

January 27, 2016 Joint Fire District Public Hearing

Board Members Present:

Manheim	Dolgeville	Oppenheim
Supervisor John Haughton	Mayor Bruce Lyon	Supervisor Cynthia Brey
Councilmember Frederick Doerr	Trustee Brock Herringshaw	Councilmember Pat Haberek
Councilmember Peter Jaikin	Trustee Kornel Martyniuk	Councilmember Stephanie Gray
Councilmember Kevin Snell	Trustee Mary Puznowski	Councilmember John Houle
Councilmember Rodney Swartz	Trustee Bill Reynolds	

Manheim Supervisor Haughton called the meeting to order and the pledge of allegiance was recited. Roll call was taken showing a quorum present from each board.

Attorney Ayers asked if the notice of the public hearing was duly published by each entity in their official newspaper. Manheim clerk Gressler verified that Manheim and Dolgeville published notices in the Times Telegram and that Oppenheim published in the Leader Herald. Copies of each were made part of the record of tonight's meeting.

Attorney Ayers stated that the primary purpose of this meeting is for the municipal boards involved to review the feasibility study to determine whether "proposing" to establish a joint fire district would be in the "public's best interest". Board members should discuss the contents of the feasibility study, the public comments received at the January 11, 2016 meeting, as well as the recommendations and conclusions generated by the feasibility study all for the purpose of trying to determine what is in the "public's best interest" in regards to fire protection of all those who are in the Town of Manheim, the Village of Dolgeville and the small part of the village that is in the Town of Oppenheim.

Supervisor Breh: thinks a lot of people are confused because the study states percentages and the people want actual numbers, the elderly struggle just to pay their taxes. Attorney Ayers said the percentages could be converted into dollars per thousand in taxable assessment that could be presented at a future public hearing if the boards decide to move forward.

Supervisor Haughton: said that he had those numbers and that it says in the study that the current model is not sustainable so there has to be changes. Manheim residents currently pay \$1.01 per thousand, on a \$50,000.00 home they pay \$50.53, the study says this needs to be \$1.41 which would be \$70.63 (a \$20.10 increase). This is to sustain the department as is with no extra for the purchase of new apparatus. The study states they need new equipment. Oppenheim's rate is \$2.24 with a \$50,000.00 house paying \$112.00, under the proposed fire district they would pay \$70.63 (a decrease of \$41.37)

Supervisor Brey: she'd like to know what the increase would be to keep it as it is and make improvements

Haughton and Attorney Ayers said it would still be \$1.41 a thousand. This wasn't made clear in the study and Attorney Ayers will try to clarify this for the next meeting.

John Houle: understood this to mean the rate would go up by \$1.41, and was told no it would go to a \$1.41. What will it do to the village taxes? Oppenheim residents need to know if it stays as is how much their taxes will go up. Attorney Ayers will try to get the figures from the village before the next meeting.

Supervisor Brey: her main concern is getting accurate figures out to the public so they can make an informed opinion. Attorney Ayers said we have to decide what our goal is for fire protection and how we will fund it.

Pat Haberek: a consolidated service could result in a benefit from the state. Attorney Ayers said this is not a consolidation of departments, rather the creation of a joint district.

Mary Puznowski: concerned about the unknown costs

John Haughton: under a joint fire district the commissioners are responsible for how the money is spent, it takes the politics out of the equation, and they can contract with neighboring fire departments for coverage if they feel that is best.

Mary Puznowski: asked about grants. Haughton said there are all sorts of grants the commissioners could apply for

Pat Haberek: asked if the commissioners were paid and was told no they aren't. This board will decide whether they are appointed or elected if the district is formed.

Attorney Ayers said as far as unknown costs it will depend on what level of fire service the community wants; this joint board will have to get the information needed to determine what the costs will be.

Mary Puznowski: questioned information on page 17 of the study and wanted to know where the cut off was for St.

Johnsville. There's a large concentration of calls in this area. Many may be motor vehicles accidents the report doesn't distinguish between fire and other emergency calls.

Public comments from the January 11, 2016 meeting:

There was a lot of concern that the DVFD couldn't get to the outlying areas in a reasonable amount of time and possibly not at all during the winter months because certain roads are seasonal roads.

The equipment is outdated. Some were concerned about their taxes going up. The response to the survey was that people were more concerned about response time than cost.

Supervisor Brey and John Houle both think this is a great thing, but the costs need to be ironed out, there are questions that need to be answered.

Rodney Swartz: feels the longevity of the fire department is very important. If they don't get more funds to operate they will cease to exist. He's learned a lot talking with the firemen; they're a very dedicated bunch of volunteers.

