TOWN OF CLARKSON
JOINT PUBLIC HEARING
September 6, 2011

The Town Board of the Town of Clarkson attended a Joint Public Hearing on Tuesday, September 6, 2011 at the Brockport Middle School, 40 Allen Street, Brockport, NY at 7:00 PM

PRESENT:

Paul Kimball	Supervisor, Town of Clarkson
Christa Filipowicz	Councilperson, Town of Clarkson
Allan Hoy	Councilperson, Town of Clarkson
Patrick Didas	Councilperson, Town of Clarkson
Sheldon Meyers	Councilperson, Town of Clarkson
Sharon Mattison	Town Clerk, Town of Clarkson
Richard Olson	Attorney for the Town

ALSO:

John H. Milner	Supervisor, Town of Sweden
Michael C. Myers	Councilperson, Town of Sweden
Robert A. Carges	Councilperson, Town of Sweden
Rebecca Donohue	Councilperson, Town of Sweden
Patricia P. Connors	Councilperson, Town of Sweden
James Bell	Attorney, Town of Sweden
M. Connie Casteñeda	Mayor, Village of Brockport
Kent Blair	Trustee, Village of Brockport
Carol Hannan	Trustee, Village of Brockport
Margaret Blackman	Trustee, Village of Brockport
Robert Leni	Attorney, Village of Brockport
Ray DiRaddo	Special Counsel Attorney
Mike Henry	Chief, Brockport Fire Department
Donald Marenus	Deputy Chief, Brockport Fire Department
Mike LaDue	Assistant Chief, Brockport Fire Department
John Rombaut	President, Brockport Volunteer Firefighters Association Inc.

**excused

Moderator Tom Ferris called the hearing to order at 7:00 PM welcomed attendees and outlined the agenda for the evening. He stated that during the question and answer period, everyone wishing to speak could do so by coming to the podium. At that time they would be given two minutes to state their name, address, question or comments or they could write their question or comments on the index cards provided and they would be read aloud by Mr. Ferris. All questions would be answered by the officials in attendance.

Clarkson Town Council members were introduced by Clarkson Town Supervisor, Paul Kimball. Sweden Town Council members were introduced by Sweden Town Supervisor, John Milner. Brockport Village Trustees were introduced by Village of Brockport Mayor, M. Connie Casteñeda. Fire Department officials were introduced by Brockport Fire Chief, Mike Henry. Town, Village, and Special Counsel Attorneys were introduced by Tom Ferris. At this time the meeting was turned over to the first presenter, Chief Mike Henry.

Brockport Fire Chief, Mike Henry gave a lengthy presentation on the history of the Brockport Fire Department.

Clarkson Town Councilperson, Christa Filipowicz reviewed the power point presentation which included the purpose of the public hearing, definition of a fire district, definition of a fire protection district, contract process, history between the Towns of Sweden, Clarkson and the Village of Brockport, and concluded with where we are today.

Sweden Town Councilperson, Patricia Connors reviewed the fire district proposal as put forth in the presentation.

Brockport Village Trustee, Margaret Blackman reviewed some of the frequently asked questions as outlined in the presentation.

Sweden Town Councilperson, Patricia Connors explained the topics Mandatory Referendum, Benefits of a Joint Fire District and Finances for the Fire District as put forth in the presentation.

Mediator, Tom Ferris adjourned the meeting for a 15 minute intermission at 7:50 PM and stated that all written questions should be turned in at that time. The audience was asked if they had any questions. Clarkson Councilperson, Sheldon Meyers questioned the need to identify all persons submitting written questions or statements. T. Ferris stated that the Boards have agreed that anyone submitting in writing can choose whether they wish to identify themselves or not on the submission.

Brockport Village Trustee, Margaret Blackman announced that the Towns of Clarkson and Sweden, and the Village of Brockport will have this evening's presentation available on their websites.

Question and answer session began at 8:10 PM.

Deb Finkle of Redman Road, Sweden spoke in favor of the proposed fire district.
Steve Pratt of Redman Road, Clarkson questioned the appointment of Commissioners. Special Counsel, Ray DiRaddo stated that New York State Law has to be adhered to when appointing Commissioners.

Moderator, Tom Ferris read all question and comment cards:

Gary Skoog of Lake Road, Sweden questioned what fire dept. Sweden would utilize if the proposed fire district failed. Answer: At this point there is no absolute certainty; they are currently in talks with Spencerport, Bergen and Clarendon.
Warren Diedrick of Root Road in Sweden questioned what determined the percentage of the budget that each municipality pays? Answer: Taxable assessed value, not true assessed value.
Clarkson Supervisor Paul Kimball spoke regarding the appointment of fire commissioners and in reference to the paid political ad in the weekly advertiser.
Moderator, Tom Ferris introduced members of the Sweden fire house committee: Leisa and Dave Strable, Rebecca Donahue, Patricia Connors, Chief Mike Henry, Skip Dorgan, Mike LaDue and Charlie Sanford.
SirRam Bakshi of the Village of Brockport stated that he is not convinced that the district is necessary and wants to know if there is another suitable solution. Answer: In order for all tax payers to achieve parity, a district is necessary.
Josephine Matela 76 Adams Street, Brockport stated that she does not feel the municipalities have done their homework. Matela stated that a consultant should be hired to determine the needs of the people.
Doug Hickerson of Sweden commended the persons that put the presentation together and stated that he sees the benefits of forming a fire district.
Harold Mundy of Mission Hill, Clarkson questioned the need for a fire house south of the Village. Answer: It was stated in a report from the 1990's that this would provide better fire protection and recruit more members.
Molly Mitchell of Mission Hill, Clarkson inquired about the appointment of fire commissioners. Answer: The appointment of fire commissioners is set by Article 11 of Town Law.
Pat Pawlaczyk of West Sweden Road, Sweden asked about the acquisition of land by a fire district. Answer: Section 176 of the Town Law allows fire commissioners to acquire property by condemnation.

