

**Village of Alexandria Bay
Public Hearing for Fire District**

September 26,2024

6pm

Abay.stat123.com

Audio/Video

Mayor Mike Putnam-Present

Trustee Judith Fulmer-Present

Trustee Sandra Caputo-Present

Trustee Doug Strough-Absent

Trustee Greg Millett-Absent

Clerk Molly Briere- Absent

Sandra Caputo” I will open the joint public hearing for the Village of Alexandria. I'm going to speak for Mike tonight, a little bit, as he is not feeling well but I needed him here for the forum.

“OK welcome everyone my name is **Brad Pinsky**; I am an attorney out of Syracuse. I do a lot of this fire stuff, so I am going to help administer the Public Hearing. Tonight's Public Hearing is on two topics. One topic is the dissolution meaning getting rid of a Fire Protection district. Fire Protection district is an area which is part of the Town outside the Village, in which the Town contracts, in this case with the village. To receive Fire Protection so where we dissolve that and for about 1 microsecond leave it unprotected. That's Public Hearing #1 the reason we have to do that is because we need to form a Fire District, and you can't form something over something else that exists so we're getting rid of Fire Protection district to form a Fire District which is really the main reason we're here. There's a technicality so the Fire District is going to be the same Fire Department but instead of having 2 government entities: Town, no contractual Fire Protection and then the Village, which homes the fire department. Instead of having two entities we're going to have one entity. So, with that said today's discussion and question and answer is about forming a Fire District. There's a smaller group here, these have gone on 10 minutes, they've gone on three hours. No one wants to be here 3 hours, but we're going to be here as long as we answer your questions. Let me ask a question because in your town you already have two other Fire Districts and then a couple close ones so the concept of what a Fire District is, is not novel. Please don't be shy. Is there anyone who doesn't know what a fire district is? Would like to hear what it is? It's a new government that's going to run the Fire Department but it's not a new concept to this town. The proposal here is that there will be a new Fire District encompassing all of the Village and a portion of the Town, the rest of the Town. Which is going to be outside of the other 2 Fire Districts. That would include Wellesley Island. Let me talk about that. Today Wellesley Island is contracted for part of the Town. The Town contracts for that portion of the island. It's found they contract with another Fire Department or District in Orleans. The question often comes up well what happens to them? The

answer to that is it's up to the new Commissioners. A Fire District, just like a Town, can decide to provide its own protection or can contract part of its protection out. There's no answer to that about who's going to protect all or some of Wellesley Island until you get to the new Commissioners. This process on forming the joint Fire District, called joint because there is a Village involved, is subject to permissive referendum. Which means after tonight if both boards adopt, if the Town adopts the resolution to dissolve the Fire Protection district and then both boards adopt the resolution to form a joint Fire District, then we have to wait 30 days. The clerks will publish a notice on behalf of the Town, of the Village and the newspaper. We will wait 30 days to see if anyone wants to force a vote on the issue. If you get enough signatures, then it would force it to go to a vote. Typically, that doesn't happen in my 27 years I've never seen a successful petition for a vote. Here it really does make a lot of sense in my personal opinion to form the Fire District. In any event there will be 5 Commissioners in a joint Fire District you can have between 3 and 7 so you don't have to have you know 5 but 5 is a good number. So, we're going to go for five Commissioners. If you want to be a Commissioner and you're a resident of the Fire Protection districts, where the district is going to be, then you could be a Commissioner. Tonight, we're going to tentatively I think appoint some or all of the Commissioners and we may appoint a treasurer as well. Those Commissioners are going to serve until December 31st of 2025. They're all going to serve a one year and month or two term. Then on the second Tuesday of December in 2025, you're going to elect 5 new people so it's only one year service for the first five people. Then whoever gets the highest number of votes, will get a five-year term. The second highest gets a four-year term and so on right until the person who got the fifth highest number of votes gets a 1-year term."

Town Supervisor Brent Sweet "It's a regular Fire District vote?"

