

Honeoye Falls Village Emergency Services:  
A Comprehensive Overview of Fire and EMS Delivery

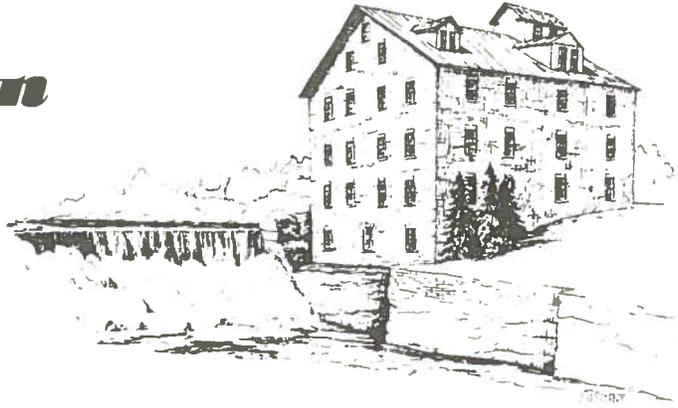
A Factual Report of  
Authority, Governance, Finance and Operation  
Verified by Source Documents and Credentialed Accounts

Prepared For: The Village of Honeoye Falls Board of Trustees, and  
The Mendon Town Board

Respectfully Submitted: October 12, 2016  
Muffy Meisenzahl, MPA, CEM®

# *Town of Mendon*

*Preserving the Past...  
Protecting the Present...  
Promoting the Future*



May 23, 2016

RE: Town of Mendon/Village of Honeoye Falls  
Ambulance Service

To Whom It May Concern:

Please be advised that this letter authorizes Muffy Meisenzahl, on behalf of the Town, to obtain copies of and have access to any and all documents relating to the above issue.

Very truly yours,

John D. Moffitt  
Supervisor



VILLAGE CLERK  
**GINA HURLEY**

VILLAGE ADMINISTRATOR  
**GREG EMERSON**

VILLAGE ATTORNEY  
**MICHAEL J. TOBIN**

May 24, 2016

MAYOR  
**RICHARD B. MILNE**

TRUSTEES  
**GERARD T. PAVELSKY**  
**STANLEY E. WORBOYS**  
**JAMES F. ALFIERI**  
**SHARI F. STOTTLER**

Re: Village of Honeoye Falls – Emergency services Project

To whom it may concern;

Mary Louise (Muffy) Meisenzahl has permission and is acting on behalf of the Village of Honeoye Falls in gathering information surrounding the subject of Fire and EMS service calls involving the Honeoye Falls Fire Department and Honeoye Falls Mendon Ambulance.

Any records she may be requesting related to this project for the Village of Honeoye Falls is approved to be provided to her upon request.

If there are any questions or concerns, please contact the Village of Honeoye Falls Office at (585-624-1711) or the Mayor (Richard B. Milne) directly at (585-202-7190).

Regards,

Richard B. Milne, Mayor  
Village of Honeoye Falls New York



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...this chapter captures shares the corporate identity

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## PREFACE

In his local newspaper column, "A View of The Falls," (Sentinel, March 31, 2016) Honeoye Falls Mayor, Rick Milne, stated that rising costs associated with operations, paid staff and necessary capital investments are "cost drivers" that challenge the Village Board of Trustees as they deliberate policy and finances to sustain the delivery of emergency services. Mayor Milne reiterated this as a matter of concern in his "State of the Village Address," at the Trustee's Annual Meeting, April 4, 2016 and stated that at their next regular meeting (April 18, 2016) he would propose the Trustees engage a third-party consultant to better their understanding of emergency services and to suggest options for sustainability.

At their April 11, 2016 meeting, the Mendon Town Board authorized Town Supervisor, John Moffitt to establish a citizen's committee to become familiar with the delivery of emergency services in the Town outside the Village of Honeoye Falls and report to the Board so they too could make practical decisions about the delivery of emergency services within their jurisdiction.

Through inter-municipal contracts and other authorized means, Village Fire and Ambulance departments have delivered emergency services to adjacent towns for decades. Population growth, land use, property development, New York State regulators, national standard indicators, requests for service and a strong tradition for community-based services all influence "business as usual." Individually and collectively these factors influence the delivery of service. Previously, they have motivated various reports, planning documents, and options for re-structuring the delivery of Fire and Ambulance services. These factors remain at the forefront for municipal officials who deliberate the delivery of Public Safety services in our community.

The chapters within this report: outline the statutory authority to organize Fire and Ambulance services in New York State; document the governance of Emergency Services; document fiscal considerations for municipal partners and their taxpayers who receive services from the Village of Honeoye Falls; and, enumerate considerations for functional operations. This report is a factual compilation of data and information from primary sources that can be queried for currency on an as-needed basis.

## ACKNOWLEDGMENTS

Grateful thanks for your value-added contribution to this report:

Mayor Richard Milne, and the Village of Honeoye Falls Board of Trustees

Supervisor John Moffitt, and the Mendon Town Board

City of Rochester Emergency Communications Department (911 Center): Director John Merklinger,  
and Staff

Honeoye Falls Fire Department: Chief Paul Churnetski, HFFD Members and Pete Henry

Honeoye Falls Fire Department, Inc.: President Bill Soehner and Members

Honeoye Falls-Mendon Volunteer Ambulance: Chief Ed Sheidlower, HFMVA Members and Beth Foos

Honeoye Falls-Mendon Volunteer Ambulance, Inc.: President John O'Donoghue and Members

Honeoye Falls Village: Attorney; Clerk-Treasurer; Administrator; and, Office Staff

Livingston County Emergency Medical Services Director, Karen H. Dewar

Mendon Fire District Commissioners, Officers and District Administrator

Mendon Town: Clerk; Supervisor's Office; Clerk's Office; Code Enforcement Officer; and, Assessor

Mitchell-Joseph Insurance Agency: Jeff Joseph, Vice President

Monroe County Fire and EMS Bureau: Fire Coordinator Sam DeRosa, and Staff

Monroe County Office of Emergency Management: Administrator Frederick Rion, and Staff

Monroe County Office of Emergency Medical Services Administrator, Tim Czapranski

Monroe County Office of Environmental Services: Director Michael Garland, P.E., and GIS Division Staff

Monroe County Public Safety Communications Director, Richard Verdouw

Monroe County Water Authority: Ray Benschhoff, Executive Director of Operations and MCWA Staff

New York State Senator Rich Funke, his local and Albany Office Staff

Ontario County Emergency Management Director and Fire Coordinator, Jeffrey Harloff

Ontario County Emergency Medical Services Coordinator, Debra Trickey

West Bloomfield Town Clerk, Mary Grunden

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## LIST OF ABBREVIATIONS

AED	Automated External Defibrillator
ALS	Advanced Life Support
BLS	Basic Life Support
CLS	New York Consolidated Laws Service
CON	Certificate of Need
CPR	Cardiopulmonary Resuscitation
EMD	Emergency Medical Dispatch
EMS	Emergency Medical Service
EOC	Monroe County Emergency Operations Center
FAA	Federal Aviation Administration
FASNY	Firemen's Association of the State of New York
FEMA	Federal Emergency Management Agency
GIS	Geographic Information System
HAZMAT	Hazardous Materials
HFFD	Honeoye Falls Fire Department
HFMVA	Honeoye Falls-Mendon Volunteer Ambulance
ISO	Insurance Services Office, Inc.
MCI	Mass Casualty Incident
MCC	Monroe Community College
MCWA	Monroe County Water Authority
MLREMS	Monroe Livingston Regional Emergency Medical Services Council
NFPA	National Fire Protection Association
NYCOM	New York Conference of Mayors and other Municipal Officials
OEM	Monroe County Office of Emergency Management
OPB	Monroe County 911 Operating Practices Board
PSAP	Public Safety Answering Point
PSTF	Public Safety Training Center (1190 Scottsville Road)
REMAC	Regional Emergency Medical Advisory Committee

SARA

(Congressional) Superfund and Reauthorization Act of 1986, Title III

## Chapter 1. INTRODUCTION

This report is respectfully submitted to our local elected officials as a tool to assist them with decisions about the delivery of Emergency Services in our community. It:

1. outlines the statutory authority for delivery of Fire and EMS services in New York State;
2. documents the governance of the Village departments and town jurisdictions;
3. documents finances for the municipal district partners and the taxpayers who receive services from the Honeoye Falls Fire Department and the Honeoye Falls-Mendon Volunteer Ambulance;
4. enumerates considerations for functional operations; and,
5. presents the additional community service perspective of department members through their corporate identities.

This report is a factual compilation of information that is basic for the organization and function of Emergency Services:

- It documents current service models in a format that can be referenced and up-dated.
- The format presents data, charts and tables that graphically present information and may have value for general education, for presentations, and checklists.
- If maintained for currency, this report may transition to a document that functions as a "Primer," defining and expressing the functional state of Emergency Services for our community.

Reference citations throughout the text are meant to:

- Document the source of information;
- Verify that a number of laws and/or standards act independently and in combinations to regulate and/or guide Emergency Service operations;
- Establish that Emergency Service organizations and their operations are municipal decisions vested (in our case) with Village and Town elected officials;
- Demonstrate that both personnel who deliver the services, and elected officials who govern the services, each have roles and responsibility to ensure the delivery of sustainable Emergency Services; and,
- Present data sources that can be queried for currency and real-time up-dates to assist decision-making.

Please note:

- References to statutes are intended for general education and to demonstrate that municipal process and procedure have deliberate parameters. It is always necessary to consult your municipal attorney for information and guidance.
- References to regulatory agencies within federal, state and county governments are also made for general education and with intent to guide the reader to these agencies for current requirements and guidance about regulatory intent.
- Organizations set industry standards and parameters as guidance for the operation of Emergency Services. Their standards and practices are dynamic and evolve with continual research, data collection for statistical analysis and evaluation to determine added value. The issuing organization is solely responsible for their findings and their publication. Examples of these organizations are e.g. National Fire Protection Association (NFPA), and the Insurance Services Office, Inc. (ISO).

## PART I. AUTHORITY

The United States Constitution establishes the “Law of the Land,” and through the Tenth Amendment, grants that all powers not delegated to the national government rest with the states. “Among other powers, the states are free to subdivide their territory, their powers and authority, and their functional responsibilities, as they believe appropriate for their unique needs and requirements. Accordingly, every state in its own way provides for local governments and endowes them with relatively independent authority to deal with problems regarded as local in nature” (Cuomo and Shaffer, p.11).

### Chapter 2. NEW YORK STATE

In New York State, the people, “...have endowed their local governments with extensive home-rule authority through constitutional provisions.... By delegation from the people of the state, the local government constitutes a...center of sovereign power, energy and creativity (Cuomo and Shaffer, p. 11). The home rule powers available to New York local governments are among the most far-reaching in the nation, and their extent makes the local units full partners with the state in the shared responsibility for providing services to the people” (Cuomo and Shaffer, p. 45).

Local governments, New York’s counties, cities, towns and villages, “look to the State Constitution and the state statutes for the basic law which provides for their structure, powers and operational procedures (Cuomo and Shaffer, p. 46). These are ‘general purpose’ units of local government, and are by law, ‘municipal corporations.’ In addition, local government also includes a number of other specialized districts and entities, such as fire districts [and authorities], which usually provide a single service in a limited area” (Cuomo and Shaffer, p. 45).

**New York State** statutes, “...known as the Consolidated Laws, contain the statutory provisions from which local governments derive most of their substantive and procedural authorization” (Cuomo and Shaffer, p. 49), e.g. County Law, Town Law, Village Law. These and other Consolidated Laws related to local government will be referenced throughout this report.

These Laws may be modified and amended by the State Legislature. They are subject to interpretation, and a municipality may obtain an informal opinion from the State Attorney General and/or the State Comptroller relative to these statutes and their intentions. And, with respect to a local government’s property, affairs or government, the legislative body of a local

government may request a "Home Rule Message" from the State Legislature for a special law to relieve it from the State's prevailing statute (Cuomo and Shaffer, p. 57).

The New York State court system also, "...plays an integral role in both state and local governmental operations. The courts are charged with interpreting provisions of the State Constitution and laws enacted by state and local legislatures..." (Cuomo and Shaffer, p. 29). Judicial decisions are formal and binding.

New York State agencies and departments also have a role. "Each department and agency [is] established for a particular purpose, and each functions in a particular way and within a legally prescribed area of operation. Each department directly or indirectly affects local government...in terms of jurisdictional or regulatory authority, advisory services, aid programs and other functions, depending on its program responsibilities" (Cuomo and Shaffer, p. 28). State agencies may expand, restrict or qualify local government powers by promulgating rules and regulations which are filed with the Secretary of State (Cuomo and Shaffer, p. 52). As appropriate, State agencies and departments will be referenced in this report.

"**Local governments** possess broad authority to adopt local laws which are not inconsistent with general state laws" (Cuomo and Shaffer, p. 52). New York Municipal Home Rule Law, Section 10 provides, "...a grant of local law powers to local governments to manage their affairs and to discharge their responsibilities in a manner most suitable to local conditions" (Cuomo and Shaffer p. 54). A local law is the highest form of local legislation – it has the same quality as acts of the State Legislature, since they both derive from the State Constitution" (Cuomo and Shaffer, p.53). Local laws for the Village and Town are found in the Code of the Village of Honeoye Falls, and the Code of the Town of Mendon.

Local governments also take action by Resolution. "A resolution is not ordinarily a legislative act, but it is a means for the governing body or other board to express or take a particular action" (Cuomo and Shaffer, p. 53). The State Legislature's "Statue of Local Governments," grants local governments additional powers to: "adopt rules and regulations; acquire real and personal property; fix, levy and collect charges and fees; adopt zoning regulations; and, perform comprehensive planning" (Cuomo and Shaffer pp. 56, 57).

These powers are the tools of local government. Local elected officials command these actions to carry-out the affairs of our Village and Town governments as do other elected officials in their respective county, district or government unit.

Although there is Home Rule in New York State, there are interrelationships and interdependencies among the State's chief elected officials, the State Legislature, State Agencies, the courts, and local government. Readers will see these relationships in action

throughout this report as our local emergency services are defined and their operations are documented.

Emergency Services may be structured a number of ways. State Law prescribes structural organization and operational authority, and reserves decisions about functional capacity and service delivery to the local governing body of each organization. Options for the Fire Service, Emergency Medical Service, Emergency Management, and Centralized/Special Services are described.

A. Fire Service. New York State authorizes the organization of fire protection services. A summary presentation of those most familiar:

**Village fire departments.** New York State Village Law, Article 10, "Fire Department," Section 10-1004, authorizes the Board of Trustees to, "organize and maintain fire, hose, protective, and hook and ladder companies, whenever in its judgment the public interests require" (McKinney's Village Law). "In a village where there is no board of fire commissioners, the board of trustees shall have the powers and perform the duties of such board..." (Thus: Village Law, Section 10-1006.12). Village Law, Section 10-1000 enumerates the "General powers of the board of fire commissioners," and will be referenced throughout this report as appropriate. NOTE: McKinney's *Village Law* volume is available at the Village Hall.

**Fire Districts.** New York State Town Law, Article 11, "Fire, Fire Alarm, and Fire Protection Districts," Section 11-170, authorizes Town Boards to establish a fire district, "...provided, however that any such district or extension shall be outside of any incorporated village...or existing fire protection district" (McKinney's Town Law). "A fire district is a political subdivision of the state and a district corporation within the meaning of section three of the general corporation law. The officers and employees, including the paid and volunteer members of the fire department thereof, are officers and employees of such fire district and are not officers and employees of any other political subdivision" (Thus: Town Law, 11-174.7). Town Law, Section 176 enumerates the "powers and duties of fire district commissioners" and will be referenced in this report as appropriate. NOTE: McKinney's *Town Law* volume is available at the Town Hall, with "Pocket Updates" through 2009.

**Fire Protection Districts.** New York State Town Law, Article 11, "Fire, Fire Alarm, and Fire Protection Districts," Section 11-184, authorizes the Town Board to establish a fire protection district and provide fire protection within the district. These are not separate units of government and they are not political subdivisions of the state (DiRaddo, Chapter 23:10). Fire protection districts, "...are established for the sole purpose of providing fire protection by contract...with any city, village, fire district, or incorporated fire company to provide fire protection to the district. The cost of the contractual services, together with certain statutory

liabilities of the area arising from the furnishing of fire protection, is then levied against the properties of the district on the annual tax roll” (Cuomo and Shaffer, pp. 134, 135).

**Fire Corporations.** New York State Not-for-Profit Corporation Law, Article 4, Section 402 and, Article 14, “Special Not-for-Profit Corporations,” Section 1402, “Fire Corporations,” authorize the formation of an organization to provide fire service within a specified territory [not already protected by another organization]. Section 1402.(e) recognizes that, by law, town authorities have, “...control over prevention or extinguishment of fires [in their jurisdiction].” Section 1402.(a) stipulates, “...The certificate of incorporation of a fire corporation shall state the precise boundaries of the territory in which the corporation intends to operate.” Section 1402.(d) provides, “Any fire...corporation organized...with the consent of the town board in the territory served by such corporation is hereby legalized and confirmed.” Section 1402.(e) also grants powers to the town authorities to, “...adopt rules and regulations for the government and control of such corporations” (FASNY, pp. 436-437). These organizations are also referred to as “Independent Fire Companies,” as in Dallessandro’s 2012 study for the Village of Honeoye Falls: “An independent fire company is a special not-for-profit corporation formed to provide fire protection to a fire district, fire protection district or village under contract. The contract is with the governing body – a board of fire commissioners, town board, or village board of trustees” (p. 17).

**Fire Brigades.** In our area, Fire Brigades are organized and functional in the private sector. Gleason Works, Xerox (Webster Complex) and Kodak Park organized Fire Brigades for the safety of their employees and their need for in-house emergency response. Kodak Park’s Brigade grew in size and scope of functional services to become a first response fire department on their property. The presence of these Fire Brigades is on an as-needed basis determined by their employer. They exist within the structural organization of their company and their functionality is reserved for company use. Fire Brigades are not part of the public framework presented and defined in this report. For example, they do not participate in the Monroe County Mutual Aid Plan.

B. Emergency Medical Service (EMS). New York State Public Health Law, Section 3000 states, “The furnishing of medical assistance in an emergency is a matter of vital concern affecting the public health, safety and welfare. Prehospital emergency medical care, the provision of prompt and effective communication among ambulances and hospitals and safe and effective care and transportation of the sick and injured are essential public health services” (CLS Public Health Law, Section: 3000).

Public Health Law, Section 3001.2 defines “ ‘Ambulance service’ [to] mean an individual, partnership, association, corporation, municipality or any legal or public entity or subdivision thereof engaged in providing emergency medical care and the transportation of sick or injured

persons by motor vehicle, aircraft or other forms of transportation to, from, or between general hospitals or other health care facilities” (CLS Public Health Law, Section: 3001.2). In addition to the ways ambulance services are structured in our area, and noted below, New York State Public Health Law authorizes hospitals to provide ambulance service. A summary of ambulance services most familiar:

**General Ambulance Services.** New York State General Municipal Law, Section 122-b.1. provides that, “Any county, city, town or **village**, acting individually or jointly, may provide an emergency medical service, a general ambulance service or a combination of such services for the purpose of providing prehospital emergency medical treatment or transporting sick or injured persons found within the boundaries of the municipality or the municipalities acting jointly to a hospital, clinic, sanatorium or other place for treatment of such illness or injury...” (FASNY, p. 221). A village may also contract for ambulance service as authorized by Village Law, Section 4-412.3.(9), and noted in an informal opinion of the Attorney General, February 3, 1977: “A village may provide for general ambulance service either under General Municipal Law, Section 122-b(1) or Village Law, Section 4-412(3[9]). 1977 Ops Atty Gen Feb 3” (CLS Public Health Law, Section: 3000, Case Notes).

**Fire Department Emergency Rescue and First Aid Squads.** General Municipal Law, Section 209-b. grants, “The authorities having control of fire departments and fire companies may organize within such departments or companies emergency rescue and first aid squads composed of fire[fighters] who are members of such departments or companies. Such squads, so organized, may render services in case of accidents, calamities or other emergencies in connection with which their services may be required, as well as in case of alarms of fire” (FASNY, p. 251).

**Proprietary Ambulance Service.** This ambulance service is structured in the private-sector as a business, or commercial enterprise, and operates on a for-profit basis.

**Ambulance District...**is authorized by General Municipal Law, Section 122-b.1. referenced above in General Ambulance Services. An Ambulance District is a municipal tax district, usually within a town, with the specific purpose of providing ambulance service. Note: For the purposes of this report, Ambulance Districts are identified by a separate/independent line item charge on the property tax bill. Note: The district identities utilized in the Public Presentation of this report were verified by the Town Clerk or Tax Receivers in their respective towns.

**Independent Ambulance Service.** General Municipal Law, Section 122-b.1. (referenced above in General Ambulance Services) provides municipalities the authority to provide ambulance service, “...and for that purpose may contract: (in sub-section [b]) with one or more individuals, municipal corporations, associations, or other organizations, having sufficient trained and experienced personnel, for operation, maintenance and repair of such emergency medical

service or ambulance vehicles; (in sub-section [c]) to supply staff and equip emergency medical service or ambulance vehicles suitable for such purposes and operate such vehicles; or, (in sub-section [d]) to employ any combination of the methods authorized in paragraph (a), (b) or (c) [to furnish] prehospital emergency treatment” (FASNY, p. 221).