Larry Vaughan of Frazier Street, Brockport stated he is in favor of the proposed fire district. He stated that fire commissioners will take an oath of office and feels they will work in the best interest of the district. ***see attached statement at end of minutes**
Rhett King of Adams Street, Brockport stated that he supports what is best for all three communities and firefighters.
John Cohen of Utica Street, Brockport stated that he is not sure the proposed fire district is a good deal.

Anonymous questions and statements were as follows:

- Why does Sweden need a new fire house at a cost of $125,000? Answer: Proximity to firehouse is a factor in determination of ISO rating.
- Referendum for capital expenditures; mandatory or permissive what are the rules governing procedures to force vote? Answer: Mandatory referendum is required for fire district borrowing.
- Can fire district commissioners vote themselves a pension? Answer: No, they are not paid to act.
- There currently is no fire district budget; therefore there is no cap, correct? Won't that allow the fire district to go over budget in the first year? Answer: No, there is a revision in the new law for services transferred from one government entity to the other.
- Would it be beneficial to explain how the maximum taxing is figured for a fire district? Answer: State Comptroller tax levy cap applies with its formulas just released this week.
- What is the maximum projected cost of the location and building cost for a new fire station? What steps will be taken to minimize this expense? Answer: A committee was recently formed and cost is being evaluated with respect to several options.
- What percentage of district assessed value is in each municipality? Answer: Sweden 44%, Village of Brockport 22% and Clarkson 34%.
- The equipment and buildings the Village of Brockport are turning over to the fire district are worth far more than what the towns are giving, why is the Village not being compensated? Answer: They are being compensated by concessions and forgiveness of payments.
- How is the December election date for fire commissioners determined? Answer: The date is set by Article 11 of Town Law.
- Why are the municipalities threatening to abandon the Brockport Fire Dept.? Answer: The three boards believe a fire district is the best way to move forward.
- Regarding newly formed fire districts in Monroe County. The newest formed fire districts in Monroe County are North East Fire District, Hilton Parma Fire District and the Spencerport Fire District.
- Did I hear correctly that the town's fire protection area is 68 square miles when the Village is less than 1.5 square miles? Answer: The Village is two square miles and the towns are comprised of 69 square miles.

***see attached presentation at end of minutes**
Moderator Tom Ferris closed the question and answer session at 8:53 PM and thanked everyone for their participation.

Respectfully submitted,

Sharon S. Mattison
Town Clerk

APPROVED 09-13-11

Prepared remarks for the Joint Fire District Public Hearing 9/6/11

Good Evening,

Supervisors Kimball and Milner, Mayor Castendada, respective board members, attorney's at law, fellow fire fighters and interested residents

My name is Larry Vaughan – I live at 132 Fayette Street and I am a 62 year resident of the village, a 44 year member of the Brockport Fire Department having served over nine years in a chief officers position. I was also a career firefighter with the Ridge Road Fire District in Greece, retiring as a fire lieutenant with 26 years of service

My past employment has given me some familiarity with the up close workings of a fire district and the positive affects it can have on the quality of life in a community.

Though hesitant to do so, I thank you for the opportunity to speak. I am speaking for myself as a citizen and taxpayer, as well as a supporter of the fire district proposal, having a little knowledge about the need for effective, efficient and affordable fire protection.

Even if I was not a member of the Brockport Fire Department, I would still be at this microphone tonight in support

I am solely responsible for my opinions and the facts presented here

I actually should be facing the audience, as my comments were developed to solicit public support for this proposal

-did you know the volunteer fire chief is the "department head" that is responsible for the following: and was never considered a DH until 2005

>about 150 employees
>24 first line supervisors
>a fleet of 16 vehicles
>four fire stations
>70 sq mile coverage area that includes a large college complex of 34 or so buildings
>responsible for the life safety of close to 20,000 residents – many more during the college year
>protects property valued at over $889 million
>average annual total of fire and amb calls 3000
>a budget that is smaller than any highway department,, DPW or police department within the three
municipality's

With the three boards coming to a memo of understanding in July, it has paved the way to fixing a problem that is almost ancient now - one that has been studied several times previously.

