

A duly held Joint Public Hearing meeting of the Town Board of the Town of Northampton, Town Board of the Town of Benson and the Village Board of Trustees of the Village of Northville with the Northville Fire Department regarding the establishment of a joint fire district was held was opened at 7:00 p.m. on Tuesday, January 07, 2020 in the Northville Central School Auditorium at 131 S. Third St., Northville, NY.

PRESENT:

Town of Northampton

Supervisor James Groff
Councilmen: Darryl Roosa and William Gritsavage
Councilwomen: Molly Zullo - Excused
Councilman: Art Simmons - Excused
Town Clerk: Elaine Mihalik-Recording Secretary

Town of Benson

Supervisor John Stortecky
Councilmen: Douglas Gregor, Charles Biche, and David Pincombe
Councilman David Rogers - Excused
Town Clerk: Jeanne Cox

Village of Northville

Mayor: John Spaeth
Trustees: Sue Sedon, John Markiewicz, Steve Collins and Sue Eckert
Village Clerk: Wendy Reu- excused

ALSO PRESENT:

Terence S. Hannigan-Attorney & Counselor at Law from the Hannigan Law Firm PLLC. Jack Farquhar, Robert VanVranken, Holly Downing, James Lewek, Owen Jensen, Colan Johnson, Lawrence Serfis, Tom Groff, Diana Downing, Greg Bedell, Guy Poulin, Richard Barlow, Mike Mancini, Dave Bricoe, Robert Peck, Carol Hart, Stephen West, Tom Halloran, Lynne and John Delesky, Gail Collins, Briana O'Hara (Leader Herald), Peg Schutze, Laura Gritsavage, Jerry Wildermute, John Atherton, Randy and JoAnne Palmateer

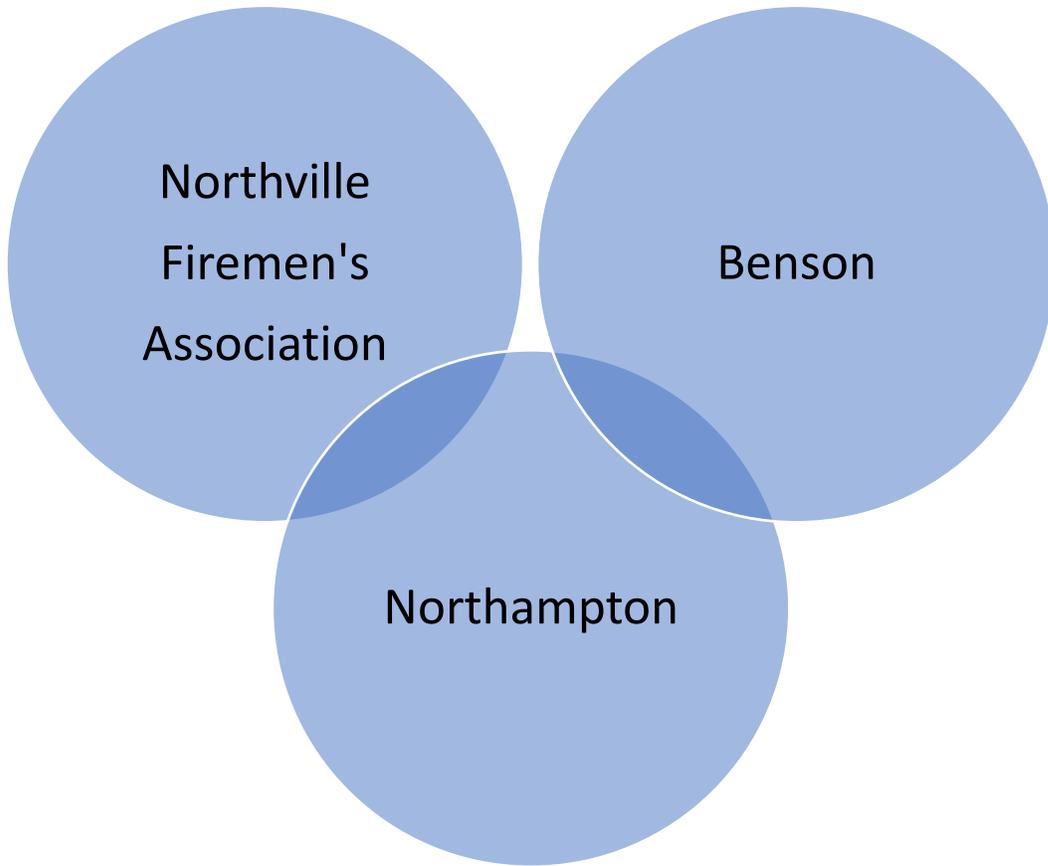
Attorney Terence S. Hannigan introduced himself saying that he was invited here tonight by the Firemen's Association to present a Power-Point presentation to the Public.

This Public Hearing is regarding the formation of a Joint Fire District with the Town of Northampton, Village of Northville and the Town of Benson.

