

A joint public hearing with the Town of Sweden, Town of Clarkson and Village of Brockport was held at the Brockport Oliver Middle School, 40 Allen Street, Brockport, New York, on Tuesday, September 6, 2011.

Sweden Town Board members present were Supervisor John Milner, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Michael Myers and Councilperson Rebecca Donohue. Clarkson Town Board members present were Supervisor Paul Kimball, Councilperson Sheldon Meyers, Councilperson Christa Filipowicz, Councilperson Allan Hoy and Councilperson Patrick Didas. Village of Brockport Trustees present were Mayor Maria C. Castaneda, Trustee Kent Blair, Trustee Margaret Blackman, Trustee Carol Hannan and Trustee Scott Hunsinger. Also present were special counsel, Attorney Ray DiRaddo, Sweden Attorney Jim Bell, Village Attorney Robert Leni, Clarkson Attorney Richard Olson, Sweden Finance Director Leisa Strabel, Clarkson Town Clerk Sharon Mattison, Clarkson Deputy Town Clerk Kristin Coon, Sweden Town Clerk Karen Sweeting, Sweden Deputy Town Clerk Kathy Roberts and Sweden Fire Marshal Charles Sanford.

Visitors present were Kyle Boyst, Connor Smith, Warren and Dana Diedrick, Marcelle Stickles, Anita Wicks, Michael Ferris, Mary Welch, Judy Perkins, Kathy Speer, Laurie Gurnett, James Cenci, Ken Moore, Steve and Connie Pratt, Lucille Raleigh, James Sauberan, Norman Knapp, David Strabel, Scott Winslow, Bernie LoBracco, Brian Winant, Brad and Molly Mitchell, Eric Jensen, John Cohen, Don Roberts, Gary and Lori Skoog, Jim and Ashley Juby, Jon and Nancy Bell, Pat Pawlaczyk, Jim Gillette, Ken and Cindy Rombaut, Josephine Matela, Harlan Purdy, Roger Smith, Linda Ketchum, Sandra Phillips, Allan Smith, Deborah Hoy, Joseph Richards, Susan Alexander, Harry Hamlin, Doug and Dianne Hickerson, Kelly Pratt, Mike Koss, Frank and Julie Lapinski, Kenny Tully, Tyler Reed, Shawn and Lori Lessord, Jim and Joan Hamlin, Christine Hamlin, Karen Zok, Ken Keim, Sandi and Jim Ford, Dean Westcott, Jim Sutton, Tim Rombaut, Larry Vaughan, Joe Indelicato, Gayl and Larry Bidwell, Bill Bird, Larry and Sherry Siegfried, Gordon Bemis, Andrea and Harley Perry, Mary Jo Nayman, Earl Bartz, Mark Kristansen, Susan Smith, Vickie Sell, Daniel Kuhn, Sri Ram Bakshi, Rhett King, Eric Leverenz, Valerie Ciciotti, Rudy Aceto, Dave Clark, John Alexander, Sue Sable, Jarl Boyst, Jerry Remington, Tim Russell, Alan Way, Dylan Mackaravitz, Ian Neville, Robert Zimmey, Tom Conrow, Bethany Cuatral, Linda MacLennan, Malcolm Calman, Tim Fenster, Michael Corey, Lee and Betty Frisbee, Jim Stull and Kristina Gabalski from Suburban News. Several others were present but did not sign in.

Tom Ferris, moderator for the evening, called the public hearing to order at 7:00 p.m. and explained the purpose of the public hearing and the format that would be followed. Introductions of each municipality were made as well as Brockport Fire Chief Mike Henry, Assistant Chiefs Don Marenus and Mike LaDue and President of the Brockport Fire Association John Rombaut.

Brockport Fire Chief Mike Henry presented a brief history of the Brockport Fire Department. The department covers roughly 69 square miles and answers approximately 800-1,000 calls per year. Chief Henry listed the costs associated with running a fire department including but not limited to the government mandates, equipment costs and training. The department has received several thousand dollars in grant money for equipment and training opportunities, but the department can not rely on the grants, they are usually a one time funding source.

Clarkson Councilperson Christa Filipowicz explained the purpose of the public hearing is to establish a joint fire district to be called the "Brockport Fire District". The joint fire district will include all properties within the Town of Sweden, Village of Brockport and Town of Clarkson with the exception of the Clarkson properties that are currently serviced by the Walker and Hilton Parma fire districts.

Councilperson Filipowicz explained the difference between a fire protection district and a fire district. A protection district is a geographical area that is provided fire protection pursuant to a contract. A fire district is a corporation and political subdivision of the state. They are governed by an elected board of fire commissioners independent from the municipalities. A fire district levies taxes on real property and borrows in the fire district's name.

Currently the Towns of Clarkson and Sweden each have fire protection districts and contract with the Village of Brockport for fire protection services. The funding breakdown for 2011 is 44% Sweden, 34% Clarkson and 22% funded by the Village.

Councilperson Filipowicz explained that recently there has been a difference of opinion as to how the Village has handled surpluses and deficits in the fire protection contract. Following several months of discussions, the Towns of Clarkson and Sweden and the Village of Brockport agreed to establish a joint fire district. This will ensure that monies are used for fire district purposes only. Registered voters within the proposed joint fire district will have an opportunity to vote on a referendum to establish the joint "Brockport Fire District". (Date to be determined.)

Sweden Councilperson Patricia Connors detailed the proposed fire district. The three involved municipalities agree that forming a joint fire district is in the best interest of all residents and have signed a Memorandum of Understanding outlining the contributions of each.