Now is not the time to blame or point fingers. We need to get over that, in order to move forward. The MOU was a huge step in the process. One could easily say that there is blame and lack of responsibility on many fronts

It was in the late '50's or early '60's, that a group of Clarkson residents were working hard to form their own fire department following some type of a disagreement of sorts – something that pitted firemen, friends and neighbors, against firemen, friends and neighbors. Those stories have been shared many times by our now deceased senior members! Now, there are very few people that even remember it!!!

In 1992, Clarkson established a committee to form its own fire department – but found that towns in New York State cannot own or operated fire departments. This committee gave way to a small, joint study group in 1993.

This committee had a good start, but lacked sufficient "outside" ideas, the committee spun its wheels so to speak. Meetings ceased for almost three years.

In 1996, with the full support of the three municipality's, and with some non-fire people from the fire protection area joining the committee, a very comprehensive study was made, with a final report presented to a joint meeting of the three boards on April 1, 1998

From many discussions, some of the basic recommendations then were: keeping the membership intact as one group, looking seriously at a fire district, suitable fire station locations in Clarkson and Sweden to serve the expanding residential and commercial areas, which fire company's pumper would go to the new stations, would there be manpower close to these new stations, what effect would the five fire company set-up have if a joint fire district was formed. Local dispatch was discussed but it didn't seemed threatened at that point

The only real issues that were addressed was the fire station opening in Clarkson in 2000 and getting the five fire companies consolidated into one organization, which was accomplished in 2006.
The success of the Clarkson fire station is what other districts have found, you build it, and they will come

The more recent joint study committee commissioned by the two towns in 2009 probably studied the same issues, plus a few newer ones. But, their bottom line recommendation was to form a fire district and invite the village to participate. This is the second time that a committee had debated the pros and cons and has recommended a fire district. Have we as a community been listening?

Nineteen or so years of study to get to this point – now is the time to move it to the next level.
We have heard the words numerous times, now we need the action – which one will speak louder??

From my view, there are very few options to insure that adequate fire protection is provided to this great community

#1 – the status quo – a village fire department contracting out fire protection to the towns – but this is so fractured now, that it would never work again – the trust has been lost and probably will never be regained. Unless there are some very major changes, this will likely never happen

#2 – is turning over $700,000 in tax monies to the Brockport Volunteer Firemen's Association, to operate the fire department the answer?

This option places way too much responsibility on non-elected officials, and would require the municipalities to collect those monies for the association. This is done in smaller communities with small fire operations

#3 – having a separate joint Clarkson-Sweden Fire District and a separate village fire department – this possibility has too many flaws. It splits the membership making our members choose which organization to serve. It will most likely result in two underfunded and understaffed operations, with both lacking proper fire apparatus, equipment and quality manpower to effectively do the job

And, at the same time, trying to keep our ISO rating from going any higher, which could mean higher fire insurance rates. Current response times and distances to specific areas of the district are not meeting

ISO criteria

Can Spencerport, Bergen, Clarendon and Hamlin provide adequate and timely response to areas in Sweden and Clarkson that are remote from their fire stations?? All are very well run and very efficient operations for their respective protection areas. But it is asking a lot of them to protect you from a far

What kind of strain would covering Sweden and Clarkson put on their own operations and resources? Could the fire contract costs for service from our neighbors possibly be higher than what is now being paid? If the roles were reversed, would our taxpayers want our resources going the other way, possibly leaving our community short??

#4 – is the final one, is a JOINT FIRE DISTRICT, the real reason why we are here. The best chance at guaranteeing a bright future for the fire service that has been providing uninterrupted service to this area continuously for 134 years, with all three municipal entities included and the manpower being provided by the Brockport Volunteer Firemen's Association

The following are some basic operational benefits of the proposed fire district are, but not limited to:

-it should be a seamless transition – nothing will need to change as far as responding to calls, training,
readiness, issued turnout gear, uniforms, and the other basics that are in place, etc
-should not have any effect on service
-will keep the manpower together as one cohesive group, with in place officers directing the operation
-there will be no need to buy used apparatus or equipment to start a fire department in the town areas
-there will be no need to sell off apparatus and other assets to reduce the village budget strain
-the fire stations are in place, there will be no need to secure temporary housing for apparatus
-policies, standard operating procedures, rules and regulations all remain as posted
-there will be no need to have 911 make any dispatch changes, insuring that all addresses and current
special information are part of the current dispatch procedures for the current response areas

Thinking about the upcoming vote during the general election, I have a concern that I believe needs to be looked at. In Clarkson, there are residents of the Walker Fire District that would have access to the
proposition levers, and could theoretically cast a vote for the joint fire district!! I would hate to see the vote challenged due to a technicality.

The recent ½ page add in the Suburban News caught my interest, as it probably did a lot of community residents. But, it seems to have some glaring mistakes. And without some knowledge of the finances of the fire department operation, I would have probably agreed with what was printed!!!

