

Establishing a North Queensbury Fire District Is In The Public Interest of Residents, Taxpayers, Property Owners & Visitors

North Queensbury Fire Co. Inc.



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No funds from the Town of Queensbury were used in the preparation of this report.

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Soon after it [a fire] is seen and cry'd out, the Place is crowded by active Men of different Ages, Professions and Titles who, as of one Mind and Rank, apply themselves with all Vigilance and Resolution, according to their Abilities, to the hard Work of conquering the increasing fire.

“

— **Benjamin Franklin**

Editor, *The Philadelphia Gazette*, 1733.

Founder of the Colonies'

First Fire Brigade, 1736.

Executive Summary

In New York State, Fire Districts provide a mechanism for property owners and voters to exert direct control over the performance, direction and financial affairs of their local fire department. A Fire District is an independent legal entity recognized in the New York State Town Law. Voters in Fire District elect fire commissioners to oversee their fire departments, establish an annual budget and determine the fire tax rate for taxpayers of the district.

More than 800 communities across New York State have established Fire Districts because, for voters and taxpayers, Fire Districts provide distinct and fundamental accountability advantages. Fire Districts, dependent upon their annual revenue, are required to undergo independent audits annually to ensure that taxpayers' money is spent properly. They are subject to statutory fiscal spending restraints and a state-mandated Code of Ethics. Fire Districts must hold public referenda before borrowing funds for large equipment purchases or capital expenditures. In this way, Fire Districts operate under the supervision and control of voters, elected fire commissioners and the New York State Department of Audit and Control. In the best sense of community governance, Fire Districts provide residents, property owners, taxpayers and voters with a mechanism to provide their communities with maximum fire and emergency services protection at the best possible cost with maximum accountability to taxpayers.

By creating a North Queensbury Fire District, the same high caliber of fire and emergency services protection as is currently provided to North Queensbury can be continued at substantially less than what North Queensbury taxpayers are currently paying for fire protection. In 2006, property taxpayers in North Queensbury paid to the Town of Queensbury an aggregate total of approximately \$500,000 in fire taxes, of which \$300,000 was provided to the North Queensbury Fire Co. The remaining 40 percent was distributed among other fire companies serving other parts of Queensbury. For North Queensbury taxpayers, the creation of a Fire District could result in a fire tax rate reduction of as much as 41 percent in the first year of operation while ensuring that the North Queensbury Fire Co. continues to have the resources necessary to protect the community. Based on an analysis of town assessment and tax data, the average North Queensbury property owner would see a \$153 reduction in fire tax, while the average residential property owner in other parts of the town might see a modest fire tax increase of \$8.

The creation of a Fire District for North Queensbury helps ensure that North Queensbury property owners pay for all of the fire protection they receive and receive all of the fire protection they pay for. The creation of a fire district does not reduce fire protection in other parts of Queensbury; it simply reduces the amount of money North Queensbury residents pay for fire protection in other parts of Queensbury. If conditions in other parts of Queensbury warrant, supplemental financial support for other fire companies can still be provided by the Queensbury Town Board.

Having studied Fire Districts elsewhere and considered their applicability to our community, the North Queensbury Fire Company proposes and wholeheartedly endorses the establishment of a North Queensbury Fire District and respectfully requests the support of the residents, property owners, taxpayers and voters whom we serve and of the members of the Queensbury Town Board. We hope this report will be the starting point for a dialogue among the taxpayers, voters, residents, property owners, business people and elected officials of our community.

The New York State Town Law provides for a Town Board to establish a fire district if it is found to be in the public interest. The establishment of a North Queensbury Fire District serves the public interest by:

- Providing the same level of fire protection while reducing the fire tax rate by as much as 41 percent
- Providing North Queensbury residents with direct local control over the performance, direction and financial affairs of the fire company
- Providing North Queensbury voters with the opportunity to elect fire commissioners to oversee the fire company
- Providing taxpayers with a public for a referendum on borrowing for capital projects or major purchases
- Providing for annual audits of the Fire District
- Ensuring property owners receive all of the fire service they pay for, and pay fire taxes for only the fire services they receive

Our goal is to provide the maximum protection and service to our neighbors at the lowest possible cost and in the most responsible and accountable manner. The North Queensbury Fire Company remains dedicated to its founding purpose of serving the best interests of our community.

History of North Queensbury Fire Company

For nearly 60 years, the members of the North Queensbury Fire Co. have dedicated themselves to protecting the lives and property of their neighbors every hour, every day. They not only provide fast response and excellent fire protection but also respond to automobile and boating accidents and water, mountain and ice rescues. Less well-known is the work each firefighter does to maintain an impressive array of knowledge and skills that, with no notice, might be put to the test in a midnight fire or rescue call; or the work the Fire Company does to maintain its trucks, equipment and fire station in optimal condition; or the exercises in training, communication and coordination that are necessary to work effectively with other fire departments, rescue squads, law enforcement and other emergency services agencies in the Town of Queensbury and Warren County.

Though each member is called upon to devote hundreds of hours of time each year, no member of the North Queensbury Fire Co. is paid. All of the work is performed on a volunteer basis, just as it was in September 1948 when 18 men from the community, with family names like Durkee, Walkup, Schoonover, Vaughn and Osterhoudt, joined together to fight the common enemy of fire in North Queensbury. Within a month, another 29 men had joined the organization, land was donated by member Robert LaPan for a fire station, and the North Queensbury Fire Co. became an institution on which the entire community would rely for security and confidence for generations.

Members of the fire company participate in regular training exercises and drills to stay sharp and ensure that the company is ready to respond to the increasingly complex nature of emergency calls today. Many of the firefighters are also EMTs, trained in providing medical support until a victim reaches the hospital. The fire company has benefited from having experienced leadership by people who know the North Queensbury community well. In addition to the fire company's chief and assistant chiefs, a Board of Directors is in place to oversee the fire company's operations.

To secure the first, most basic firefighting equipment 58 years ago, residents of North Queensbury reached into their own pockets to raise the money. Many of the first members volunteered to build the fire station. For decades, successful appeals and fundraisers by the independent company kept alive the tradition of neighbors protecting neighbors in North Queensbury, just as it has throughout Queensbury.

