

## **Plan for Fire Protection in the event of Dissolution**

According to NYS Town Law, towns are not legally permitted to operate municipally run fire departments. However, all towns in NYS are required to insure that residents are provided with fire protection. This protection can be provided in a few different ways. To understand all the options, please refer to the following document found on the NYS Local Government Efficiency website: [http://www.nyslocalgov.org/pdf/Fire\\_Protection\\_in\\_NYS.pdf](http://www.nyslocalgov.org/pdf/Fire_Protection_in_NYS.pdf).

The dissolution study committee reviewed the different options available to the Town in the event of Village dissolution and determined that enhancing the Town's current Fire Protection District by absorbing the Village into it was the best solution in the short term. The specifics the committee considered are stated below.

### **Current Coverage and Cost**

#### *Village*

The Village of Seneca Falls Fire Department (SFFD) presently provides coverage to the Village of Seneca Falls and a portion of the Town of Seneca Falls adjacent to the Village. The cost for this service is approximately \$106,300. This department is staffed with nineteen minimally paid firemen (essentially volunteers with a stipend) with seven command staff (also receiving stipends). There are additionally four more slots budgeted for firemen but currently vacant in the Village budget. The Village owns the equipment and provides the firemen with the supplies they need to insure that fire protection is adequate for the coverage area provided by the SFFD.

In return for the protection provided by the SFFD in the town outside of the village, the Town of Seneca Falls pays the Village \$39,500. Thus, the net cost to Village residents equals \$66,500.

#### *Town*

The Town of Seneca Falls has two distinct areas that need fire protection outside of the area covered by the Village SFFD. The first is the Bridgeport Fire District (BFD), and the second is all the rest of the Town not covered by these two entities.

Bridgeport Fire District is self regulated by an elected board of fire commissioners. Their sole responsibility is to provide fire protection within the boundaries of their district. The Town of Seneca Falls is not responsible to provide fire protection to the BFD. The board of commissioners of the BFD is empowered to levy taxes to achieve their desired level of fire protection and those taxes are paid by residents within the boundary of the BFD. As of 2009, the levy on Bridgeport residents was approximately \$162,000.

To cover the remainder of the Town, the town council has established a fire protection district. To provide services within the fire protection district, the town council has established agreements with the BFD and the Waterloo Fire Department. The BFD agreement provides coverage for an area east of the Village by the same fire company that covers the BFD. The Waterloo Fire Department is responsible to provide coverage for a limited portion of the western part of the Town.

The Town pays \$39,500 for each of these agreements. Thus, including what the Town pays the SFFD (\$39,500), the total cost the Town of Seneca Falls charges residents in its Fire Protection District is \$118,500.

### *Total Cost*

Excluding the BFD<sup>1</sup>, the total cost to the entire town for providing fire protection (including the Village) is \$224,800. The “net” cost equals \$185,300<sup>2</sup>.

### **Fire Protection District**

One of the options the Dissolution Study Committee considered was to recommend residents in the town establish a fire district with an elected board of commissioners similar to the BFD. This option establishes a layer of government with taxing authority and runs contrary to the goal of NYS in reducing layers of government. In addition, it was determined that the same type of coverage could be achieved simply by expanding the Towns’ current Fire Protection District to include the current Village.

Since the current Village fire department would be dissolved with the rest of the Village, the current SFFD would need to become a separately incorporated volunteer fire department in order to be eligible to engage contractually with the Town to provide fire protection services. As a separately incorporated company, the Town could establish a contract with them similar to the contract that is currently established with the Village. For planning purposes and to insure the same level of coverage, the committee estimated that the cost for this contract would be at least what the current Village budgets. Thus, the committee assumes that a new contract would total approximately \$106,300 between the Town and the SFFD. The committee did not negotiate a new deal and thus the exact terms of that agreement are not available.

In summary, The Town would continue to provide fire protection to the Town outside of the BFD by contracting with three entities. The Town would contract with the BFD and the Waterloo Fire Department for \$39,500 each to continue to provide their current coverage. The third entity would be a newly incorporated volunteer fire department consisting of what was the SFFD. Their coverage area would be the area currently covered by the SFFD. The contracted amount for coverage would total approximately \$106,300 depending on the terms of the agreement and lease arrangements that need to be worked out. In total, the cost for coverage for the fire protection district would total \$185,300.

### **Village Assets**

Under the plan as proposed by the committee, all Village fire department assets would vest to the Town. The Town would control those assets and lease them to whomever it contracts with to provide coverage in the Fire Protection area defined by the agreement. All costs associated with those assets would be factored into an agreement with the company contracted to use them. This includes maintenance, gas, upgrades, etc. As the Town would own the assets, some sort of lease

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<sup>1</sup> In the plan proposed by the dissolution committee, the Bridgeport Fire District remains unaffected and would continue to operate as it currently does.

<sup>2</sup> Net cost is computed by taking the net cost to the Village of \$66,800 and adding the Towns \$118,500.

arrangement would have to be built into the agreement to legally allow the contracting entity the right to use the Town's equipment to fulfill the terms of the agreement.

### **Village Fire Truck – Debt**

The Village's new fire truck has debt associated with it. The committee determined that rather than only the Village residents continuing to pay for this debt, the debt would be better spread among all those residents in the fire protection district who are likely to benefit from its use. Thus, in addition to the total combined cost for providing fire protection services to the Town, the cost for debt service will also be factored into the final tax that is collected. In the 2009-10 Village budget, the annual debt service payments associated with the fire truck total approximately \$47,900.

### **Tax Impact**

Combining the cost of providing the service (\$185,300) with the debt service payment (\$47,900) yields a cost for the fire protection district of \$233,200. This cost would be spread over an area that includes the Village and the Town outside of the Village not including the area covering the BFD. The resulting tax rate is \$.75/\$1000. This cost would show up on your tax bill in the form of a special district tax for fire protection services.

Bridgeport residents would not pay for this special district tax as they currently pay \$1.99/\$1000 for their fire protection through their own special district.

### **Conclusion**

The committee determined that transitioning the fire protection services to the Town in this manner was the least costly and assured the most continuity of service relative to the current operation. It also avoided establishing a separate board of commissioners and would leave fire protection service under the authority of the town council.

One possible variation that will be explored prior to the submission of the final plan will be whether the contract with the Waterloo Fire Department is necessary. It is quite possible, but not confirmed at the time of this report, that the SFFD could provide the coverage to the area currently covered by the Waterloo Fire Department for little to no extra cost. If that can be confirmed, the committee may revise the plan to exclude the Waterloo Fire Department contract and recommend that the Fire Protection District be serviced only by the SFFD and the BFD. This variation may save additional money.