**Voluntary Advanced Life Support First Response Service**...is defined in Public Health Law, Section 3001.4 and, “Means advanced life support [ALS] first response service (i) operating not for pecuniary profit or financial gain, and (ii) no part of the assets or income of which is distributable to, or enures to the benefit of, its members, directors or officers except to the extent permitted under this article” (CLS Public Health Law, Section: 3001.4). These services provide ALS, but do not transport patients.

**Rochester Institute of Technology.** Tim Keady, Associate Director for Student Wellness, verified that RIT is authorized to operate ambulance service within the umbrella of Student Health Services and the Institute’s Medical Director. Their *New York State Certificate of Service* (CON) identifies their territory as the RIT Campus and its contiguous community (Keady, August 30, 2016). Note: At the time this report was published, Mr. Keady had not verified the statutory authority for RIT to provide and operate ambulance service, but identifies it as an Independent Ambulance Service.

C. Emergency Management. New York State Executive Law, Article 2-B, authorizes, “... state and local disaster preparedness planning and provides local chief executives [Village Mayors, Town Supervisors] with extraordinary authority during the course of a disaster” (NYCOM, “Article 2-B” Publication p .3). This Article:

- Defines disasters and obligates a role for the municipal Chief Elected Official. It authorizes them to declare a “State of Emergency” and enumerates, “local emergency orders that may be promulgated by the chief elected officer to protect life and property and...bring the emergency situation under control” (FASNY, pp. 70, 71).
- Assures the power vested in Chief Elected Officials is available. Section 27 of the Article authorizes, “Every municipality...to provide by local law, for its continuity and that of its elective and appointive officers, when, in the event of a disaster, any of its officers is unable to discharge the powers and duties of office or is absent from the political subdivision” (NYCOM, “Article 2-B” Publication p .7).
- Authorizes, in Section 23 of the Article, “Each county...town and village to prepare comprehensive emergency management plans...which plans shall be coordinated with the county plan” (FASNY, p. 68).
- Defines “Incident Management Teams,” in Section 20.2.i. as, “State-certified...teams within the state or a region of the state activated to support and manage major and/or

complex incidents requiring a significant number of local, regional and state resources” (FASNY p. 65).

- And, in Section 29-h. creates, “...the intrastate mutual aid program to complement existing mutual aid agreements in the event of a disaster that results in a formal declaration of an emergency by a participating local government” (FASNY, p. 79).

D. Central and Special Services. State Statutes recognize that some emergency services are better suited in a structure that spans municipal boundaries and/or territorial jurisdictions of local fire and EMS agencies. For example, **counties** are authorized to:

- “Establish and maintain fire training schools to train firefighters
- “Establish and maintain a central fire alarm system
- “Create a county fire advisory board
- “Create the office of county fire coordinator
- “Coordinate interoperable and emergency communications...including those related to public safety land mobile radio communications”
- “Establish and maintain a mutual aid plan
- “Develop a plan for arson investigation
- “Develop a plan for hazardous materials incident response, and establish an emergency response team
- “Establish, maintain and supervise municipal-wide and inter-municipal specialized emergency response teams
- “Coordinate Emergency Management planning, response and recovery

Note. The preceding bullet points are respectively noted in *New York State*:

- *County Law*, Sections: 225.1.(g) and (h); 225-a.; 326; 327; 328; and, 328-b.
- *General Municipal Law*, Sections: 209; 204-c; 204-f; 209-y; and, 209-bb
- *Executive Law*, Article 2-B, Section 26 (FASNY, pp. 19-23, 249-251, 241, 261-262, 253-254, 72).

E. Authority...[or] “...‘public benefit corporation’ [which] more precisely defines the many special purpose agencies in this category. The traditional purpose of the public authority has been to construct, operate and finance a specific type of improvement” (Cuomo and Shaffer, p. 135). Public Authorities have direct and indirect roles with Emergency Service providers.

Beyond these specified means, New York State General Municipal Law, Section 119-o. authorizes municipal cooperation: “In addition to any other general or special powers vested in municipal corporations and districts for the performance of their respective functions, powers or duties on an individual, cooperative, joint or contract basis, municipal corporations and

districts shall have power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service..." (FASNY, p. 219).

E. Trends in Emergency Services. Demographics change. Public expectations of emergency services evolve. State statutes, regulations and requirements change. Scientific testing and evaluation adjust technical standards for equipment and training requirements. And, myriad other factors influence finances and operational practices that affect the capacity of local government to deliver effective and efficient emergency services. Emergency services adapt to local needs and engage support mechanisms through advocate affiliations and professional organizations. Our local Fire and EMS services have survived the challenges presented to them as evidenced on the "Local Emergency Services Timeline," Appendix 2-1.

The New York State Constitution, State Statutes, and municipal "Home Rule," afford local government many options to structure Emergency Services. We witness organizations merge, consolidate, disband, and/or reformat. These and other re-structuring options seem more commonplace as agrarian land in once rural areas of Monroe County shifts to residential use, and commercial development marches alongside our thoroughfares blurring traditionally recognized municipal boundaries and changing the complexion of our built landscape. In this wake, villages, towns, and Emergency Service providers request and receive resource support and centralized services from Monroe County, other counties and New York State to meet collective local and regional needs.

## Chapter 3. GOVERNANCE

*Since many public services are a shared responsibility among units of government, local officials need to understand the organizational structure and interplay of various government units to achieve better delivery of service (Cuomo and Shaffer, p. 227).*

### New York State

New York State and its local governments are structured by law. Local government is prescribed and authorized by the State Constitution and State Statutes (Consolidated Laws) which maintain its structural foundation, while State agencies and departments influence its functional role in delivering services. And, local elected officials have authority to take actions through local laws, resolutions and other means to ensure delivery of services to protect the health, safety and welfare at county, town and village levels. This report will reference how these elements currently engage to structure and deliver our Emergency Services.

A. State Statutes. A number of New York State's Consolidated Laws regulate counties, towns, villages and districts. In addition to *County Law, Town Law and Village Law*, this report references local functions and practices that are stipulated, authorized, required and/or regulated by State Statutes that may include: *Civil Service Law, Education Law, Executive Law, General Municipal Law, Labor Law, Local Finance Law, Municipal Home Rule Law, Not-for-Profit Corporation Law, Public Health Law, Public Officers Law, Retirement Law, State Finance Law, Tax Law, Vehicle and Traffic Law, Volunteer Ambulance Workers' Benefit Law, Volunteer Firefighters' Benefit Law, Workers' Compensation Law* and others. "The title of each volume of the law generally suggests the subject matter or level of government to which it has primary application" (Cuomo and Shaffer, p. 49).

B. State Departments and Agencies. New York State departments and agencies are, "Established for a particular purpose, and each functions in a particular way and within a legally prescribed area of operation. Each directly or indirectly affects local government in terms of jurisdictional or regulatory authority, advisory services, aid programs and other related functions, depending on its program responsibilities (Cuomo and Shaffer, p. 28). [They are] the components of the state government which carry out the policies suggested by the Governor and approved by the Legislature through statutory enactments and appropriations of funds. ...They are the operating arm of state government.... Local government officials must understand the purpose of the particular program the state agency is administering; they must be knowledgeable about how state agencies operate and how much authority the agencies have with respect to their programs (Cuomo and Shaffer, p. 227).

“The functions and services performed by state, and local agencies generally fall into two broad categories: regulation and direct services” (Cuomo and Shaffer, p.232). This report cites examples of both applications.

State Departments and Agencies interface with Emergency Services at county, town, village and district levels. They are referenced in this report in connection with their Emergency Services function to indicate connectivity among the levels of government.

C. State Boards and Councils. The State Legislature can prescribe an advisory organization and specify its role with a state agency. Appointed members are usually technical experts, whose functional knowledge and experience add value to studies, planning agendas, procedural reviews and/or program evaluations pertinent to that State Agency’s role in delivering services. Emergency Service providers are ranking members on a number of these organizations including: the Department of State, *Emergency Services Council*, created by Executive Law, Section 580 (FASNY, p. 144); the Department of Homeland Security and Emergency Services, *New York State Interoperable and Emergency Communications Board*, created by County Law, Section 326 (FASNY, p. 21) and its *Advisory Council for Fire Prevention and Control*, created by Executive Law, Section 159 (FASNY, p. 92); and, others that readers will find referenced in connection with an Emergency Service function.

Although Emergency Services are structured by New York State Statute, they are functionally “decentralized” from State government, i.e. they derive, operate and deliver at the local level as identified in Chapter 2 of this report.

#### Monroe County

*Originally regarded as instrumentalities of the state existing for state purposes, counties in New York have become full participants in the governmental partnership as general purpose units of government. The county...serves as a convenient vehicle between the state and the primary units of local government for dispensing an increasing number of services (Cuomo and Shaffer, p. 59).*

Monroe County supports the Fire Service, EMS and Chief Elected Officials in their respective roles to provide local emergency services.

Monroe County government is structured with four county-wide elected officials (Executive, Sheriff, Clerk and District Attorney), a Legislature comprising twenty-nine (29) districts, a Judicial Court system, functional departments, commissions, boards and authorities, hundreds of compensated employees who operate at multiple sites across the county and volunteers who lend expertise and experience in significant ways. The County Executive has administrative and operational responsibility to deliver county government services. The Legislature is the

governing board. The County's geography is politically subdivided into one city, nineteen (19) towns, nine (9) villages and one town/village, each having municipal autonomy pursuant to the State Constitution and State Statutes.

In addition to state assistance available to county officials, most every aspect of service is aligned with an affiliate organization whose mission is to assist their public-sector professionals with training, seminars and guidance in the performance of their duties. And, like New York State, most appointed citizen board members have experience and working knowledge of the subject matter within their purview.

The Monroe County Executive is the Chief Elected Official for the County, and like the Village Mayor and Town Supervisor, has statutory authority and obligated responsibility. For example, the County Executive executes contracts on behalf of the County. Readers will see the Executive's notarized signature on contracts included with this report. And, there is a continuity of government plan to ensure a line of succession when the County Executive is unavailable.

The County Executive administers operational functions associated with the delivery of emergency services. Among them:

- The Greater Rochester International Airport Fire Department, delivering fire protection, fire suppression, rescue and first-response EMS service on-property.
- Responsibility for the County role in partnership with Monroe Community College (MCC) and the City of Rochester to operate and maintain the Public Safety Training Facility, 1190 Scottsville Road. This facility opened in July, 2001. It is the venue for MCC's Public Safety training, it houses emergency services offices for the County and some City services, and it is the site of the Northeast Regional Training Center for aircraft rescue and firefighting designed to meet Federal Aviation Administration (FAA), Part 139 design standards (Monroe County Website: PSTF).
- The Monroe County Public Safety Department - the Executive's domain to ensure the delivery of County emergency services. These offices associate with this Department and the County's functional capacity. They include: Office of Emergency Management (OEM); Fire Bureau; Emergency Medical Services Office (County EMS); Public Safety Communications, often referred to by its site name, "Radio Center;" and, the County "Public Safety Answering Point" – the 911 Center. Their respective roles will identify in the report as they engage with the delivery of our local emergency services.

Regarding several of the central and special services identified in Chapter 2, the Monroe County Legislature:

- Adopted the *County of Monroe Mutual Aid Fire Plan*, August 1, 1941 with approved revisions including the current April, 2012 Edition. As stated in the Plan, it “is authorized under Sections 209 and 209-J of the General Municipal Law, and under Section 225-A of the County Law. [It] is administered by the Monroe County Fire Coordinator” (p. 1). And, it recognizes the Monroe County Fire Advisory Board, “...established by the Monroe County Legislature in accordance with State Law to advise the legislature and the County Fire Coordinator on matters related to fire control and prevention” (p. 10). [Appendix 3-1](#). The Fire Advisory Board is also defined in County Code: Section C6-18.C in reference to the Public Safety Department. The latest amendment is Local Law No. 2-2014 (Monroe County Website: County Code).
- Adopted Resolution No. 8 of 1984, at their January 17, 1984 meeting, “Establishing Legislative Policy on County Role in Response to Hazardous Material Incidents,” (Monroe County Legislature: 1984 Proceedings, p. 26). [Appendix 3-2](#). NOTE: The County *Hazardous Material Response Plan*, required by the Congressional Superfund Amendments and Reauthorization Act of 1986, SARA, Title III was approved by the County Executive in October, 1988 (County HAZMAT Plan, January 2016 Revision). The County Hazardous Materials Response Team is administered by a Deputy Fire Coordinator as defined in the *County of Monroe Mutual Aid Fire Plan* (pp. 8-9).
- Adopted Resolution No. 93 of 1987, at their March 20, 1987 meeting, “Memorializing the New York State Legislature to Enact Legislation Authorizing the County of Monroe to Review Street Naming” (Monroe County Legislature: 1987 Proceedings, p. 167). NOTE: “Chapter 769. Approved and effective August 7, 1987 by the New York State Legislature, An Act authorizing the County of Monroe to review names for rights-of-ways” (copy of the Act). And, further...
- Adopted Resolution No. 366 of 1987, at their September 29, 1987 meeting, “Designating 911 Program Office to Administer Monroe County Right-of-Way Naming Act” (Monroe County Legislature: 1987 Proceedings, p. 584). [Appendix 3-3](#). (Contains all Naming Act documents identified here.)
- Adopted Resolution No. 361 of 1981, creating the “911 Operating Practices Board (OPB), a representative body [to] provide direction on operational policy, practices, and protocol [to recommend]...in accordance with funding appropriated by the Monroe County Legislature” (911 Subscriber Agreement, p. 10). And, entered into an Agreement with the City of Rochester, “whereby the City will operate the [911] facility on behalf of the County” (911 Subscriber Agreement, p. 2). [Appendix 5-16](#). NOTE: The County-City Agreement to organize, finance and operate the 911 Center continues in its original

format. This 911 Center functions as a “central fire alarm system,” reference Chapter 2: Central and Special Services.

- Adopted Resolution No. 99 of 1983, at their March 30, 1983 meeting, “Authorizing Contracts with Subscribers to the 911 Emergency Communications System,” (copy of the Resolution). Appendix 3-4.

Other examples of legislation and agreements with Monroe County government are identified with their functional elements in this report.

#### Town of Mendon

“The basic composition of the counties was set in 1788 when the State Legislature divided all of the counties then existing into towns” (Cuomo and Shaffer, p. 60). Court challenges to the authority of towns were binding decisions on the town board’s governance authority. An example is *Short v. Town of Orange*, 1916, 175 App. Div. 260; 161 N.Y.S., 466: [towns were] “...involuntary subdivisions of the state, constituted for the purpose of the more convenient exercise of governmental functions by the state for the benefit of all its citizens. Towns were finally granted full membership in local government partnership...when they were constitutionally granted home rule powers [by the State Legislature]...in Town Law, Article 1, Section 2: A town is a municipal corporation comprising the inhabitants within its boundaries, and formed with the purpose of exercising such powers and discharging such duties of local government and administration of public affairs as have been, or, may be conferred or imposed upon it by law” (Cuomo and Shaffer, p. 99).

“Virtually all of a town’s discretionary authority rests with the town board. [The supervisor’s executive power], is granted by specific statute or by the town board. The town board, therefore, exercises both legislative and executive functions, which accounts for the variance in authority of the Supervisor as Chief Elected Official for a town, and a village mayor with specific Executive authority as Chief Elected Official” (Cuomo and Shaffer, p. 102).

The Supervisor and four (4) Town Board members comprise the Mendon Town Board which is the legislative body for the Town. The Town Clerk, Highway Superintendent, and two (2) Town Justices also have authoritative roles that intersect with the town’s responsibility for Emergency Services. All are compensated, elective offices with designated terms. General Town Election is held the first Tuesday of November in odd-numbered years. The Town’s Official Year, and its Fiscal Year, are concurrent: January 1<sup>st</sup> through December 31<sup>st</sup>.

Within the geographic boundary of the Town are one incorporated village, the Village of Honeoye Falls, and three unincorporated hamlets. Readers may recognize the hamlets as: “Mendon,” the intersection of State Routes 64 and 251; “Mendon Center,” the intersection of

State Route 251 and Mendon Center and Pittsford-Mendon Center Roads; and, "Sibleyville," along State Route 15A in the vicinity of its intersections with Sibley, Phelps and Plains Roads. There are other "place" names, aligning with neighborhoods, historic areas and intersections.

New York State Town Law, Section 29 grants the Supervisor powers and duties (FASNY, pp. 603, 604). Section 64 grants the powers of the town board (FASNY, pp. 604, 605). Pursuant to New York State Executive Law, Section 23, the Town of Mendon has a Pre-Disaster Mitigation Plan, and a Disaster Response Plan which are prepared in coordination with the County Plans through the Office of Emergency Management. The Disaster Response Plan is approved on an annual basis each January at the Town's Organizational Meeting. The Pre-Disaster Mitigation Plan is reviewed and approved pursuant to FEMA's mandate. The Town's "Succession of Government Plan" acknowledges the Deputy Supervisor as successor. All plans are available at the Town Clerk's Office. The Code of the Town of Mendon contains the Town's Local Laws, several of which have relevance to Emergency Services.

Like the County and Village, the Town engages with other elected officials and authorizes its officers and employees to attend professional meetings and seminars conducted by organizations that advocate for public services and their mission. Examples are: the New York State Association of Towns; Monroe County Supervisors Association; both New York State and Monroe County Town Clerk associations; New York State Government Finance Officers Association; state, county and international Assessor associations; Monroe County Highway Superintendents Association; and, the Finger Lakes Building Officials Association. Across many years Town of Mendon Officials have assumed leadership roles with these organizations and their affiliates.

Examples of town-wide services provided by the Town of Mendon include:

- Tax assessment – fundamental to the levy and collection of real property taxes. The Town Assessor functions in a town-wide capacity, since the Village relinquished its separate assessment identity in the 1980's (a fact known to the author).
- Tax levy – collection and enforcement. The Town's Assessment practice and procedures follow State Statute for all requirements and actions. In accordance with New York State *Real Property Tax Law*, Section 516, the Town's Final Assessment Roll is filed with the Town Clerk on July 1<sup>st</sup> (Town of Mendon Website). This Roll is used by all local property tax jurisdictions to establish the tax rate for their respective levy.
- General administration for government functions that are within the purview of town governments.
- Special improvement districts – for specific functions paid by those receiving services. Among these are fire districts, fire protection districts, water districts, light districts, drainage districts and others that may be related to public safety.

- Zoning and Subdivision Review.
- Comprehensive planning. Comprehensive Plans, town-requested studies, and ad-hoc planning committees are used to address long-term/futuristic planning as well as to engage residents in specific elements of town services that require practical review. Where identified for the author, these “plans,” reports and documents are catalogued on Figure 3-a.

A. Fire Protection...“Is not a town function, since it can only be provided in towns through the medium of districts...” (Cuomo and Shaffer, p. 108). Outside the Village of Honeoye Falls, the Town is divided into two geographic service territories for fire protection: the Mendon Fire District; and the Town of Mendon Fire Protection District No.1.

**The Mendon Fire District** is established pursuant to New York State Town Law, Section 170 (FASNY, p. 613), although at the time it was created, there may have been a derivation of this statute. As a political subdivision, the district has all power rendered to municipals, including taxation, governance through elected Fire Commissioners [Mendon Fire District has five] who determine an annual budget and set the tax rate. The Town government collects the district tax on its annual property tax bill (Shaughnessy, Part XI). The Mendon Fire Department provides its full menu of services to the District, including Basic Life Support (BLS) Emergency Medical Service. Emergency and general ambulance service are contracted [within District territory] by the Town of Mendon, pursuant to special legislation from New York State.

Like the County, Town and Village, the District engages with other elected Commissioners and authorizes its officers and employees to attend professional meetings and seminars conducted by organizations that advocate for the Fire Service and their mission. Examples are the: New York State Association of Fire Districts; and, the Monroe County Fire District Officers Association. Across many years Mendon Fire District Officers have assumed leadership roles with these organizations and their affiliates, including President of both the County Association and the State Association.

**Town of Mendon Fire Protection District No.1.** New York State Town Law, Section 184, “Fire Protection Districts,” authorizes the Town Board to establish a fire protection district and “provide for the furnishings of fire protection within the district” (FASNY, p. 646). Fire protection districts are not separate units of government and are not political subdivisions of the state. They are created and controlled [i.e. governed] by the town board. A town board can create a fire protection district, consolidate adjoining fire protection districts, alter the boundaries of a fire protection district, or dissolve a fire protection district on its own motion or by petition” (Dallessandro, p. 17).

Section 184 also considers: Fire Protection Contracts – the process, length, terms and payment (FASNY, pp. 646-647). The town board may contract, “with any city, village, fire district or incorporated fire company” for both firefighting equipment and personnel to operate the equipment (DiRaddo, 23:10). “Towns contract for fire protection services within these districts at the expense of the property owners in that district” (Dallessandro, p. 16).

(At the time the Fire Protection District was established, the authorizing State Statute was Town Law, Section 171.) On October 16, 1939, the Mendon Town Board created the “Town of Mendon Fire Protection District No.1” (Minutes of the Meeting). On November 14, 1939, the Board held a Special Meeting, “...To approve or disapprove of the [prepared] contract” (Minutes of the Meeting) for fire protection by the Honeoye Falls Fire Department. And on December 11, 1939, the Town Board executed a contract with the Village of Honeoye Falls for the Honeoye Falls Fire Department to provide its full menu of services to this territory.

Appendix 3-5. The Town Board sets the tax rate for the Fire Protection District, and collects the district tax on its annual property tax bill.

B. Ambulance Service. New York State General Municipal Law, Section 122-b., authorizes towns to provide general ambulance service and/or contract for this purpose (FASNY, p. 221). By contract with the Honeoye Falls Village Board of Trustees, the Town of Mendon provides ambulance service to the Town outside the Village.