The North Queensbury Fire Co. today has nearly 50 active members, with specially trained firefighters and EMTs who respond to more than 140 calls annually, including fires, motor vehicle accidents, boating accidents, ice and water rescues, forest fires, and wilderness search-and-rescue missions each year. In addition, the community support of a 37-member Ladies' Auxiliary assists the company in fulfilling its mission of providing complete and caring service to the community in times of need.

The Boundaries of the Proposed Fire District

The proposed North Queensbury Fire District would encompass all of the lands and properties now included within the service area of the North Queensbury Fire Company. The district would be bordered by: To the north, the shoreline of Lake George; to the south, by a line 200 feet south of Pickle Hill Road; to the east, the Washington County line; to the west, the Lake George town line. The exact specifications of the boundaries will be fully described in a survey the North Queensbury Fire Co. will provide to the Queensbury Town Board.

The Authority to Create Fire Districts

The model for the American community-based, volunteer firefighting organization dates to Colonial Philadelphia where Benjamin Franklin formed the first volunteer firefighting force, the Union Fire Company, in 1736. The threat of fire was so grave and the attraction of fellowship in battling a common enemy so strong that Franklin's group was quickly oversubscribed. He recommended that groups of volunteers form individual fire brigades.

In the forerunner to today's Fire Districts, Franklin and members of other fire brigades formed "insurance companies" that collected annual payments from property owners who wished to have fire protection. They held the funds in trust for the purchase of fire equipment and places to store it and for reimbursement of subscribers for fire losses. Those property owners who suffered fires but had no insurance still benefited from the services of the fire company, but later received a bill for services.

The authority to establish Fire Districts in New York State has existed in New York law for more than a century. It was first authorized by the state Legislature in 1880:

"To establish a fire district in any unincorporated village in this State, and to authorize such district to procure a supply of water, and to purchase apparatus for the extinguishment of fires therein, upon the application of thirty residents and freeholders of the proposed district; and to provide for the assessment, levy and collection of the cost thereof upon such district, in the same manner, at the same time, and by the same officers as the taxes of the town in which such village is located are assessed, levied and collected."¹

1 General Statutes of New York, 1880, Ch. 512, Section 1, Subdivision 34

In 1890, the state Legislature added a provision for independently elected fire commissioners to oversee such Fire Districts:

“Also to provide for the election, by the legal voters of any such fire district, of not less than three nor more than five officers, residents of said district, for terms not exceeding five years, who shall be designated fire commissioners, and the filling of vacancies therein, and who shall take title to and hold in trust for the said district all properties that may be acquired for or by said district, for the fire purposes aforesaid, and with power to make all contracts for the aforesaid purposes within the appropriations voted by the resident taxpayers of said district.”²

Today, there are more than 860 Fire Districts across the state’s 932 towns³. Several towns have a mix of Fire Districts and fire protection districts, while more than half of the towns across the state have at least one fire district.⁴

Distinguishing Fire Districts From Fire Protection Districts

Fire Districts are political subdivisions in New York, with the authority, provided in legislation passed in 1885, and reaffirmed in subsequent legislation, to provide fire protection in exchange for payment of an assessment on property owners in the district. In this way, Fire Districts are like other special benefit districts that are created to provide municipal services such as sanitary sewer services or street lights to a discrete part of the community.

Fire Districts are different, however, from “fire protection districts,” which denote the coverage or service area of a fire company. The fire protection district is the approach used in the Town of Queensbury under which the Town Board contracts with volunteer fire companies to provide services to a specific section of the town in exchange for funding determined by a vote of the Town Board and established in a contract with each department. Under this model, oversight of the fire department — or in Queensbury’s case, five fire protection districts — is among the many other responsibilities of the elected members of the Town Board. There is no direct election of fire commissioners, no opportunity for voter approval of major purchases and capital projects, no state-mandated code of ethics, and no statutory constraints on spending — all of which is required by the law governing Fire Districts.

2 General Statutes of New York, 1890, Ch. 180, Section 1, Subdivision 34

3 NYS Comptroller’s Office, 2004 data

4 NYS Comptroller’s Office, 2004 data

With Fire Districts, the Town Law of the State of New York provides an opportunity for all resident registered voters in the district to have direct control over the direction, performance and financial affairs of their local fire department:

“Every elector of the town who shall be a registered voter and who shall have resided in the district for the period of thirty days next preceding any election of fire district officers shall be qualified to vote for such officers. Every elector of the town who shall be a registered voter and who shall have resided in the fire district for the period of thirty days next preceding any election at which a proposition shall be submitted, shall be qualified to vote upon such proposition.”⁵

To further protect the taxpayers and ensure objectivity and independent judgment in the leadership of the Fire District, the Town Law of the State of New York provides that: “The fire district commissioners shall receive no compensation for their services”⁶ and cannot serve as district officers (chiefs) of the fire company while fulfilling their term as commissioners.

“If a fire district commissioner is a candidate for nomination for [the office of chief or any assistant chief of the fire department] and he is duly nominated for such office at a meeting of the fire department, he shall forthwith cease to be a fire district commissioner and his office as such commissioner shall thereupon become vacant.”⁷

New York State Town Law restricts spending by Fire Districts as follows:

“The board of fire commissioners of any fire district may, without the adoption of a proposition therefore, expend from the first district revenues for any fiscal year for purposes authorized by or pursuant to law not to exceed two thousand dollars and in districts having a full valuation of real property taxable for fire district purposes in excess of one million dollars an additional amount equivalent to one mill for each dollar of full valuation of taxable real property in excess of the first million dollars of full valuation of such taxable real property.”⁸

Fire District commissioners must also put proposals for borrowing funds for major equipment or capital projects to a public vote. As such, the residents of a North Queensbury Fire District would truly have in their hands the power to decide what kind and level of fire protection they wish to have and how much they wish to pay for it.

