

Village of Chaumont

Dissolution Study

Fire & Rescue Services and Local Laws

August 28, 2019



Visit the website: <https://www.danc.org/chaumont-study>

Section 1

General Overview of Fire Services in NY



How is Fire Protection Provided in NY?

- Fire Protection in NYS is complex and can be provided in many ways
 - Directly by a municipality
 - Arranged under contract with a municipality
 - Independently governed by a fire district
- Fire Departments may have:
 - All paid members, all volunteers, or a combination of paid and volunteer employees
- Firefighters may work for a municipal fire department, be appointed as fire department members by fire district commissioners, or be members of a not-for-profit corporation

Fire Protection in NY

- Cities are required to provide fire protection
 - typically provided through a municipal fire department
- Villages are required to provide fire protection. A Village may:
 - a) have its own fire department
 - b) contract with the fire department of another municipality
 - c) contract with a fire district, fire protection district, or independent fire company
 - d) form a joint fire district with a town and other villages
- Towns - state law does not allow towns to provide their residents with fire protection as a municipal function. Instead, fire protection must be provided either by a **fire district** or through creation of a **fire protection district**.

What is a Fire District?

- A Fire District is a separate unit of government established to provide fire protection & emergency response
- A Fire District does not have to have its own firefighters or equipment; it can contract with a neighboring municipality or district.
- Fire Districts don't have to be coterminous with Town boundaries and can span multiple towns or portions of towns
- Fire Districts are overseen by an elected board of commissioners composed of 5 members serving 5 year terms
 - Commissioners are elected by residents of the district
 - Commissioners appoint the members of the fire company

What is a Fire Protection District?

- A Fire Protection District is a geographic service area within a town established for the purpose of fire protection.
- Towns contract for fire protection services within the Fire Protection District at the expense of the property owners in that district.
- Contracts may be with a city or village fire department, a fire district, or an independent fire company.
- Town boards can create, consolidate, or dissolve fire protection districts on its own motion or by petition

What is an Independent Fire Company?

- An Independent Fire Company is a special not-for-profit corporation formed to provide fire protection to a fire district, a fire protection district, or village under contract.
- The contract is between the Independent Fire Company and the governing body requesting services - a board of commissioners, town board, or village board of trustees.

How are Fire Services paid for?

- **Cities and Villages:** general municipal tax levies support fire protection.
 - There is not a separate tax rate applied to property tax bill
- **Fire Protection Districts:** the Town levies property tax in the areas of the Town served by the Fire Protection District.
- **Fire Districts:** the Fire District is a separate unit of local government that has the power to incur debt and to levy taxes against the taxable properties within the district.
 - Fire District taxes are independent taxes. They are collected with the Town and County taxes and distributed to the fire district by the Town.
 - Funds can be used to purchase buildings, equipment, and insurance, and pay for firefighter training.
 - Fire Districts get over 90% of their revenue from property taxes.
- Additional funds may come from donations to a fire department, charitable fund-raising, facility rentals, and taxes on certain fire insurance policies written by out-of-state insurance companies.

Volunteer Firefighter Benefits Law

All New York State volunteer firefighters are entitled to benefits under the law if they are active volunteer members of a fire company of a county, city, town, village or fire district and are injured in the line of duty.

“In the line of duty” covers volunteer firefighters in various emergency situations and many activities compensable under the law, when authorized by the proper authority. Some of these include:

- participation at a fire, hazardous material incident, alarm of fire or other emergency, including assisting other fire departments/companies;
- travel to, from and during fires or other calls to which the company responds;
- inspection for fire hazards or other dangerous conditions;
- attendance at fire instructions or fire school, instructing at fire training, attendance/travel to meetings;
- participation in authorized drills, parades, funerals, inspections or reviews, tournaments, contests or public exhibitions conducted for firefighters, and authorized fundraising activities;
- testing fire apparatus and equipment, fire alarm systems, water supply systems and fire cisterns;
- construction, repair, maintenance and inspection of the firehouse;
- pumping water or other substance from a basement or building.

The county, city, town, village, or fire district covers the insurance for the volunteer firefighters located in their jurisdiction.