Brad Pinsky "Right only registered residents of the Fire District. You have got to be resident and be registered to vote 30 days in advance but in a Fire District people get to vote on everything. That's why I like Fire Districts. With the Town nobody gets to deal with by law not just Town but by law, residents of the Town in a Fire Protection district have no say in Fire Protection there's a hearing, but you don't get to vote on anything. In a Village there's no hearing at all. The Village just decides everything that's just the way the law is. In a Fire District, the residents vote on almost everything. The residents vote on bonding. The residents vote on selling surplus items over a certain value. The residents vote to establish reserve funds, which we're going to ask you to do at some point, if this all passes. The residents have hearings on the budget. The residents vote on Commissioners and the residents vote on so much. There's so much power to residents in a Fire District that you don't have when you are a Town and Village. That's why I personally like districts. The main reason I like the Fire District is because Towns and Villages have a lot of other things to focus on. They only have so much time in their lives. When I was chief of my Fire Department, and we had a much bigger budget because I also had paid staff as well as volunteers, but I would get 5 or 10 minutes at a Village board meeting. I'm like but I have a lot of things I need to talk about I need hours. They're like but we have other things to do. In a Fire District the Commissioners have nothing else to do, except pay attention to Fire Protection. The Commissioners' sole job is to figure out how do we provide the best Fire Protection we can afford. They'll deal with recruitment issues, retention issues, repairs, all things that take hours at a meeting. The normal Fire District meeting should be no less than an hour and hopefully no more than two, but you need somebody to have that much time. Towns and Villages just have too much stuff to do. So, I like Fire Districts because there's a lot of involvement.

The last thing I'll say before we answer questions is everything a Fire District does is public. All the meetings are open to the public, all their documents, unless they're otherwise confidential, are subject to Freedom of Information. Everything's public no secrets. No different than the Village and the Town now, same rules but this is not the members of the fire company doing things in private. This is a full public entity. At this point unless anybody has anything I'm happy to answer whatever questions you have. Concerns, questions, anything and normally I kind of sit here for 60 seconds and nobody has anything.”

Mark Reynolds “You know I may have missed it because I was late coming in but when the Commissioners determine a budget, that budget gets submitted for review or approval by the Town or the Village?”

Brad Pinsky “Neither, in this case. Let me tell you the budget process. The budget in future years is due typically by the end of September. Technically it's due 221 days prior to the third week in October but it's typically the end of September. It's then filed with the town clerk and a notice is published in the paper that says anyone who wants to come review the budget can do so. Just like the Town or the Village, once the preliminary budget is published then change it. Then in the third week of October somewhere between Monday and Thursday, there's a budget hearing where they have to take public comment on the budget. You can ask questions, everything. From then let's call it the 21st day of October around there then they have until November 4th. Where they have to finalize and adopt the budget. If they don't then the original budget gets adopted but that budget has to be adopted by November 4th and then delivered to the Town by November 7th. The Town's budget is November 20th I think you have to transmit said Town's budget. The Town simply takes the Fire District budget combines it sends it to the county, but the Town can't review it, alternate, approve it, reject it, anything. Now the comptroller looks at it, Fire Districts are subject to the 2% cap whether that means anything these days or not. Fire Districts have one other thing that nobody else has and I'm going to explain this because in case anybody's worried about a Fire District running away with the budget, I want to show you how much control New York State has over Fire Districts. There's something called the statutory spending limitation. It's just a limit on spending imposed by law. What it says is: for every \$1,000,000 of taxable assessed valuation, right so like a private house, not a church, for every million dollars of taxable assessed valuation. The Fire District is only allowed to spend \$1000 so if you had \$100 million taxable valuations, divide by 100 how many millions are in 100 million right divided by million to get 100 and then you multiply that 100 by 1000 or if you really want to be easy just move the decimal over three places that you could get to it really quickly. If you have \$100 million total taxable assessed valuation you can only spend \$100,000 so and the only way to override that is by a mandatory vote of the voters so there, is that cap doesn't exist for Towns or Villages. There is strong control over the budgets of the Fire Department.”

Town Supervisor Brent Sweet “So does the Fire District have to follow the tax cap the same way the Town does?”