When the Village began ambulance service in 1964, within its fire department structure, the Town’s contract for HFFD services in Mendon Fire Protection District No. 1 could include ambulance service as a firemanic component of HFFD service within the fire protection district. Despite community-wide desire for ambulance service, state statutory restrictions precluded HFFD service into the Mendon Fire District other than, “on a ‘call for assistance’ basis under General Municipal Law, Section 209(1)” (State Legislature File, Chapter 928 of the Laws of 1966). Correspondence [in this File] indicates agreement among the Town Board (Minutes of Meeting, March 14, 1966), the Village Board of Trustees (Minutes of Meeting, March 8, 1966), and the Mendon Fire District Commissioners that a single contract between the Town and the Village for general and emergency ambulance service from HFFD, in the whole town outside the Village, would be the best solution to any legal hurdle.

Pursuant to New York State Municipal Home Rule Law, Article 5, Section 40, “Special message to the [State] legislature,” the Town Board requested a “Home Rule Message,” “To authorize the town board of the town of Mendon in Monroe county to contract with the village of Honeoye Falls to furnish emergency or general ambulance service in said town exclusive of said village and providing for the raising of the cost thereof on the area to be served” (State Legislature File). The resulting Act, Chapter 928 of the Laws of 1966, grants this local government request and stipulates, “Such [ambulance] service shall be furnished by the

emergency rescue and first aid squad of the fire department of the village of Honeoye Falls...,” and further that, “The provisions of section 184 of the town law, which are consistent with the provisions of the act, shall be applicable in relation to the entering into of such contract, the terms thereof, and the raising of taxes for the contract payments” (State Legislature File). This File, together with supporting Resolutions from the Town Board (Minutes of Meeting, March 14, 1966) and the Board of Trustees (Minutes of Meeting, March 8, 1966) is [Appendix 3-6](#).

This Act ceased authority on August 6, 1992 when the Village Board of Trustees discontinued ambulance service by HFFD, and established a general ambulance service as a department of the Village pursuant to General Municipal Law, Section 122-b. (Minutes of Meeting, July 13, 1992). [Appendix 3-7](#). Since the Act of Chapter 928 of the Laws of 1966, granted authorization for HFFD firemanic ambulance service, another “Home Rule Message” request was necessary to legally continue what was perceived in practice as “business as usual.”

Pursuant to New York State Municipal Home Rule Law, Article 5, Section 40, “Special message to the [State] legislature,” the Town Board requested a second “Home Rule Message,” “To amend chapter 928 of the laws of 1966, authorizing the town of Mendon to contract with the Village of Honeoye Falls to furnish general and emergency ambulance and allow for the raising of cost thereof, in relation to authorizing the town of Mendon to contract with the village of Honeoye Falls and ratifying existing contract between the town and village” (State Legislature File). The resulting Act, Chapter 572 of the Laws of 1993, grants this local government request and stipulates, “Such [ambulance] service shall be furnished by the Honeoye Falls general ambulance service established by said village pursuant to section one hundred twenty-two-b of the general municipal law, the cost of such service shall be borne by those served by such service outside of the village of Honeoye Falls and within the boundaries of the town of Mendon” (State Legislature File). This File is [Appendix 3-8](#).

With this Act, the Town and the Village continue contracting general and emergency ambulance service with Town authority to charge the contracted service in the Town Budget’s “B Fund,” which reflects charges on Town taxpayers outside the Village of Honeoye Falls.

#### Village of Honeoye Falls

*In New York State, the village is a general purpose municipal corporation formed voluntarily by the residents of an area in one or more towns to provide themselves with municipal services. But when a village is created, its area still remains a part of the town where it is located, and its residents continue to be residents and taxpayers of that town (Cuomo and Shaffer, p. 113).*

“To obtain services, usually fire or police protection, which were neither needed nor wanted town wide, aggregations of people within towns often chose to incorporate [as] villages (Cuomo and Shaffer, p. 100). In New York State, a village is a legal concept...with public service

responsibilities and...the full range of municipal obligations and challenges” (Cuomo and Shaffer, p. 113).

The Village of Honeoye Falls was incorporated on March 13, 1838. It is governed by five (5) officials: a Mayor, the Chief Elected Official, with Executive power defined in New York State Village Law, Section 4-400, and Legislative authority; and, four (4) Trustees with Legislative authority. These Village Officers comprise the Board of Trustees, which “...has broad powers to govern the affairs of the village” (Cuomo and Shaffer, p. 117). There is also a Village Justice. All are compensated, elected offices with four-year terms. General Village Election is held biennially, the third Tuesday in March (next Regular Election is March, 2017). The Village’s Official Year, “...begins at noon on the first Monday in the month following the date of the general village election [i.e., April]...” (Thus: Village Law, Section 3-302.1). Its Fiscal Year is prescribed in New York State Village Law, Section 5-500.4 and is June 1<sup>st</sup> through May 31<sup>st</sup> (FASNY, p. 715).

*Village Law* enumerates, “General powers of the board of trustees. In addition to any other powers conferred upon villages, the board of trustees of a village shall have management of village property and finances, may take all measures and do all acts, by local law, not inconsistent with the provisions of the [State] constitution, and not inconsistent with a general [New York State] law except as authorized by the municipal home rule law, which shall be deemed expedient or desirable for the good government of the village, its management and business, the protection of its property, the safety, health and comfort and general welfare of its inhabitants, the protection of their property...and the preservation and protection of public works” (Thus: Village Law Section 4-412.1.). Additional sections of *Village Law* address village government activity that directly impacts the delivery of efficient and effective emergency service. For example:

- Zoning. “Purpose in view. Such [zoning] regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to promote health and the general welfare...” (Thus: Village Law Section 7-704). Comprehensive Plans, village-requested studies, and ad-hoc planning committees are used to address long-term/futuristic planning as well as to engage residents in specific elements of village services that require practical review. Where identified for the author, these “plans” and documents are catalogued together with the same for the Town of Mendon on Figure 3-a.
- Subdivision Review. “Purpose. Before the approval by the planning board of a plat showing lots, blocks or sites, with or without streets or highways...the planning board shall require that the land shown on the plat be of such character that it can be used

safely for building purposes without danger to health or peril from fire, flood...or to the public health, safety and welfare" (Thus: Village Law Section 7-730.1).

- "Additional requirement. The planning board shall also request that: (a) the streets and highways be of sufficient width and suitable grade and shall be suitably located to accommodate the prospective traffic...to facilitate fire protection and to provide access of firefighting equipment to buildings" (Thus: Village Law, Section 7-730.2).
- Article 11, Water. A village may, "Sell...its water supply and distribution system...to a water authority...established pursuant to Article 5-B of the [New York State] General Municipal Law" (Thus: Village Law Section 11-1128 (1)). "The [Board of Trustees] may contract...for supplying water to the village for extinguishing fires or for other public purposes; but such contracts shall not be made for a longer period than forty years" (Thus: Village Law Section 11-1000).

Pursuant to New York State Executive Law, Section 23, the Village of Honeoye Falls has a Pre-Disaster Mitigation Plan (approved by FEMA on July 29, 2011, adopted by the Board of Trustees on November 21, 2011), and other Emergency Response Plans which are prepared in coordination with the County Plans through the Office of Emergency Management. All plans are available at the Village Clerk's Office. The Village "Succession of Government Plan" acknowledges the Deputy Mayor and then, informally recognizes succession by Trustee seniority. The Code of the Village of Honeoye Falls contains the Village's Local Laws, several of which have relevance to Emergency Services.

Like the County and Town, the Village engages with other elected officials and authorizes its officers and employees to attend professional meetings and seminars conducted by organizations that advocate for public services and their mission. Examples are: the New York Conference of Mayors and Other Municipal Officials; Monroe County Association of Villages; Monroe County Village Clerks' Association; several Public Works associations; and, the Monroe County Planning Federation. Across many years Village of Honeoye Falls Officials have assumed leadership roles with these organizations and their affiliates, including Mayor Milne's Presidency with NYCOM in 2015-2016.

The Honeoye Falls Fire Department (HFFD) and the Honeoye Falls-Mendon Volunteer Ambulance (HFMVA) are departments of the Village government. As Village Departments, administrative functions for HFFD and HFMVA are integrated with overall Village budgeting/finances, procurement/purchasing procedures, municipal accounting practices, contracting, Human Resources, property maintenance, fixed assets, and legal matters among others associated with local government operations. Beyond this usual and routine, there are functional elements associated with the nature of emergency conditions that require governing board authority and attention, and remain their responsibility.

A. Fire Protection. *Village Law*, Section 10-1006.12 grants that in the absence of a Board of Fire Commissioners, the Board of Trustees is authorized with the "General Powers" granted in Article 10, Section 10-1000 (FASNY, p. 722): [Among them are]

- "1. Care, custody and control of all village property of the fire department.
- "2. Equipment purchases suitable and necessary to prevent and extinguish fires, and uniforms...and keep the same in good condition and repair.
- "3. Erect and maintain suitable and necessary buildings.
- "5. May adopt rules for the admission, suspension, removal and discipline of the members, officers and employees...may prescribe their powers and duties, and fix their compensation not inconsistent with Section 10-1018.
- "6. May adopt rules and regulations governing fire departments, prescribing member duties, and may enforce discipline and provide for public drills, parades, funerals, inspections and reviews of the department. Such rules shall not authorize [Trustees] interference with the duties of the fire chief or the fire department assistant chief when they are on duty.
- "7. May appoint persons other than members or officers of the department to take charge of village property and may fix their compensation.
- "8. May employ duty or 'call men,' and fix their duties and compensation.
- "9. May inquire into the cause and origin of fires occurring in the village and may take testimony in relation thereto.
- [Unless contrary to another provision of law], "11. May appropriate funds for an annual firemen's inspection-dinner" (FASNY, p. 720).

In Section 10-1002, the Board of Trustees may also, "Adopt rules and regulations for the following purposes:

- "(a) To protect and preserve the village property and apparatus of the department.
- "(b) To prevent danger from fires and to protect property exposed to destruction or injury by fire.
- "(c) To provide for pulling down, blowing up and the removal of buildings and property to arrest the progress of fires or extinguish the same.
- "(d) To provide for the installation of yard hydrant systems connected with the public water supply system in accessible locations on private property..." (FASNY, p. 720).

While governed by the Board of Trustees, readers are already witness to other-government influence by legislation, agency rules/regulation, and operational practices that are established as benchmark standards for Emergency Services. Other affirmative action by the Board of

Trustees may be required by Statute and/or to achieve regulatory compliance. This will be noted for the reader.

**HFFD**...One hundred and thirty-one years a Village Fire Department. Since 1885, the Department has delivered fire suppression, rescue, and emergency service to Village residents and surrounding territory under contract, through Mutual Aid, and by pre-arranged "Mutual Assistance" agreements with other providers.

The Department structure is authorized in New York State Village Law, Article 10, "Fire Department." Section 10-1004 authorizes the Board of Trustees to, "organize and maintain fire hose, protective, and hook and ladder companies, whenever in its judgment the public interests require" (FASNY, p. 720). NOTE: The original four companies organized in Honeoye Falls in May, 1885 reorganized as a single company in April, 1942.

*Village Law*, Section 10-1006., enumerates volunteer members of village fire companies:

- 3. Members must be village residents, or residents of a fire protection district served by the fire department.
- 4. Ceasing residency in the service territory, but by reason of residency in the vicinity or by usual occupation...
- 5. ...Are still able to render service – subject to the By-laws, or special department vote.
- 6. A non-resident, but residence in vicinity, or in the vicinity by usual occupation.
- 7. (Bullet points 5. And 6.) cannot apply if the percentage of non-resident members exceeds 45% of the actual department membership.
- 8. The Board of Trustees may restrict membership to residents.
- 10. A person is not eligible as a volunteer in more than one department at one time.
- 13. Membership is not authorized if continuance of membership is contrary to the department by-laws, rules or regulations.
- 14. The Village may not adopt a local law changing, amending or superseding this Section [of Law].
- 15. and 16. ...Recognize authorized membership provision prior to July 1, 1954.
- 17. Discrimination practice defined and aggrieved.
- 18. Convicted arsonists not eligible for membership (Thus: Village Law Section 10-1006).
- 19. "Membership application subject to background check pursuant to Executive Law, Section 837-o., by the fire chief, for a criminal history involving conviction for arson and conviction of a crime which requires the person to register as a sex offender under Article 6-C of the [New York State] Corrections Law..." (Thus: Village Law Section 10-1006 Cumulative Pocket Part 2016).

*Village Law* also stipulates:

- The Chief and assistant chiefs...shall be residents of New York State, and that...the Board of Trustees may, by resolution, require any and all be village residents (Thus: Village Law Section 10-1012).
- The duties of the chief and assistants (Thus: Village Law Section 10-1018).
- The election of company officers – captain, lieutenant, warden (Thus: Village Law Section 10-1010).

B. Ambulance Service. Our local ambulance is operational for fifty-two years as a municipal service. Previously, New York State Public Health Law authorized: "...Community [service] by a hearse, provided by the Merton Kays Funeral Home, for transporting patients" (Marasco, un-numbered page). Changes in the State Department of Health, prompted: "On February 26, 1964 a group of firemen attended the Honeoye Falls Village Board [of Trustees] meeting to discuss the necessity of forming an ambulance squad in the Village of Honeoye Falls" (Marasco, un-numbered page). By Resolution, July 27, 1964, and pursuant to New York State General Municipal Law, Section 209-B, the Trustees established the, "Honeoye Falls Fire Department Emergency Relief Squad, [and] ...adopted rules and regulations concerning the organization of such Squad, the powers and duties of such Squad and the members thereof..." (Minutes of Meeting). Appendix 3-9.

"In 1978, the question of limited membership was discussed and a [fire department] committee was appointed to study this question. The report was given to the squad and limited membership was approved in February 1979. Members now did not have to be firefighters. 'Limited Members' would participate only in ambulance activities" (Marasco, un-numbered page).

Effective August 6, 1992, ambulance service first organized within the firemanic services of the HFFD, is now a General Ambulance Service, organized pursuant to New York State General Municipal Law, Section 122-b. At their meeting July 13, 1992, the Board of Trustees adopted a resolution and "... established and created the Village of Honeoye Falls Ambulance Department which shall be a department of the Village of Honeoye Falls, with the same powers, authority and responsibility as other departments of the Village of Honeoye Falls..." (Board of Trustees Resolution, paragraph 3.) This Resolution also provides: "1. discontinue and terminate the HFFD Emergency Rescue and First Aid Squad effective August 6, 1992; and, 4. That the Village of Honeoye Falls Ambulance Department...shall provide emergency medical service and general ambulance services to all residents of the Village of Honeoye Falls, Town of Mendon, and portions of the Towns of West Bloomfield and Lima presently under contract with the Village of Honeoye Falls for emergency rescue and first aid services" (Minutes of Meeting). This resolution provided continuity of municipal ambulance service for the community and sought

to provide transparency in operations. However, this change in legal status prompted a second "Home Rule Message" request to the New York State Legislature, becoming Chapter 572 of the Laws of 1993.

This Resolution further enumerates responsibilities for the Mayor, the Board of Trustees, and the Honeoye Falls Ambulance (the service provider) commensurate with *General Municipal Law*, Section 122-b. (see NOTE below), and provides transparency in operations through transfers of equipment, supplies and membership. It also establishes:

- 15. Election of Honeoye Falls Ambulance members, subject to Board of Trustees approval. And,
- 16. That member election be prescribed in the Honeoye Falls Ambulance By-Laws; and,
- 17. That officer powers and duties be prescribed in the By-Laws, both [16. And 17.] of which are subject to Board of Trustees approval.
- 18. Officers of the Honeoye Falls Ambulance shall be: Chief of Operations; Deputy Chief of Operations/Training; Deputy Chief of Operations/Maintenance; Captain – Public Relations; Captain – Finances; and, any other officer the members determine as proper and advisable. All terms of office established as one (1) year.
- 19. "The Honeoye Falls Ambulance shall render...service...in the Village, Town of Mendon, and portions of the Towns of West Bloomfield and Lima, and any other municipalities under contract with the Village for fire and ambulance services, or any other municipalities that the Village enters into contract. The Honeoye Falls Ambulance shall have such further powers and duties as may be prescribed by the Board of Trustees, or as may be prescribed by the By-Laws..." (Board of Trustees Resolution, July 13, 1992).

This Resolution is expressed in its entirety as: Chapter 3 of The Code of the Village of Honeoye Falls. It is Appendix 3-10.

NOTE: General Municipal Law, Section 122-b. further addresses these responsibilities:

"Any...village,

- "1.(a) May acquire...vehicles...supply and equip them...operate, maintain, repair and replace [them];
- "1.(f) May consider prehospital emergency treatment as that care provided by certified emergency medical technicians or certified advanced emergency medical technicians certified pursuant to the provisions of article 30 of the public health law;
- "2. Shall formulate rules and regulations relating to the use of such apparatus and equipment in the provision of [its service], and may fix a schedule of fees or charges to

be paid by persons requesting [its service]. Such municipalities may provide for the collection of such fees and charges...or may formulate rules and regulations for the collection [by others].

- “3. ...May purchase insurance indemnifying against liability....
- “4. ...May provide for the administration and coordination of [its service] including but not limited to operation of an emergency medical communication system and medical control” (FASNY, pp. 221, 222).

On October 17, 1994, the Village of Honeoye Falls and the Town of Mendon executed an *Ambulance Service Agreement, Revised 9.29.94*, pursuant to New York State General Municipal Law, Article 5-G. [Appendix 3-11](#). They created a Board of Ambulance Commissioners and stipulated: governance and administrative authority; cost sharing for an ambulance facility; the formula to compute the capital and [annual] operations budget contribution of each party and payment by the Town to the Village; equipment ownership and readiness; insurance products; requests for ambulance service and service delivery; and, the agreement term and termination. A significant element of this Agreement is the “Capital Improvement” section that establishes a cost sharing formula for, “The construction of an ambulance facility which shall be located upon lands to be donated by Southco...and, the cost-sharing formula used to secure financing. As a result of the sharing of the cost by the Town, the Village acknowledges and agrees that the Town will be joint owner of the building. The Village will issue a deed and any other documents to reflect joint ownership of the property by the Town and Village” (Agreement, p. 5, #3 and #4). NOTE: This Agreement is silent with regard to ambulance service in territory outside the Village and the Town of Mendon.

This *Agreement* stipulates that, “Debt for construction of the new facility will be issued by the Town of Mendon and debt service as well as operating costs will be borne proportionately in accordance with a formula which takes into account taxable assessment” (Wager: Village Audit, May 31, 1997). In addition to the Serial Bond issued for the construction, a Bond Anticipation Note was issued to the Town to equitably assess the associated “soft costs” of this project, e.g. surveys, maps, plans, legal fees, publications of notices, taking of title and apportionment costs, among other allowable objects that can be considered in determining “Probable Usefulness” pursuant to New York State Local Finance Law, Section 11(a) (NYCOM Handbook, pp. 15.25, 15.26). [Appendix 3-12](#) includes: Serial Bond and Bond Anticipation Note Payment Schedules; Wager Village Audit, May 31, 1997 – Note “I”; together with the NYCOM Handbook reference; and, annual transmittal letters from the Town Supervisor to the Village conveying the pertinent information required by the *Ambulance Service Agreement, Revised 9.29.94*. [Figure 3-b](#) cross references the Serial Bond payments with the formula agreed in the *Ambulance Service Agreement, Revised 9.29.94*.

To fully execute the October 17, 1994 Agreement, the Village Board of Trustees held a Public Hearing on November 21, 1994 to hear public comment on their intention to establish a Board of Ambulance Commissioners. Following the Public Hearing, and as authorized by *Village Law*, Section 3-308, the Board of Trustees adopted a Resolution establishing the Board of Ambulance Commissioners, naming themselves and the Town Board as the Commissioners (Minutes of Meeting). The Resolution and ancillary documents are [Appendix 3-13](#).

On March 5, 1995, the Village executed a "Quit Claim Deed" naming the Village and the Town of Mendon as owners of the 2.763 acres originally donated to the Village by Southco, Inc., a business located at 250 East Street, Honeoye Falls. This parcel, within the Village of Honeoye Falls, was conveyed to the Village with five (5) conditions, one that stipulates the Village construct a building on the site within three (3) years, for the Village Ambulance Department. [Appendix 3-14](#).

On September 15, 1997, the Board of Trustees and the Town Board executed a *Supplemental Ambulance Service Agreement*, which modified the membership of the Ambulance Commission, established the documentation required by both parties for payment of the Ambulance Facility debt, and ratified the 1994 Agreement, except as modified by this Agreement (as referenced in the Agreement). [Appendix 3-15](#).

On May 20, 2002, the Board of Trustees and the Town Board executed a *Second Supplemental Ambulance Service Agreement*, which reconfigured the Ambulance Commission and modified their powers and duties; "Permitted the Village to seek reimbursement for ambulance services from each resident of the Town receiving such ambulance services;" and, ratified the 1994 Agreement and the 1997 Agreement, except as modified by this Agreement (as referenced in the Agreement). [Appendix 3-16](#).