#1 – I believe that you will find the fire budget is NOT the $571,000 that was quoted – that amount is only about combined what the two towns pay. Add in the village's share and you get a little closer to the actual amount

The current fire budget, that was included in the documents with the MOU, is listed at $729,100 – that's makes their figure a $158,000 mis-statement, but it sure helps their word DOUBLE have the desired affect

#2 – by NYS law, fire districts have a formula that places a MAXIMUM on what levy can be collected. The figure they quoted at $936,000 as minimum, is probably closer to about $890,000 and that is the MAXIMUM, not the MINIMUM as they stated

The formula is $2000 for the first one million in assessed valuation and $1000 for each additional one million dollars of assessed valuation

Call the town assessors – get the taxable assessment amounts and do your own math. These tax figures are also available on the respective town's websites

This information is on line – the tax rolls are on the respective town's website. And there are several documents that with an on-line search, offer up a wealth of information on the subject of fire protection

FIRE PROTECTION IN NEW YORK STATE and ORGANIZING FOR FIRE PROTECTION

Looking at the total Sweden-Clarkson-Village taxable assessed valuation, you can easily come up with an average per thousand fire tax rate.

If a fire district was in place now, using the current $729,000 budget, I believe you will see that each and every taxpayer in the fire district will be paying about $0.84 per thousand for fire protection. What a novel idea?? Each taxpayer paying the same amount for the same service

Obviously, when you look at the percentages each municipality antes up now, with a fire district, Clarkson's rate will remain close to the same, Sweden should see about a 13% reduction and the village taxpayer paying about 13% more – BUT ALL PAYING THE SAME RATE ACROSS THE BOARD!

And I seriously doubt that the fire commissioners would go after the maximum, when the FD been getting by on about an average of $750,000 annually for the last few years and regularly not being able to spend all of it on it's needs

For those of you who may not know –Sweden taxpayers currently cover about 46% of the fire budget, with Clarkson's share at about 33% and the village taxpayers ante up about 20%. How wrong is it to have people paying three different rates for the same service – a joint fire district should level the costs equally

These are rough facts and figures, and obviously, upon successful formation of the fire district, the tax levy will become precise, with the respective municipality's setting their tax rate to collect the needed funds, that will be determined by the board of fire commissioners

Other than each taxpayer paying the same rate for the same fire protection, the joint fire district will almost insure that the membership of the Brockport Volunteer Firemen's Association will remain intact and remains a strong force of dedicated men and women that provide the service

It is my opinion that the formation of a joint fire district is a very small part of solving the problems that got us to this point. That change is mainly who manages the money and who pays the bills.

The bigger issue could be the management and support of the volunteer fire force, keeping it strong, getting back to having them feel good about themselves, polishing their image and getting back the respect of the entire community. It also could help in getting some good people that we have lost, back into the fire department fold.

Getting new members and keeping the established ones should be a priority. It could also be the much needed chance to wash the mud off from the many months of being in the middle of something FD had no control of. THIS SITUATION HAS TAKEN A TOLL ON THE DEPARTMENT, TO WHAT EXTENT, WHEN MAY NEVER KNOW!!

The 150 or so members insures that there is sufficient manpower for 24/7 coverage – with volunteerism in the fire service slowly waning, a fire district providing the needed apparatus, equipment, and suitable fire stations, could possibly slow or reverse the downward trend. When you run almost a 1000 calls annually, more members means a better chance that someone will be available to respond

There is really nothing that keeps our fire fighters coming, other than some deep sense of commitment – there is no paycheck and no real perks. How nice would a Length of Service Awards Program be for our volunteers??

It's a plan very common in Monroe County, were former volunteers get a small pension style monthly stipend, determined by their length of service and number of responses they made.
It's a little payback for their sacrifice as they provided the community with their uncompensated service.

When a LOSAP was proposed a handful of years ago, it was just that, a proposal. Currently a life long volunteer member of the department that leaves the ranks, gets a thank you and a watch!

Our volunteer fire fighters have a life away from the fire station!!!! Take a couple of minutes to give some thought to your own life!! Could you regularly sacrifice 5 to 15 hours or more per week, away from your family and other weekly activities, to attend meetings, training, do truck checks or to answer calls?

How good would you be at getting out of warm bed at 3am on a snowy February morning when its 10 degrees, get in a cold car, drive to a firehouse and put on cold turnout gear that was stored in your cold car and respond to someone's call for assistance? Thank God for the people that do it!!

Then you race home in time to shut off the alarm and race to work to hopefully be on time and not get fired or get your valuable pay docked

If you think you can do the above listed things, Chief Henry or President Rombaut has an application for you!!!

There is a thought that most people do not even consider – it actually costs a volunteer fire fighter to be a volunteer fire fighter. Look at mileage and gas alone – a FF that lives 3 miles from the firehouse, a six mile round trip – he attends 150 or so activities (calls, training, meetings, work details) – there is 900 miles or so a year – do the math on 15 miles per gallon at $3.85 per – Now, this FF would like a sweatshirt, a knit winter hat, a general wear jacket, a couple of tee shirts, a baseball hat, all coming out of his pocket. Things are tight for everyone – how do you blame members who live a distance away from a firehouse, for not coming to an automatic alarm that will more than likely be a false alarm or the call cancelled before he gets to a firehouse!! Maybe a fire commission can see it to be able to provide for the people who continue to make the sacrifice!