Brad Pinsky “It is exactly the same as the Town that 2% is exactly the same. Gotta be filed with the comptroller. Let me say this whether you go over it or not yeah and you have to do that properly by proper vote if you want to override it got to be filed with the comptroller. All that's viewable online. You can override it but the big question I normally get asked is this' what happens to the Town and

the Village budgets and their 2% cap? Are we simply going to increase the tax burden by creating a new municipality? Answers no. What happens is the comptroller will come in once they get notice that we've formed the Fire District. We have to file a notice with them. They will come into the Village, in the Town and say to the Town what have you been spending on Fire Protection? They will reduce the tax cap by that amount. They will lower it, right because you don't need that money anymore. The Village is a little harder. With the Village not this Village but Villages are a little harder because they don't separate their lines the same ways Towns do by law. The comptroller will ask the clerk and the board what was your fire budget, and they'll lower their 2%. It'll go down but it will go up. It goes up for the fire district, but it comes down for the Town and the Village."

Town Supervisor Brent Sweet "So in our case we give money to the Fire Protection and ambulance, and they will stay there?"

Brad Pinsky "That's up to you. If you pay money to the ambulance that has nothing to do with Fire Protection, then yes. Anything else I can answer? We're not rushing out here."

Chief Martin, Redwood "I just have a couple questions about the process itself. And I want to be perfectly clear that I'm not against Alex Bay forming a district. I believe that the comfort of a board of Commissioners formed that solely focuses on Fire Protection is tremendous. I don't want to say it ties their hands, but they are more involved in the operation. My concern is with the protection area. If I'm not mistaken it, is a contracted thing. You could turn that over to any one of the townships in the department? Correct?"

Brad Pinsky "You have more access to grants, right there's a million good reasons and I don't mean to cut you off but if I was to turn your comment to a question" why aren't we considering consolidating all three?" I can answer to the question should we look at consolidation? The consolidation question is the right one. It's the right focus anytime. I don't necessarily always believe consolidation is worth it but in the case of the fire service and you just laid out perfectly a lot of times it is, especially in this area probably would make sense. The problem is you've got two districts today a Village and a Town, those discussions are not impossible, but they would go on for years, so my comment when I was asked what do you think about cancellation, I said it would be much easier if you had three like entities. If you have 3 fire districts, now the laws set up much easier to merge to consolidate either two or three like entities whereas you can't merge a Village right, and you can't merge a Town, so having three like entities it now creates the ability for you and others to have the conversation of how many Fire Districts do we need. What is the best model for the entire Town? Is it 2, is it 3, and I think with a new board of fire Commissioners that's the conversation people should start having, once they have their feet on the ground. You have 4 now. What do you think of it? You have a Village in the Town and two boards. Then it creates an incentive piece meaning it and them coming together to be able to be happy. To add the next layer of but you know darn well that conversation is going to be more than a year of a conversation we just pulled it I thought we were there we did that and then fire department we were ready to do some consolidation and other people, other districts came in well we want this area. Why don't we get this area, and it all fell apart these consolidation questions I've been a part of a ton of them, don't always go well. Sometimes they go great. That conversation could be a one month to 10-year conversation on consolidation. I think you're right that's my personal outsider opinion, but I think it will be easier for you to have that conversation with three like entities. That's just my opinion and if it

doesn't happen at least this has happened. I will say like in your area you have a much higher tax rate, not your fault, much higher tax rate because I presume you have much less assessed value. What would happen, the conversation when you talk about merging 2 districts or three districts is your taxpayers would be thrilled right? In your area the district you're at this rate. This new district might be at this rate. If you merge them, they're going to equal. The people in the new district here are like why are we paying more? People in yours like great idea. There are always these personal things that delay it, so rather than delay this by months or years or likely years at least, we're getting this done and making it easier to have those conversations. I think you're in a better position to consolidate and it would never have happened now because there's just too many conversations to have. You know egos, chiefs who's in charge? How many? What color hat or helmet? What color turn out? With the commissioners in charge, now 15 people can make that decision. Who are more neutral. I think you'll get to where you need to be if the districts want to go there much easier than this.

Chief Martin, Redwood “Are we under a time constraint?”