On November 20, 2003 the Village of Honeoye Falls and the Town of Mendon executed a new *Ambulance Service Agreement*, pursuant to New York State General Municipal Law, Article 5-G, and agreed to: terminate the October 17, 1994 Agreement and all amendments to this Agreement; abolish the Ambulance Commission established by that Agreement; remain as joint owners of the ambulance facility; and, establish a formula to compute contributions of each party to equitably share the cost of the annual operations budget and the building [ambulance facility] debt service (Agreement, pp. 1, 2). The Village also agrees, "To provide the Town with the following information on a monthly basis:

- "Current abstract for the Ambulance Department;
- "Treasurer's report for the ambulance; and,
- "Third party billing revenues including any write-offs (Agreement, p. 2, #8).

- [And], "...To provide the Town a thirty-day (30) review period each year prior to adoption of the annual budget for comments on the proposed Ambulance Department operation budget and Capital Improvement Plan" (Agreement, p. , #9).

This Agreement identifies the ambulance service as the "Honeoye Falls-Mendon Volunteer Ambulance, Inc."

To fully execute the November 20, 2003 Agreement, the Village Board of Trustees held a Public Hearing on January 20, 2004, in accordance with *Village Law*, Section 3-308(9) to hear public comment on their intention to dissolve the Ambulance Commission. Following the Public Hearing, the Board of Trustees adopted a Resolution abolishing the Board of Ambulance Commissioners, naming the Board of Trustees as the Board of Ambulance Commissioners, and directing the Village Clerk to notify the Town Board members that their service as Ambulance Commissioners is no longer required (January 20, 2004 Resolution). Appendix 3-17. includes multiple documents related to the November 20, 2003 Agreement. NOTE: This 2003 Agreement is also silent with regard to ambulance service in territory outside the Village and the Town of Mendon.

This action places full responsibility for governance, and all administrative functions of the Honeoye Falls-Mendon Volunteer Ambulance with the Village of Honeoye Falls Board of Trustees.

#### C. Membership Corporations.

The membership in each department maintains a separate identity for purposes other than those obligated to the Village Board of Trustees and the Town Board.

##### 1. Regarding the **Honeoye Falls Fire Department:**

- a. New York State Village Law grants that, "The members of all [companies] organized and maintained in pursuance of law, constitute a corporation by the name of the 'fire department of...'. The term, fire department of a village, as used in this chapter, refers to such a corporation" (Thus: Village Law, Section 10-1008). The membership of the Fire Department of Honeoye Falls, or "Honeoye Falls Fire Department (HFFD)," constitutes this corporation for all legal purposes granted or required by Law. For example: New York General Municipal Law, Section 209-d. requires consent from the Fire Department prior to engaging a contract to provide fire protection outside the municipality (FASNY, p. 254).
- b. On September 9, 1987, the Village Board of Trustees, "Consent[ed] to the formation of the Honeoye Falls Fire Department, Inc. and do hereby approve the foregoing Certificate

of Incorporation and consent that the same be filed” (Minutes of Meeting). The membership of the Honeoye Falls Fire Department filed September 29, 1987, under New York State Not-for-Profit Corporation Law, Section 402, as, “Honeoye Falls Fire Department, Inc.,” an organization recognized by the Internal Revenue Service as described in Section 501(c)(3), of the Internal Revenue Code. Information about this identity is detailed in Chapter 6.

2. Regarding the **Honeoye Falls Ambulance Department**: The membership of the Department created a corporate identity July 11, 1994 as, “Honeoye Falls-Mendon Volunteer Ambulance, Inc.,” an organization recognized by the Internal Revenue Service as described in Section 501(c)(3), of the Internal Revenue Code. Information about this identity is detailed in Chapter 7.

#### Monroe County Water Authority (MCWA)

New York State Public Authorities Law, Title 5, Section 1095 states, “Monroe county water authority. 1. A corporation known as “Monroe County Water Authority” is hereby created and continued for the purposes and charged with the duties and having the powers provided in this title. The authority shall be a body corporate and politic constituting a public benefit corporation and shall be a ‘public district’ for the purposes of section eighty-nine-l of the public service law. It shall consist of seven members, no more than five of whom shall belong to one political party and all of whom shall be residents of the county, who shall be appointed by the president of the county legislature of Monroe county subject to confirmation by a majority of the county legislature of Monroe county” (MCWA Website: Governance. August 10, 2016).

As described in its 2015 Report, and in accordance with its purpose to supply, treat and deliver water within its prescribed regional territory, the Authority delivered 16,443,000 gallons of water to 200,519 customers including its contracts with the Town of Mendon and the Village of Honeoye Falls. The Authority sources Hemlock Lake water ([Appendix 3-18.](#)) for our local public purposes, provides any treatment and distributes it via a system they maintain and expand including hydrants for fire suppression. Customer billing is separate from local municipal fees. Authority-wide charges and consumption/usage fees are billed directly to its customer base.

New York State Town Law, Section 198.3.(b) authorizes, “The town board [to] contract with any person or corporation, municipal or otherwise, or with a town or county on behalf of a water district, for a supply of water, for a term not to exceed forty years” (FASNY, p. 655). [Appendix 3-19.](#)

New York State Village Law, Section 11-1100 authorizes the Board of Trustees to, “...contract, in the name of the village, with an individual or corporation for supplying water to the village for

extinguishing fires or for other public purposes; but such contracts shall not be made for a longer period than forty years” (FASNY, p. 725). Appendix 3-20.

### Trends in Governance

In New York State, local government is constructed to a defined geographic territory and empowered to provide services that are prescribed by statute and regulated by government authority. Local government is not intended for a region, nor to take a regional approach. However, there are overlays of jurisdiction and authority on municipal boundaries that provide necessary and ancillary services, e.g. fire districts, school districts, public authorities, contractual agreements, “Home Rule Message” approvals, and other means to arrive at joint arrangements for delivery of services. These measures all provide flexibility and allow municipal officials to provide emergency services on par with local need.

New York State “Tuition Assistance,” “Service Award Program,” and income tax incentives are state-wide measures to boost recruitment and retention of volunteers. Within Monroe County there are changes in the delivery of fire protection that include: Fire District mergers; Fire Protection District contract services; and, Fire Corporation dissolutions. There is active investigation of EMS agency mergers and other forms of consolidation. And, business sales and acquisition in the corporate marketplace affect proprietary ambulance services. Monroe County provides emergency services beyond the minimal services authorized for counties including centralized and specialized services affording economy of scale and acting as a force-multiplier for local functional capacity and resource deployment.

Emergency service is not immune from the realities that challenge local governance, nor the uncertainty of economic stressors. Despite the best intention to effectively recruit and retain volunteers, their ranks continue to slide. The New York State Tax Cap on local government strains the delivery of all local services. And, terms of office affect continuity of operations as those responsible for establishing policy, approving finances and adopting procedure are subject to popular election.

In an effort to objectively assess status quo, local governments and emergency service providers engage evaluations, studies and reports on any number of topics pertinent to their business model and/or their service delivery. Numbers of these works address specific topics and express recommendations for remedy and initiation. Others encompass a general view of community with futuristic planning objectives and solely report survey results to questions about local emergency services.

“While it is not possible to make broad generalizations about the relative advantages and disadvantages of structural reorganization, the growing willingness of local officials to examine

its possibilities and to weigh the results in terms of local values suggests that organization changes will continue" (Cuomo and Shaffer, p. 308).

Our local trend is memorialized in the activity of the organizations that provide our emergency services, in the Meeting Minutes of their governing bodies, in sustaining community support, in agreements and contracts with multiple local governments, in concert with statutory requirements and agency regulations, and as witnessed in the resolve of this community to provide the best we can secure. Our trend is not sentiment. Our trend is:

- policy that sets community standards for excellence and,
- action necessary to achieve.

Figure 3-a. Comprehensive Plans and Studies for, and including, Local Emergency Services

Date	Document Name	By...	For...	Purpose	Includes reference to:				Action(s) Taken
					Fire	EMS	Water Supply	Risk Assessment	
1940	"An Inventory for Planning for the Village of Honeoye Falls"	By: the Monroe Division of Regional Planning			X		X		unknown
1969	As a reference for future development								
1969	"Mendon-Honeoye Falls"	By: the Mendon Unit of the League of Women Voters			X	X	X		Distributed to public
Feb. 1969	For: the General Public	To: Increase awareness & education							unknown
1981	"Community Master Plan Report"	By: McCrosky-Reuter	For: HF-Mendon Community, RE: Urban Planning Assistance Program NYP-115		X				unknown
Feb. 27 – 28, 1990	Mendon Master Plan								
1992	"Conference on the Future of Fire Protection in New York State"	By: the New York State Assembly			X	X			Report influences State Legislation and Agency activity
Nov. 1993	For: government officials, the Fire Service and State Agencies	To: "...ensure adequate fire protection into the 21 <sup>st</sup> Century" (Report, p.i).							
1.23.06	"Town of Mendon Comprehensive Plan: 2015"	By: Stuart Brown Assoc., Inc. and a citizen committee	For: Town of Mendon	To: Ensure consistent & accountable decisions for the people of the Town	X	X	X		Adopted by the town Board, 12.15.93
1.23.06	"Town of Mendon Fire/EMS Master Plan"	By: an appointed Advisory Committee with a consultant	For: Mendon Town Board	To: "Guide [them] in planning to meet current and future needs, and assure resource availability" (Report, p.5).	X	X	X		Accepted by the Town Board, 9.11.95
1.23.06	"Planning for the Future – Developing Strategic Plan for Fire Service in Monroe County: Phase I"	By: Fire Advisory Board Strategic Planning Committee	For: Monroe County Fire Service	To: Assess demands on community fire and EMS and plan for the next 10 – 20 years	X	X			Report prompted an action plan...Phase 2

Date	Document Name	By...	For...	Purpose	Includes reference to:				Action(s) Taken
					Fire	EMS	Water Supply	Risk Assessment	
1.1.07	"Planning for the Future: Phase 2" By: Fire Advisory Board, Phase 2 Planning Committee To: Help develop plans for the 20-year goals identified in the Phase 1 Report				X	X			Workshop presentations for departments
2.18.13	"Comprehensive EMS Study" By: Fitch & Associates, LLC For: Monroe County To: Assess EMS capabilities and develop options for the future					X			Reference and guide
2012	"Village of Honeoye Falls: 2014 Comprehensive Plan" By: Citizen's Advisory Committee and Steinmetz Planning Group For: The Village To: framework for planning, policies & strategies to achieve community vision				X	X		X	Adopted by the Bd. Of Trustees, 6.23.14
2015	"HFMVA Report" By: Monroe County For: local use To: provide an objective overview of department capacity and delivery of service					X			Use for general education

Sources: Village and Town Clerk Offices, Author's Files, Monroe County Offices

Figure 3-b. Ambulance Facility Debt Service: Town of Mendon Serial Bonds

Contract Year	Debt Service: Principal & Int.	Contract Calculated Amt. ...	...to Apportion the Debt Service:			Village payment To T/Mendon		
			T/Mendon (credit to Amb. Contract)	Others Pay	Village Pays	Collected	Paid	
1996	\$ 66,745							
97	65,245	\$	\$ 56,409	\$ 2,524	\$ 14,708	17,232	\$ 6,846 ?	
98	63,745	66,269	50,884	2,156	13,229	15,385	15,121.57 ?	
99	62,245	68,657	52,703	2,259	13,695		15,954	
2000	60,745	67,937	52,269	2,206	13,462	15,668	15,588	
01	64,245	70,254	54,616	2,182	13,456	15,638	15,000	
02	62,495	69,000	53,657	2,161	13,182		15,343	
03	60,745	60,745	47,334	1,961	11,450		13,411	
04	58,995	58,995	46,670	956	11,374	12,330	13,048	
05	62,245	62,245	48,152	987	11,606		12,593	
06	60,205	60,205	49,448	933	9,824	10,757	21,796	
07	58,165	58,165	47,126	937	10,102	11,039	9,000	
08	56,125	58,165	47,344	924	9,897	10,821	8,065	
09	59,085	59,085	47,877	987	10,221	11,208		
2010	56,790	59,085	47,478	955	10,652	11,607	12,938	
11	54,450	59,085	47,411	984	10,690	11,674	11,039	
12	52,087.50	54,450	44,380	860	9,210		10,070	
13	49,725	49,725	39,868	850	9,007		9,857	
2014	47,362.50	47,364	37,873	808	8,683		9,491	

Source: Ambulance Contract Worksheets used to calculate Contract Cost.

In Village Fiscal Years: 1996 – 1997 through 2000 – 2001, Village Budget, A- 9740.70, was the Line Item Appropriation for the Ambulance Facility Debt owed to the Town of Mendon. Beginning with the 2001 – 2002 Fiscal Year, the Line Item Appropriation in the Adopted Budgets are, A-9780.60.

## Chapter 4. FINANCE

*The balancing of municipal programs and activities against available fiscal resources is the key element in financing local government. The task is performed in an environment essentially different from that of a business enterprise in the private sector since laws, constitutions, and public accountability, as well as considerations of public policy, all impose constraints (Cuomo and Shaffer, p. 155).*

Both Village and Town Budgets are instruments to:

- forecast service costs and appropriate funding for their support;
- identify revenue sources and estimate the amount of income;
- itemize reserve funds and determine any appropriation;
- itemize indebtedness, and appropriate principal and interest payments;
- identify Enterprise Funds, and their associated expense and revenue;
- define Capital Projects;
- identify unappropriated surplus and determine its status for the Budget; and,
- determine the property tax levy necessary to balance the Budget, among others.

There is a defined statutory procedure to prepare a tentative budget, file it with the municipal Clerk, hold a Public Hearing, and adopt a final budget for the ensuing Fiscal Year. Village property tax is levied on taxable property within the corporate boundary. Town property tax is levied on taxable property within the Town boundary. Property location determines how tax dollars support the Town's Budget. For example, taxes are levied on the: "A" Fund – as a Town-wide charge; the "B" Fund – as Town, outside-the-Village charge; and, "Special Districts" – two (2) for Fire, three (3) Water, and one (1) Lighting (Supervisor's Office, September 30, 2016).

Both Village and Town of Mendon budgets reflect Public Safety services that are separate and distinct cost centers from Fire and EMS services, e.g. Building Inspector, Code Enforcement Officer, and Fire Marshal. And, both have administrative Budget Accounts for services that support all municipal departments, e.g. Legal, Clerk, Payroll, and Purchasing, among others.

Village and Town of Mendon financial practices comply with all New York State Municipal Accounting requirements and regulations established by the State Comptroller. The Village generally engages a private firm to complete an "Annual Audit" at the close of each Fiscal Year. New York State, Department of Audit and Control performs municipal audits on a cycle determined by the State Comptroller. And, the Village *Purchasing Procurement Manual*, adopted by the Board of Trustees April 20, 1992, amended March 17, 1997 and September 20, 2004, establishes the Village policy for regulatory compliance.

While the Adopted Budget flows across all Village Departments and Administrative elements, the reader must poll the Budget's Account Numbers, or line items, to discern the true cost basis and revenue opportunities for an accurate assessment of the total cost of a specific Village service. For example, beyond the department's General Fund "Appropriation," there may be: attributable Insurance costs located in other accounts; Debt Service; payroll of workers from other departments for their services to the department of interest; Capital Reserve Accounts; and, other costs that support the delivery of that specific service. General Fund "Revenue," may go beyond Property Tax, and be supported by: contracts for a specific service; grant funding; user fees; permits; sale of equipment; insurance reimbursement; and/or, gifts and donations, among others.

**The 2016-17 Adopted Village Budget.** All Account Numbers, nomenclature and dollar figures are quoted from the 2016-17 Adopted Village Budget (Appendix 4-1). General Fund appropriations in Account Number 3410, *Fire Department* are \$ 212,786.00. Additional costs related to the administration and functions of the **Fire Department** are found in Account Numbers:

• AA.3020.40 Public Safety Communication System Fire Alarm	\$ 450.00
• AA.1620.11 Buildings. DPW Payroll Fire Hall	1,500.00
• AA.1620.42 Buildings. Fire Hall	4,000.00
• AA.9720.62 Bond 2013 Fire Rescue – Principal	20,000.00
• AA.9720.72 Bond 2103 Fire Rescue – Interest	17,106.00
• AA.9720.66 Bond 2005 Fire Pumper – Principal	24,096.00
• AA.9720.76 Bond 2005 Fire Pumper – Interest	5,771.00
• AA.9950.96 Transfer to Fire Equipment Reserve A231.F	30,000.00
• AA.9950.98 Transfer(½ cost) to Radio/Pager Reserve A231.T	<u>750.00</u>
Approximate Total *	\$ 316,459.00

\* There may be employee benefits paid from other Budget Accounts that contribute to the cost basis of the Fire Department.

The anticipated revenue appears as Account Number AA.2262.00 *Fire Protection Services – Mendon, Bloomfield*, and is estimated to be \$ 202,000.00, while the actual revenue generated from the 2016 Fire Contract due the Village, "...no later than March 15, 2016," from the Towns of Mendon and West Bloomfield is:

• Town of Mendon	\$ 161,955.00
• Town of West Bloomfield	<u>11,121.00</u>
Total	\$ 173,076.00

General Fund appropriations in Account Number 4540, *Ambulance Department*, are \$ 429,046.00. Additional costs related to the administration and functions of the **Ambulance Department** are found in Account Numbers:

• AA.4989.40 Med Ex. Contractual	\$ 35,000.00
• AA.1620.13 Buildings. DPW Payroll Ambulance	1,500.00
• AA.1620.41 Buildings. Ambulance	4,000.00
• AA.9720.65 Bond 2013 Ambulance – Principal	20,000.00
• AA.9720.75 Bond 2013 Ambulance – Interest	1,400.00
• AA.9720.67 Bond 2016 Ambulance – Principal	20,000.00
• AA.9720.77 Bond 2016 Ambulance – Interest	5,000.00
• AA.9950.91 Transfer to Ambulance Reserve A231.A	70,000.00
• AA.9950.98 Transfer(½ cost) to Radio/Pager Reserve A231.T	<u>750.00</u>

Approximate Total \*           \$ 586,696.00

\* There may be employee benefits paid from other Budget Accounts that contribute to the cost basis of the Ambulance Department.

The anticipated General Fund revenue for the Ambulance Department is:

1. *Ambulance Service– Mendon, Bloomfield*, Account Number AA.2300.00, estimated to be \$ 290,000.00, while the actual revenue generated from the 2016 Ambulance Contract due the Village, "...no later than February 15, 2016," from the Town of Mendon and, "...no later than March 15, 2016," from the Town of West Bloomfield is:

• Town of Mendon	\$ 170,083.00
• Town of West Bloomfield	<u>5,624.00</u>

Sub-Total \$ 175,707.00

2. *Ambulance Service Receipts*, Account Number AA.1640.00, is anticipated income from Ambulance Service Fees authorized by the Board of Trustees *2016 Schedule of Fees* for MedEx. The Village estimates this income at \$ 330,000.00 during the course of its 2016-2017 Fiscal Year. MedEx, together with its affiliated collections agency, is contracted by the Village to be its billing agent and to collect payments for Ambulance Service Fees.

Note: Fire and Ambulance Contract values are determined prior to the Village Tentative Budget, allowing the Village to establish an actual anticipated revenue in both Department Budget Accounts. Current Budget Accounts project \$ 28,924.00 (Fire Contracts), and \$ 114,293.00 (Ambulance Contracts) more than the actual Contract values.

More detail about several Appropriations and Revenues:

A. Appropriations.

1. **Insurance.** The Board of Trustees reviews its Emergency Services insurance requirements on an annual basis to ensure the scope of coverage is sufficient for exposures consistent with the delivery of Emergency Services. The Trustees request premium quotations from Village agents and program representatives before securing coverage to protect against insurable loss. Agents and Underwriters assess Village risks according to industry standards, and input Village data to calculate product premiums rooted in actuarial experience. The Board of Trustees currently secures Insurance for HFFD and HFMVA from five (5) underwriters whose premiums are reflected across "Insurance" Account Numbers within the 2016-2017 Village Budget. See [Figure 4-a](#).

Items to note about the VFIS Insurance coverage as enumerated on [Figure 4-a](#), for the period of 6.28.26 to 6.28.17:

1. The premium is divided equally for the Fire and Ambulance Departments according to Agent, Jeff Joseph, for products except buildings and vehicles (June 28, 2016).
2. *Management Liability* coverage includes: Elected Officials, volunteers, employees, directors, a Medical Director and others when acting within the scope of their official duties for the Village (Joseph, July 14, 2016).
3. *Accident & Sickness* coverage serves as a "bridge" when the *Volunteer Firefighters' Benefit Law (VFBL)*, or the *Volunteer Ambulance Workers' Benefit Law* compensates a member for lost wages. Together, the volunteer benefit and the Accident & Sickness coverage attempt to reflect the member's lost wages (Joseph, June 28, 2016).
4. *Accident & Sickness* coverage is available to part-time workers whose average work week meets the hourly parameters for this coverage (Joseph, July 14, 2016). VFIS Insurance information is [Appendix 4-2](#).
5. Agent Jeff Joseph advises that a program representative identified another building at the Fire Training Grounds, increasing coverage to four (4) structures (Joseph, July 14, 2016).

Items to note about the Upstate New York Municipal Workers' Compensation Program coverage and premium as shown on the Village "Information Page," for the period of 1.1.16 to 1.1.17:

1. *Ambulance Drivers* coverage is for part-time, per diem employees. This coverage is available for workers whose average work week meets the hourly parameter for "part-time," defined by Insurance Classification Codes.

