of two or more towns any action which would be taken by the town board in the case of a district situated in only one town shall be taken by the town boards of the several towns acting jointly by a majority vote of the members of each of such town boards, and the notice of public hearing required by this section shall be given by the town clerks of the several towns acting jointly.

If, after proceeding pursuant to this section, an adequate supply of water for fire-fighting purposes becomes available for such area, or if a suitable supply may be obtained therefor by contract pursuant to section one hundred eighty-four-a of this chapter, the town board,

nevertheless, may continue to act in relation to any such district or unprotected area pursuant to this section.