

PUBLIC HEARING (FIRE PROTECTION CONTRACT) - TOWN OF BRIGHTON

March 31, 2005

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A Public Hearing on the proposed Fire Protection Contract was held on Thursday, March 31, 2005, at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Deputy Supervisor John Quenell

Council Members: David Knapp, Steve Tucker, and Lydia Wright

ABSENT: Supervisor Robert Tebbutt

OTHERS PRESENT: Elaine Sater - Town Clerk, Roger Smith - Chief, Paul Smiths-Gabriels Volunteer Fire Department

RESIDENTS: There was one resident present.

The Public Hearing was Called to Order by Deputy Supervisor John Quenell at 7:00 p.m. The purpose of the hearing is to allow public comment on the proposed Fire Protection Contract with the Paul Smiths-Gabriels Volunteer Fire Department to provide fire protection to the Town of Brighton over the next five years.

Notice of the Public Hearing was published in the Adirondack Daily Enterprise on Thursday, March 17. Notices were posted on the Town Clerk's Sign Board, at the three local post offices and at local businesses in the Town on March 17. The Town Clerk read the notice.

Deputy Supervisor John Quenell read the proposed contract and made the following comments.

- ▶ **The date of the agreement in the first paragraph will be changed when the contract is approved.**
- ▶ **Third Section: The payment for 2005 will be made in one payment after the contract is approved. The dollar amounts for each year represent a 3% increase over the previous year including the first year (2005) amount over the 2004 payment.**
- ▶ **Fourth Section: The Town provides Workers Compensation Insurance for the fire fighters in accordance with state law.**
- ▶ **Fifth Section: The Town has a fire fund that is replenished by taxing the tax payers.**
- ▶ **Sixth Section: Section 209 and its amendments are concerned with Mutual Aid and protection of the fire department.**
- ▶ **Seventh Section: Five years is the longest contract period allowed, contract can be for less time.**
- ▶ **Eighth Section: The dates of the contract will be reflective of the approval of the contract.**
- ▶ **Ninth Section: The town carries liability insurance but the insurance does not cover the town for actions of the Fire Department so they have to carry separate insurance and name the Town as an insured. In the second sentence the word "natural" should be changed to "nature"**

The Town Clerk pointed out that the contract is no longer required to obtain the consent of the State Comptroller's Office. She quoted a letter dated December 14, 2001 from the Office of the State Comptroller as follows: "Chapter 424 eliminated the requirement that the State Comptroller consent to fire protection contracts entered into by Adirondack Park towns". The previous fire contract was sent back with this letter attached. Chief Roger Smith said he remembered this also. Copies of the Comptroller's letter were distributed to the Board.

The following was proposed for the Eighth Section: Delete the first sentence and change the second sentence to read: "The parties hereto mutually agree that the annual amount of consideration shall remain fixed and shall not be prorated even though the contract is approved by both parties after January 1, 2005."

There were no further comments or questions.

Motion made to Adjourn the Public Hearing by David Knapp at 7:21 p.m., second by Steve Tucker. **Deputy Supervisor John Quenell declared the public hearing adjourned.**

Respectfully Submitted,

Elaine W. Sater
Brighton Town Clerk