2. *Volunteer Firefighters (pop.)* reflects the *Volunteer Firefighters' Benefit Law (VFBL)*. Insurance Code 7711 defines "(pop.)" as the population protected by the Fire Department. This population is used to determine the premium.
3. *Volunteer Ambulance (#units)* reflects the *Volunteer Ambulance Workers' Benefit Law*. "(#units)" references the number of vehicles in operation with the ambulance service as this determines the premium.
4. *Terrorism* is calculated on the number of full-time employees. The Village Clerk verifies there are fifteen (15) full-time employees as reported on the Village's New York State Retirement Report (August 10, 2016). "Terrorism" as cause would be determined post-incident by authorized officials.
5. *Natural Disaster & Catastrophic Industrial Accidents* are similarly calculated and classified by authorized officials and insurance representatives.

The source of the information above for numbers 1 through 5, is Karen Peters at Rose & Kiernan, on behalf of the Program (per Village Clerk inquiry August 16, 2016).

6. Of the [Village] "Member Total" premium of \$ 75,742, the attributable Fire Department and Ambulance Department cost is \$ 55,128, or 73% of the total premium, leaving a balance of \$ 20,614, or 27 % of the premium attributable to the other operations indicated on the Information Page.
7. Upstate New York Municipal Workers' Compensation Program members sometimes receive a "surplus dividend check," "...Resulting from the [X %] dividend declared by the Executive Committee" (April 12, 2011 letter to the Mayor regarding same). Some of these dividends have been credited to the next year's Fire and Ambulance Contracts, as premium payments for this Workers' Compensation insurance product is charged to their respective Operations Budget. These credits are noted on [Figures 4-j. and 4-q.](#) This dividend is also shared among General Budget Accounts and the Sewer Budget (per the Deputy Village Clerk-Treasurer).
8. Deputy Mayor Jerry Pavelsky estimates that across the years of Village participation with Upstate New York Municipal Workers' Compensation Program, the Village has received dividends of about \$ 400,000. (Pavelsky, August 9, 2016).
9. Village *Capital Reserve Workers' Compensation* Account Number, A231.W is established to assist any Village "deductible" amount resulting from a claim. The balance in this account is \$ 129,284.03 (Deputy Village Clerk-Treasurer, September 27, 2016).
10. The Village "deductible" potential is estimated at up to \$ 200,000.00 (Village Administrator, (September, 2016: per Rose and Kiernan).

Upstate New York Municipal Workers' Compensation Program information is [Appendix 4-3.](#)

**2. Indebtedness.** “New York State Constitution Article VIII, Section 2 contains restrictions on the contracting and payment of local indebtedness. A village may only contract indebtedness for village purposes. Village debt may not be contracted for periods longer than the period of probable usefulness provided for in Local Finance Law, Section 11.00 and must contain a pledge by the village of its full faith and credit for the payment of principal and interest. Article VIII, Section 4 provides that a village may not contract indebtedness which, including existing indebtedness, exceeds seven percent [7 %] of the average full valuation of taxable real estate of the village” (NYCOM Handbook, p. 15.22).

New York State Local Finance Law, Section 11.00.a.27 establishes probable usefulness for **Fire-fighting vehicles and apparatus**: costing \$ 5,000.00 or less, the period is five (5) years; costing more than \$ 5,000.00, the period is ten (10) years; and, costing in excess of \$ 50,000.00, the period is twenty (20) years (FASNY, p. 362). Section 11.00.a.27-a. establishes probable usefulness for **Ambulances**: “The purchase of a motor vehicle which is specially designed for use for the treatment, care or transport of sick or injured persons, whether or not including equipment or furnishings used in connection with such a vehicle, ten years, or the purchase of original equipment or furnishings for such a vehicle or the replacement of equipment or furnishings for such a vehicle, five years” (FASNY, p. 362).

The 2016-2017 Village Budget obligates current debt as shown on [Figure 4-b](#). Loan Amortization Schedules for these three obligations are included in [Appendix 4-4](#).

**3. Reserve Funds.** As authorized by New York State General Municipal Law, Section 6-c., the Board of Trustees established Capital Reserve Funds to support expenses associated with real property and equipment necessary to provide emergency services delivered by the Village Fire and Ambulance Departments. They are enumerated on [Figure 4-c](#). Note: Although the monetary balance in each Reserve Fund is considered an “Asset,” the adopted budget may indicate appropriations for them and this is why they are expressed in the “Appropriations” section within this chapter.

On May 16, 2016, in Village Fiscal Year 2015-2016, the Board of Trustees authorized an expenditure of \$ 43,874.79 from Budget Line AA-1620.42, *Buildings. Fire Hall*. This sum was transferred from Budget Line AA-0231-R0, *Capital Reserve. Real Property*, for expenditure to cover the cost of renovation for the Fire House Kitchen (Deputy Village Clerk/Treasurer, August 31, 2016). The Board of Trustees will determine if this expenditure has any cost basis for ensuing Fire Contracts as this expenditure was in addition to the expense plan used to calculate the 2016 Fire Contract value (Emerson, June 28, 2016). [Appendix 4-5](#) shares documentation about this action and conveys information from the 2013 Edition of the *NYCOM Handbook for Village Officials*, regarding Capital Reserve Funds (pp. 15.15, 15.16).

**4. Staffing.** "Aside from elected village officers, a position in village government is an appointed office, a position of employment, or a volunteer. Except for volunteer positions, all are subject to the civil service process. For a village, this process is administered by a county in the form of either a civil service commission or a personnel officer. [Monroe County has a Civil Service Commission.] One of the more important functions of a civil service commission...is the classification and titling of positions which a village may seek to create within its governmental structure. [New York State] Civil Service Law, Section 22 deals with the creation of positions and the process set forth must be followed. The purported creation of a village position in a manner other than that prescribed by Civil Service Law, Section 22 has been held by the courts to be null and void" (NYCOM Handbook, p. 11.1). To assure regulatory compliance, the Village submits an annual "Certified Payroll Report" to the Monroe County Civil Service Commission: the most recent record is Certified by signature of the Commission's Executive Director, December 30, 2015. See Appendix 4-6.

The Village employs one (1) full-time and two (2) part-time **Fire Department** "Laborers," with hourly wage rates ranging from \$ 12.00 to \$ 12.75 plus benefits. Fire Department employees are paid from Budget Account Number, AA.3410.10.

The Village employs two (2) full-time **Ambulance Department** "Laborers:" one who functions as, "ALS Chief;" and, one as "Supervisor/Paramedic," with hourly rates ranging from \$ 22.87 to \$ 25.00 plus benefits. Department part-time, per diem employees are also "Laborers," who function as:

- "BLS" – three (3) employees with an hourly wage at \$ 12.00, plus benefits
- "ALS" – one (1) employee with an hourly wage at \$ 18.00; two (2) employees with an hourly wage at \$ 19.00; and, five (5) with an hourly wage at \$ 20.00. These eight (8) hourly wage rates are, "plus benefits"
- "Ambulance Admin." – one (1) employee with an hourly wage at \$ 20.00, plus benefits (Deputy Village Clerk-Treasurer, September 2, 2016). Note: All wage rates quoted in this Report, are sourced from the Village "Payroll, Employee Master." This document contains personal, proprietary information and was returned to the Village Office.

Ambulance Department employees are paid from Budget Account Number, AA.4540.10.

Note: "Laborer" is the Civil Service titled position for all paid, Village-employed, Fire and Ambulance personnel (Village Clerk-Treasurer, September 27, 2016).

Ambulance Staff are polled to submit their shift availability. They are requested to be available for 20 hours per month. Members are assigned weekly shifts totaling 10 – 36 hours. There is one Paramedic on-duty 24x7x365 for ALS, with a second Paramedic assigned between 10:00

A.M. and 8:00 P.M. which is historically the most probable time for multiple calls. A minimum of one BLS Staff is available 24x7x365 (Foos, July 19, 2016).

Scheduling parameters are cross-referenced with two (2) parameters to avoid:

- Conflict with Health Care definitions that stipulate part-time work as, “on average, less than 28 hours per week;” and,
- “Overtime” pay beyond 40 hours per week for full-time employees. Regular shifts are determined at about 36 hours, providing a cushion when staff approaching 40 hours are on a service call (Foos, July 19, 2016).

Note: There is a scheduling parameter related to the Village Insurance coverage with VFIS for *Accident & Sickness* coverage, and its availability for part-time workers whose average work week exceeds the Insurance industry’s average hourly work week (Joseph, July 14, 2016).

In addition to Village employees, the Board of Trustees authorizes [a Voluntary ALS First Response Service], Southeast Quadrant to act in lieu of Village employees and HFMVA volunteers. When staffing the Village Ambulance Department and fulfilling a role with HFMVA, Southeast Quadrant is compensated for services at a flat, hourly rate of \$28.00. Southeast Quadrant services are paid from Budget Account Number, AA.4540.11. The \$ 5,000.00 appropriation in the 2016-2017 Village Budget is fully expended (Village Deputy Clerk-Treasurer, September 27, 2016).

The *Village of Honeoye Falls Employee Handbook* enumerates employee benefits in Sections 1 through 14 of the current edition, authorized by the Board of Trustees, in September, 2012: Vacation; Disability; Workers’ Compensation; Longevity Pay; Leave Due to Death in Family; Leave of Absence; Family and Medical Leave Policy; Use of Accrued Paid Leave Credits; Jury Leave; Medical Insurance; Dental Insurance; New York State Retirement; Paid Holidays; Personal Leave; and Sick Leave (pp. 6-14). Appendix 4-7. Some benefits are paid by Budget Accounts outside the Fire and Ambulance Department Payroll Accounts. These Budget Accounts may include:

- AA.9010.80 State Retirement
- AA.9030.80 Social Security
- AA.9055.80 Disability Insurance
- AA.9060.80 Hospital and Medical Insurance
- AA.9063.80 Medical Deductible

Both Departments maintain a roster of active volunteer members:

- Honeoye Falls Fire Department (HFFD) has thirty-one (31) “Active Firefighters” on its Personnel List (Churnetski, June 3, 2016).
- Honeoye Falls-Mendon Volunteer Ambulance (HFMVA): “...twenty to twenty-five (20 – 25) active volunteers is an average that has been consistent on a yearly basis” (Milne email, August 2, 2016).

B. Revenue. The 2016-2017 Village Budget derives revenue for the Fire and Ambulance Departments from service contracts and EMS third party billing. Grants are also available and awards have come from local sources as well as New York State and the federal government.

1. **Grants**. HFFD and HFMVA occasionally receive financial assistance from local organizations and businesses: Molye’s “loan” of the first HFFD Chief’s Car; the generosity of several businesses partnering to purchase a Rescue Truck; Rotary with \$100.00 to assist the start-up of ALS; Southco’s donation of Scott Air Packs in 1979; and, in February 1995, their donation of land for an Ambulance Facility. Private foundations, not-for-profit institutions, and business community service programs also give-back to local Emergency Services. Government grants are generally sourced as monetary aid incentive for compliance with program standards, to field-test new programs, and/or to reinforce agency priorities. Some grant programs require matching funds, and most stipulate a timeframe for the expenditure of funds. Monetary awards that benefit HFFD and HFMVA are enumerated on Figures 4-d and 4-e respectively. For some HFFD awards, the local match includes additional funds necessary to acquire the desirable volume of product, or to achieve the vendor price point.

Federal grants are sometimes “passed-through” to New York State, where the state is used for administration and as a bank to distribute awards to local governments that meet qualifying criteria. In other cases, qualifying local governments must compete for award and/or commit a local monetary match. Although the predominant number of Federal awards available to local government is received at the county level, their value positively impacts Emergency Services at village, town and district levels including: comprehensive studies; equipment purchase and sharing; and, shared services and special operations, thereby reducing associated program and capital costs on county property taxes. Other Federal awards enable local government activity that is prerequisite for specific grant funding. For example: Pre-Disaster Mitigation Plans at the local level are a gateway to monetary award from FEMA. The Monroe County Office of Emergency Management coordinates activity for village and town compliance as the County prepares and up-dates its Plan according to FEMA’s planning criteria and time line.

2. **Service Contracts**. The Village maintains Inter-Municipal Contracts to provide fire protection and ambulance service to portions of the Towns of Mendon and West Bloomfield. In these

agreements, the Village assures its full measure of service capacity is available to the contract territory. The term of each contract is one-year, renewable by December 31<sup>st</sup> of each year. The calculation used to determine the contract fee intends to equitably divide the cost of the service among the parties, i.e. their tax payers, who utilize the services: the Village of Honeoye Falls; Town of Mendon; and, Town of West Bloomfield. When “actual cost-based” methodology was instituted by the Board of Trustees in the 1980’s, the understanding among the parties was that all appropriations and revenues associated with Fire and EMS would be retained within the department cost centers as either necessary and usual expense, or as credit to off-set the actual cost of the services under contract. Note: The Village ceased its contractual agreement with the Town of Lima, for Fire and Ambulance services in Lima Fire Protection District No. 3, on December 31, 2003 (Appendix 4-8.)

#### Village of Honeoye Falls Contracts for Fire Protection:

The Town of Mendon. As presented in Chapter 3, the Town of Mendon has a long-standing contractual history with the Village of Honeoye Falls for fire protection.

Mendon Fire Protection District No. 1 receives fire suppression services from the Honeoye Falls Fire Department through a contract with the Village Board of Trustees that derives its value (fee for service) from the Department’s actual annual capital and operational costs, adjusted with credits and/or expense overrun from the previous year. The steps are:

1. Identify General Fund Budget Accounts attributable to the Fire Department, typically those Accounts identified in the “Appropriations” section within this chapter. Figure 4-f.
2. Adjust this sum for credits or additions due to expense overrun; and,
3. Add Debt Service and/or Reserve Account appropriations. Figure 4-g.
4. This is the Department’s Total Budget used to calculate protection value.
5. The Protection District’s Taxable Property Assessment (from the Tax Roll established July 1<sup>st</sup>) together with the Town Equalization Rates are provided by the Town Assessors. Figure 4-h.
6. Each protected territory’s Taxable Property is adjusted by the State Equalization Rate, and then divided by the Department’s Total Budget to calculate a “rate per thousand of assessed value,” generating a “District Rate” for each territory receiving HFFD protection.
7. When this “District Rate” is multiplied by the territory’s “equalized” Property Assessment, it achieves the protection value for each participating party. Figure 4-i.

Appendix 4-9 is the 2016 Contract with the Town of Mendon for Mendon Fire Protection District No. 1.

The Town of West Bloomfield. The Town of West Bloomfield also has a long-standing contractual history with the Village of Honeoye Falls for fire protection in its North Bloomfield Fire Protection District.

The North Bloomfield Fire Protection District, established August 24, 1976 (Minutes of Meeting), receives fire suppression services from the Honeoye Falls Fire Department, through a contract with the Village Board of Trustees that derives its value (fee for service) in the same manner described above for Mendon Fire Protection District No. 1. Appendix 4-10 shares the August 24, 1976 Meeting Minutes and the 2016 Contract with the Town of West Bloomfield. This Contract includes both the North Bloomfield Fire Protection District, and the North Bloomfield Ambulance District.

Figure 4-j. shares “Village Fire Contracts: Budgets and Cost Sharing” for the three territories protected by HFFD.

#### Village of Honeoye Falls Contracts for Emergency Medical Services:

The Town of Mendon. The Town, outside the Village, receives Emergency Medical Services from the Honeoye Falls-Mendon Volunteer Ambulance, under a contract with the Village Board of Trustees that derives its value (fee for service) from the Department’s actual annual capital and operational costs, credited with revenue and adjusted for expense overrun from the previous year.

The contract calculation is similar to the Fire Contract, in that the Ambulance Contract equitably applies a rate per thousand on Taxable Property value. The agreed formula stipulates this calculation as “PART I” of three (3) parts whose sum derives the service value for each participating party. PART I assumes 50 % of the Contract value, with PARTS II and III each assuming 25 % of the equation. PART II inserts a calculation for the territory’s population. And, PART III inserts a calculation for the number of Ambulance calls in the territory during the previous year. Appendix 4-11 is the 2016 Contract with the Town of Mendon.

Note: Even though the Ambulance Facility Debt Service was retired (paid-off) in 2014, the 2016 Ambulance Contract Worksheet includes a \$ 9,491 “Ambulance Facility Debt Service” cost as part of the formula to determine the Contract values, and no reference is offered to verify this charge.

The Town of West Bloomfield. The North Bloomfield Ambulance District is the same territory as the North Bloomfield Fire Protection District ( Grunden, August 16, 2016), and receives Emergency Medical Services from the Honeoye Falls-Mendon Volunteer Ambulance under a contract with the Village Board of Trustees that derives its value (fee for service) from the

Department's actual expense and revenue in the same manner described above for the Town of Mendon.

Figure 4-k. 2017 Ambulance Department Operating Budget

Figure 4-l. 2017 Adjusted Ambulance Budget (with credits and debits)

Figure 4-m. 2017 Ambulance Contract Worksheet

Figure 4-n. Annual Village Ambulance Contract: Part II - Population

Figure 4-o. Annual Village Ambulance Contract: Part III – Use Formula

Figure 4-p. Ambulance Contract Calculations from Worksheets

Figure 4-q. Ambulance Contract Values (with credits and debits)

**3. Third-Party Billing.** The Board of Trustees held a Special Meeting on March 30, 2002 and:

1. Authorized the Mayor to execute an agreement [contract] with “MedEx Billing, Inc. for services to institute the management of third party billings for ambulance services on behalf of the Village of Honeoye Falls, as outlined in the agreement dated March 1, 2002” (Minutes of Meeting).
2. Adopted a Resolution to, “Establish May 1, 2002 as the start date for third party billing” (Minutes of Meeting).
3. Adopted a Resolution to, “Establish a fee schedule [of ambulance services] for third party billing...” (Minutes of Meeting).
4. Authorized the Mayor to, “[Execute] an agreement with...[eight EMS providers]...for ‘Fly Car services and the Provision of ALS Assists’ as outlined in the [MedEx Billing, Inc] agreement” (Minutes of Meeting). Appendix 4-12 carries the March 30, 2002 Meeting Minutes and related correspondence.

The initial contract was a 3-year term and established a per-claim processing fee by MedEx, Inc. at a rate of \$ 30.09. This fee has fluctuated since the initial contract as enumerated on Figure 4-r.

The Village Fee Schedule for ambulance services is amended since the original rates were established. They are also enumerated on Figure 4-r., and shared in Appendix 4-13.

Since the Village initiated third party billing, it has actually earned revenue that exceeds its Annual Budget projections as indicated on Figure 4-s. The revenue derived from third party billing, and its use by the Village Board of Trustees in establishing Ambulance Contract values is reflected on Figure 4-s. This revenue has a history of uses within the General Fund: credit to

the annual Ambulance Contracts; transfer to the Ambulance Budget Account to recover over expense; transfer to Reserve Accounts; payment to Debt Service; and/or, transfer to recover over expense within the General Budget (per Village Deputy Clerk-Treasurer).

The Village use of third party billing revenue was discussed with its onset. At their meeting on March 24, 2003, "The [Mendon] Town Board adopted a resolution requesting that the...Board of Trustees apply at least 75% of the amount of funding received through the third party billing process to the 2003-04 Ambulance Operating Budget to relieve the tax burden on all contractors of this service" (Appendix 4-14).

Monroe County EMS Administrator, Tim Czapranski sought guidance for this report about the use of third party billing revenue outside the cost center of ambulance service. He shared this response in an email:

"We are not aware of any CMS/Medicare statute, rule, or other guidance that requires that Medicare reimbursement be spent solely for the type of service that was billed (e.g. ambulance/EMS Medicare reimbursement must be spent for the operation of the EMS/ambulance department). Generally, Medicare's take is that once the ambulance service receives its Medicare reimbursement, it is free to spend and use that money as it sees fit. Sharing the EMS reimbursement with other municipal departments is, as far as we know, not prohibited. Also, there is no requirement that a Medicare provider provide any type of accounting to Medicare as to how reimbursement was spent.

"Please note that this response is based on MediCARE laws. It is possible (although probably rare) that there is some strange state MediCAID law that may require some sort of accounting, or otherwise mandate that MediCAID reimbursement MUST be used by the EMS department. You'd have to check local state law for that" (Czapranski, September 30, 2016).

The current MedEx, Inc. Contract is a 3-year term for the period January, 2015 to January 31, 2018 and, unless terminated according to provisions of the Agreement, it "Automatically renews for successive, additional, one-year periods, upon the same terms and conditions..." (January 1, 2015: item #10). Appendix 4-15.

The Board of Trustees also stipulates provisions for MedEx, Inc. to determine third party billing collection. Appendix 4-16. MedEx, Inc. utilizes CBCS as a collections agency. CBCS collections are included in billing revenue MedEx, Inc. forwards to the Village. However, CBCS bills the Village separately for their services which is a percentage of their collection. Their fee is included in the Ambulance Department Budget Account Number AA.4989.40, *MedEx Contractual* (Village Deputy Clerk-Treasurer, September 2, 2016).

Per the Deputy Clerk-Treasurer, the current, Fiscal Year revenue from MedEx is, \$ 69,500.60 (September 27, 2016).

“New York State Insurance Law, Section 3216. Individual accident and health insurance policy provisions [effective 6.8.16]

“(24) (A) Every policy which provides major medical or similar comprehensive-type coverage shall include coverage for prehospital emergency medical services for the treatment of an emergency condition when such services are provided by an ambulance service issued a certificate to operate pursuant to section 3005 of the public health law.

“(B) Payment by an insurer pursuant to this section shall be payment in full for the services provided. An ambulance service reimbursed pursuant to this section shall not charge or seek any reimbursement from, or have any recourse against an insured for the services provided pursuant to this paragraph, except for the collection of copayments, coinsurance or deductibles for which the insured is responsible for under the terms of the policy.