We are a busy department – the last four years average is 951 fire calls and 2054 ambulance calls, – an average total of 3000 in a 70 square mile protection area. We are currently well over 900 fire calls for the year, and we still have 116 days left

Having the 150 or so members insures a higher level of available talent for all aspects of the operation, including those in leadership roles.

Without the joint district, the possibility of two separate fire agencies providing service to our community will split the membership, and could seriously dilute the quality of the members and officers we currently have

It takes many people, with diverse personalities, with varied talents, different levels of expertise and specialized training, to put a well rounded, well led fire department on the street 24/7 and 365

When things are going well and morale is high, manpower is never an issue. When morale starts to bottom out, people stop coming. Once they get out of the habit of coming, it is pretty easy to disregard calls on a regular basis. And its very hard to get back in the groove!

Sooner or later, some incident, on some day, will have a tragic ending if no one responds! It could be the loss of residents. Or God forbid, it could the loss of responding fire fighters. There will be finger pointing! The deck needs to be stacked in the fire department's favor to help eliminate the chances of these things happening

The fire chief of a volunteer fire department is two parts cheerleader and one part fire chief. Wouldn't it be nice if the chief could put all his precious time to being a fire chief and not having to continually pump up the troops?

I have a point to all this – that there is the strong possibility and some high hopes, that a board of fire commissioners will look to better manage the biggest resource a volunteer fire agency can have, it's volunteer fire fighters.

The subject of paid fire fighters has surfaced during the last year or so. To continue to get adequate fire protection from good volunteers, then you need to take good care of them. Give them fire stations, equipment and apparatus they can be proud of. Don't make them wait to get personal protective equipment to protect them from the dangers the job entails. Do not make them depend on federal and state grants to provide the basics they are in need of. Some of the over $650,000 in grants received paid for things that should have been handled with the general budget each year!

The fire commissioners will more than likely be a very integral part of the day to day operation, insuring that the chief officers have the tools and resources necessary to provide a high level of readiness that will insure well trained and well equipped fire fighters are responding to calls for assistance, responding on up to date, safe, dependable and well maintained vehicles and apparatus

Please, for the future of what has been a much better than average fire department for the past 134 years, give your wholehearted support to the formation of a joint fire district

If your elected officials are embracing this concept, so should we. They have been elected to make tough decisions, and we should honor the direction that they have taken!

PLEASE DO NOT HESITATE TO VOTE YES

9/6/2011

BROCKPORT FIRE DISTRICT PUBLIC HEARING

September 6, 2011
A.D. Oliver Middle School Auditorium

HISTORY OF THE BROCKPORT FIRE DEPARTMENT

AGENDA

- Purpose of public hearing
- Presentation
- Intermission (15 minutes)
  - collect cards with written questions
- Public comments and questions
- Address written questions

PURPOSE FOR TONIGHT'S PUBLIC HEARING

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9/6/2011

PURPOSE OF PUBLIC HEARING

- To establish a joint fire district to be called the "Brockport Fire District"
- Boundaries of the proposed "Brockport Fire District" will encompass the entire Town of Sweden, including the Village of Brockport and the entire Town of Clarkson, with the exception of those properties within the bounds of the Walker and Hilton Fire Districts

DEFINITION OF FIRE DISTRICT

- Fire districts should not be confused with fire companies, fire departments or fire protection districts
- They are distinct corporations and political subdivisions of the State, distinct from the municipalities in which they are located
- They are governed by an elected board of fire commissioners and [illegible]
- They [illegible] their own [illegible]

DEFINITION OF FIRE PROTECTION DISTRICT

- Fire protection districts comprise a geographical area of a town which is provided fire protection pursuant to a contract

DEFINITION OF FIRE DISTRICT (CONTINUED)

- The fire company or companies within the district are usually volunteer fire companies incorporated under the provisions of the Not-for-Profit Corporation Law and contract to the fire department [illegible]
- The fire district [illegible] the fire companies and [illegible]

2

9/6/2011

9/6/2011

Where we are now

- In August 2011, after months of discussions, all parties agreed to establish a plan in forming a joint Fire District.
- The establishment of a Fire District ensures that budget surpluses will be used for fire district purposes only.

FIRE DISTRICT PROPOSAL

Where we are now (continued)

- Registered voters of the proposed joint Fire District will have an opportunity to vote on a referendum to establish the Joint Brockport Fire District® beginning on Tuesday, November 8th. This is not set in stone.
- Our goal is to provide you with thorough facts and information so that all residents can vote on whether or not to approve the joint fire district.

FIRE DISTRICT PROPOSAL

- Allegany, Clarkson and Sweden agree that forming a joint "Brockport Fire District" was the best interest of all residents.
- The municipalities have drafted a Memorandum of Understanding outlining the contributions of each town and the Village.

