§ 189-a. Procedure. 1. The town board of a town or the town boards of more than one town, and the board of trustees of an incorporated village or the boards of trustees of more than one incorporated village, as defined in the village law, located in said town or towns are hereby authorized to establish in such town or towns and village or villages a joint fire district for the purposes hereinafter stated and in the manner hereinafter provided, provided all of the territory in such joint fire district shall be contiguous.

2. (a) Whenever it shall appear to the participating municipalities to be in the public interest, the town board of such town and the board of trustees of such village shall hold a joint meeting at one location within the proposed joint district for the purpose of jointly proposing the establishment of a joint fire district.

(b) If at such joint meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing at one location within the proposed joint district upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in such town and village, at least once, and posted in five public conspicuous places in the town outside such village and in five public conspicuous places in the village, not less than ten days before the date of the hearing. In the event that the district maintains a website, one of the posting requirements may be fulfilled by posting such information on the website. Notice of such hearing also shall be served by such clerk upon the members of the town board and the members of the board of trustees of the village, by mail addressed to such members at their last known post office addresses, at least ten days before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed joint fire district and of the objects and purposes for which it is proposed that a new district be created, and shall specify the single time when and place where such town and village boards will jointly meet to consider the proposal and to hear all persons interested in the establishment of the district. If, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the notice of

hearing shall so specify and contain a statement of the estimated annual cost of the service award program to the joint fire district; provided, however, that if, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the district shall be submitted to referendum in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town board of such town and the board of trustees of such village shall determine whether it is or is not in the public interest to establish such joint fire district, and, if it is determined to be in the public interest, subject to permissive referendum, such town board and board of trustees shall, by resolution, duly adopted by a majority of each board, establish such joint fire district; provided, however, that if, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the district shall be submitted to referendum in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(d) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the establishment, operation and management of any joint fire district provided for by this section.

(e) In all respects the provisions of this article, not inconsistent herewith, shall apply to the operation and management of any joint fire district heretofore established pursuant to the unconsolidated laws.

3. If, subsequent to the joint meeting for the establishment of a joint fire district as provided in subdivision two of this section and before the establishment of such district, it is desired to include in such proposed district any portion of the territory of an adjoining town, the procedure shall be as follows:

(a) The town board of the town or towns and the board or boards of trustees of the villages which held such joint meeting and the town

board of each adjoining town may hold a joint meeting for the purpose of jointly proposing the inclusion of the territory of such adjoining town in the proposed joint fire district.

(b) If at such meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in each such town and village, at least once, and posted in five public conspicuous places in each such town outside each such village and in five public conspicuous places in each such village, not less than ten days before the date of the hearing. Notice of such hearing also shall be served by such clerk upon the members of the town board or boards and the members of the board of trustees of the village or villages, by mail addressed to such members at their last known post office addresses, at least ten days before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed joint fire district and of the objects and purposes for which it is proposed that a new district be created, and shall specify the time when and place where such town and village boards will meet to consider the proposal and to hear all persons interested in the establishment of the district.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town boards of such town and the board of trustees of such villages, shall determine whether it is in the public interest to establish such joint fire district and if it is determined to be in the public interest, subject to permissive referendum, such town boards and boards of trustees shall by resolution, duly adopted by a majority of each board, establish such joint fire district.

(d) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the establishment and the operation and management of any joint fire district provided for by this section.

4. Any joint fire district formed pursuant to the provisions of this article may be extended from time to time to include contiguous territory except contiguous territory in a city. The procedure for

extending the district shall be as follows:

(a) The town board of each town and the board of trustees of each village in which any portion of the district as proposed to be extended is located shall hold a joint meeting at one location for the purpose of jointly proposing the extension of the district.

(b) If at such meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing at one location upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in each affected town and village, at least once, and posted in five public conspicuous places in each affected town outside any affected village and in five public conspicuous places in each affected village, not less than ten days before the date of the hearing. Notice of such hearing also shall be served by such clerk upon the members of each town board and the members of each village board of trustees, by mail addressed to such members at their last known post office addresses, at least ten days before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed extension of the joint fire district and of the objects and purposes for which it is proposed that the district be extended and shall specify the single time when and place where such town and village boards will jointly meet to consider the proposal and to hear all persons interested in the extension of the district. If, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the notice of hearing shall so specify and contain a statement of the estimated annual cost of the service award program to the joint fire district; provided, however, that if, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the districts shall be submitted in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town board of each such affected town and the board of trustees of each such affected village shall

determine whether it is or is not in the public interest to extend such joint fire district, and, if it is determined to be in the public interest, subject to permissive referendum, such town board and board of trustees shall, by resolution, duly adopted by a majority of each board, extend such joint fire district; provided, however, that if, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the districts shall be submitted in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(d) A signed or certified copy of the determination extending the district shall be recorded in the office of the county clerk and, when so recorded, shall be presumptive evidence of the regularity and validity of the extension of the district and of the acts of the town board or boards and village board or boards of trustees relating thereto. A review of such determination may be had in the manner provided in section one hundred seventy-three of this chapter, except that the undertaking for costs and expenses shall run to such town or towns and village or villages and apply to the costs and expenses of each.

(e) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the extension, operation and management of any joint fire district provided for by this section.