“(C) An insurer shall provide reimbursement for those services prescribed by this section at rates negotiated between the insurer and the provider of such services. In the absence of agreed upon rates, an insurer shall pay for such services at the usual and customary charge, which shall not be excessive or unreasonable.

“(D) The provisions of the section shall have no application to transfers of patients between hospitals or health care facilities by an ambulance service as described in subparagraph (A) of this paragraph” (FASNY, p. 328).

### C. Assets.

1. **Real Property.** The timeline below carries information about the property dedicated for Fire and Ambulance Services. NOTE: Unless otherwise indicated, this information is drawn from the Marasco, Honeoye Falls Fire Department (1985) publication, which contains un-numbered pages.

1886            “In November, after reconstruction of the Village Hall (destroyed by fire, May 31, 1885), the Board gave the fire department exclusive use of the two east rooms of the building.” A Hose Tower was built at the southeast corner of the Hall to facilitate drying the fire hoses. The Village of Honeoye Falls owns this building, known as 5 East Street, Honeoye Falls, New York.

1944            A “new” fire house begins construction on Monroe Street. It was completed July 3, 1945, at a cost of \$7,000. Some equipment continued to be housed at the

Village Hall until this building was enlarged. The Village of Honeoye Falls owns this building, known as 7 Monroe Street, Honeoye Falls, New York.

1975 The \$185,000 addition to the Monroe Street Fire House was dedicated December 6, 1975. This addition expanded the footprint of the building and expanded its frontage on Monroe Street. This building is now known as 9 [or sometimes 7-9] Monroe Street, Honeoye Falls, New York.

1978 September 28, 1987, the Village of Honeoye Falls leases Village-owned property to the Honeoye Falls Fire Department for training and department activities for a period of fifteen (15) years, expiring September 27, 1993 (per the Lease). This property is known as the, "Thomas Rotunda Memorial Training Ground." It is addressed as 321 Monroe Street, Honeoye Falls, New York, and is adjacent to the west side of the [Village] Monroe Street Park.

1995 Southco, Inc. donates "...a parcel of land containing 2.763 acres of land more or less" (Deed of Dedication and Map), as a site for the Honeoye Falls-Mendon Volunteer Ambulance base of operations. Subsequently, the Village issued a Quit Claim Deed, granting joint ownership to the Village and Town of Mendon. Use and ownership of this parcel are stipulated in the October 17, 1994 *Ambulance Service Agreement, Revised 9.29.94*, and reestablished in the November 20, 2003 *Ambulance Service Agreement*. The HFMVA Base occupies this parcel known as 210 East Street, Honeoye Falls, New York.

The Village-owned Fire House, addressed as 9 Monroe Street is:

- Tax Account No.: 228.12-1-5.1
- 117 x 111 feet (plus or minus) parcel
- Assessed Value: \$ 430,000
- Taxable Status: Exempt [Appendix 4-17](#)

The Village-owned land addressed as 321 Monroe Street is:

- Tax Account No.: 221.03-2-19 (Village owned parcel)
- 24.6 acres
- Assessed Value: \$ 130,000
- Taxable Status: Exempt [Appendix 4-18](#)

A village can lease property for certain purposes, and a portion of this property is leased to HFFD, Inc. [Appendix 4-19](#).

The jointly owned (Village and Town) HFMVA Ambulance Base, addressed as 210 East Street is:

- Tax Account No.: Part of 229.05-1-3.12
- 2.763 acres, more or less
- Assessed Value: \$ 637,300
- Taxable Status: Exempt [Appendix 4-20](#)

**2. Other Assets.** The Village *General Ledger, Balance Sheet* (September 27, 2016), identifies the value of these Assets, or a portion of their value, which are associated with the Village Fire Department and the Ambulance Department:

• KK.0101.00 Land	\$ 400.00
• KK.0102.00 Buildings	2,934,827.00
• KK.0104.00 Equipment	3,631,424.00
• KK.0112.00 Accumulated Depreciation – Buildings	(1,404,197.00)
• KK.0114.00 Accumulated Depreciation – Machinery/Equip	(2,293,421.00)
• AA.0231.A0 Capital Reserve Ambulance	15,787.77
• AA.0231.F0 Capital Reserve Fire Equipment	42,760.02
• AA.0231.J0 Capital Reserve Ambulance Facility	13,867.55
• AA.0231.T0 Capital Reserve Radio & Pager	22,303.87

This document also identifies the Village’s unappropriated surplus as: AA.0909.00 *Fund Balance – Unreserved*, \$ 1,068,827.12 (pp. 1, 2, and 5). Note: The Village *Balance Sheet* (September 27, 2016) is [Appendix 4-1](#) with the 2016-2017 Village Budget.

**D. Monroe County Emergency Services.**

Monroe County collects annual property taxes to support Public Safety and Emergency Services programs including: the Office of Emergency Management; the Fire Bureau; the Emergency Medical Services Office, Public Safety Communications; 911; and, others that benefit our local providers and taxpayers. County property tax supports the organization, training and sustainment of centralized and special services that augment local First Response capability. This revenue supports the capital and operational expense of the Public Safety Communications infrastructure, including the 911 Program; Emergency Management; EMS Medical Direction; local and State Mutual Aid Planning; Fire Investigation; Laboratory and Forensic services; and, the regulatory requirements affiliated with these services. County property tax also sustains County-sponsored training for local Fire and EMS providers, including HFFD and HFMVA.

**E. Trends.**

The capital and operational costs associated with Fire and Emergency Medical Services are certainly a factor in Public Safety policy and operational decisions. Governing bodies are challenged with the rising costs of fleet maintenance, real estate and building expense, Insurance rates, staff requirements, payroll obligations for wages and benefits, and general regulatory oversight. Financial considerations may include: economy of scale; base of income; service capacity appropriate for the geographic territory and its demographics; supplanting dwindling ranks of volunteers with paid personnel; and, other universal and parochial needs. The need to augment traditional volunteer roles with paid personnel is a major factor in deciding level of service and availability of Emergency Services in many communities.

Financial variation between municipally-based Emergency Services, and formally-constituted "Independent" services, may be a key factor influencing switches from one form of service to the other. Money is "on the table for discussion" and we witness Fire District mergers, Towns reconfiguring Protection Districts, and/or service contracts with an alternate provider.

The inception of third party billing revenue was a catalyst and financial impetus for EMS providers to assess and determine their legal authority to establish a fee schedule for their services. Fire Districts that provide EMS within the scope of their firemanic services are prohibited from third party billing. Some Departments have curtailed Ambulance service altogether. Some offer EMS capacity but rely on an Ambulance Service for patient transport. And, others are in study mode to decide a viable direction for their organization and the people they serve. Independent Ambulance Service mergers, consolidations and other formations of partnering purport to build service capacity and affordability for users.

All Emergency Service providers embrace their mission to "Serve and Protect." There is continuous conversation among providers and their governing body about sustaining financial resources on par with the quality of service expected in their community. Fortunately, "Home Rule," and the availability of multiple operational models afford flexibility and viable options for community consideration.

Figure 4-a. Emergency Services Insurance Coverage and Premiums

Insured with: **Volunteer Fire Insurance Service (VFIS)**

Agency: Mitchell-Joseph Insurance Agent: Jeff Joseph

Coverage Period: June 28, 2016 to June 28, 2017

Insurance Coverage	Premium	
	Fire Dept.	Amb. Dept.
Portable equipment	767.00	767.00
Buildings: Firehouse & Amb. Facility only	3,927.36	2,550.45
Auto: includes Mutual Aid coverage*	3,931.00	2,901.00
Liability	2,205.00	2,205.00
Umbrella	1,094.00	1,094.00
Management Liability	548.50	548.50
Accident & Sickness	1,057.50	1,057.50
Sub-total	\$ 13,530.36	\$ 11,123.45

Insured with: **New York Municipal Insurance Reciprocal**

Agency: Mitchell-Joseph Insurance Agent: Jeff Joseph

Coverage Period: June 28, 2016 to June 28, 2017

Buildings (3): at the Training Grounds	\$ 200.00 (+ bldg.#4)	
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Insured with: **Upstate New York Municipal Workers' Compensation Program (UNYMWCP)**

Agency: Rose & Kiernan, Inc.

Coverage Period: January 1, 2016 to January 1, 2017

Ambulance Drivers - per diem employees		16,511.00
Municipal Employees (full-time) **	743.60	1,487.20
Vol. Firefighters: VFBL	26,024.00	
Vol. Ambulance: Workers' Benefit Law		9,867.00
Terrorism**	25.86	51.72
Terrorism: Volunteer FF & Ambulance	167.50	167.50
Natural Disasters & Catastrophic Industrial Accidents**	4.60	9.20
Natural Disasters & Catastrophic Industrial Accident: Vol. FF & Ambulance	34.50	34.50
Sub-total	\$ 27,000.06	\$ 28,128.12

Insured with: **MetLife**

Agency: Direct with Carrier

Coverage Period: January 1, 1996 to December 31, 2016

Insurance Coverage	Premium	
	Fire Dept.	Amb. Dept.
Disability	\$ 57.88	\$ 115.76

Insured with: **Excellus**

Agency: Direct with Carrier

Coverage Period: June 1, 2016 to May 31, 2017

Hospital & Medical (paid at 80%)		13,141.92
Medical Deductible (HAS subsidy)		4,500.00
Sub-total		\$ 17,641.92
<b>TOTALS</b>	<b>\$ 40,788.30</b>	<b>\$ 57,009.25</b>

\*New York Mutual Aid Endorsement premiums for the Fire and Ambulance Departments covers loss due to, "damage or destruction of the property of others by fire or other casualty" (DiRaddo, 20:10). The Village currently carries a \$1,000,000 "Limit of Insurance...for all 'loss' from any one 'accident'..." as stated on the Village's Commercial Auto Policy. The Policy also notes: "Warning – this Policy does not fully provide coverage for all potential liability that a municipality may be subject to under Section 209 of the General Municipal Law."

\*\* This amount is calculated by dividing the total premium for all full-time employees by the number of full-time employees to determine the amount per employee:  $\$11,154 \div 15 = \$743.60$ . HFFD has one (1) full-time employee and HFMVA has two (2). The same formula determines the amounts for premiums associated with:

- "Terrorism" total premium  $\$388 \div 15 = \$25.86$  (HFFD)  $\$25.86 \times 2 = \$51.72$  (HFMVA)
- "Natural Disasters & Catastrophic Incidents" total premium  $\$69 \div 15 = \$4.60$  (HFFD)  $\$4.60 \times 2 = \$9.20$  (HFMVA)

NOTE: This information is provided from interviews with Deputy Mayor Jerry Pavelsky, Jeff Joseph, Brian Anderson, the Village Clerk and the 2016-2017 Village Budget.

Figure 4-b.

Indebtedness: 2016 - 2017 Village Budget

Name, and Loan Value	Term of Loan/Years	2016-17 is Payment No.	Village Budget Line	Amount/\$	2016-17 Payment \$
<i>2013 Fire Rescue</i>	19	4	A.9720.62 prin.	20,000	
\$500,000			A.9720.72 int.	17,106.25	37,106.25
<i>2013 Ambulance</i>	5	4	A.9720.65	20,000	
\$100,000			A.9720.75	1,400	21,400
<i>2005 Fire Pumper</i>	15	11	A.9720.66	24,096.27	
\$361,444			A.9720.76	5,771.05	29,867.32
2016 Ambulance*			A.9720.67	20,000	
\$			A.9720.77	5,000	25,000 *
<b>TOTAL</b>					<b>113,373.57</b>

\* Although this appropriation is included with the 2016 – 2017 Village Budget, the Board of Trustees has not acted to secure a loan for this purpose (Deputy Village Clerk, September 26, 2016), so it is not included in the Total of \$ 113,373.57.

Capital Reserve Funds: 2016 – 2017 Village Budget

Figure 4-c.

General Fund Assets	Capital Reserve Account Name:	Balance \$	(+) Transfer \$	... to Account:	= Total \$ available without expense	2016 -17 Expended:
AA-0231-A0	<i>Ambulance</i>	15,787.77	70,000	AA.9950-91	85,787.77	
AA-0231-F0	<i>Fire Equipment</i>	42,760.02	30,000	AA.9950-96	77,760.02	
AA-0231-J0	<i>Ambulance Facility</i>	13,867.55	0	AA.9950-99	13,867.55	
AA-0231-T0	<i>Radio &amp; Pager</i>	22,303.87	1,500	AA.9950-98	23,803.87	\$20,000: Fire, x-band radios

Sources: "Balance" column, as of September 27, 2016 (Village Deputy Clerk-Treasurer)

"Transfer" column, 2016-2017 Village Budget

"Expended" column (Village Deputy Clerk-Treasurer)

Figure 4-d.

Monetary Grant Awards to: HFFD/HFFD, Inc.

Source	Name	Number	Period	Award	Local Match	Purpose
NY State	Member Project: Senator Alesi	T96-315	4.1.96 to 7.31.97	\$ 5,000		800 feet of 5-inch Diameter hose
NY State	Member Project: Senator Alesi	T97-3135	4.1.97 to 7.31.98	5,000	\$ 2,999	Turn-out Gear
NY State	Member Project: Senator Alesi	T98-5170	4.1.98 to 7.31.99	5,000	5,620	Turn-out Gear
FEMA	2001 Assist. to Firefighters Grant	EMW-2001-FG- 18533	8.15.01 to 8.14.02	27,900	3,100	Cascade System
NY State	Member Project: Senator Alesi	TM 02198	4.1.02 to 7.31.03	10,000	4,517.40	Turn-out Gear & accessories
NY State	Member Project: Assembly-Errigo	TM 06868	4.1.06 to 7.31.07	6,500		\$4,000 Tr. Ground \$2,500 Fitness Equip.
NY State	Member Project: Senator Alesi	TM 06459	4.1.06 to 7.31.07	30,000	6,130.02	Turn-out Gear
FEMA	2006 Assist to Firefighters Grant	EMW-2006-FG- 14828	11.17.06 to 1.16.07	104,500	5,500	25 SCBA packs
NY State	Member Project: Assembly-Errigo	TM 08409	4.1.08 to 7.31.09	10,000	1,395	Thermal Imaging Camera
NY State	Member Project: Senator Alesi	TM 08945	4.1.08 to 7.31.09	20,000		Pagers
FEMA	2007 Assist. To Firefighters Grant	EMW-2007-FO- 10581	2.15.08 to 2.14.09	47,5000	2,500	Firehouse: vehicle exhaust system

Source	Name	Number	Period	Award	Local Match	Purpose
FEMA	2008 Assist. to Firefighters Grant	EMW-2008-FO-10183	1.30.09 to 1.29.10	73,508	14,177	Gear extractor, Thermal Imaging Camera
NY State: Dept. of State - Traffic Safety	Child Passenger Safety Program	CS-2821011	10.1.08 to 9.30.09	\$ 2,600		Proper installation & use of car seats
NYS DEC	Title IV Fire Assist. Grant	NY - 08	6.19.08 to 10.31.08	998.16	\$ 998.16	Portable radios
NYS DEC	Title IV Fire Assist Grant	NY -10	June to 10.31.10	1,000	1,464.34	SCBA "Buddy Breathers"
NYS DEC	Title IV Fire Assist. Grant	NY - 14	June to 10.31.14	1,000	1,595	Portable radios
NYS Div. Criminal Justice Services	Member Project: Senator Funke	LG15-1350-D00	9.1.15 to 8.31.16	3,000	3,809.29	Forcible Entry Door Simulator
NYS DEC	Title IV Fire Assist. Grant	NY - 16	Pending approval			Wild Fire Turn-out Gear
TOTAL			\$	353,506.16	53,805.21	

NOTE: Grant references provided by HFFD, Inc. President, Bill Soehner, Village Administrator, Brian Anderson and Village Fire Department Files.

Figure 4-e.

Monetary Grant Awards for: Emergency Medical Services

Source	Name	Number	Period	Award	Local Match	Purpose
HF Rotary			Accepted 2.2.1987	\$ 100	0	Assist ALS start
NY State	Member Project: Assembly-Nagle		Mid-1980's	10,000	0	Initial ALS vehicle purchase
NY State	Member Project: Senator Alesi		Expend from 3.31.12	10,000	0	Powered gurney
Greater Rochester Health Foundation*		14-01301	12.1.14 to 11.3.15	12,000	0	ALS Training Simulator
FEMA	2014 Assist. to Firefighters Grant	EMW-2014-FO- 03034	4.15.15 to 4.14.16	60,347	\$3,017.35	8 items
Invisible Fence® Brand of Upstate NY	<i>Project Breathe</i>	N/A	Grantor's 2016 Fiscal Year	280	0	5, pet Oxygen masks
TOTAL			\$	92,727	3,017.35	

\* Grant recipient was the HFMVA, Inc. in accordance with Foundation requirements.

NOTE: The NY State Nagle Member Project, is a monetary award known to the author. The other grant references are provided by HFMVA Board of Director's President, John O'Donoghue (June 23, 2016 Interview), The Sentinel (February 12, 1987 and August 4, 2016), and Amy Pusateri (Invisible Fence® Brand of Upstate NY).

Figure 4-f.

**2017 FIRE DEPARTMENT OPERATING BUDGET**

**GENERAL FUND - FIRE DEPARTMENT**

A3020.40	Fire Alarm System	\$	400.00
A3410.10	Personal Services		32,000.00
A3410.20	Equipment		21,500.00
A3410.21	Equipment Maintenance		10,000.00
A3410.23	Truck Maintenance		17,500.00
A3410.24	Radio Equipment		1,500.00
A3410.25	Radio Repairs		1,500.00
A3410.40	Equipment Contractual		10,200.00
A3410.41	Truck Contractual		10,500.00
A3410.42	Fire Hall (Contr)		32,500.00
A3410.43	Fire Prevention		500.00
A3410.44	Uniforms		5,000.00
A3410.45	Code 5 Fire		500.00
A3410.46	Training & Education		4,000.00
A3410.47	Fire Police Contr.		00.00
A3410.48	Insurance (Comp)		49,150.00
A3410.47	Insurance (Liability)		13,116.00
A9030.80	FICA		1,984.00
A1620.12	Fire Dept/ Shared Services		1,500.00
A1620.42	Fire Hall/Shared Services		4,000.00
A9010.80	NYS Retirement		189.00
	Medical Stipend		1,400.00
	<b>TOTAL</b>	<b>\$</b>	<b>219,022.00</b>

Figure 4-g.

**FIRE DEPARTMENT BUDGET**

Operating	\$ 219,022
Reserve Funds	\$ 15,000
Debt Payments	\$ 66,974

2015-2016 BUDGET ADJUSTMENT -\$ 7,293  
(minus if under budget; + if over)

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**BUDGET TOTAL** **\$293,703**

2017 Fire & Ambulance Contracts

Figure 4-h.

		<u>Assessment</u>	<u>ER</u>
Honeoye Falls	\$	169,548,754	100%
Town of Mendon Fire Protection District	\$	237,842,633	100%
Town of Mendon, Outside of Village	\$	720,367,299	100%
Town of West Bloomfield	\$	15,361,545	93%

Figure 4-i.

2017 Fire Contracts

Assessment/Equalization Rate (ER)=Total District Value(TDV)

	Assessment	ER	District Values
Honeoye Falls	169,548,754	100.00%	169,548,754.00
Mendon FPD	237,842,633	100.00%	237,842,633.00
W.Bloomfield	15,361,545	93.00%	16,517,790.00
TDV			423,909,177.00

Total Budget/Total District Value=	Rate/1,000	
293,703	423,909,177	0.000692844

Rate/Equalization Rate=District Rate(DR)

	Rate	ER	DR
Honeoye Falls	0.000692844	100.00%	0.000692844
Mendon FPD	0.000692844	100.00%	0.000692844
W.Bloomfield	0.000692844	93.00%	0.000744994

District Rate(DR)xAssessment=Contract Amounts(CA)

	DR	Assessment	CA
Honeoye Falls	0.000692844	169,548,754	\$117,471
Mendon FPD	0.000692844	237,842,633	\$164,788
W.Bloomfield	0.000744994	15,361,545	\$11,444
Total			\$293,703

Figure 4-j.

Village Fire Contracts: Budgets and Cost Sharing

Contract Year	Ops. Budget Sheet 1 \$	...Adjusted Sheet 2 \$	Worksheet/ Contract \$	Mendon F.P. Dist. \$	N. Bloom. F.P. Dist. \$	Village Share \$
1991				57,556		
92				87,880		
93				92,307		
94				91,765		
95				98,127	7,100	79,389
96			160,254	81,605	5,504	66,786
97	91,885	199,146		102,551	6,965	83,082
98	105,730	205,114		106,495	7,493	84,799
99	101,007	179,303		91,936	6,644	73,450
2000	94,035	252,263		130,270	9,375	104,815
01	136,315	272,994		146,283	7,774	110,692
02	122,091	216,459		102,109 *	7,515	86,677
03	145,691	228,049		122,086	8,204	90,467
04	166,227	242,070		132,380	9,353	100,337
05	168,430	240,835		135,373	8,262	97,199
06	164,338	237,825		143,430	8,187	86,209
07	185,576	247,882		145,414	8,695	93,773
08	190,156	255,674		151,156	8,924	95,594
09	216,640	343,854		200,289	12,639	130,926
2010	219,640	263,865	264,252	151,011	9,669	103,571
11	209,490	268,332	268,738	152,659	10,159	105,920
12	233,385	255,027	**	152,974	8,989	93,337
13	234,769	253,999		145,657	9,346	98,996
14	229,529	271,003	**	154,316	10,245	106,749
15	228,157	291,670	**	161,728	10,799	119,031
16	228,157	294,276	291,670	161,955	11,121	118,594
2017	219,022	293,703		164,788	11,444	117,471

\* The Town of Mendon sent a check for \$115,575 (no explanation of why they paid more than the Contract amount of \$102,109).