Initially five (5) fire commissioners are appointed by a majority vote of the members of the Town Boards – three (3) from the Village and one (1) each from Sweden and Clarkson. The following December all five commissioner positions will be voted on by the residents within the district. The commissioner receiving the majority of votes will assume the 5 year term, the commissioner receiving the second majority of votes will assume the 4 year term and so on. The originally appointed commissioners will appoint a treasurer and a secretary. Thereafter, the Treasurer is elected to a three (3) year term and may be compensated. The secretary is appointed annually by the commissioners and may also be compensated.

Councilperson Connors stated that the proposal to establish a joint fire district is subject to the dissolution of the current Clarkson and Sweden Fire Protection Districts and the "ceasing" of operation of the current Brockport Fire Department. The Brockport Fire Department will continue to provide fire protection under the current contract until December 31, 2012.

Councilperson Connors added that contingent upon the successful establishment of the joint fire district the Town of Clarkson agrees to transfer the firehouse located on Lake Road to the fire district for no consideration; the Town of Sweden agrees to transfer a newly constructed building to include the land to the joint fire district for no consideration by December 2013; and the Village of Brockport agrees to transfer all assets to include all trucks, equipment, buildings and land to the joint fire district for no consideration.

Village of Brockport Trustee Margaret Blackman explained that upon learning all the facts relative to the formation of a joint fire district, she did not feel that the Village could continue to financially support the Brockport Fire Department alone so she now supports the formation of a joint fire district. Trustee Blackman answered "Frequently Asked Questions".

Some have wondered why the three municipalities can not continue with the current fire protection contract. Currently the Village has exclusive authority over the fire department's finances. The residents of the Towns of Sweden and Clarkson do not have the privilege of voting for trustees who set the budget and make the financial decisions nor can they participate in referendums for capital projects. Only Village residents can. The Towns of Clarkson and Sweden fund approximately 78% of the fire department budget. If the proposed joint fire district is formed, voters would not have the opportunity, as it is currently, to vote on the budget. Voters of the whole joint district would have the opportunity to vote for the commissioners who make budgetary decisions.

Currently there is a separate line item on the Town/County tax bills for fire protection. It is itemized on the Sweden tax bill as "Sweden Fire Prot". With the formation of a joint fire district, taxpayers will see it itemized as "Brockport Fire District".

Sweden Councilperson Patricia Connors detailed the mandatory referendum process and explained that the Board of Elections is trying to accommodate an issue with Clarkson due to the separate fire districts of Walker and Hilton Parma. The boards are also waiting to receive an opinion from the Department of State and the State Comptroller's office requiring a cumulative vote or by each municipality.

Councilperson Connors stated that if the joint fire district is voted down the Towns will not go back to the way it was before. The Towns have an option of contracting with other fire districts for protection, there is no obligation to contract with the Village.

Councilperson Connors listed the benefits of a joint fire district. Residents will receive the same fire protection as they had before and every tax dollar collected will be used for fire protection. All residents within the joint fire district will have the right to vote for the commissioners who make financial decisions for the joint fire district and to vote for referendums for capital expenses.

Councilperson Connors stated that a committee has drafted a fire budget for 2012 that indicates a potential drop in spending. If the joint fire district is formed, the first tax levy will occur on the Town/County tax bill in January 2013.

There was a brief intermission. The boards opened the floor for questions and accepted written questions as well.

Sweden resident Deb Finkle stated she has been involved with fire service for years and would like to see the money collected for fire protection used for fire protection. She added that it is the responsibility of community officials to provide fire protections at a reasonable cost. It makes sense to work together. Ms. Finkle thanked the municipalities for coming together and stated she fully supports the establishment of a joint fire district.

Clarkson resident Steve Pratt asked why three of the five commissioners originally appointed would be from the Village if the Village only contributes 22% funding. Attorney DiRaddo explained the statute of law that governs this.

Sweden resident Gary Skoog asked which fire department Sweden would contract with if the proposed joint fire district did not go through. The boards answered there is nothing certain at this point although discussions with Spencerport, Bergen and Clarendon have begun.

Sweden resident Warren Diedrick asked for clarification how it is determined what portion of the fire budget the municipalities are responsible for. It is determined by taxable value not assessed value.

An anonymous question was asked if the location of the proposed firehouse in Sweden has been determined yet. The boards explained that a committee is looking at several options at this time.

Sweden resident Sri Ram Bakshi stated to the boards that he is not convinced that there is a need for a separate district. Mr. Bakshi didn't feel that a joint district was in the best interest of the Village and felt the Towns were forcing the district on the Village.

Village resident and past Mayor, Josephine Matela didn't feel that the boards had done their homework on the proposed joint fire district. The municipalities need to get along and obtain more information before moving forward.

Sweden resident Doug Hickerson commended the boards and feels that the joint fire district will benefit all municipalities.

Clarkson resident Harold Mundy asked why an additional firehouse was needed in Sweden. Clarkson Supervisor Kimball explained that proximity of firehouse structures within the district are a factor in the ISO Rating of fire departments and it also attracts members and increases fire protection to residents on the south end of the district. Brockport Fire Chief Mike Henry added that it will also give the department some much needed space.

Village resident Rhett King spoke in favor of the joint fire district.

Village resident John Cohen spoke against the joint fire district.

Village resident Larry Vaughan submitted a written statement. (Available upon request.) Mr. Vaughan explained that he has been a Village resident for 62 years and a member of the Brockport Fire Department for 44 years. With the Memorandum of Understanding agreed upon by all three municipalities in July, Mr. Vaughan felt that it was moving toward a common goal of the fire department that has been studied before. He listed options to insure fire protection to the community and operational benefits of the proposed fire district. Mr. Vaughan pointed out false information that has been circulating in privately run newspaper ads. He encourages all residents within the proposed fire district to get out and vote.

No other comments were made. The public hearing was closed at 8:53 pm.

Respectfully Submitted,

Karen M. Sweeting
Town Clerk