REPORT ON BOUNDARY DISCREPANCY

On July 2, 1923, the Board of Supervisors of Westchester County established a fire district in the territory within the bounds of School District No. 6 of the Town of Greenburgh.

The area embraced the land within the boundaries of School District No. 6, as laid down on a map entitled "Map of School District No. 6, Town of Greenburgh, Westchester Co., N.Y., drawn by Ward Carpenter & Son, C.B.'s June 16, 1899, and filed in the office of the Town Clerk of Greenburgh on June 23, 1899."

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Then nine years later on April 13, 1932, the first mention of a boundary discrepancy was made in a letter to the Greenburgh Town Supervisor by the then Secretary of the Greenville Fire District:

"It has come to our attention that recently the line between the City of Yonkers and the Town of Greenburgh which is the southerly boundary of our Fire District, has been changed by agreement."

"In order that we may know definitely the extent of the territory which we are to cover, will you request the Town Engineer to furnish us with a map showing the true location of the new boundary line.

"There is also some discussion in regard to the northerly boundary of our Fire District separating it from the Hartsdale Fire District and if the Town Engineer can give us the complete boundary of the Greenville District without too much trouble, it would be a tremendous advantage to us."

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On April 18, the Town Clerk acknowledged the letter relating to the fire district lines and promised he would have a map prepared showing the Greenville Fire District as soon as he can get hold of the Town Engineer.

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Seven months later, on November 26, 1932, the Town Clerk said he was delivering a boundary map through a Mr. R.H. Lawrence, to the Fire House on Central Avenue.

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Fifteen months later, on February 7, 1934, during a meeting of the Board of Fire Commissioners, Mr. Mason, the secretary, brought up a question of preparing a map of the Fire District in accordance with the State Law, this map also to have shown on the boundaries, the location of houses within the Greenville Fire District. It was suggested that the Board of Education of School District No. 6 would cooperate in the expense of such a map. Mr. Montanaro was authorized to correct the existing map and make the necessary additions. Mr.
Mason was instructed to take up with the President of the Board of Education, the matter of their participation in the cost of such a map.

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The following month, March 7, 1934, Mr. Montanaro reported progress in compiling the map of the Fire District, but stated that considerable investigation work remained to be done as well as checking between different maps of the District.

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One month later, on April 4, 1934, Mr. Montanaro reported that the map of the Fire District had been completed. The investigation which he made of existing word descriptions of the Greenville Fire District and the Hartsdale Fire District in conjunction with existing maps, both in the Town Clerk's Office and the Assessor's Office, indicates that the northernly boundary of the Greenville Fire District does not accord with the southernly boundary of the Hartsdale Fire District. Furthermore, according to the original resolution forming the Greenville Fire District by the Board of Supervisors of Westchester County on July 2nd, 1923, showed that the Greenville Fire District was co-terminus with the School District No. 6 of the Town of Greenburgh, and yet in the assessor's roll on which taxes were levied in 1933, showed the assessed valuation of School District No. 6 as $17,649,128 while the valuation of the Greenville Fire District was $16,823,025.

It was voted that the Secretary should write to the Board of Supervisors at Westchester County, pointing out these discrepancies and requesting that the Town Officials make the necessary changes so that the Greenville Fire District may receive the taxes levied on the property within the proper limits of the Fire District.

The map as prepared by Mr. Montanaro was accepted, and his bill ordered paid.

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On May 2, 1934, the question of the difference of the assessment of the Fire District and the School District was discussed, and a letter read from the Board of Assessors stating that the difference is caused by the fact that all special franchise assessments and the New York City Catskill Water line is assessable in the School District and not in the Fire District. It was voted that Commissioner Montanaro should file the map of the Fire District with the Town Board and that Commissioner Huberth should check up through his lawyer on the law relating to assessments in Fire Districts and School Districts, further action being postponed until next meeting.

(In the same letter from the Board of Assessors mentioned in the above minutes, the secretary failed to mention a rather significant paragraph:

"There is one parcel in the Healy property which is wholly assessed in the Hartsdale Fire District when it should be divided between the two districts. This is a small item which we will take care of in the 1934 assessment roll.")

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Later that month, on May 22, 1934, Mr. Huberth reported that his attorney had advised that in his judgment there was no authority in the State Laws permitting the assessing of property and special franchises for school purposes which did not give equal right to assess for fire purposes. It was suggested that further information be secured before taking the matter up formally with the Board of Assessors.

Mr. Montanaro reported that the map showing the Fire District had been approved by the Town Engineer. It was voted to instruct Mr. Montanaro to secure approval by the Town Council and file the map with the Town Clerk and the County Clerk.

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The following month, June 6, 1934, Mr. Montanaro reported the receipt of a letter from the Town Clerk, Town of Greenburgh, containing a transcript from the minutes of the Town Board Meeting held on May 17th covering approval of the map of the Greenville Fire District, which map has been placed on file with the Town Clerk. Mr. Montanaro was instructed to place this map on file with County Clerk at White Plains.

The Question of the discrepancy in the assessed valuation of the School District No. 6 and Greenville Fire District was further discussed and the Secretary was instructed to write to the State authorities in regard to this matter and secure an official opinion as to the qualifications of assessable property in the fire district.

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And finally, three years later, on August 11, 1937.

In view of the fact that a number of new roads have been constructed and many new houses built, since the map of the District was made, it was voted that Commissioner Montanaro should secure a draftsman to bring the Fire District map up-to-date, with all roads that have been planned and approved and showing all new houses constructed or in the course of construction.

Submitted by: Arthur Greenbaum  Date: March 6, 1967