Section 2

Fire and Rescue Services in the Village of Chaumont and Town of Lyme:

**Who provides these services and how?
What is the cost of these services?**



Village and Town Fire Services

The Village of Chaumont does not have a Village Fire Department

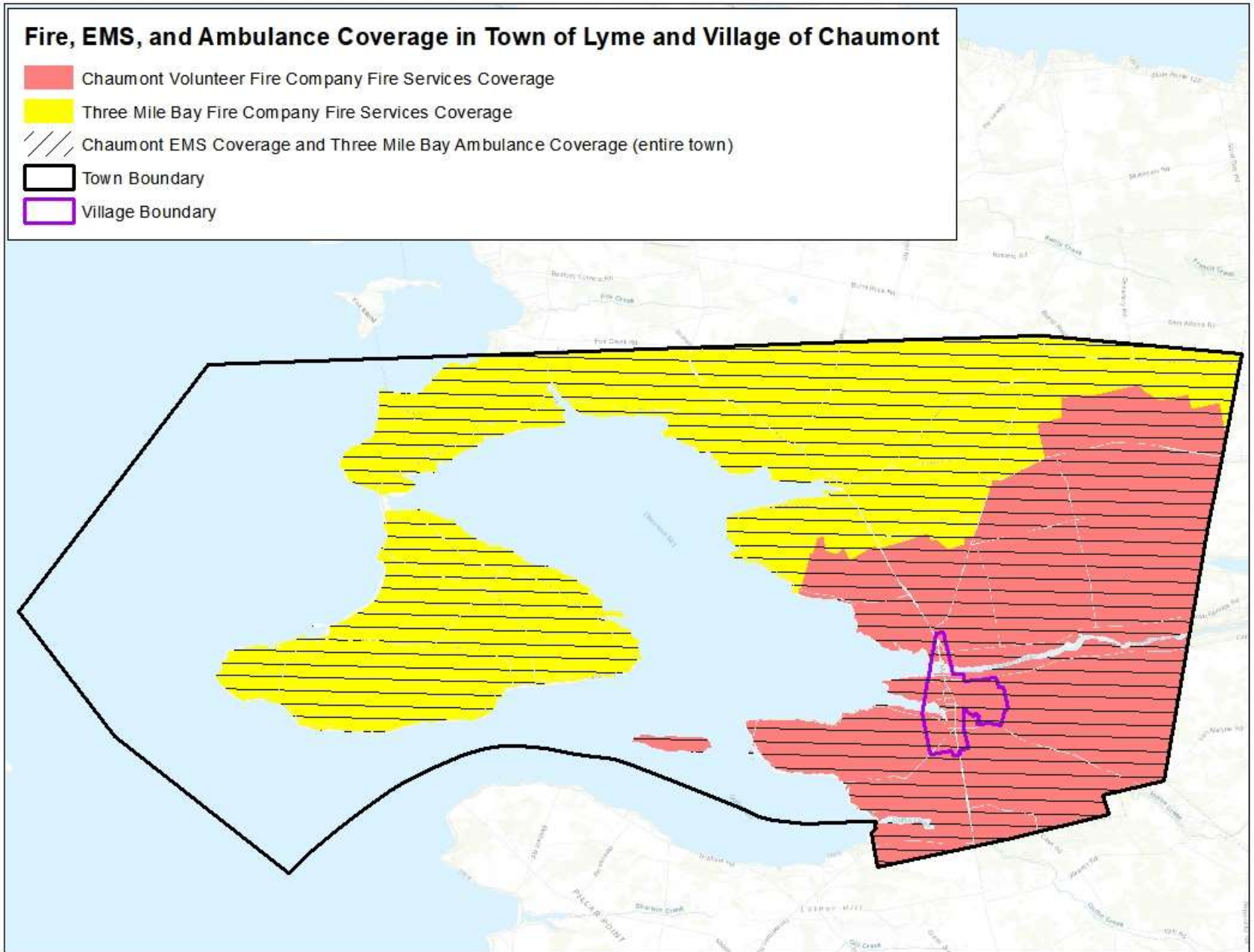
- The Village contracts with the Chaumont Volunteer Fire Company Inc. for fire services
- General Fund Expenses for fire services in 2018 were \$15,000
 - ✓ 2019 expenses were \$16,000
 - ✓ The Village, Town, and Chaumont Volunteer Fire Company Inc. have an agreement for services
- Village taxpayers pay for rescue and ambulance services through their town-wide tax

The Town of Lyme has a Fire Protection District that includes all of the property within the town, excluding the Village

- The Town contracts with the Chaumont Volunteer Fire Company Inc. and the Three Mile Bay Fire Company Inc. for fire and rescue services
- Fire Protection District Fund Expenses for services in 2018 were \$157,000
 - ✓ 2019 expense was the same
- Contract with Chaumont Volunteer Fire Company Inc. was \$78,500 for fire services and \$10,000 for First Responder services
- Contract with Three Mile Bay Fire Company Inc. was \$78,500 for fire services and \$35,000 for EMS Ambulance services
- The Town pays for the first responder and ambulance services out of its Town-wide General Fund, which includes all town and village residents.

