

TABNER, CARLSON, DAFFNER AND FARRELL

COUNSELLORS AT LAW

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AREA CODE 518

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July 16, 1980

Hon. Jane Springer  
Town Clerk  
Town Hall  
McCormack's Corners  
Guilderland, NY 12084

Re: Our File No. 3296-M  
Proposed consolidation of the  
Westmere and McKownville Water  
Districts

Dear Mrs. Springer:

In response to your letter dated July 10, 1980, here  
are the answers to your questions:

Petitions:

- (1) Any person who is an elector of the town and  
an owner of property assessed upon the last  
preceding town assessment roll may sign a petition.
- (2) Signatures must be in ink, otherwise no require-  
ments as to form.
- (3) The petitions must be witnessed by a duly  
qualified elector.
- (4) "A petition must be filed, subscribed and ack-  
nowledged by at least 25 electors qualified to vote  
upon a proposition to raise and expend money, of  
each district affected, by such electors situated  
in any of the districts equal to the product  
obtained by multiplying the number of districts by  
50 or by 50 percentum of all of such electors situated  
in one district, protesting against such resolution  
and requesting that it be submitted to the qualified  
electors of the districts affected, for their approval  
or disapproval." Town Law §206 (5).
- (5) Petitions must be filed within 30 days after the  
adoption of the resolution by the town board.

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Election:

- (1) "If such a petition shall be filed with the town clerk, the town board shall adopt a resolution specifying a date not less than twenty nor more than thirty days thereafter for the holding of a special election, fixing the hours of opening and closing of the polls, designating the voting places and setting forth, in full, the proposition to be voted upon. The town board shall designate a separate voting place for each district affected and not less than two or more than four persons to act as election inspectors and ballot clerks, for each voting place." Town Law §206 (6).
- (2) The voter must be an elector of the town and the owner of taxable property situate within one of the districts assessed upon the last preceding town assessment roll.
- (3) If only one name is on the deed, that one person is the record owner of the property.
- (4) Residents of the former Birchmont Water District, since they are currently residents of the McKownville Water District, are eligible to vote.

If you have any further questions, Mr. Tabner can be reached at the office next week.

Very truly yours,

TABNER, CARLSON,  
DAFFNER and FARRELL

*Margot Oliver Cavalier*

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MOC/mla