5 NYS Town Law, Article 11, Section 175, Subdivision 2
6 NYS Town Law, Article 11, Section 174, Subdivision 3
7 NYS Town Law, Article 11, Section 174, Subdivision 4
8 NYS Town Law, Article 11, Section 176, Subdivision 18

The Town Law provides:

“The board of fire commissioners upon its own motion may submit, and upon petition, as hereinafter provided, shall cause to be submitted, at a special or annual fire district election, a proposition:

- 1(a) To purchase fire apparatus and fire-fighting vehicles ...**
- (b) To purchase or install an adequate fire alarm system for the fire district ...**
- (c) To lease, purchase, construct, reconstruct, alter, repair or equip suitable buildings for the preservation, protection and storing of vehicles, apparatus and equipment of the fire district ...”⁹**

Therefore, if the commissioners of a Fire District proposed to borrow funds to build a new fire house or buy a new fire truck, the voters in the Fire District would be entitled to a referendum on financing for such projects.

In July 2006, Gov. George Pataki signed legislation co-sponsored by Sen. Betty Little of Queensbury to provide still another level of public accountability for Fire Districts by requiring annual independent financial audits.¹⁰ Such audits, which are available for public inspection, help ensure Fire District taxpayers will know their fire tax money has been properly expended to secure fire protection service.

The Benefits of a North Queensbury Fire District

Direct community control, taxpayer accountability and a significant tax savings for district residents will result from the creation of a North Queensbury Fire District.

The average residential property owner’s fire tax will be reduced by \$153 in North Queensbury, while the average residential property owner in other parts of the town would see a modest increase of \$8 assuming no other changes in the town’s fire protection budgets and assuming the Town Board does not opt to supplement other fire companies with town general funds.

In the Town of Queensbury, a special town tax is levied for fire protection. This is called the “fire tax.” In 2006, North Queensbury taxpayers paid 67 cents per thousand dollars of assessed value in fire taxes, yet received 40 cents per thousand dollars of assessed value in fire protection services. That tax levy produced approximately \$500,000 in fire tax revenues, of which the Queensbury Town Board appropriated \$300,000 to the North Queensbury Fire Co.

9 NYS Town Law, Article 11, Section 179, Subdivision 1

10 S07548/A10478, signed July 26, 2006 by Gov. George Pataki

If the North Queensbury Fire District were established, it would require a first-year operating budget of approximately the same amount of money as was spent in 2006 or is proposed to be spent in 2007.¹¹ These funds could be raised through a fire tax of approximately 40 cents per \$1,000 of assessed value, reducing the fire tax by as much as 41 percent while maintaining the same level of community fire protection.

A report commissioned 10 years ago by the Queensbury Town Board recognized the benefits of creating Fire Districts.

“As a general rule, those areas of the town with the greatest assessed property valuation (such as East Shore of Lake George, Queensbury Central commercial area) would most likely see a reduction of the current tax rate for fire protection. Those areas with the lowest assessed property valuation (such as South Queensbury) would most likely see an increase in the current tax rate. ... In all probability, the boundary lines would be established to minimize dramatic shifts in tax rates, and to assure a maintenance of relatively equal levels of fire protection.”¹²

The additional \$200,000 in fire tax revenues collected from North Queensbury taxpayers in 2006 but not provided to the North Queensbury Fire Co. was distributed to other fire companies serving other areas of Queensbury.

Though North Queensbury is characterized by lakefront properties with very high assessments reflecting their perceived market value and an increasing year-round population, the area has a low permanent population density compared to other parts of the town. As a result, on an annual basis, the North Queensbury Fire Company receives fewer emergency calls than most other departments in the Town of Queensbury. Moreover, through fiscal discipline and sound management, the North Queensbury Fire Department has provided year-round and around-the-clock protection at an annual cost that is substantially less than what its local property taxpayers have paid in fire taxes.

The practice of shifting fire tax revenues from one part of Queensbury to another may have inadvertently led to higher town-wide fire taxes than are levied in other communities. A decade ago, the Queensbury Town Board commissioned a report from MMA Consulting Inc. that concluded that town taxpayers were paying far more for fire protection than residents in most other towns. The report showed Queensbury's per capita spending on fire expenditures for fiscal year 1993 totaled \$83.47. At that time, the average per capita fire expenditure rate among all towns without Fire Districts or village fire departments throughout New York was more than 60 percent less, at \$31.65¹³

11 The North Queensbury Fire Department has proposed a 2007 budget at the same level as it proposed for the 2006 budget. A copy of the proposed budget appears as Appendix A of this report.

12 “Report Relative to Fire and Rescue Services” March 1996 — MMA Consulting Group, Pg. 4

13 “Report Relative to Fire and Rescue Services” March 1996 — MMA Consulting Group, Pg. 148

While on its face the sharing of fire protection costs across the entire tax base of a community may seem neighborly and generous, it is unfair to systematically require some Queensbury taxpayers to underwrite municipal services from which they do not benefit. Each area of the Town of Queensbury is entitled to all of the fire protection it needs and to all of the fire protection it pays for — no more and certainly no less. Under the current system, some parts of the Town of Queensbury receive more dedicated fire protection services than they pay for — and some town taxpayers are required to pay for more fire protection services than they receive. Requiring North Queensbury property owners to pay for fire protection services they do not receive is no fairer than requiring property owners on West Mountain Road or Lower Warren Street to pay for municipal sewer services on Rockhurst. Indeed, the Queensbury Town Board is now considering formation of a special taxing district that ensures the sewer services under consideration for Rockhurst are paid for by the Rockhurst property owners who will benefit from that improvement. The creation of a North Queensbury Fire District provides an opportunity for the Town Board to correct and improve this situation and ensure that North Queensbury receives all of the fire protection for which its residents pay.

Fire Districts Provide Greater Accountability to Taxpayers

Accountability Benefits	Current Town of Queensbury Format	With Proposed North Queensbury Fire District
Direct Election of Fire Commissioners by Voters	No	Yes
Public Referenda on Major Fire Equipment Purchases and Capital Projects	No	Yes
State Code of Ethics Barring Fire Chiefs From Serving as Fire Commissioners	No	Yes
Statutory Limits on Spending	No	Yes

Fortunately, the creation of a Fire District in one part of the town in no way reduces the level of cooperation among Queensbury's fire departments or changes the excellent Warren County mutual aid system in which fire departments assist neighboring departments on challenging calls.