Fire, EMS, and Ambulance Coverage in Town of Lyme and Village of Chaumont

- Chaumont Volunteer Fire Company Fire Services Coverage
- Three Mile Bay Fire Company Fire Services Coverage
- Chaumont EMS Coverage and Three Mile Bay Ambulance Coverage (entire town)
- Town Boundary
- Village Boundary



Chaumont Volunteer Fire Company, Inc.

Contracts with the Village and the Town to provide fire and rescue services.

The Chaumont Volunteer Fire Company, Inc.

- Incorporated in 1914 and has always been an incorporated and independent fire company not governed by a municipality
- The Village Board may approve the nominees for first line officers and fire chief because the Chaumont Volunteer Fire Company, Inc. is located within the Village boundary. The Village Board historically has not done this.
- Revenue sources are contracts for services and fundraisers
- Owns the Fire Hall, all of the fire trucks, and related equipment
- Pays for building maintenance, gear and equipment, and heat/lights/fuel
- Responds to: Fires, Medical Emergencies, Vehicle Accidents, Water and Ice Rescues, and Flooding calls
- Ice Rescue and Flooding calls have significantly increased in the past few years as more people are ice fishing in the area and the high lake/river levels have caused spring and summer flooding. Medical calls have also significantly increased.

Chaumont Volunteer Fire Company Inc. - Major Assets

Building	Address	Total Assessed Value
Fire Hall	11385 NYS Route 12E	\$459,000

Vehicle or Asset	Year	Insured Value
HME Fire Truck E-1 Pumper/Rescue	2012	\$598,418
Ford 800 E-2 Fire Engine Pumper	1995	\$264,569
GMC C-Series Tanker-1	2000	\$255,445
Chevrolet Suburban First Responder Vehicle	2005	\$51,090
Chevrolet Silverado Pick-up Utility Vehicle/Brush Truck	2009	\$72,985
21' Seahawk Boat w/ Motor Fire Boat	1992	\$58,576
Marine Vehicle Ice Rescue Boat	2007	\$303,188
Ice Rescue Boat Trailer	2007	\$30,319

Three Mile Bay Fire Company, Inc.

Contracts with the Town to provide fire and ambulance services. Does not contract with, or receive funds from, the Village of Chaumont.

Three Mile Bay Fire Company, Inc.

- Incorporated in 1947 and has always been an incorporated and independent fire company not governed by a municipality
- Revenue comes from contracts for services and fundraisers
- Provides fire and ambulance services to the Town of Lyme and Village area
- Owns the Fire Hall, all of the fire trucks, and related equipment
- Pays for building maintenance, gear and equipment, and heat/lights/fuel
- Responds to: Fires, Medical Emergencies, Vehicle Accidents, Water and Ice Rescues, and Flooding calls
- Similar assets to Chaumont Volunteer Fire Company, except Three Mile Bay has an ambulance and does not have a boat

Fire and Rescue Calls 2018

Chaumont Volunteer Fire Company and Three Mile Bay Fire Company are both notified/dispatched to all calls in the Town of Lyme and Village of Chaumont. The numbers below were provided by Three Mile Bay Fire Company for 2018.

Municipality	Fire Calls	EMS/First Responder Calls	Motor Vehicle Accidents	Ice or Water Rescue	Other Calls	Total Calls
Village	0	120	6	1	18	145
Town	14	109	10	3	39	175
All Service Areas	14	229	16	4	57	320

Previous Year Totals Provided by Chaumont Volunteer Fire Company:

2017: 287 calls

2014: 241 calls

2016: 150 "normal" calls and 300+ flooding calls

2013: 167 calls

2015: 166 calls

2012: 216 calls

Fire and Rescue Services Cost Breakdown

The cost for fire and rescue services can be calculated to compare how much properties are being taxed for the services per \$1,000 of assessed value, based on the municipality they are in. The table below calculates the total costs of services for Fire Services, divided by the Taxable Assessed Value for the Village or the Town Special District, and multiplied by \$1,000, to compute the rate for services.

2019	Village Chaumont	Town Lyme Fire Protection District	Comment
Village Fire Services Expense	\$16,000	\$0	Village contracts with the Chaumont Volunteer Fire Company Inc. annually for fire services. Tax payers pay for fire services as part of their Village tax rate.
Town Fire Protection District Fire Services Expense	\$0	\$157,000	Town contracts with Chaumont Volunteer Fire Company, Inc. and Three Mile Bay Fire Company, Inc. for fire services. The Town pays for the rescue and ambulance services out of their Town-wide general fund, not the fire protection district, so those costs are not included in this calculation. Village taxpayers also pay the Town-wide tax, so they are paying for rescue and ambulance services as part of their Town taxes.
Taxable Assessed Value for 2018 special district taxes	\$37,425,339	\$360,628,704	There are specific taxable assessed values for the special district area in the Town
Cost Per \$1,000 for Fire Services	\$0.428	\$0.435	The Village cost per \$1,000 is part of the overall Village tax rate.