\*\* Contract revenue exceeded the Contract Budget that was specified to calculate the cost. This may be due to the inconsistent application of the Equalization Rate:

- 2012 – collected \$ 255,299
- 2014 – collected \$ 271,310
- 2015 – collected \$ 291,558 (Worksheet attached as example)

Contract Year	Adjustments on Sheet 2, Previous Year:		Workers' Comp. Refund (-) \$	Other:
	Over-run (+) \$	Unexpended (-) \$		
1996		5,283		
97	440			
98		915		
99		2,497		
2000		5,050		
01	1,588			
02	8,811	26,000		
03		153		
04	10,462			
05		8,755		
06	11,959			
07		35,999		
08		35,000		
09	31,224			
2010		12,225		(=) Rate inconsistent *
11		11,700		
12			35,138	(=) Rate inconsistent *
13		8,498	35,756	
14		8,370		(=) Rate inconsistent *
15		8,181	14,802	(=) Rate inconsistent *
16		6,625		
2017		7,293		HFFD Kitchen cost **

\* The reported Equalization Rate from the Town of West Bloomfield is used in two places within the calculation that determines the Contract cost. The reported Rate was not used in both instances.

\*\* During the 2016 Contract Year, the Board of Trustees authorized the use of \$43,874.79 from the Real Property Capital Reserve Fund, AA-0231.R0, to up-grade the Fire House Kitchen. This cost was not included with the cost basis of the 2016 Fire Contract. The Trustees have not made an official decision about the implication of this cost on subsequent Fire Contracts.

## 2017 Fire & Ambulance Contracts

### NYS Retirement – Ambulance Per Diem + Brad (2015-2016)

Brad Feinstein	52,077.00
David DiMora	767.00
Beth Foos	33,796.00
M. Hart	3,783.00
L. Clark	2,244.00
C. Hecklar	576.00
C. Bound	8,429.00
Brett Whitnable	25,856.00
B. Wiedman	2,255.00
S. O'Donnell	8,944.00
T. Tornstrom	1,957.00

TOTAL                    140,684 x 15.8% = \$22,228.072

FICA – 230,000 x .062 = 14,260.00

### Medical

Brad: 912.30 x 12 = 10,947.60 less 20% (2,189.52) = 8,758.08 + 3,000 deductible = 11,758.08

Figure 4-k.

**2017 AMBULANCE DEPARTMENT OPERATING BUDGET**

**GENERAL FUND-AMBULANCE SERVICE**

A4540.10	Personnel Services	\$ 230,000.00
A4540.20	Vehicle Equipment	1,400.00
A4540.21	Vehicle Maintenance	15,000.00
A4540.22	Expendable Supplies	19,000.00
A4540.23	Equipment Maintenance	2,900.00
A4540.24	Radio Equipment	250.00
A4540.25	Radio Repairs	500.00
A4540.27	Communications	7,500.00
A4540.40	Uniforms	6,000.00
A4540.41	ALS	9,000.00
A4540.42	Training/Education	8,000.00
A4540.43	Bldg. Contractual	29,500.00
A4540.44	Safety and Health	3,000.00
A4540.45	Insurance - Comp.	11,345.00
A4540.46	Insurance - Liability	10,482.00
A4989.40	Med Ex	32,500.00
A1620.41	Ambulance Base/Shared Sers	3,000.00
A9010.80	NYS Retirement	22,228.00
	FICA	14,260.00
	Medical	11,758.00
	Administration	30,000.00
	<b>TOTAL</b>	<b>467,623.00</b>

Figure 4-1.

**2017AMBULANCE CONTRACTS**

**AMBULANCE BUDGET**

Operating Budget	\$ 467,623	(total amb + med ex + fica on Payroll + medical exp + retirement)
Reserve Fund	\$30,000	
Debt	\$ 23,633	
<b>SUBTOTAL</b>	<b>\$ 521,256</b>	
LAST YEAR'S BUDGET ADJUSTMENT (minus if under budget; + if over)	+ \$ 37,874	
	<hr/>	
-	\$ 559,130.00	
Third Party Billing	\$ 350,000.00	
<b>BUDGET TOTAL</b>	<b>\$209,130</b>	

Figure 4-m.

2017 Ambulance Contracts Worksh

Formula Distribution for Operations Budget

Part I: Assessment Share+Part II: Population Share+Part III: Use Share= Operations Contract Share

Total Operations Budget = **209,130**

**Part I - Assessment Formula**

Assessment/Equalization Rate (ER)=Total District Value (TDV)

	Assessment	ER	District Values
Honeoye Falls	169,548,754	100.00%	169,548,754
Town Outside Village	720,367,299	100.00%	720,367,299
W.Bloomfield	15,361,545	93.00%	16,517,790

TDV 906,433,843

Total Budget/Total District Value=	Rate/1,000
\$104,565 906,433,843	0.000115359

Rate/ER=District Rate (DR)

	Rate	ER	DR
Honeoye Falls	0.000115359	100.00%	0.000115359
Town Outside Village	0.000115359	100.00%	0.000115359
W.Bloomfield	0.000115359	93.00%	0.000124042

District Rate(DR)xAssessment=Assessment Share(AS)

	DR	Assessment	AS
Honeoye Falls	0.000115359	169548754	\$19,559
Town Outside Village	0.000115359	720367299	\$83,101
W.Bloomfield	0.000124042	15361545	\$1,905

**Part II - Population Formula**

Percentage of Population Served (%PS)xBudget=Population Share (PS)

	Population	%PS	Budget	PS
Honeoye Falls	2595	30%	\$52,282.50	\$15,685
Town Outside Village	5775	66%	\$52,282.50	\$34,506
W.Bloomfield	350	4%	\$52,282.50	\$2,091
Total	8720	100%		

**Part III - Use Formula**

Percentage of Calls(%/Calls)xBudget=Use Share (US)

	#/BLS Calls	#/ALS Calls	#/Mut.Aid Calls	Total Calls/Dist.	%/Call Base
Honeoye Falls	194	176	79	370	63%
Town Outside Village	89	112	0	201	34%
W.Bloomfield	5	9	0	14	2%
	0	0	0	0	0%

	%/Calls	Budget	US
Honeoye Falls	63%	\$ 52,282.50	\$33,069
Town Outside Village	34%	\$ 52,282.50	\$17,964
W.Bloomfield	2%	\$ 52,282.50	\$1,250

#### Part IV - Operations Contract Share

Assessment Share(AS)+Population Share(PS)+Use Share(US)=Total Operations Contract Share(TOCS)

	AS	PS	US	TOCS
Honeoye Falls	\$19,559	\$15,685	\$33,069	\$68,312
Town Outside Village	\$83,101	\$34,506	\$17,964	\$135,571
W.Bloomfield	\$1,905	\$2,091	\$1,250	\$5,246

Total Revenue for Operations Budget \$209,130

Total Operations Contract Share(TOCS)+Total Debt Service Share(TDSS)=Total Contract Amount Due(TCAD)

	TOCS	TDSS	TCAD
Honeoye Falls	\$68,312	\$0	\$68,312
Town Outside Village	\$135,571	\$0	\$135,571
W.Bloomfield	\$5,246	\$0	\$5,246

Figure 4-n. Annual Village Ambulance Contract: Part II – Population

Part II of the Ambulance Contract formula calculates the percentage of population in each territory considered in establishing contract value: [currently] the Village, the Town of Mendon outside-the-Village, and the North Bloomfield Ambulance District. The numbers are drawn as reported on the Ambulance Contract Worksheets for the years 1996 to 2016 (Village Files). The source of the numbers is unknown. (Village Clerk, September 30, 2016). Even though the 2017 figures repeat, the Village Clerk confirms the source is the two (2) Towns (September 30, 2016). Lima Fire Protection District No. 3 Contract ended on December 31, 2003.

Year	Village - %	Mendon - %	N. B. Amb. Dist. - %	Lima - %
1996	2340 – 32	4503 – 61	350 -2	101 - 5
97	2340 – 31.81	4503 – 61.24	350 – 4.76	161 – 2.19
98	2340 – 32	4503 – 61	350 – 5	161 - 2
1999				
2000				
01				
02				
03				
04	2340 – 33	4505 – 61	350 - 5	
05	2595 – 30	5775 – 66	350 - 4	
06				
07				
08				
09				
2010				
11				
12				
13				
14				
15				
16				
2017	2595 – 30	5775 – 66	350 - 4	

Figure 4-o. Annual Village Ambulance Contract: Part III – Use Formula

Part III of the Ambulance Contract formula calculates the percentage of calls in each of three areas within the Ambulance CON: the Village, the Town of Mendon outside the Village, and the North Bloomfield Ambulance District. The numbers used in the calculation are provided by the Ambulance Department (Village Clerk, September 30, 2016). The source of the numbers on this Table are as reported on the Ambulance Contract Worksheets for the years 2002 to 2017 (Village Files). There is no indication if these “calls” represent the number of “Events” or the number of “Cases,” as defined by Monroe County 911 data. Note: The “Total” column for the Contract Years 2002 and 2003 includes requests for service in Lima Fire Protection District No.3.

Year	BLS Calls	ALS Calls	Mutual Aid Calls	Total
2002	472	358	44	878
03	591	434	48	1,073
04	534	278	43	855
05	329	198	92	619
06	295 *	299 *	79 *	673 *
07				
08				
09				
2010				
11				
12				
13				
14	380	337	0	717
15				
16	304	585		968
2017 **	288	297		664

\* These numbers repeat in each of the shaded columns below their initial appearance.

\*\* The numbers in this row were provided by HFMVA Chief of Operations, Ed Sheidlower (Village Clerk, September 30, 2016).

From the total column on the Table, the volume attributed to the North Bloomfield Ambulance District is:

2002 – 1      2003 – 6      2004 – 8      2005 – 5  
2006 through 2013 (eight years) – 4, all as ALS      2014 – 11  
2015 – 4      2016 and 2017 – 14 (Village Files).

Figure 4-p. Ambulance Contract Calculations (Source: Village Contract Worksheets)

Contract Year	Total Operations Budget	Assessment Formula (50%)	Population & Calls (25% each):		Contract Revenue	Variance: revenue exceeds Agreement
			Formula	(\$ used)		
2004	\$ 191,978	\$ 95,989	\$ 47,995		\$ 191,978	- 0 -
05	184,042	92,021	46,011		184,042	- 0 -
06	186,302	93,151	46,575	\$ 62,094	217,340	31,038
07	180,947	90,474	45,237	60,310	211,093	30,146
08	180,500	90,250	45,125	60,161	210,571	30,071
09	184,002	92,001	46,001	61,328	214,657	30,655
2010	184,002	92,001	46,001	61,328	214,657	30,655
11	190,000	95,112 (95,000)	47,500	63,402	221,915	31,915
12	189,409	94,705	47,352	63,130	220,965	31,556
13	209,731	104,866	52,433	69,903	244,672	34,941
14	225,250	112,625	56,313	75,076	262,777	37,527
15	225,250	112,625	56,313	75,076	262,777	37,527
16	212,932	106,466	53,233	70,970	248,750	35,818
2017	209,130	104,565	52,282.50		209,130	- 0 -
<b>TOTAL</b>	<b>\$ 2,753,475</b>				<b>\$ 3,115,324</b>	<b>\$ 361,849</b>

NOTE: The formula for calculation is stipulated in the November 20, 2003, [Town of Mendon - Village of Honeoye Falls] Ambulance Service Agreement.

Figure 4-q.

## Ambulance Contracts\*

Contract Year	Town of Mendon \$	N. Bloom. Amb. Dist. \$	Village Share \$
1996	89,106	2,869	42,179
97	97,323	4,980	63,681
98	97,328	4,980	63,681
99	94,958	5,413	70,234
2000	125,653	7,247	87,071
01	128,995	6,243	88,266
02	129,387	6,126	86,767
03	135,790	6,057	77,361
04	129,202	4,911	70,195
05	122,175	4,782	69,678
06	142,327	5,481	80,289
07	137,231	5,409	79,492
08	137,432	5,372	78,898
09	139,557	5,590	80,718
2010	138,936	6,508	81,820
11	143,525	5,739	84,326
12	144,107	5,513	81,416
13	158,176	6,139	90,215
14	169,637	6,484	96,146
15	168,482	5,746	88,549
16	170,083	5,624	75,024
2017	135,571	5,246	68,312

Source: Ambulance Contract Worksheets and Contract documents.

\* Through 2014, the Contract amount includes the Ambulance Facility Debt Service.

Contract Year	Adjustments on Sheet 2, Previous Year:		Workers' Comp. Refund (-) \$
	Over-run (+) \$	Unexpended (-) \$	
1996	7,413		
97	4,552		
98	210		
99		5,663	
2000		3,206	
01		4,977	
02	12,358		
03		19,678	
04		11,920	
05		5,115	
06	9,869		
07		45,502	
08		25,000	
09	16,000		
2010	16,000		
11		48,812	
12		13,472	6,308
13		8,498	8,598
14	3,649		8,472
15		17,194	3,416
16		17,863	
2017	37,874		

Source: Ambulance Contract Worksheets and Contract documents.

**MedEx Billing, Inc. Service Fee, and Village Ambulance Fee Schedule**

**Figure 4-r.**

Village Budget Reference: (appropriation) *MedEx Contractual* is AA-4989.40.....(revenue) *Ambulance Service Receipts* is AA-1640.00

Calendar Year	Base Fee / PCR \$	BLS		ALS		ALS 2	ALS Interface	Specialty Care	Treat & Release	Mileage
		N/Emerg.	Emerg.	N/Emerg.	Emerg.					
2002	30.09 *	265	340	365	490	570	455	650		7.15
03	30.09	265	340	365	490	570	455	650		7.15
04	30.09	275.60	353.60	379.60	509.60	592.80	473.20	676		7.44
05	30.09	305.40	388.42	423.78	539.05	603.24	503.85	674.69	86.25	7.97 ***
06	37.00	318.40	404.92	441.79	561.95	628.87	525.26	703.36	89.91	8.31
07	39.50 **	331.14	421.12	459.46	584.43	654.27	546.27	731.49	93.51	9.00
08	41.25 **	341.07	500	473.24	601.96	773.65	600	753.43	96.31	14.00 ***
09	42.25	351.30	515	487.43	620.01	796.86	618	776.03	99.20	14.42
2010	42.75	386.30	566	535.43	670.01	846.86	679	846.03	140	16.00
11	41.00	386.30	566	535.43	670.01	846.86	679	846.03	140	16.00
12	41.00	386.30	650	535.43	750	975	750	846.03	140	18.50
13 ****	39.75	500	675	750	950	1,050	750	1,050	140	25
14	39.75	500	675	750	950	1,050	750	1,050	150 ***	25
15	38.75	525	700 ***	785 ***	995 ***	1,100 ***	775 ***	1,100 ***	150 ***	25
2016	41.00	525	700	785	995	1,100	775	1,100	150 ***	25

Source: MedEx Billing, Inc. Service Agreements with the Village, and related documents to amend the Fee Schedules as required in the Agreement.

\* Source: Per original Agreement, this rate is valid for three (3) years, beginning March 1, 2002.

\*\* Source: As referenced in a MedEx e-mail to the Village. (No Agreement reference found.)

\*\*\* NOTE: Three (3) fee schedules were found: one authorized by the Mayor; one on the Village worksheet used to establish the next year's fees; and/or, one on the MedEx "Ambulance Company Reference Table." Where there is a discrepancy among the documents, **Figure 4-r.** reflects the higher fee, or the MedEx Table which was actually used to calculate the third-party billing.

\*\*\*\* NOTE: Beginning in 2013, the Village established two (2) additional fee categories and authorized rates for these services on their annual Ambulance Fee Schedule. They are noted on the next page:

Figure 4-s. Village Revenue from Third Party Billing (beginning May 1, 2002)

Fiscal Year	Adopted Budget AA-1640.00 Amb. Service Receipts	(+/-) Unanticipated	= Actual Revenue *	Use of Actual Revenue:	
				Contract Credit ** / remaining amount***	...in Year:
2002 - 03		\$ 119,468	\$ 119,468	/ 119,468	2003
2003 - 04		193,418	193,418	\$ 75,914 / 117,504	2004
2004 - 05	\$ 150,000	67,442	217,442	70,000 / 147,442	2005
2005 - 06	170,000	8,123	178,213	120,000 / 58,213	2006
2006 - 07	170,000	39,067	209,067	75,000 / 134,067	2007
2007 - 08	190,000	64,299	254,299	88,000 / 166,299	2008
2008 - 09	231,958	65,250	297,208	165,000 / 132,208	2009
2009 - 10	250,000	68,743	318,743	165,000 / 153,743	2010
2010 - 11	270,000	52,727	322,727	190,000 / 132,727	2011
2011 - 12	290,000	18,013	308,013	228,000 / 80,013	2012
2012 - 13	300,000	105,245	405,245	228,000 / 177,245	2013
2013 - 14	300,000	127,863.94	427,863.94	261,670 / 166,194	2014
2014 - 15	300,000	49,147.93	349,147.93	264,722 / 84,426	2015
2015 - 16	320,000	105,046.89	426,046.89	310,000 / 116,047	2016
TOTAL	\$ 2,451,958	\$ 1,084,853.76	\$ 4,026,901.76	\$ 2,241,306 / 1,785,596	

2016 - 17	330,000		69,500.60 (as of 9.27.16)		
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Calendar Year	Treat & Release – ALS Only	Bariatric Surcharge
2013	250	250
14	250	250
15	250	250
2016	250	250

NOTE for this section of **Figure 4-r**: When the Village established these two (2) additional fee categories in 2013 and added them to their annual fee schedule, they authorized the rate for these services at \$ 250.00 each. The Med Ex, "Ambulance Company Reference Table," does not include these categories and their respective rates; however, all subsequent Village fee schedules authorize service rates and intend them to be billed at the stated rate. Readers may find a discrepancy between the MedEx, "Client Charge Worksheet" authorized by the Mayor for years 2014, 2015, 2016, and the rates reflected on this Table. It appears the rates on the Worksheets for these two categories were transposed. Since the Village originally established the 2013 rate at \$ 250.00 for both categories, and no change is requested for *Bariatric Surcharge*, the author concludes that the Village intends to keep the same \$ 250.00 rate for *Treat & Release - ALS Only*. All documents can be found in **Appendix 4-13**.

\* Other than Fiscal Year 2016-17, the source is the Annual Village Audit, conducted in each of these years by: Raymond F. Wager, CPA, P.C., pursuant to New York State General Municipal Law, Article 3, Section 30 [as referenced by Wager in his Audits]. This information was provided by the Deputy Village Clerk-Treasurer:

- Fiscal Years prior to 2012-2013, are in bound, written reports; and,
- Fiscal Years 2012-13 through 2015-16, are in electronic format.

\*\* Source: Village Ambulance Contract Worksheets.

\*\*\* The remaining funds were transferred:

- to balance line items within the AA-4540, *General Ambulance Account*;
- to inter-fund accounts within the General Fund; and/or,
- to the General Fund, AA-0909.00, *Fund Balance – Unreserved* (Deputy Clerk-Treasurer, September 2, 2016).

## Chapter 5. DEPARTMENT OPERATIONS

Every emergency is local. Emergencies happen at a place on our geography, at a point in time on the 24 x 7 x 365 clock, and disrupt the daily routine for those involved. And, from its inception, the people of New York State placed responsibility for emergency response at the most local level of government. By Constitutional provision and statute, local governments are empowered governance, leadership, policy discretion, funding mechanisms, staffing authority and Local Law capacity to organize and support emergency response that is appropriate for local needs, adaptable to evolving conditions and sustainable to ensure delivery of service.

Previous chapters identify local Emergency Service providers with county, town and village governments, and identify Public Safety services that transcend First Response organizations of Fire and Emergency Medical Services, e.g. Building Code and enforcement, Fire Marshal services, Zoning, Land Use decisions, Traffic Safety, and Judicial decisions. Most local government activity has its basis in promoting the health, safety and welfare of its inhabitants. This Chapter focuses on the First Response Emergency Services in the Village of Honeoye Falls: their service territory; their functional capacity; industry standards; special needs; requests for service; resources; incident management; and, Contracts and contract data;

### A. Authorized Service Territory.

The Honeoye Falls Fire Department (HFFD), and the Honeoye Falls-Mendon Volunteer Ambulance (HFMVA) have defined, authorized service territory. [Appendix 5-1](#) identifies HFFD jurisdiction. The Ambulance jurisdiction is defined by the New York State Health Department on the Village CON: Village of Honeoye Falls, and the Towns of Mendon, Lima and West Bloomfield. [Appendix 5-2](#). The primary jurisdiction for both departments is within the corporate limit/boundary of the Village.

### **Fire Protection.**

1. The Town of Mendon abuts the Village at its western, northern and eastern boundaries, and it has two (2) Special Districts for Fire Protection:
  - Mendon Fire Protection District No.1, served by HFFD provided by an Inter-Municipal Contract with the Village Board of Trustees; and,
  - Mendon Fire District, served by the Mendon Fire Department.