Irrespective of the creation of a Fire District, the North Queensbury Fire Co. would continue to assist the four other Queensbury volunteer fire companies and continue to participate fully in the mutual-aid system — and would be entitled to the same assistance from other departments, when necessary.

Moreover, should the Queensbury Town Board determine that it is in the interest of the community to make additional resources available to those sections of the town that, in its judgment, are underserved by fire protection, the Town Board can make supplemental appropriations available to ensure the adequacy of fire services. In this way, a Fire District can be established to meet the needs of North Queensbury and the Town Board can, if necessary, still use general town funds to supplement fire protection elsewhere, for the benefit of the entire community.

Special Character of North Queensbury Makes a Fire District Desirable

North Queensbury is and always has been a unique area of the Town of Queensbury, and as Queensbury has grown, those distinctions have been further magnified.

While Queensbury is a large, complex suburban town with burgeoning commercial districts and sprawling residential areas, the rural character of North Queensbury has remained largely intact. While the numbers, size and value of lakeshore homes has increased, there remain comparatively fewer residents across the open spaces, mountains, woodlands and water of North Queensbury than are found in the more densely populated suburban neighborhoods common to other parts of Queensbury. North Queensbury has among the lowest population densities of any part of the town, yet sees significant population swings due to the influx of summer residents each year.

The Town's Comprehensive Land Use Plan recognizes that the North Queensbury region "is unique within the Town in terms of its population base"¹⁴ and points to "physical constraints and a restrictive land use regulatory program mandated by the Adirondack Park Agency (that) have preserved the ecologically important features existing in the area."¹⁵

In addition, the "Town of Queensbury Population Projection & Buildout Study" issued in March 2005 shows limited opportunity for future growth in the North Queensbury area, with much of the land designated by "natural resource restriction."¹⁶

North Queensbury, unlike the Quaker-Aviation Road Corridor, the Million Dollar Half-Mile Area, or the Main Street-Corinth Road-West Mountain Road area, remains a predominantly rural community, with a few densely populated neighborhoods like Cleverdale, Rockhurst and Assembly Point, but without the commercial growth, heavy traffic and large populations of permanent residents.

Queensbury's voters and elected leaders recognized the significant and meaningful differences in the town's neighborhoods and in 1986 instituted a representative ward system for Town Board elections. It was clear then, and remains so today, that the issues, resources and needs of the community vary from section to section of the town. As a result, a system of representation by geographic wards, rather than an at-large system, was adopted by voters.

Just as the town's system of government evolved to better reflect changes in the town, a North Queensbury Fire District represents an evolution to provide enhanced control to taxpayers, residents and voters in North Queensbury to direct the performance and financial affairs of the fire company that protects their families, homes and businesses.

14 Town of Queensbury 1998 Comprehensive Land Use Plan, Dec. 21, 1998 Section 4, Neighborhood 1, Page 1

15 Town of Queensbury 1998 Comprehensive Land Use Plan, Dec. 21, 1998 Section 4, Neighborhood 1, Page 2

16 "Town of Queensbury Population Projection & Buildout Study," March 17, 2005, by
The Chazen Companies, Pg. 14

North Queensbury's unique fire protection requirements are directly related to its geography, landscape and character. Because of the unique geography of the community it serves — from French Mountain to the east side of Lake George — the North Queensbury Fire Co. has maintained specialized equipment and training across several unique disciplines, including mountain rescues, ice and water rescues, wildfire protection, and forest search and rescue efforts that other fire companies, in Queensbury or elsewhere, may not need. Additionally, because the district is not served by a network of fire hydrants, the fire company relies on pumper and tanker trucks traversing steep roads or narrow lanes to reach a fire scene and draw water from the lake or other nearby water body.

Queensbury's five separate fire companies serve five areas with separate and distinct needs, from suburban residential, to heavy commercial, industrial, and — in North Queensbury, rural waterfront and mountainous areas.

It is these differences in the character, geography, needs and resources of North Queensbury that make creation of a Fire District particularly desirable for this part of the Town of Queensbury.

Fire Districts in Other Communities

Throughout Upstate New York, a majority of communities have adopted Fire Districts,¹⁷ including large suburban towns such as Clifton Park, Guilderland and Niskayuna, and rural communities such as Johnsbury, Bolton Landing and Lake Luzerne and Hadley.¹⁸

The Town of Colonie has successfully established a mix of entities in its community, including Fire Districts, Fire Protection Districts, and a village fire department. For more than 20 years, this mix of Fire Districts and Fire Protection Districts has served the growing community of Colonie with seamless fire protection.

Discussions with elected town and fire district officials in communities throughout the region indicate Fire Districts have worked well in a wide variety of different towns. Many communities note that fire commissioners often have extensive training to properly assess a community's fire protection needs. Letters detailing experiences with Fire Districts in Niskayuna, Johnsbury, Jonesville and Bolton Landing are attached as Appendix C.

17 NYS Comptroller's Office, 2004 data, provided in Appendix B

18 New York State Association of Fire Chiefs

Creating A North Queensbury Fire District is in the Public Interest

The Town Law of the State of New York authorizes a Town Board to approve the creation of a Fire District upon a showing that the district is in the public interest based on specific criteria. The North Queensbury Fire Co. respectfully submits that all criteria are fully satisfied.

The criteria are as follows:¹⁹

- **“Will all properties and property owners within the proposed district benefit by its creation?”**

Yes. All of the properties and property owners in the North Queensbury Fire District would benefit from its creation in the following ways:

- The fire taxes collected from North Queensbury Fire District property owners would be dedicated solely to the fire protection services provided by the district. No longer would North Queensbury property owners pay fire taxes for fire services they do not receive.
- The creation of a fire district will result in North Queensbury voters having direct control over the financial affairs, performance and direction of the fire district through the election of five fire commissioners who live in the district. Currently, North Queensbury voters have only indirect influence through the members of the Town Board.
- All properties and property owners within a North Queensbury Fire District will continue to receive the same level of dedicated fire service now provided, while the fire tax levied on property owners will be reduced in the first year by as much as 41 percent. Going forward, the fire district will need only raise in taxes what it costs to operate the North Queensbury Fire Company.
- The creation of a district will provide for public referenda votes on borrowing funds for major purchases and capital projects.
- A Fire District will be subject to statutory limits on spending and a state-mandated code of ethics, neither of which requirement exists in the current system.
- The creation of a Fire District restores to the residents, property owners and voters of North Queensbury the privileges and responsibilities of their own fire protection.