Brad Pinsky “well I think everyone is, 6 months there's further road to travel but this doesn't impede you right I think it helps you, but I don't think it impedes you so if it's an unnecessary step because ultimately let's say next year they merge two or three as far as their business. That's the direction of all of the things you're saying, much of which hypothetical. If they want to build off all these things. They're all hypotheticals, but I think you just answer the question. This discussion has been going on for years. I think you're advancing I'll guess I'll end my response to you by saying if consolidation is the right thing for the residents and the residents want to consolidate, this move is a step in that direction, an easier step in that direction. You would still have to go through a lot of this process anyway dissolutions. I mean it but it's still personalities get involved with stop it. You'd hate to stop this progress and to let people hold up this process based on other concerns of consolidation but if consolidation is the right move it's going to be easier the three districts than four municipal boards.”

Dave Johnson- owner of Jreck Subs “SO this is a choice?”

Brad Pinsky “Consolidation is a choice but if consolidation is on people's minds, this is a step towards that. 3 like entities are way easier to consolidate. Trust me I've done it and it's easier to have conversation with 15 people than 22.

Sandy Caputo “Do you want to talk a little bit about Commissioners?” I'm seeing 4 out of the five that I know the boards have discussed having. Do you want to just talk a little bit about responsibilities, timelines, training, things like that for them?”

Brad Pinsky “Yeah so being a Commissioner for the first six months is going to be a lot of work. I know that because I'm working with a whole bunch of other Commissioners. What you're going to need to do, you find an attorney and we need to start building the foundation once the districts formed. We need to get a policy a number of policies in place including financial controls etcetera. When I do policies for Fire Districts we do training at the same time. Hey, we're writing a policy let me teach you why this is important, but Fire District Commissioners have to within the 1st 270 days, nine months of their office, have to complete a training six hours. You can do it online. There are two attorneys in the state who can offer it I'm one of them. My training is online free to take. Anyone can watch it. Our training is 7 to 7 1/2 hours because I don't think 6 hours is enough.

Nobody's complaining but it is more training, or we offer it in person too, but you have to do the training. That's important because we're going to understand things like procurement policies and bidding laws. Discrimination, all the laws that govern fire departments. I teach you the difference between a truck and an engine and a tanker. We talk about terminology we teach you about Freedom of Information and open meetings. We teach you about budgeting and there's so much we teach the commissioners that they have to learn. This is a complicated job. It's a complicated job for the first six months. My belief is you will meet twice a month. For me the way I would do it, if I was the attorney for the district, and I'm not. The Commissioners will hire whoever they hire. The Commissioners would be meeting every Friday to create the policies, and we have a policy manual in three weeks or two weeks. Then we distribute it to the members and everybody, but we would you know there's a lot to do. The budget is due as I said November 4th. The district if it's formed tentatively tonight plus 30 days is now, we're going to be near the end of October. The Commissioners, if there are people being appointed tonight, need to get to work now by meeting with the Fire Chief, the Village, and the Town coming up with the budget. It should be very similar to what you have now and what we need to talk about that we need to talk about. What's the budget going to be because you have to have a final budget adopted at a public meeting by November 4th. It's got to get to the Town by the 7th, so I think it's sent it out by the 20th. Budget's goal #1 and that's you know the Fire Chief and everybody else working to create a budget. Fire Districts are not necessarily more expensive than other entities, but you do have lawyer costs, accounting costs. The ambulance is going to be an issue we're going to talk about. Ambulance billing right and should the district start billing for ambulance? Which is great and could bring in additional revenue but that's a topic that Commissioners have to decide. There's a lot to decide at the Commissioner's level that we can't answer tonight. The Commissioners would have a public hearing on a lot of this and take public input when they're deciding to do things. Commissioners if you're appointed tonight even though it doesn't officially take place for another 30 or 31 days, I need to get to work now right all unofficially but you need to get to work. We got to get a budget in place. We got to get policies created etcetera. A lot of work to be Commissioner but it will get easier after four or five or six months."

Sandy Caputo "Did you make the comment earlier that the ambulance won't be going with the fire department that the Village will be keeping it?"

Brad Pinsky "I didn't make that comment."

Brent Sweet "I asked the question."