Public Hearing Regarding Formation of a
JOINT FIRE DISTRICT
TWO MAIN POINTS

1. The formation of joint fire district will not alter the manner in which fire protection is provided in the three municipalities. The way you get your fire protection is not going to get effected. The Fire Department is still going to be there and it is going to be volunteer.
2. However, it will change the fire service is governed and the manner by which fire taxes are levied on properties within the fire district.

It will change the fire service over sight, governance and administration of the Fire Service will change when you form a Joint Fire District stated Attorney Hannigan. There will be a Board of Fire Commissioners (BOFC) who will be in charge of the governmental aspect of the Fire District. No more will the Board of Trustees or the Town Board be governmentally responsible and I assume governmental liable of fire protection. It will be an independent government that will be elected that will oversee that. It will also take from the Town the obligation from them taxing for the fire service to the new district. The long-range planning and budget are going to be done by the governing of the Fire Commissioners of the newly formed Fire District. This is the way fire service is provided right now, the Northville Fire Association which is an independent association. It was formed years ago they had gotten a fire house, apparatus. They sort of overlap. The Village is the primary governmental body who had authority over the provisional fire tax. The Village is ultimately responsible for all the good and all the bad that can happen with the fire protection. By contract the Town has invested in the Village Fire Department. Someone years ago, setup a manner by which the fire taxes are levied on properties within the district and the rate was set up pretty much the same as everyone else's.



The Fire Department will no longer need to negotiate contracts between the Town and;

- Village of Northville
- Town of Benson
- Town of Northampton

Joint Fire District

Northville Firemen's Association

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HOW IS IT STRUCTURED? SIMILAR TO A SCHOOL DISTRICT

- Formation of a Joint Fire District
 - Why
 - How
 - Costs and Benefits
 - Impact on Community
 - Impact on Fire Department (Association)

- Formation of a Joint Fire District
 - Provides for shared responsibility between the Village and the Town in the formation of a “joint” fire district.
 - Thereafter management of the Fire District is under the auspices of the Board of Fire Commissioners.
 - Board(s) select 5 commissioners (can be 3-7).
 - Enacting resolution provides for elected commissioners thereafter.

- Why It's Done:
 - Provide an organizational structure for oversight.
 - BOFC becomes the Authority Having Jurisdiction
 - Legal liability shifts (BOFC)

 - Uniformity and continuity in governance, budgeting & taxation.
 - Provides a better method for budgeting and taxing
 - Subject to its own 2% tax cap
 - Annual reporting to NYS Comptroller
 - Annual audit if revenue exceeds \$300,000

- Proposed annual budget prepared by end of September
- Annual budgets subject to public hearing on the 3rd Tuesday in October
- Develop clear lines of responsibility and command
- Ability to provide for long range planning and needs assessment.
- Established body of statutory and case law
 - o Guidance through agency opinions and precedent.

- **How It's Done**
 - √ Joint Meeting by Village and Town Boards (which was held on December 12, 2019)
 - √ Resolutions by both boards to conduct a joint public (which was approved at the December 12, 2019 joint meeting)
 - √ With 30 days of joint meeting conduct a public hearing to determine if “Joint Fire District is in the public interest” (which brought us here tonight)
 - Each Board adopts a resolution stating formation of a Joint Fire District (if they think it is in the best interest of the public)
 - Resolution subject to permissive referendum. (if passed by the Boards)

- **Costs and Benefits**
 - Tax levy is uniform across entire district
 - All property owners can know the actual cost of the fire protection they are paying for.
 - Governance by an independently elected Board of Fire Commissioners (similar to school board).
 - Commissioners appointed initially then elected to staggered 5-year terms at annual, district-wide elections thereafter.
 - Commissioners participate in mandatory training.
 - Commissioners are not compensated for their service.
 - BOFC becomes Authority Having Jurisdiction (AHJ).
 - BOFC would be responsible for all fiscal and liability matters.
 - BOFC is trained in fire service administration.
 - Clear areas of responsibility and lines of delineation between BOFC and the Volunteer Fire Company.
 - BOFC has ability to develop comprehensive plans for future needs and to establish capital reserve accounts.
 - BOFC has the ability to issue bonds to fund capital projects.
 - Residents will have elected representatives knowledgeable in fire service matters.
 - Tax bills will clearly delineate the amount property owners are paying for fire protection (new to taxpayers).

- **Impact on Community**
 - o Fiscal – the Board of Fire Commissioners will put together the Fire District budget together and

- Service Delivery Expectations
- Impact on Fire Company
 - Membership & Recruitment
 - Alters the way the Fire Company does business
 - Fundraising
 - TIME

CURRENTLY

- Apportionment of tax revenue is based on contract amounts.
- Formula is equitable between towns and village thanks to prior administrations.
- Town residents' tax bills do not set forth tax for fire protection.
- Village residents' tax for fire protection is included as a portion of the Village Tax.