- **“Are all the properties and property owners who will benefit by the creation of the district included in it?”**

Yes. All properties that would benefit from the creation of a North Queensbury Fire District are included within the boundaries of the Fire District as described on Page 5 of this report. No property that would benefit from the protection of the district is excluded from the district.

- **Is it in the public interest to form the Fire District?**

Yes. The public interest is served by greater fiscal control and accountability; increased direct community oversight over the performance of the fire department; increased community involvement in the financial direction and operational affairs of the fire department, and a closer correlation between fire taxes paid and fire services provided.

The Process of Creating a Fire District

The creation of a fire district requires, by law, several steps to ensure full public participation in the process. Indeed, the law allows for residents of a proposed district to directly petition a Town Board to request a public hearing, in addition to allowing Town Boards to schedule a public hearing on their own.

The Town Law of the State of New York sets forth the process by which a Town Board may authorize the creation of a fire district, either through a motion directly from the Town Board, or upon receipt of a petition from residents of the proposed district, to set a public hearing:

“The Town Board of any town ... upon a written petition as hereinafter provided, may establish or extend Fire Districts, fire alarm districts and fire protection districts in said town provided, however, that any such district or extension shall be outside of any incorporated village or city ... Upon its own motion and without a petition, the Town Board of any town .. may establish or extend Fire Districts or fire protection districts in such town or towns outside of any incorporated village or city or existing fire, fire alarm or fire protection district therein, after a public hearing thereon. ... After such hearing and upon the evidence given thereat, the Town Board shall determine by resolution whether it be in the public interest to establish the proposed fire district.”²⁰

A survey map of the proposed fire district must accompany the Town Board's motion for a public hearing, and, because a North Queensbury Fire District would include lands within the Adirondack Park, the consent of the state Comptroller's office is required.²¹

20 NYS Town Law, Article 11, Section 170, Subdivisions 1 and 2

21 NYS Town Law, Article 11, Section 170, Subdivision 3

A review under the State Environmental Quality Review Act also must be conducted as part of this process to identify any environmental impacts.

Fire Districts have worked well for a majority of the towns across New York²², from smaller rural communities, such as Hadley-Luzerne and Johnsbury, to larger suburban communities such as Colonie, Clifton Park and Niskayuna.

22 NYS Comptroller's Office, 2004 data

Conclusion

The Queensbury Town Board has a unique opportunity to provide a long-term benefit to the residents of North Queensbury by creating a Fire District that could deliver fire services at a substantially lower cost while providing maximum fiscal accountability to the taxpayers.

Creating the North Queensbury Fire District serves the public interest by ensuring that North Queensbury property owners pay for all the fire services they receive and receive all of the fire services they pay for. Under the current arrangement, approximately 40% of fire tax dollars paid by North Queensbury taxpayers are distributed to other fire companies outside of North Queensbury.

In creating the district, the Town Board would put squarely in the hands of North Queensbury voters the responsibility for controlling the direction, financial affairs and performance of the Fire District — indeed, the Town Board would place this responsibility precisely where it should be placed, in the hands of the people most affected by these decisions. More than 800 communities across New York have recognized the public accountability benefits of Fire Districts, including direct election of commissioners, public referenda on borrowing funds for major purchases, state-mandated annual audits and adherence to a state-required code of ethics. By voting to establish a North Queensbury Fire District, the Queensbury Town Board delivers these substantial benefits to their North Queensbury constituents. While the Town of Queensbury and the North Queensbury Fire Department have exercised due diligence and appropriate financial controls, true and direct public accountability — as is provided by a Fire District — provides a superior level of public confidence and performance.

The North Queensbury Fire Co. respectfully requests that the Queensbury Town Board conduct, as required by law, a public hearing on the establishment of a North Queensbury Fire District and, if the Town Board finds that creation of a Fire District is in the public interest, as our organization is confident is the case, authorizes the establishment of the district as soon as possible, for the benefit of all of the voters, taxpayers, residents, property owners and businesses of North Queensbury.

Appendix A

North Queensbury Fire Company
2007 Budget Proposal

Chiefs Budget	\$62,810.00			
Communications Equipment	\$7,000.00			
Officer Transportation	\$4,000.00			
Vehicle Fuel	\$4,000.00			
Marine Division	\$5,000.00			
Training Education	\$3,000.00			
Turnout Gear	\$18,000.00			
Ice Rescue Equipment	\$1,500.00			
Ems Supplies	\$1,500.00			
Tools Equipment	\$15,000.00			
Fire Police	\$810.00			
Refreshments	\$3,000.00			
Repairs Maintenance	\$12,600.00			
Communications Equipment Repair	\$2,000.00			
Vehicle Repairs & Maintenance	\$9,100.00			
Equipment Repairs Maintenance	\$1,500.00			
Other	\$9,400.00			
Office Supplies	\$3,000.00			
Physicals	\$2,400.00			
Professional Fees	\$4,000.00			
Building & Grounds	\$29,900.00			
Landscaping	\$5,000.00			
Snowplowing	\$4,000.00			
Building Maintenance	\$10,000.00			
Cleaning Contract	\$2,000.00			
Equipment	\$1,000.00			
Water Treatment	\$2,500.00			
Carpet Cleaning	\$1,500.00			
Tash Removal	\$1,800.00			
Supplies	\$2,100.00			
Utilities	\$28,900.00			
Telephone	\$2,400.00			
Electric	\$11,500.00			
Fuel Oil	\$15,000.00			
Operations 2007 Total	\$143,610.00			
Insurance	\$17,000.00			
Mortgage	\$82,000.00			
Air Pack	\$31,390.00			
New Truck Purchase 2007 Pumper Tanker Combo	\$41,000.00			
Total Budget 2007	\$315,000.00			