Pat Haberek: is in favor of going forward beyond the feasibility study but feels that it is more an issue for Village and Manheim residents. Many small towns are having the same problem.

Recommendations of the Study:

John Houle: recommendations should come from the village and Manheim; they're the ones who are going to benefit. Attorney Ayers disagreed; Oppenheim needs to be involved because if the DVFD went out of business Oppenheim would have to supply fire protection to their residents in the Village of Dolgeville.

John Haughton: His impression is that it was meant to be a feasibility study but it actually turned into a sustainability study, it was well written and leaves no doubt that there needs to be an increase in funding for the DVFD.

Rodney Swartz: people have to understand that if the DVFD goes away the surrounding area fire departments will have to pick up the slack and it will cost more.

Attorney Ayers: (paraphrasing Haughton's comments) there's going to be an increase if we're to have a sustainable fire department and the question for this board is what's the best model to adopt; stay where we are or try to do something different that might be more sustainable.

The Town of Oppenheim has two fire departments under contract to cover the town outside the Village of Dolgeville.

Dave Breilinsky: wondered why Oppenheim is involved if they don't cover the part of the village in their town. John Houle told him that if the DVFD didn't cover this area the Town of Oppenheim would have to.

What's in the "public's best interest" with regard to fire protection?

The Village and Towns are required by law to provide fire protection to their residents. It is this board's job to determine what the best way to do that is. The survey showed residents were concerned about response time, adequate facilities and apparatus, cost of fire protection services and funding of fire protection services. The survey also gave several funding options.

Jamie Bergeron: would like to see a flat rate for everyone with a low gradual rate increase.

Does it appear to be in the "public's best interest" to propose the formation of a joint fire district?

Bill Reynolds: absolutely, if it remains as it is the village taxes would go up substantially to purchase additional equipment. A fire district would spread the costs over a larger area

Pat Haberek: agrees it is in the public's best interest to look into it

John Haughton: it appears it has to be an option

Mary Puznowski: said the study was well done giving the board solid information

Bill Reynolds: hasn't heard anything negative from anyone about forming a joint fire district

Rodney Swartz: had no idea how bad the situation was before he joined the Town Board

Attorney Ayers: the study shows funding level for the DVFD is way below that of surrounding fire departments

Peter Jaikin: thinks forming a joint fire district is the best and only way to move forward

Attorney Ayers stressed that the point of this meeting is to decide whether the boards wanted to jointly **propose** the creation of a joint fire district. If they do there will be more public meetings and fact finding to be done before any action would be taken to formally create a joint fire district. We want to notify the public that we've thinking of establishing a joint fire district. The advisory committee will work with the board but has no vote in the final decision of the board as whether or not to create a joint fire district. All meetings have been and will continue to be noticed in the newspaper and open to the public.

There needs to be a majority vote of each board as to whether to jointly propose the establishment of a joint fire district. If any board falls to have an affirmative majority vote the joint fire district can not be proposed at this time. If the boards vote to **propose** to establish a joint fire district they will need to hold a joint public hearing within 30 days of today. Attorney Ayers went on to explain what would need to be done by each board clerk before the public hearing. If the process continues and each board passes a resolution to actually create a joint fire district the action is subject to a permissive referendum. Any resident opposed to it would have 30 days to file a petition with the required number of signatures saying they don't want it and they want it put up to a vote.

Attorney Ayers read Manheim's Resolution Proposing to Establish a Joint Fire District and asked the board to listen to public comment before taking any action.

Public Comment:

Don Dodson (Dolgeville) why not open it to the public in the beginning, why should the public jump thru hoops to find out what's going on? Attorney Ayers explained the specific procedure that has to be followed required by law.

Terry Giarrusso Jr. (Oppenheim) speaking on behalf of his parents Terry & Shirley (Dolgeville) will the tax increase money be used to up grand the existing department or put in a new station in the lower end of the town? How much would it cost to put an engine and tanker in a second station? Would response times improve? Attorney Ayers responded that hopefully this board will be able to get the information needed to answer these questions.

Jamie Bergeron (Manheim) said we're all in this together, we need to find a way to balance it out, the department is definitely under funded, and he'd like to see agreements with neighboring departments worked out to cover the outlying areas. Attorney Ayers said that if formed the district commissions could contract with neighboring departments to better cover the area in question. He thinks manning another station would be a challenge and doesn't make any sense.

Terry Giarrusso Jr. (Oppenheim) knows there will be a tax increase, but would it be more if a new station is put in the town verses updating the equipment the existing department's apparatus and getting back into agreements with neighboring departments.

Rodney Swartz (Manheim) the suggested tax rate of \$1.41 would help save the DVFD; it does not include another fire station. Jamie Bergeron (Manheim) is suggesting the board address the issue of agreements with other departments before any decision is made on forming a district.