FIRE DISTRICT PROPOSAL (CONTINUED)

- Management of the Joint Fire District
  - Five (5) fire commissioners appointed (at first) by a majority vote of the members of the Town Boards. The fire district commissioners receive no compensation for their services (N.Y. Town Law §174).
  - Three (3) commissioners will be Village residents and one (1) each from Sweden and Clarkson.
  - After the first election is established, the Commissioners and all officers will be elected

FIRE DISTRICT PROPOSAL (CONTINUED)

- Employment of Necessary Labor and Assistants
  - Once the Brockport Fire District is established, they may employ necessary labor and assistants.
  - Powers and Duties

FIRE DISTRICT PROPOSAL (CONTINUED)

- Acquisition of Real Property & Easements
  - At the time of establishment of the Joint Fire District, a resolution allowing the Board of Fire Commissioners to acquire real property or easements will be adopted by the Village and Town Boards.

FIRE DISTRICT PROPOSAL (CONTINUED)

- Fire District Officers
  - Appointed by the initially appointed Board of Fire Commissioners. Term after the Treasurer is elected to a 3-year term. (May be compensated.)
- Fire District Secretary
  - Appointed by the initially appointed Board of Fire Commissioners. Term after the Secretary is elected to a 3-year term. (May be compensated.)

FIRE DISTRICT PROPOSAL (CONTINUED)

- Fiscal Year – January to December
- Labor for the Fire District
  - The Commissioners can accept the current volunteer Fire Department, "Brockport Volunteer Firefighters Association, Inc.", as the
  - If unable to provide fire protection by volunteers, the Commissioners may employ career firefighters

FIRE DISTRICT PROPOSAL (CONTINUED)

- Conditions
  - This proposal to establish the Brockport Fire District is subject to the dissolution of the Clarkson and Sweden Fire Protection Districts and the "cessing" of operation of the Village of Brockport Fire Department
- Fire Protection
  - Until 12/31/2012 the Village Fire Department will continue to provide fire protection to the Village & the Town's fire protection districts

FIRE DISTRICT PROPOSAL (CONTINUED)

- Budget of the Joint Fire District
  - After the adoption of the annual budget of the Brockport Fire District, the fire district secretary delivers certified copies to the Town and Village Clerks. No one can make any changes to the adopted budget

FIRE DISTRICT PROPOSAL (CONTINUED)

- Transfer of Firehouses, Land and Apparatus, Forgiveness and Waiver of Obligations
  - The 3 Boards agree to formation of Joint Fire District and agree to proceed in good faith and cooperate to achieve consistent with DOC
  - The Towns agree to continue payments for the protection per the existing contracts
  - Contingent upon actual establishment of Joint Fire District, the Town will forgive the $117,000 debt owed since 2/16/2010 (MOU with Village)

FIRE DISTRICT PROPOSAL (CONTINUED)

- Transfer (continued)
  - The Towns will waive revenues exceeding expenditures for Dunbar in the 2011 calendar year, and such revenues will be utilized for fire-related services as determined by the current Fire Chiefs
  - The Towns agree to include in the 2010 budget expenditures specifically for successful establishment of the Joint Fire District

FIRE DISTRICT PROPOSAL (CONTINUED)

- Transfer (continued)
  - The Village will provide the Towns with a report of fire department expenses through 4/30/2011 within 60 days after execution of 6/3/2011 MOU
  - The Village will provide the Towns an estimate of the year's budget by no later than 10/1/2011
  - The budget will be prepared as in January 2012 and any surplus will be rebated proportionately to the Towns pursuant to their parcels

FIRE DISTRICT PROPOSAL (CONTINUED)

- Transfer (continued)
  - Town agrees to value claims to the $640,000 ambulance purchase used by Village in its General Fund
  - Town agrees to waive claims for the 2010 & 2011 water & capital charges owed by Village
  - Village to submit invoices for work or to the Secretary for validation and claims

FIRE DISTRICT PROPOSAL (CONTINUED)

- Conditions to Joint Fire District Assets and Liabilities of the Joint Fire District
  - Clarkson agrees to sell/cede Firehouse at 3631 Lake Road (including a portion of the plot of land the building resides on) to the Joint Fire District for $1 consideration
  - Sweden agrees to sell/cede the Sweden Firehouse building including the Sweden Town Hall to the Joint Fire District for $1 consideration
  - Contingent upon the Joint Fire District

FIRE DISTRICT PROPOSAL (CONTINUED)

- Contingent upon the successful establishment of the joint Fire District (continued):
  - The Village of Brockport agrees to turn over all assets of the Brockport Fire Department to the Joint Fire District, including the transfer of the fire-houses on West Avenue and Market Street (including the entire interior and exterior of the structure), existing vault, all fire apparatus and fire equipment, (With the exception of the antique 1877 Silsby Steamer and 1894 Hose Cart).

FREQUENTLY ASKED QUESTIONS

FIRE DISTRICT PROPOSAL (CONTINUED)

- Contingent upon the successful establishment of the joint Fire District (continued):
  - The Village of Brockport agrees to use all existing or future funds in the truck replacement, fire communications equipment and fire chief vehicle reserve funds as a down payment on a piece of fire-fighting equipment, which equipment will be determined by the current Fire Chief [illegible]

FAQ

Why can't the Village and Town continue to manage the Fire Department budget through the current process?