Appendix B

New York State Towns With One or More Fire Districts

(Data from NYS Comptroller's Office, 2004 Statistics)

ADAMS	BRASHER
AFTON	BRIGHTON
ALABAMA	BROOKFIELD
ALEXANDRIA	BROOKHAVEN
ALLEGANY	BRUNSWICK
ALTONA	BUSTI
AMENIA	BUTLER
AMHERST	BUTTERNUTS
ANCRAM	CAIRO
ANDES	CALEDONIA
ANNSVILLE	CALLICOON
ARIETTA	CAMILLUS
ASHFORD	CAMPBELL
ASHLAND	CANAAN
ATHENS	CANDOR
AUGUSTA	CANEADEA
AURELIUS	CANTON
AURORA	CARLISLE
AUSABLE	CARMEL
AUSTERLITZ	CAROLINE
AVOCA	CARROLL
AVON	CARROLLTON
BABYLON	CATON
BAINBRIDGE	CATSKILL
BALDWIN	CAZENOVIA
BALLSTON	CHAMPION
BARRE	CHAMPLAIN
BARRINGTON	CHARLTON
BARTON	CHATHAM
BATAVIA	CHAUTAUQUA
BEDFORD	CHAZY
BEEKMAN	CHEEKTOWAGA
BEEKMANTOWN	CHEMUNG
BELFAST	CHERRY VALLEY
BENTON	CHESTER
BERKSHIRE	CHESTER
BERLIN	CHESTERFIELD
BERNE	CHILI
BETHEL	CICERO
BETHLEHEM	CINCINNATUS
BIG FLATS	CLARENCE
BLACK BROOK	CLARKSON
BLOOMING GROVE	CLARKSTOWN
BOLIVAR	CLARKSVILLE
BOLTON	CLAVERACK
BOVINA	CLAYTON

CLERMONT
CLIFTON
CLIFTON PARK
CLINTON
CLYMER
COCHECTON
COEYMANS
COHOCTON
COLCHESTER
COLDEN
COLDSRING
COLESVILLE
COLLINS
COLONIE
COLTON
COLUMBIA
CONESUS
CONESVILLE
CONEWANGO
CONSTANTIA
COPAKE
CORNING
CORNWALL
CORTLANDT
CORTLANDVILLE
CRAWFORD
CROGHAN
CROWN POINT
CUYLER
DANBY
DAVENPORT
DAYTON
DECATUR
DEERFIELD
DEERPARK
DE KALB
DELAWARE
DELHI
DENNING
DEPOSIT
DE RUYTER
DE WITT
DIANA
DRYDEN
DUANESBURG
EAGLE
EAST BLOOMFIELD
EASTCHESTER
EAST FISHKILL

EAST GREENBUSH
EAST HAMPTON
EAST OTTO
EATON
EDMESTON
EDWARDS
ELIZABETHTOWN
ELLENBURG
ELLERY
ELLICOTT
ELLICOTTVILLE
ELLINGTON
ELMA
ELMIRA
ERIN
ERWIN
ESOPUS
ESPERANCE
ESSEX
EVANS
EXETER
FABIUS
FALLSBURG
FARMERSVILLE
FAYETTE
FINE
FISHKILL
FLORIDA
FLOYD
FORESTBURGH
FORT EDWARD
FRANKLIN
FRANKLINVILLE
FREEDOM
FREMONT
FULTON
GALEN
GALWAY
GARDINER
GATES
GEDDES
GENOA
GEORGETOWN
GERMAN FLATTS
GERMANTOWN
GHENT
GILBOA
GLENVILLE
GORHAM

GOSHEN
GRAFTON
GRANBY
GREAT VALLEY
GREECE
GREENBURGH
GREENE
GREENFIELD
GREENPORT
GREENVILLE
GREENVILLE
GROTON
GUILDERLAND
GUILFORD
HADLEY
HALFMOON
HAMBURG
HAMDEN
HAMILTON
HAMLIN
HAMPTONBURGH
HANCOCK
HANOVER
HARDENBURGH
HARFORD
HARPERSFIELD
HARRISON
HASTINGS
HAVERSTRAW
HEMPSTEAD
HENDERSON
HENRIETTA
HERKIMER
HIGHLANDS
HILLSDALE
HINSDALE
HOLLAND
HOMER
HOOSICK
HORSEHEADS
HUMPHREY
HUNTER
HUNTINGTON
HURLEY
HURON
HYDE PARK
INDEPENDENCE
INDIAN LAKE
IRONDEQUOIT

ISCHUA
ISLIP
JASPER
JAVA
JAY
JEFFERSON
JERUSALEM
JOHNSBURG
JOHNSTOWN
KEENE
KENDALL
KENT
KINGSTON
KIRKLAND
KNOX
KORTRIGHT
LA GRANGE
LAKE LUZERNE
LANSING
LAURENS
LEDYARD
LEE
LEON
LE RAY
LE ROY
LEWIS
LEWISBORO
LEXINGTON
LIBERTY
LINCOLN
LISBON
LISLE
LITCHFIELD
LITTLE VALLEY
LIVINGSTON
LIVONIA
LLOYD
LOCKE
LONG LAKE
LYNDON
LYSANDER
MACEDON
MACHIAS
MADRID
MAINE
MAMAKATING
MANLIUS
MARATHON
MARBLETOWN

MARCY
MARION
MARLBOROUGH
MARSHALL
MARTINSBURG
MARYLAND
MASONVILLE
MAYFIELD
MC DONOUGH
MENDON
MEREDITH
MIDDLESEX
MIDDLETOWN
MILTON
MOHAWK
MOIRA
MONTEZUMA
MONTGOMERY
MOOERS
MORAVIA
MORIAH
MORRIS
MORRISTOWN
MOUNT HOPE
MOUNT PLEASANT
MURRAY
NASSAU
NELSON
NEVERSINK
NEW ALBION
NEWARK VALLEY
NEW BALTIMORE
NEW BERLIN
NEW BREMEN
NEWBURGH
NEW CASTLE
NEW SCOTLAND
NEW WINDSOR
NICHOLS
NILES
NISKAYUNA
NORFOLK
NORTH CASTLE
NORTH EAST
NORTH GREENBUSH
NORTH HARMONY
NORTH HEMPSTEAD
NORTH NORWICH
NORTH SALEM