Brad Pinsky "The ambulance is different, so the ambulance right now is a department of the Village, run by the fire department but the certificate of need the annual service certificates held by the Village. The Village doesn't have to transfer the ambulance but if the Fire District wants to provide ambulance services and can get the equipment from the Village then they can provide the annual service. We'll have to get them operating authority. We'll work on that from the state. Either the Village can transfer theirs maybe or if we can get you a new one like that. An ambulance presumably is going to be provided by the district but that's a Village only discussion that will have to happen. I assume that the ambulance is going with the fire department."

Sandy Caputo "That's what I thought too."

Brad Pinsky “It is a separate entity. You pay 1 tax, one contract fee for fire and one for ambulance. Now you won't raise money, if the Village, so the Town taxpayers will see 2 lines go away. You won't need an ambulance district to raise money, it would be part of Fire Protection. If we get billing going if that works, you could generate a lot of money to offset taxes at almost no cost to the taxpayers.”

Brent Sweet “So the new Fire District tax rate will include the Fire Protection and ambulance?”

Brad Pinsky “If the Village transfers the ambulance.”

Sandy Caputo “What does the Village have to do? Is it too late for us to do that for this year? For them to have it all on their budget?”

Brad Pinsky “No it's not even really a Village decision. Part of it is the district is going to say we're going to provide ambulance services. The Village could still say we're providing it. Which you wouldn't but then the question when the district decides, are we going to keep providing annual service or are we going to start providing annual service. Where do we get the ambulances from, the Village, so you're out of it if you transfer the ambulances.

David VanBrocklin “Same with the trucks.”

Brad Pinsky “I always understand it's the fire departments can keep providing ambulance and fire Town tax lines go down by two.”

Dave Johnson “I'll ask the question. What's the timeline if we say no tonight”

Brad Pinsky “If they say not tonight then both of the board voted no we're not doing it it's done it's over with. There's no timeline. They could start again, but the real question you're asking is are we rushing it. They asked the same question last meeting. Are we rushing it, and my answer is not rushing it in some sense. I was trying to come up with a way to make it start later and push it off and that messed up all the budgets because of the Village budget. We're like OK, well, wait a minute the town that's got to raise some money it gets very complicated If you do this at the beginning of the year because the Town's got to raise Fire Protection ambulance money. The Village is finishing up their year budget and we got to figure out, OK when does everyone's funding. Now it's easy to build. The Town is out of it now. They paid all their money to December 31st. They're not going to raise anything else. They're not going to put in their taxes. It's actually easier now. It's a lot of work to create a budget but you got to do that anyway. You have a budget right, doesn't need to change. It shouldn't be that big of a change. We've been operating out of a budget. The budget should change that much right. There might be some extensive startup costs, like we need to do policies. We need to maybe; we need to get the ambulance service certificate. There might be legal and accounting cost to start up as a one-time thing but timing wise it's actually better now if we crossed this on November 4th. After November 4th we can't adopt the budget, if we go past November 4th we're done. We're done because we couldn't do it. We'd be in trouble. We'd have to wait sometime next year but now we're not in a rush. Is it a lot of work, yes, but that's why they have the district. We will have professionals to assist and again that the fire department's been operating right. The fire trucks still will get out the same way. They have a different name on it, but the fire trucks get out the same way. The Fire Protection is the same, uniform, the gear, all that's the same. Nothing changes so no I don't think it's rushed. By the way I get paid either way whether it happens or not so, I'm not trying to sway this. At the prior these people said well you don't get paid if, I'm like trust me I get

paid. I don't care about the outcome, but this is the right time. In a month we wouldn't be having this conversation. In two weeks, we wouldn't be having this conversation. We can't let this happen after November 4th but now you're totally fine.

Chief Martin – Redwood “How much does the operating budget change? Does it stay as is now compared to if we were to delay a year? Try a different avenue maybe?”

Brad Pinsky “I'm going to push back at you, out of respect because I have the same conversation. The conversation I always have when any municipal board wants to do anything is can't we wait? Can we wait? Aren't we rushing it? Well, this is the public and people like this first we're hearing it public hearing yeah, but this is not the first they've been talking about it. This discussion has been going on for months and we've had other meetings, public, private discussions. From your view, public hearing, it seems like we're rushing it. There's been a ton of work to get to a ton of words on paper.”