- The Village Fire Department currently carries no debt & finances Town officials are far removed from the management of the FD. As long as overall budget increases are minor and individual budget lines are seldom questioned, levies of the same amount are taxed, surpluses [illegible]
- State Comptroller's Office states that the responsibility and authority for the [illegible]

Why can't ... (continued)

- Town taxpayers fund 78% of the FD budget, but cannot vote for the trustees who set the budget & make spending decisions once the budget is adopted.
- Town residents may participate in referendums on capital projects, Village residents who only provide 22% of the funding are to vote on capital projects.

PUBLIC HEARINGS ON PROPOSED BUDGET — TOWN LAW SECTION 181

- Fire districts must prepare a proposed budget and hold a public hearing on, discuss its contents. The law specifies the public hearing must be held on the 3rd Tuesday in October.
- The hearing must be conducted and scheduled in a manner that encourages public participation.

FAQ

Is it true the budget would not be subject to voter approval?

- Does the current fire budget or the Fire District budget as proposed require voter approval?
- Does the municipal vote on the Fire District budget is subject to a "public hearing" (Annual Hearing), any person may be heard at the hearing on any item in the proposed budget prior to the adoption of the budget.
- Any person is entitled to petition for a referendum.
- The assessor sets the tax rate [illegible] the petition applies.

RECENT LEGISLATION

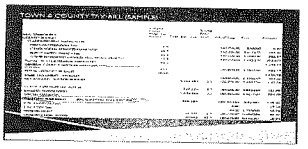
- Since 2007, several new laws were enacted to strengthen oversight of fire districts and fire companies in New York State. The laws focus on training, travel, financial audits, public budget hearings, property values and establishment of capital reserve funds.

9/6/2011

RECENT LEGISLATION (CONTINUED)

- Fire district commissioners elected or appointed on or after January 22, 2007 are required to complete an OSC-approved training course within 270 days of taking office. The training must cover legal, fiduciary, financial, procurement and ethical responsibilities, and such other topics as may be prescribed by the State Comptroller.

TOWN & COUNTY TAX BILL (SAMPLE)



FAQ

Aren't fire district taxes tacked on to municipal tax bills, causing them to be nearly invalid in the taxpayer?

- No. Town taxpayers currently see a separate tax item on their Town and County tax bill.
  (e.g. "SWEDEN FIRE PROT")
- Will the formation of the fire district, Town and Village taxpayers will see an item (now a Common tax bill)
  "BROCKPORT FIRE DISTRICT"

FAQ

Won't voter apathy and lack of visibility create opportunity for governmental excess and abuse?

- Voter apathy is a personal decision. We have been provided with the privilege to vote and it should always be exercised.
- Fire District Commissioners are [illegible]
- Fire District [illegible] and [illegible] by the Open Meeting [illegible] available [illegible]
- [illegible] Fire District [illegible] Fire District issues

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9/6/2011

FAQ

Isn't the fire district an additional layer of government that will increase the cost of fire protection?

- This aspect of "government" will be transferred from the Village to the Fire District.
- For the Towns, this is not an additional layer of government.
- The Fire District will replace the Fire Protection Districts in the Towns.

FAQ

Why is the Village turning over the fire department assets to Sweden & Clarkson?

- The Village is transferring the assets to the Joint Fire District not to the Towns.
- Historically there are precedent of municipalities turning over fire department assets to the fire districts.
- Our neighbors have donated the Village of Hilton and Spencerport transferred fire department assets to their Fire Districts.

FAQ

Don't fire protection services in fire districts cost substantially more than what we currently pay?

- The current rate is low because 5 municipalities share the fire protection costs rather than one. This should not change if all 5 municipalities form a Joint Fire District.
- The Fire District is subject to the recently enacted 2% property tax cap.

FAQ

Will the Joint Fire District contract with Brockport Ambulance as the first responder?

- That decision lies with the five (5) Fire District Commissioners.

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FAQ

I read the Village/Towns are unlikely to reduce our taxes if they don't directly pay for fire protection. They will absorb our tax dollars and we'll pay for district taxes on top of current Village/Town taxes? Is this true?

- For the Towns, it has been a separate line on the Town/County tax bill and was not included in the Town tax rate as part of the Town budget. It will remain separate.
- The Village will likely not attempt to reduce the budget or reallocate tax dollars given this period of Village deficit.

MANDATORY REFERENDUM

- We anticipate the joint Fire District proposal will be put to a vote of all registered voters, hopefully in the **General Election** to be held on **Tuesday, November 8th**. There is an issue in Carlton that the Board of Elections is trying to work out.
- Also, because we changed from a binding to a referendum to a mandatory referendum there is a difference of opinion between the Department of State and the Board of Elections on the ability to withdraw. The Department of State has said by a majority vote of the Village Board of Trustees

FAQ

Will a fire district increase our insurance premiums?

- This will make no difference. The only thing that is changing is the administration of the Fire Department. It's still the same firefighters, equipment, and geographic area.

If anything, the district should have a positive impact on insurance premiums.

MANDATORY REFERENDUM

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What if the Fire District is voted down?

- The Towns and Village will not go back to the way it was before.
- Clarkson and Sweden have the option of contracting with other Fire Districts or Fire Departments. There is no obligation to contract with the Village.
- The 2011 fire department budget request is for $729,100. 78% is paid by residents of Sweden and Clarkson.