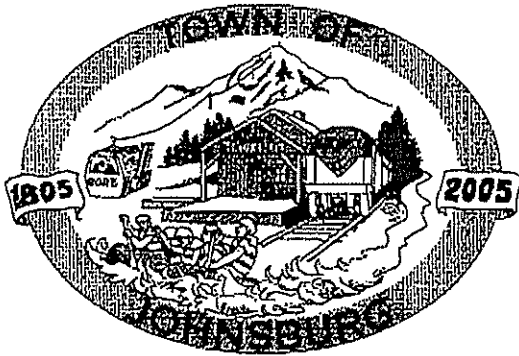
NORTHUMBERLAND
OGDEN
OLEAN
ONEONTA
ONTARIO
ORANGETOWN
ORCHARD PARK
ORLEANS
OSWEGO
OTEGO
OTISCO
OTSEGO
OTSELIC
OTTO
OWASCO
OWEGO
OXFORD
OYSTER BAY
PARIS
PARISHVILLE
PARMA
PAVILION
PAWLING
PEMBROKE
PENFIELD
PERINTON
PERRY
PERU
PETERSBURGH
PHILIPSTOWN
PINE PLAINS
PITTSFIELD
PITTSFORD
PITTSTOWN
PLAINFIELD
PLATTEKILL
PLATTSBURGH
PLEASANT VALLEY
PLYMOUTH
POLAND
POMPEY
PORTER
PORTLAND
PORTVILLE
POUGHKEEPSIE
POUND RIDGE
PRATTSBURGH
PRATTSVILLE
PREBLE

PRESTON
PRINCETOWN
PROVIDENCE
PULTENEY
RAMAPO
RHINEBECK
RICHFORD
RICHLAND
RICHMOND
RIPLEY
RIVERHEAD
ROCHESTER
ROCKLAND
RODMAN
ROSE
ROSENDALE
ROTTERDAM
ROXBURY
ROYALTON
RUSH
RUSHFORD
RUTLAND
SALINA
SALISBURY
SAND LAKE
SANFORD
SARANAC
SARATOGA
SAUGERTIES
SAVANNAH
SCHAGHTICOKE
SCHODACK
SCHOHARIE
SCHROON
SCHUYLER FALLS
SCIO
SCIPIO
SEMPRONIUS
SENECA
SENECA FALLS
SENETT
SHANDAKEN
SHARON
SHAWANGUNK
SHELDON
SHELTER ISLAND
SHERIDAN
SIDNEY
SKANEATELES

SMITHFIELD
SMITHTOWN
SMITHVILLE
SODUS
SOMERS
SOUTHAMPTON
SOUTHEAST
SOUTHOLD
SOUTHPORT
SPAFFORD
SPRINGFIELD
SPRINGPORT
SPRINGWATER
STAMFORD
STANFORD
STARK
STEPHENTOWN
STILLWATER
STOCKHOLM
STOCKPORT
STOCKTON
STONY POINT
STUYVESANT
SUMMIT
TAGHKANIC
THERESA
THOMPSON
THROOP
THURSTON
TICONDEROGA
TIOGA
TOMPKINS
TONAWANDA
TRUXTON
TULLY
TUSTEN
TUXEDO
TYRONE
ULSTER
UNADILLA
UNION
UNION VALE
URBANA
VAN BUREN
VARICK
VENICE
VERONA
VICTOR
VIENNA

VILLENOVA
VIRGIL
WALES
WALLKILL
WALTON
WALWORTH
WAPPINGER
WARRENSBURG
WARWICK
WATERFORD
WATERLOO
WATERTOWN
WAVERLY
WAWARSING
WAWAYANDA
WAYNE
WEBB
WEBSTER
WELLS
WESTFORD
WESTMORELAND
WESTPORT
WEST SENECA
WHEATLAND
WILLET
WILLIAMSON
WILLSBORO
WILMINGTON
WILNA
WILTON
WINDHAM
WINDSOR
WINFIELD
WIRT
WOODBURY
WOODHULL
WOODSTOCK
WORCESTER
WRIGHT
YORKSHIRE
YORKTOWN

Appendix C



Town of Johnsburg

P.O.Box 7, North Creek, NY, 12853
Ph: 518-251-2421 Fax 518-251-9991

**Bakers Mills
Johnsburg
NorthCreek
North River
Riparius
Wevertown**

October 18, 2006

To Whom It May Concern:

Since the 1940's, the Town of Johnsburg and the hamlet of North Creek have been well served by the North Creek Fire District. Based on my experience with the North Creek Fire District, I am a strong proponent of the District.

The Fire Commissioners elected to oversee the Fire District operations keeps it a well run and efficient program which provides excellent fire protection for residents and business.

**Town Supervisor
William H. Thomas
(518) 251-2421**

Fire Districts have many advantages over fire protection districts including:

- A closer connection between voters in the district and the elected fire commissioners;
- A clearly defined governing entity established for a specific purpose;
- Public accountability through a referendum before bonding is put forward;
- A code of ethics and budgetary constraints established by the state.

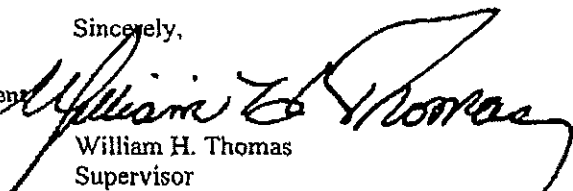
**Town Council
Eugene M. Arsenault
Sterling T. Goodspeed
Arnold F. Stevens
Alyce H. VanKeuren**

Residents throughout North Creek and other hamlets in Johnsburg who are served by the North Creek Fire District are very comfortable with this system and support for the Fire District remains as strong as it has ever been.

As the Town Supervisor, I would strongly encourage other communities to move to Fire Districts to ensure the best service possible for their residents.