Chief Martin “I'm just speaking from my perspective that instead of just creating a district as a small, why don't we do a large district?”

Brad Pinsky “Because you still can't. Your goal isn't impeded again it's made easier.

Chief Martin “I have this protection area, that I have right now, it's sitting there that essentially doesn't need to go to Alex Bay district. Correct? Like they could dissolve the Village and create the district within the Village guidelines. Correct?”

Brad Pinsky “Getting rid of the Village? That's a two-year process.”

Chief Martin “I understand that. I'm just, my long-term goal, before I'm dead in the grave, is to have one fire district for the Township.

Brad Pinsky “Then make it a long-term goal but we can't delay progress for the sake of progress.”

Chief Martin “We started this conversation long before that. Actually, I just feel like it's a baby step. We can take a much larger approach to this, and I mean half of our conversation in the beginning was the power of bonding and the almighty dollar.”

Brad Pinsky “I push it back to you. You've been having this conversation for as many years you've been saying, and we haven't gotten there. Why delay any progress? Just to hope we could solve it. I'm telling you keep having the conversations. I'm not agreeing or disagreeing what Fire Protection is right it's not the lawyers call, right but this will make it easier for you to have the more productive conversations, because you're negotiating among three departments. Not forming municipalities. It's got to be easier. This has never been an issue of let's do this, so we don't talk about consolidation. I've never heard that, so this isn't trying to delay change or anything if consolidations right you'll have an easier time with the conversations. And look I don't know that anyone even wants consolidation among your other departments. I haven't had those conversations, but you'll have an easier time having the conversations because now you can approach one board of five people and have that conversation. I don't think this needs to be delayed to do something to try to further something. You've been trying to do it for more than a decade.”

Trustee Judith Fulmer “I actually think it would make it easier once we become a Fire District and get through December and you know maybe next year you guys decide you want to become one big Fire District.”

Chief Martin “Potentially. Right now, the Village is looking to get rid of, ya know the control factor. The Towns ready to get of the protection area so they don’t have to manage fire protection anymore. Theres a lot of people walking away then you get a new set that’s walking in. To take care of business and take care of those that are stepping back and looking forward. Theres a gap right here in connection that we can fill in one void. Everyone’s ready to get rid of it.”

Trustee Judith Fulmer “You said more than once that you have been trying to fill that void for 10 to 15 years.”

Chief Martin “The topic of conversation of consolidation for the town is not a new thing. Everyone up there has this conversation more than once.”

Brad Pinsky “But we shouldn’t hold this process hostage because there's another possible outcome.”

Chief Martin “I 100% agree with Alex Bay taking the top. It's going to open up I just think it's holding back the rest of the Town and the power that we could be having now.”

Brad Pinsky “Yeah, I'll kind of end my response to this, you might find a different view. I don't live here so it's kind of neutral to the people outside your district to say, by the way as a result of this your taxes are going up because that would be the answer as a result of consolidating with your district. Yours are coming down, their taxes are going up. We're not having that conversation now and I suspect, if we, at this stage had the conversation of let's talk about raising your taxes significantly we would have a much more vocal audience. That's not the proposal on the table. That needs to have its own conversation when we can look at the financial impacts on all the residents but that's not today. Let's have the conversation we can solve today. Make something better right and let's make it better while we can and then have the other discussion.”

Brent Sweet “I just want to say that I can only speak for myself I'd like to hear some of the people in the public has an opinion on going. As you can see, we're going. Whether it’s a yes or no. I don't know the answer. Anybody else have anything else to say? We base our decision on what the public thinks. That's why it's a public hearing”

Brad Pinsky “and for those who are residents of the proposed Fire District it's important to hear.” OK well I would propose to the Town of the Village board not cutting anybody off that we closed the public hearing.”

Motion by Dale Hunneyman to close the Town Public Hearing. **Second by** Shawn Thomas.

Motion by Judith Fulmer to close the Village Public Hearing. **Second by** Mayor Mike Putnam.

Motion by Sandra Caputo to Appoint as Commissioners for our new Joint Fire District: Brad Millett, Court Rutherford, Jameson Wills, David Johnson, George Dobbins. **Second by** Judith Fulmer.