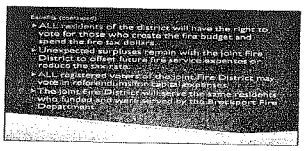
BENEFITS OF A JOINT FIRE DISTRICT

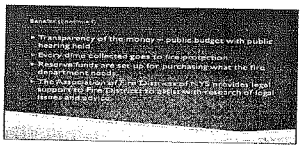
WHAT IF…? (CONTINUED)

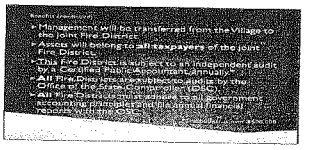
- The Village would have to fund, manage and operate a fire department on its own, and if not feasible, would need to contract with an outside provider for fire protection.
  - **Note:** Although the coverage area may be reduced inside or just the Village, a reduction in equipment is unlikely due to the college and business located within the Village.
  - Any downgrade in the Village Fire Department may affect insurance premiums.

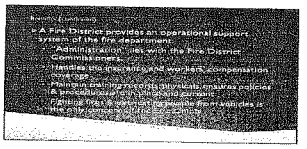
BENEFITS OF A JOINT FIRE DISTRICT

- Fulfills a longtime goal of the Brockport Fire Department.
- Residents and property owners will receive the same fire protection services they have been in place for over 100 years.
- Firefighters will remain residents, easily and possibly split into teams to their homes, freeing the volunteer firefighters to respond to calls.
- EVERY dollar possible will be saved on will be used for the

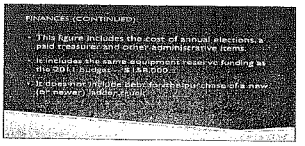

Benefits (continued)
• ALL residents of the district will have the right to vote for those who create the fire budget and spend the fire tax dollars.
• Unexpected surpluses remain with the joint Fire District to offset future fire service expenses or reduce the tax rate.
• ALL registered voters of the joint Fire District may vote in referendum for capital expenses.
• The joint Fire District will serve the same residents while funded and work agreed to by the Participant Fire Department.

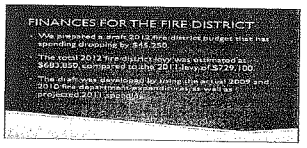

Benefits (continued)
• Transparency of the money + public budget with public hearing held.
• Every dime collected goes in one projection.
• Reserve funds are set up for purchasing what the fire department needs.
• The Association of Fire Districts provides legal support to Fire Districts to defend in search of legal issues and advice.

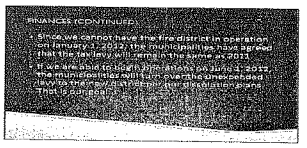

Benefits (continued)
• Management will be transferred from the Village to the joint Fire District.
• Assets will belong to all taxpayers of the joint Fire District.
• The Fire District is subject to an independent audit by a Certified Municipal Accountant annually.
• All Fire Districts are subject to audit by the Office of the State Comptroller (OSC).
• All Fire Districts must adhere to all government accounting principles and file annual financial reports with the OSC.


Benefits (continued)
• A Fire District provides an operational support system of the fire department:
• "Administration" ties with the Fire District Commissioners.
• Handles the payrolls and workers' compensation issues.
• Handles all insurance issues, maintains policies & annual reports to the Village Treasurer.
• Cancels the Village's responsibility for the fire department.

FINANCES


FINANCES (CONTINUED)
• This figure includes the cost of annual elections, a paid treasurer, and other administrative items.
• It includes the same equipment reserve funding as the 2011 budget – $184,000.
• It does not include funding for the purchase of a new (or newer) ladder truck.


FINANCES FOR THE FIRE DISTRICT
• We prepared a draft 2012 fire district budget that has spending grouping by $45,350.
• The total 2012 fire district levy was estimated as $693,850, compared to the 2011 levy of $229,100.
• The draft was developed by using the actual 2008 and 2010 fire department expenditures as well as projected 2011 spending.


FINANCES (CONTINUED)
• Since we cannot have the fire district in operation on January 1, 2012, the municipalities have agreed that the tax levy will remain the same as 2011.
• If we are able to begin operations on June 1, 2012, the municipalities will turn over the unexpended levy to the new district to help offset start-up costs.
• That is current thinking.

FINANCES (CONTINUED)

- If we are not able to begin operations on June 1, 2012, the Village will continue to provide fire protection through December 31, 2012.
- In either case, the first Joint Fire District tax levy will occur on the Town and County tax bill in January 2013.

PUBLIC COMMENTS & QUESTIONS

- State your name and address for the record
- Limit your comments to 2 minutes OR you may write your question on the index card
- Don't repeat something that has already been stated
- Everyone will have a chance to speak once.

INTERMISSION

- 15 minute break
- Turn in your written questions to the Moderator (Mr. Ferris) or the people you see collecting them.

Support the Joint Municipal
BROCKPORT FIRE DISTRICT

We are better together than we can ever be apart!