Ruth Jaikin (Dolgeville) all these questions and issue would be addressed by the commissioners who will be either be appointed or elected to oversee the running of the district. The figures may not be available right now; she assumes grant funding will be applied for. It will be the commissioners' responsibility to look at all the possibilities.

Terry Comstock (Dolgeville fireman) wanted to clarify that Little Falls wasn't called to the garage fire mentioned earlier in tonight's discussion. The responding department calls for mutual aid if necessary, not the county. There are all kinds of ways to set up mutual agreements with other departments but all parties have to be willing to do this. He said that village residents in Oppenheim aren't actually paying \$2.24 a thousand for fire coverage. He questioned the full operational funding figure on page 35 of the study. The projected \$1.41 a thousand would only maintain the department as is. To be able to up grade the equipment the rate would go up to \$2.00 a thousand.

Jamie Bergeron (Manheim) people living on the outskirts will have to understand that if the district is formed the commissioners will have to prioritize the problems and address them at that point.

Mayor Lyon (Dolgeville) village and town taxes should go down when the cost of fire protection is taken out of their budgets.

Dave Jaquay (Dolgeville) the departments needs at least \$40,000.00 more a year to cover a used truck that has been ordered.

Leanne Nagle-Weaver (Dolgeville) all parties involved need to be truthful, she wondered how many knew the firemen were looking to buy a new tanker, she understands they need better equipment, but it doesn't need to be top of the line, older people can't afford a large tax increase.

Attorney Ayers asked that we get back on track. The purpose of this meeting is whether or not the three boards involved want to purpose developing a joint fire district or not. Equipment needs and funding would be dealt with either by commissioners if the district were formed or by the Village board if things remain as there are.

Shirley Giarrusso (Dolgeville) there are a lot of elderly people who may not be able to afford an increase.

Attorney Ayers said that as sad as it is the financial problems will be there with or without forming a joint fire district.

Jamie Bergeron (Manheim) everyone wants to know how much it will cost, and no one in this room actually knows what it will cost, he thinks it will be \$2.30-\$2.40 a thousand in a couple of years

John Haughton (Manheim) said he believes that if the joint district any purchase over \$100,000.00 has to go for public referendum, so the general public would have the chance to vote yes or no on the purchase of a new fire truck. He feels the board has been open and honest and has done more than legally required to get information to the public.

Jamie Bergeron (Manheim) says we need to make clear that the rate will be \$1.41 now and that the commissioners will evaluate their short comings and needs and reevaluate rates at a later date.

Rodney Swartz (Manheim) it needs to be made clear that it will be \$1.41 either way

Attorney Ayers asked if each board was prepared to make a decision on whether or not to **purpose** to establish the joint fire district.

Oppenheim Town Clerk Gloria Brys called for a motion and second to the Resolution Proposing To Establish A Joint Fire District. Motion by Pat Haberek, Second By Stephanie Gray

Ayes: Cynthia Breh, John Houle, Pat Haberek, Stephanie Gray

Absent: Cheryl Lynch

Manheim Town Clerk Marie Gressler called for a motion and second to the Resolution Proposing To Establish A Joint Fire District. Motion by Frederick Doerrer, Second by Peter Jaikin

Ayes: John Haughton, Peter Jaikin, Frederick Doerrer, Kevin Snell, Rodney Swartz

Village of Dolgeville Clerk Tammy Chmielewski called for a motion and second to the Resolution Proposing To Establish A Joint Fire District. Motion by Bruce Lyon, Second by Brock Herringshaw

Ayes: Bruce Lyon, Brock Herringshaw, Kornel Martyniuk, Mary Puznowski, William Reynolds

Attorney Ayers said that a SEQRA review would need to done for this type of action. He recommended that the Town of Manheim act as Lead Agency. Everyone agreed

A Motion was made by Mayor Lyon and was seconded by Trustee Brock Herringshaw to hold a Public Hearing @ 7:00pm, Tuesday, February 23, 2016 at the Dolgeville Fire Station. Ayes All

A Motion was made by Councilmember John Houle and was seconded by Councilmember Stephanie Gray to hold a Public Hearing @ 7:00pm, Tuesday, February 23, 2016 at the Dolgeville Fire Station. Ayes All

A Motion was made by Councilman Frederick Doerrer and was seconded by Councilman Rodney Swartz to hold a Public Hearing @ 7:00pm, Tuesday, February 23, 2016 at the Dolgeville Fire Station. Ayes All

A Motion was made by Councilman Frederick Doerrer and was seconded by Councilman Rodney Swartz to adjourn at 9:45pm. Ayes All

Respectfully Submitted

Marie Gressler