Potential Dissolution Scenario	Expanded Town Lyme Fire Protection District to include Village	Comment
Village and Town Fire Services Expenses Combined	\$173,000	\$16,000 + \$157,000
Village and Town Taxable Assessed Value Combined	\$398,054,043	\$37,425,339 + \$360,628,704
Cost Per \$1,000 for Fire Services	\$0.435	Tax rate is the same for Town taxpayers; Village fire services rate increases by approximately 1 cent.

Section 4

Overview of Alternatives if the Village dissolved:

This section presents a list of possible alternatives for fire services if the Village of Chaumont dissolved. This list is only provided for information purposes during the Existing Conditions phase of the study.

There will be a more detailed analysis of these alternatives during the Alternatives Phase.



Fire Services - Alternatives

If the Village dissolved, residents of the former Village could receive fire services through:

- ❖ **A Fire Protection District:** the Town of Lyme could include the former Village area in its Fire Protection District, or form a separate fire protection district, and then contract with a fire company for services.
- ❖ **A Fire District:** a Fire District could be established for the former Village area, which would be comprised of 5 elected fire commissioners. The Fire District could own fire equipment and manage fire companies for fire services.
- ❖ **Joint Fire District:** The Town of Lyme and the Village of Chaumont could create a Joint Town/Village Fire District at any time (outside of or prior to village dissolution), so the District would collect taxes directly instead of through a contractual arrangement.
 - When formed, the Town and Village could maintain the right to appoint the Fire Commissioners.
 - However, if the Village dissolves, the 'Joint' Fire District would revert to a regular Fire District and would then have elections for Fire Commissioners

Local Laws

A review of the current local laws in the Town and Village was conducted to identify any laws that are relevant to Village Dissolution.

If the Village were to dissolve, are there any Village laws that should continue to exist?

Similar Laws

Village Law	Similar Town Law
1990 LL1 Games of Chance	1991 LL1 Games of Chance
2009 LL2 NYS Uniform Fire Prevention and Building Code	2014 LL2 NYS Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code
2017 LL3 Dog Control Law	2017 LL1 Regulations for Dog Control

There are 3 laws in the Village and Town that are similar or regulate the same issue. The 2017 Dog Control laws in the Village and Town are identical. If the Village were to dissolve, a more in-depth comparison of these laws should be made to determine if the Town should amend their law to include the Village version's language or intent.

Village Laws that are Void if Village Dissolves

1984 LL1 Provide Village Assessment from Town
1989 LL1 Establish Building Code Enforcement
1990 LL2 Provide Publication of Notice of Adoption and Brief Summary Description of Local Laws
1992 LL3 Annex Land
2005 LL1 Annexation of Territory into Village
2011 LL2 Annexation
2014 LL1 Override Tax Levy Limit
2015 LL1 Override Tax Levy Limit
2019 LL1 Moratorium for Solar Energy Law (3 months)

These Village laws pertain to very specific Village functions or issues that would not be relevant to the Town if the Village dissolved. These laws would sunset if dissolution were to occur.

Village Laws to Consider Keeping for Former Village Area (if dissolution occurs)

1985 LL1 Interim Development Law

1990 LL3 Enact Land Development Code

1992 LL1 Vehicle and Traffic

1992 LL2 Cutting of Grass

1993 LL1 Establish Utility Tax Law

1995 LL1 Adopt Code (Land)

1999 LL1 Flood Damage Prevention

2001 LL1 Sewer Use Law

2005 LL1 Prohibiting Free Standing Fuel Burning Heat Equipment

2005 LL2 Wireless Communication Law

2006 LL1 Land Codes

2007 LL1 Land Development Code

2009 LL1 Land Development Code

2011 LL1 Stop Streets

2011 LL3 Property Maintenance Code

2012 LL1 Water Use Law

2014 LL2 Land Development Code

2016 LL1 Adoption of New Subdivision Law

2016 LL2 Amendment to Land Use Code – Remove all reference to Subdivision

2017 LL1 Amendment to Land Use Code

2017 LL2 Amendment to Chaumont Zoning Map

Town and Village Local Laws

- If the Village were to dissolve, the Town may want to keep certain Village laws and regulations. The Town could adopt relevant laws that would pertain to the former Village area only or apply the law to the entire Town.
- Local law review can be included as an implementation task in the Final Dissolution Plan and budget for the Town to complete before the dissolution date. All Village laws stay in effect for two years after dissolution, or until they are superseded by a Town law.

Questions or Comments?



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