Amount of Current Contracts

TOTAL FIRE CONTRACT LIABILITY

2020 \$168,504

2019 Tax Rates Based on Contract Amount/Assessed Value

- Village \$.42
 - Benson \$.37
 - Northampton \$.37
- Per \$1,000 of Assessed Value
- Hope \$.71
 - Mayfield \$.78
 - Berkshire \$2.43
 - Perth \$1.67

Typical house assessed between

Low \$ 80,000
 High \$110,000

Assumed Tax Rate of .76 per Thousand Dollars

80K Home \$ 43.00
 110K Home \$ 60.36
 300K Home \$164.00

Mayor Spaeth mentioned that the \$43.00 is the total tax bill and not the increase of the tax bill. That is correct responded Attorney Hannigan. It would be per \$1,000.00.

Joint Fire District will result in (continued) parity of tax levy across the parcels that receive the service.

Expectation is that tax levy will remain about the same although there will likely be an increase in expenses initially due to set up of the District.

Savings to firefighters is in hours, not dollars.

QUESTIONS?

Question: Are you saying the first members on the Board of Commissioners is selected by the Town Boards?

Response: No, under the law, when it's a newly elected board, the two Town Boards get to elect the initial Board of Commissioners. But, with the permission of the Town Boards in other places, it was asked to allow the Villages to have a say in the nomination of the first Board of Commissioners too. The villages are not given a statutory obligation to but the Towns do. The Commissioners are appointed the first year; after that all five would then be elected. They have an obligation to provide adequate fire protection throughout the entire fire district. They owe a responsibility to the fire service and to the tax payers.

Tom Groff responded that the two towns (Benson and Northampton) will nominate the Board of Commissioners and they will allow the Village to appoint one of those people not all of the people.

Question: Why it's done?

Response: In most districts they have a great disparity being asked how much are people paying for fire protection with essentially the same service. If you want to form a fire district you have to equalize that disparity and typically you have some people who are going forward with some who are going to pay less and some people who are going to pay more. Because they were not paying their fair share at this point in time. You are not going to have that that problem here because of what they did twenty +/- years ago. The Towns and Village members had the fore sight to not negotiate individually. We are going to negotiate an amount divided proportionally among two towns and the village. From a taxation stand point you are not going to have the problem that are typically encountered when you create a joint fire district where you are going to have to equalize.

Question: Mr. Poulin asked of the Attorney and Board members if they were familiar with the Kennyetto Fire Company? They own the fire house; they own the equipment. I don't know how it is structured.

Attorney Hannigan responded that he has heard of them. They may or may not be a fire district. Supervisor Groff mentioned that they own everything. What the people don't understand here is the Village owns the equipment. You contract with the Village. If the Village wants to take our tax money, they can pave roads with it. That contract money is there for the Village to use however they want to use it. When the Village of Northville set this up almost 30 years ago the

Town of Northampton Board and Village of Northville Board agreed to do it by assessed value. By doing that, we said to the Town of Northampton that the Village of Northville would save that money under the Fire Department budget and we never spent it on anything else.

Mr. Poulin mentioned that according to the Kenneyto Firemen, they own the fire house and they own the equipment. They just got a \$2M grant in order to build that fire house.

Supervisor Groff stated, that is what I said, the Kenneyto Fire Company owns everything. It cost \$875,000 to build that fire house.

All volunteers that have spent hours of training and volunteering the Town and the Village has to be very very thankful to those people stated Mr. Poulin because it is a lot of dedication.

Supervisor Groff stated yes, it is a lot of time, and there has to be a lot more training and they need more protective gear. They're supposed to have turn out gear. They're supposed to have washers and dryers to clean the gear.

There was discussion on difference of the Fire District and the Fire Department looking at building a new fire house.

Question: They would do that through Bond?

Response: Yes, and they would typically pay them back within 15 to 30 years. This would be a mandatory referendum by the Board of Commissioners and it would then be voted on in an election. There was discussion on Bonds and the payback payment for that year would be incorporated in the Fire District budget.

Tom Groff: One of the things that hasn't been mentioned is some of the assets of the Firehouse currently. The Village owns the equipment and all that equipment would be transferred to the Fire District. The fire fighters and the Firemen's Association own the fire station. So, the fire station will become part of the District. Reserves that we have will become part of the Fire District. Also, the money that was kept in the Village budget for the Fire Department will become part of the Fire District. These are assets that we will have to move forward. One of the things that he talks about with the Capital Projects for the station the Firemen's Association has done fund raising moving forward to try and build the station. But, bake sales and our fund drive when you talk about the cost of a station \$1M to \$2M isn't enough to do it. We have to get the bonding. With the Fire District we would be able to fund these projects moving forward. The fire fighters have accumulated a certain amount of money which will become available to help fund these projects also. This will help with the cost. We are just trying to help spread out the cost and get the things that we have to upgrade.

Attorney Hannigan stated that this was the end of the presentation and that he is available if anyone had any other questions. You also can contact the fire fighters. This now will go back to the Town Boards and the Village Board.

Supervisor Groff thanked everyone for coming to this Public Hearing and offered that if anyone had any questions to please stop by the Fire house noting that they are there every Monday night.

Having no further questions from the public. Attorney Hannigan thanked everyone for coming out tonight and for their hospitality. The Public Hearing ended at 8:10 p.m.

Respectfully submitted,

Elaine Mihalik, Town Clerk
Town of Northampton