Sincerely,

**Highway Superintendent
Fred W. Hitchcock
(518) 251-2113**


William H. Thomas
Supervisor

**Town Clerk
William R. Rawson
(518) 251-3011**

**Town Assessor
Ann P. Deppe
(518) 251-5559**

**BOARD OF FIRE COMMISSIONERS
BOLTON FIRE DISTRICT
5003 LAKESHORE DRIVE
P.O. BOX 1365
BOLTON LANDING, NY 12814-1365**

October 17, 2006

Mr. Peter Fraser, President
North Queensbury Vol. Fire Company
PO Box 61
Cleverdale, New York 12820

President Fraser:

As Chairman of the Bolton Board of Fire Commissioners, I would like to take this opportunity to offer my support of your effort to become a separate fire district. We recognize your desire to serve the taxpayers in the north end of the town, bordered by the shores of Lake George that our communities share, in the best way possible.

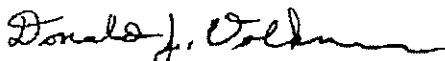
We have found that the Fire District form of organization has served the residents of Bolton Landing for many years in a very positive way.

First, as commissioners, we are responsible to our taxpayers for fire protection. We have an obligation to serve our taxpayers with the highest level of fire protection at an affordable tax rate. In Bolton, we continue to strive to meet that goal of offering the highest level of fire protection to our taxpayers, residents, and visitors.

I encourage the Queensbury Town Board to support your request to become a separate fire district and vote YES to become the North Queensbury Fire District. I feel that it will offer your community the highest level of fire protection with the most efficient way of managing costs.

If I can answer any additional questions regarding fire districts, please feel free to contact me.

Yours truly,



Donald J. Volkmann, Chairman
Bolton Board of Fire Commissioners



TOWN OF NISKAYUNA

One Niskayuna Circle • Niskayuna, New York 12309-4381
Phone: (518) 386-4503 • Fax: (518) 386-4592

TOWN COUNCIL
William R. Chapman
Maria P. Freund
Diane P. O'Donnell
Liz Orzel Kasper

LUKE J. SMITH
Supervisor

October 5, 2006

To whom it may concern:

Members of the North Queensbury Fire Department have asked me for an opinion of my town's working relationships with the three Fire Districts that serve the Town of Niskayuna. I have served this town, which has a population of just over 20,000, as its Supervisor for the past seven years.

There are three Fire Districts in the Town, all of them vastly different. District One is a combination career/volunteer department that protects a large residential area and three major industrial plants: Schenectady Chemical, G. E. Research and Development Center, and Lockheed Martin (formerly Martin Marietta). District Two is virtually all volunteers, except for two paid members, and serves a mostly all-residential area. The third District located in our town serves a retail/residential area for 50% of its coverage, while the other 50% is in the Town of Colonie.


Each District operates independently, managing its own personnel, payroll, training, equipment purchasing and Commissioners. The yearly Commissioner elections are often very spirited, attracting over 1,000 voters if there is an issue that is worthy of debate.

Each fall, the Fire Districts submit their individual budgets to the Town for addition to the tax rolls and for collection. The requested tax money is returned to the appropriate District by February 1 of the following year.

Niskayuna is an active, complex town, and nobody on the Town Board has the time, knowledge or desire to become involved in the administration of Fire District business. The current system works well, and the Town residents are satisfied with the service they receive, and the cost of this service.

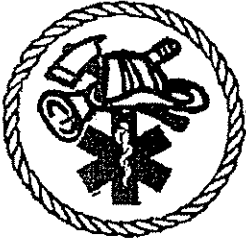
If any of you have specific questions about the Town's relationship with its Fire Districts, I'd be glad to answer them.

Sincerely,



Luke J. Smith
Town Supervisor

LJS/rw



JONESVILLE FIRE DISTRICT

October 11, 2006

Mr. Peter Fraser, President
North Queensbury Vol. Fire Company
P.O. Box 61
Cleverdale, NY 12820

The Board of Fire Commissioners of the Jonesville Fire District would like to add its support to the North Queensbury Volunteer Fire Company to change its organization to a Fire District. We serve within the Town of Clifton Park and have operated as a Fire District for over 80 years. Last year the Jonesville Fire Department responded to 683 fire and EMS calls. Tax rates have not risen in the last 10 years.

The Jonesville Fire District is managed by five publicly elected Commissioners who each serve a five year term. One Commissioner is elected each year. Following New York State guidance, the election is held the second Tuesday of December. Emergency services provided by District entities are more accountable to their taxpayers, and provide stricter financial responsibility overseen by the New York State Comptrollers Office. Additionally, it is our belief that a fire district organization better addresses the needs of the volunteer members.

The Town Board is urged to support the North Queensbury Volunteer Fire Company effort to become a separate Fire District.

Sincerely,

John F. Hahn
Chairman, Board of Fire Commissioners

FORT EDWARD FIRE DISTRICT

P.O. Box 307

Fort Edward, New York 12828

Mr. Peter Fraser, President
North Queensbury Volunteer Fire Company
PO Box 61
Cleverdale, NY 12820

October 17, 2006

Dear President Peter Fraser:

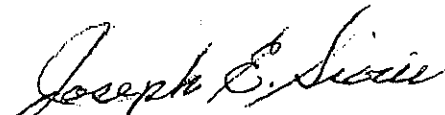
As a commissioner in the Fort Edward Fire District, I can encourage the formation of a separate fire district for the North Queensbury Volunteer Fire Company. The Fort Edward Fire District was formed in recent years, and the positive gains have far outweigh the negatives.

We, as a board of Fire Commissioners, have become directly responsible and accountable to our taxpayers while providing a higher level of fire protection. As a commissioner, I know the immediate and long range needs of our department and can achieve these goals while keeping the tax rate affordable to our taxpayers.

I know the need of good fire protection as I am a retired member of the City of Albany Fire Department, having served for years as Captain of the Rescue Company and as a Battalion Chief.

Good fire protection is provided through the dedicated members of a department, guided by chiefs and officers who are governed by a good Board of Fire Commissioners. The North Queensbury Volunteer Fire Company is a company to be very proud of, and I would encourage you to support and form a Fire District.

Sincerely,



Joseph E. Sioui, Commissioner
Fort Edward Fire District