- Both fire departments operate as Certified First Responders in conjunction with general and emergency ambulance service provided in both territories by the HFMVA. This arrangement for joint service with the ambulance has a functional, 50-plus year history of operation.
2. The Town of West Bloomfield (Ontario County) abuts the Village (Monroe County) on the Village's south-eastern boundary, and it has two (2) Special Districts for Fire Protection:
    - North Bloomfield Fire Protection District, served by HFFD provided by an Inter-Municipal Contract with the Village Board of Trustees; and,
    - West Bloomfield Fire Protection District, served by the West Bloomfield Fire Department and the Ionia Fire Department in territory that is defined for both departments by the Town of West Bloomfield in their contractual agreements (Grunden, September 29, 2016).
  3. The Town of Lima (Livingston County) abuts the Village along its southern boundary line with Livingston County, and ceased contracting with the Village Board of Trustees effective January 1, 2004 for Lima Fire protection District No.3 (Lima, October 6, 2003).

The demographics of the HFFD service territory are used to determine "Demand Zone(s)" as defined by the National Fire Protection Association (NFPA) 1720. Using NFPA definitions, Dallessandro assigned their "Suburban" standard across the HFFD service territory (Dallessandro, p.50). This identity has implications for equipment, staffing, response and other aspects of operation.

**Ambulance Service.** "It is the purpose of the article [New York Public Health Law, Article 30] to promote the public health, safety and welfare by providing for certification of all...ambulance services; the creation of regional emergency medical services councils; and a New York state emergency medical services council to develop minimum training standards for certified first responders, emergency medical technicians and advanced emergency medical technicians and minimum equipment and communication standards for...ambulance services" (CLS, p.627).

"...In accordance with the provisions of Article 30 of the Public Health Law," the New York State Health Department authorizes service territory for ambulances. The Village of Honeoye Falls Ambulance has a Municipal "Ambulance Service Certificate," stamped, "This Certificate is not transferable." It defines the delivery of ambulance service as, "PRIMARY TERRITORY: Village of Honeoye Falls, and Towns of Mendon, Lima and West Bloomfield." The Village of Honeoye Falls Agency Code is "2727," and its current Service Certificate was issued January 4, 2016, expiration

January 31, 2018 (NYS Department of Health, January 4, 2016). Appendix 5-2. Service Certificates, commonly referred to as a "Certificate of Need (CON)," are reviewed by the State Health Department to ensure EMS agencies meet all specifications associated with the delivery of service (Czapranski, May 26, 2016).

The State Health Department no longer authorizes Municipal CON ambulances to operate outside of their municipal border. The Municipal CON for the Village of Honeoye Falls Ambulance is "Grandfathered" and relieved from this restriction. Service in the Towns of West Bloomfield and Lima are by virtue of the "Grandfather" provision in the State regulations (Czapranski, May 26, 2016).

1. The Town of Mendon contracts with the Village Board of Trustees for HFMVA service in the Town outside the Village, as authorized by the New York State Legislature through Special "Home Rule" Legislation described in Chapter 3.
2. The Town of West Bloomfield contracts with the Village Board of Trustees for HFMVA service in the North Bloomfield Ambulance District. This is a Special District that is levied separately for this service on resident County/Town Property Taxes. Note: The New York State Health Department defines HFMVA service jurisdiction to include the Town of West Bloomfield, and authorizes HFMVA to receive and respond to requests for service from Ontario County Dispatch, Town-wide, without restriction.

Unlike Fire jurisdictions, Ambulance Service Certificates may authorize more than one EMS agency to operate with jurisdictional authority, e.g. proprietary services with county-wide jurisdiction, Voluntary ALS First Response Service.

3. The Town of Lima ceased contracting with the Village Board of Trustees effective January 1, 2004 for HFMVA services Lima Fire protection District No.3 (Lima, October 6, 2003). Lack of a contract means absence of revenue from the Town of Lima to the Village of Honeoye Falls for service availability. Note: The New York State Health Department defines HFMVA service jurisdiction to include the Town of Lima, and authorizes HFMVA to receive and respond to requests for service from Livingston County Dispatch, Town-wide, without restriction.

Regardless of the status of EMS contracts between the Towns and the Village Board of Trustees, calls for ambulance service within the State-authorized service territory for HFMVA, are billed at the rate established by the Board of Trustees.

**Mutual Aid.** In addition to requests for service that originate from within both HFFD and HFMVA jurisdictions, requests for service may come to both departments for "Mutual Aid." The New York State "Fire Mobilization and Mutual Aid Plan," authorized by New York State

General Municipal Law, Section 209-e. is administered by the State Fire Administrator.

“Whenever a county, city, town, village or fire district shall request, or whenever the governor shall determine that the public interest so requires, the state fire administrator shall possess and exercise the powers, functions and duties set forth in the state...plan” (FASNY, pp. 254, 255). When this Plan is activated, the Monroe County Fire Coordinator is recognized as a New York State Regional Fire Administrator (*General Municipal Law*, Section 209.e.2.) and coordinates local fire department activity in conjunction with the State Plan (*County of Monroe Mutual Aid Plan*, p. 3).

Local Mutual Aid Plans are designed and implemented by counties. The *County of Monroe Mutual Aid Fire Plan* was adopted by the County Board of Supervisors [the County Legislature], August 1, 1941, and is current with the April, 2012 *Revision*. This plan, “Is authorized by New York State General Municipal Law, Section 209 and 209-j, and New York State County Law, Section 225-a. Mutual Aid is organized, supervised, coordinated and cooperative reciprocal assistance in which personnel, equipment and physical facilities of all participating fire departments, companies or districts, regardless of type or size, are utilized for a fire or other emergency in which the services of fire personnel would be used throughout the County of Monroe” (*County of Monroe Mutual Aid Plan*, p. 1). Both HFFD and Mendon Fire Department are active participants in the Plan (p. 2). [Appendix 3-1](#).

Requests for Mutual Aid also originate in-the-field, from Incident Command at emergency scenes. Additional resources may be requested by the Incident Commander for more equipment, specialty equipment, more firefighters, technical teams, incident management, and/or to supplant local department resources beyond the initial response identified in the Incident Action Plan.

Services for intra-state mutual aid ambulance resources are requested by the State Health Department through the County EMS Coordinator. And, Monroe County maintains a Mutual Aid Plan with EMS agencies. [Appendix 5-3](#). Note: County EMS Coordinator, Tim Czapanski advises that a revised format for the County *Mass Casualty Incident Plan* will be presented to providers, and is on-schedule to become effective, November 1, 2016. This plan is re-titled as, “Monroe County Multiple Patient Incident Response” (Czapanski, October 3, 2016).

When New York State requests intra-state mutual aid, both Monroe County Coordinators reach-out to local agencies to determine their capacity to support the Mutual Aid response and then direct the available resources as requested by the State.

“**Mutual Assistance**”...is pre-arranged, automatic fire department response, outside defined service territory, to specific exposures and/or for specific call types. In this case, Department Chiefs agree to share specified resources. For example:

- HFFD responds 24 x 7, to all reported structure fires: in Mendon Fire District and in East Avon dependent on the Box Number; and, in Rush Fire District by location.
- HFFD, Rush Fire District and the Village of Scottsville Fire Department are in-process on an agreement for water rescue missions with a call for “person in the water.”
- HFFD now requests resources from Rush Fire District and the Village of Scottsville Fire Department on confirmed water rescue missions.
- HFFD requests resources from Mendon and Rush Fire Districts, 24 x 7 on all confirmed structure fires (Churnetski, June 3, 2016).

Note: The Insurance Service Office, Inc. (ISO) refers to this arrangement as “Automatic Aid,” and defines it, “...As assistance dispatched automatically by contractual agreement between two communities or fire districts. This differs from mutual aid or assistance arranged case by case [as at the scene of an event]” (ISO Report, p. 13).

HFMVA automatically responds to, “The Mendon Fire District on any reported structure fire, and with Ionia on any potential fire call (involving an actual fire). HFMVA responds with HFFD when requested” (Milne email, August 16, 2016).

**Special “Technical Operations” Teams.** New York State General Municipal Law, Section 209-bb, authorizes “Counties to establish, maintain and supervise municipal-wide and inter-municipal specialized teams” (FASNY, p. 253). In Monroe County, resource response to Hazardous Materials (HAZMAT) emergencies, and search and rescue calls that require specialized equipment and skills is centralized within the Fire Bureau for organization, administration, funding, equipment, training and response protocol. The Teams are a collection of local fire department members authorized by the County Legislature and their local governing body to participate on the respective County Team. Current Tactical Team operations include:

- HAZMAT: Hazardous Materials response
- Rope Rescue: High and Low Angle
- Swift Water and Ice Rescue
- Wide-Area Search and Rescue
- Heavy Rescue Collapse
- Incident Support (Schalabba, September 30, 2016).

The City of Rochester also administers, funds, equips, trains, and responds with Technical Operations Teams within their jurisdiction, and as requested through Mutual Aid. In addition to HAZMAT, Rope Rescue: High and Low Angle, and Swift Water and Ice Rescue like the County, their capability includes:

- Confined Space Rescue
- Trench Rescue
- Structural Collapse
- Auto Extrication
- High Rise Emergencies
- Incident Support Team (Willard, September 20, 2016; and, Tracey and Renner, October 4, 2016).

**Special Operations: EMS.** Monroe County's "Physician Fly Car" Program includes a group of seven (7) Physicians in a special Residency program for Emergency Department Doctors at the University of Rochester. Led by Jeremy T. Cushman, M.D., M.S., EMT-P, FACEP, as the primary responder, the community benefits from their individual and collective skills. They are dispatched to, "facilitate patient care, assist with patient destination decisions, provide direct patient care when needed, assure the health and safety of responders, serve as on-scene subject matter experts, and provide real-time quality assurance oversight" at the scene (Czapranski, Supervisors Association, May 20, 2016). They provide various specialties, e.g. Pediatrics, Cardiology and Trauma care among others.

The County EMS Program also includes Paramedic and Physician pre-hospital care specifically designed and embedded with Special Operations teams as their medical component, e.g. Fire Technical Operations Teams, and Law Enforcement Tactical Operations Teams. They train, exercise and deploy with these teams (Czapranski, August 29, 2016).

**Special Operations: Emergency Management.** Monroe County's leadership helped launch a regional design and coordinate an Incident Management Team in Western New York. With assistance from Federal Grant money available to Monroe and Erie Counties, a 9-county team comprised of County, City, Town, Village and Fire District employees was authorized (by their respective municipalities) to organize, train and operationally deploy when requested by one of the participating county Emergency Managers. Grant money purchased Team equipment and Monroe County resources that County Executive Brooks committed for deployment on an as-needed basis together with County employees. This Team is in-process of National Incident Management credentialing as a Type 3, "Regional" Team.

The County Office of Emergency Management (OEM) is the gateway to resources from County departments that are available to local government. For example: County emergency plans are based on level of magnitude that includes notification to OEM and prompts resources to augment local communications, Incident Support/Management, Geographical Information Systems (GIS) and its myriad applications for imaging and mapping, and Public Works among other community, volunteer and private-sector assets.

**New York State Executive Law, Section 156-g.** grants the Office of Fire prevention and Control, "Authorization to establish urban search and rescue task force teams, specialty rescue teams, and incident support teams. The commissioner of the division of homeland security and emergency services shall have the authority to establish an accreditation program to review and evaluate new and existing local and regional technical rescue capabilities, and provide recommendations for capability enhancement in accordance with the national incident management system, the national response plan, and nationally recognized standards" ( FASNY, pp. 89, 90). Monroe County and its local Emergency Services providers continue to provide Public Safety leadership in New York State. This grass roots Mutual Aid program pursued by Monroe County to share Public Safety resources on a regional basis, is another example of a local initiative that became authorized in State Legislation.

**B. Oversight.**

Local policies, County Legislation, New York State Law and agency regulations, Congressional Acts and federal authorities and national organizations, establish guidelines, determine protocol, legislate mandates and set standards of operation for Emergency Service agencies and Public Safety providers.

**National Fire Protection Association (NFPA).** "NFPA codes, standards, recommended practices, and guides...are developed through a consensus standards development process approved by the American National Standards Institute. This process brings together volunteers representing varied viewpoints and interests to achieve consensus on fire and other safety issues. Users of NFPA [documents] should be aware that these documents may be superseded at any time. To determine currency, users should consult NFPA. Users of [NFPA] documents should consult applicable federal, state, and local laws and regulations. NFPA does not, by the publication of its codes, standards, recommended practices, and guides intend to urge action that is not in compliance with applicable laws, and [NFPA] documents may not be construed as doing so.

"In 2001, the first edition of NFPA 1720 was issued. [It was considered a] benchmark standard...and the first organized approach to defining levels of service, deployment capabilities, and staffing levels for substantially volunteer fire departments. Research work and empirical studies in North America were used by the Technical Committee as a basis for developing response times and resource capabilities for those services.

"NFPA 1720, *"Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments: 2010 Edition,"* considers: fire suppression organization; community risk management; staffing and deployment; reporting requirements; fire suppression operations;

Emergency Medical Services; Special Operations; and, systems for safety and health, incident management, training, communications and pre-incident planning (Dallessandro Report, NFPA 1720 section).

NFPA defines the term, "Authority Having Jurisdiction," as the party responsible for an action to determine: the scope and level of service provided by the fire department; the necessary level of funding; and, the necessary level of personnel and resources, including facilities (NFPA 1720, Annex A) (Dallessandro Report, NFPA 1720 section).

NFPA performed an "Analysis Report" for HFFD for the period 1.1.15 to 12.31.15. Appendix 5-4.

**Insurance Services Office, Inc. (ISO).** "ISO is an independent company that serves insurance companies, communities, fire departments, insurance regulators, and others by providing information about risk. ISO collects information about municipal fire suppression efforts in communities throughout the United States...and evaluates them on their structure fire suppression capabilities according to a uniform set of criteria, incorporating nationally recognized standards developed by the National Fire Protection Association (NFPA) and the American Water Works Association. Data is analyzed using ISO's Fire Suppression Rating Schedule and then a Public Protection Classification grade is assigned to the community.

"...Meetings between ISO, the dispatch center, the community fire official, and the water superintendent are used in conjunction with a comprehensive questionnaire to collect data. Ten percent (10 points) of the total classification is based on Emergency Communications, 50% (50 points) is Fire Department-based, and 40% (40 points) is Water Supply-dependent" (ISO Report, p. 2). "A community's Public Protection Classification grade is based on a 100-point scale" (ISO Report, p. 3).

"Insurance companies use Public Protection Classification information for marketing, underwriting, and to help establish fair premiums for homeowners and commercial fire insurance. In general, the price of fire insurance in a community with a good grade is substantially lower than in a community with a poor grade..." (ISO Report, p. 1).

Using their Fire Suppression Rating Schedule, ISO conducted a survey of Honeoye Falls, and issued a "Public Protection Classification Summary Report," in April 2016. They assigned Public Protection Classification, "Class 04/4X," reflecting a total credit of 60.69 points on their 100-point scale (ISO Report, p. 23). "The first number [04] is the class that applies to properties within 5 road miles of the responding fire station and 1,000 feet of a creditable water supply, such as a fire hydrant, suction point or dry hydrant. The second number [4X] is the class that applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply" (ISO Report, p. 4). Class 1 through Class 8 represents a fire suppression system that includes a creditable dispatch center, fire department and water supply. Class 4 is

designated for point credits ranging from 60.00 – 69.99 (ISO Report, p. 3). In 2015, ISO published a countrywide distribution chart that classified 48,754 communities. Of this total, 6,455 were to Class 4 (ISO Report, p. 6).

“The Public Protection Classification program offers help to communities, fire departments, and other public officials as they plan for, budget, and justify improvements” (ISO Report, p. 6). The ISO rating links the community capacity for fire suppression directly to the insurance industry’s calculation in determining fire insurance premiums for community homeowners and commercial structures. The ISO, “Public Protection Classification Summary Report, for Honeoye Falls, April 2016,” is attached for reference as Appendix 5-5. This Appendix also shares the January 5, 2007 ISO Report, and ISO’s “Building Code Effectiveness Grading Schedule” for the Village, dated August 11, 2010 (Village Files).

**United States Occupational Safety and Health Act of 1970 (OSHA).** “Under this law, the term ‘employer’ means...the state or any political subdivision of the state....and, public employee includes a volunteer firefighter. The specific OSHA regulation that affects...volunteer firefighters is titled, *Fire Brigades*.

The Act permits states to create a plan to provide safety regulations. The approved State plan enforces OSHA regulations (29 C.F.R. Section 1910.156) through the State Department of Labor, under the provisions of the **New York Public Employee Safety and Health Act (PESH).** Regulations address: firefighter health and safety; hazardous conditions in a place of employment like the fire house; work-related deaths and injuries; physical fitness for duty; training and education; firefighting equipment; and, an “Organizational Statement” that establishes the existence of the fire department, its basic organizational structure, the type, amount and frequency of training to be provided, and the expected number of fire department members. All required documents and records must be available for State Inspectors” (DiRaddo, 5:60 -110). PESH has audited the Village Fire Department and Fire House (Churnetski, June 3, 2016).

**The Board of Trustees** is vested with responsibility for specific areas of Emergency Service operations. For example:

- Insurance, Generally. Presentation of information about insurance considers the unique menu of exposures for loss that are inherent in the delivery of Emergency Services. Loss of department resources can adversely impact the capacity of the departments to render their usual and expected services within the community. Some considerations:

1. Scope of coverage. Cost replacement coverage and its additional cost should be weighed against the benefits received (DiRaddo, 20:10.1).
2. Special Endorsements...for activity not covered in the overall policy, e.g. steam boiler, theft; and, as necessary, for the Village to be named as an "Additional Insured" on another's policy, e.g. Fire and Ambulance contracts (DiRaddo, 20:20.1-2).
3. Vehicle Liability. Are provisions of comprehensive coverage necessary for damages not caused by collision, e.g. flood, windstorm, explosion, glass breakage (DiRaddo 20:20.4.1)?
4. Physical Vehicle Damage. List all vehicles individually with a specific amount of insurance applicable to each (DiRaddo, 20:20.4.2).
5. Non-ownership Protection. If a volunteer driving his/her vehicle on official business, such as responding to a call, is involved in a motor vehicle accident and causes bodily injury and/or property damage, the volunteer and the Village could be sued. Volunteers must carry their own insurance, but non-ownership insurance would protect the Village (DiRaddo, 20:20.5).

A special note about volunteers and their personal vehicles: New York State Insurance Law, "...protects volunteer firefighters from premium surcharges on their personal automobile insurance should they be involved in a motor vehicle accident while on active duty as a volunteer firefighter" (DiRaddo, 20:30).

- Insurance Specific to Volunteers. New York State Volunteer Firefighters' Benefit Law (VFBL), and New York State Volunteer Ambulance Workers' Benefit Law (VAWBL), are special insurance provisions in New York State Law for volunteers in Fire and Ambulance service. "The benefits are coordinated with the Workers' Compensation Law, "...and do not necessarily preclude a person compensation from deriving other benefits provided by law or statute" (Shaughnessy, p.359).

The *Volunteer Firefighters' Benefit Law (VFBL)*, became effective March 1, 1957. Section 2 defines its purpose: "In recognition of the unselfish service by these volunteers, government has undertaken to provide for them and their families some measure of protection against loss from death or injuries in line of duty. This law...provides for the administration of such system by the workmen's compensation board..." (FASNY, p. 731).

The Federal *Public Safety Officers' Act*: "In addition to the state benefits under *VFBL*, the federal government provides a \$ 100,000 death benefit to the eligible survivors of paid and volunteer firefighters who are killed or subsequently die from a personal injury sustained while in the performance of their duties. This benefit has an annual cost of living adjustment" (DiRaddo, 21:70).

"The *Volunteer Ambulance Workers' Benefit Law (VAWBL)*, was adopted as a new section of the Consolidated Laws of the State of New York, on March 28, 1988, to take effect January 1, 1989. This new, Chapter 64-B of the Law[s of the State of New York], distinguishes between ambulance workers and firefighters for benefits" (Shaughnessy, p.359). The provisions for coverage and benefits authorized in Section 5, are on par with the coverage in *VFBL*, Section 5 (FASNY, pp. 728, 729).

- **Fund Raising.** State Statutes allow fund raising by Village Fire and Ambulance Departments subject to certain requirements (General Municipal Law, Section 204-a). Please note that these activities have implications with Insurance coverage for Department volunteer participants:
  1. Before engaging in fundraising by the Fire Department, a written notice should be submitted to the Board of Trustees for authorization.
  2. This process for Fire Departments is outlined in *General Municipal Law*, Section 204.a(8)(a).
  3. Insurance provision should be reviewed for appropriate coverage, e.g. Village liability, corporation insurance relative to fundraising, and to ensure the *Volunteer Firefighters' Benefit Law* and/or the *Volunteer Ambulance Workers' Benefit Law* extend coverage to the fundraising activity.
  4. The *Volunteer Ambulance Workers' Benefit Law*, Section 5.k. addresses fund raising activity (FASNY, p. 728).
- **Standard Operating Practices (SOP).** NFPA, Section 1720, Chapters 4.1 and 4.1.1 state: "Fire suppression operations shall be organized to ensure that the fire department's fire suppression capability includes sufficient personnel, equipment, and other resources to deploy fire suppression resources efficiently, effectively, and safely. The authority having jurisdiction (AHJ) shall promulgate the fire department's

organizational, operational, and deployment procedures by issuing written administrative regulations, standard operating procedures (SOP's), and departmental orders" (Dallessandro Report, NFPA 1720 section).

- **Medical Control.** In Monroe County, the EMS Medical Director, "Provides medical direction and oversight for all County-maintained fire or emergency medical services agencies..." (Monroe County RFQ, May 2016). Current EMS Medical Director, Jeremy Cushman, M.D., "Provides medical direction and oversight to first response fire departments or fire districts...and BLS first response agencies and BLS transport agencies within Monroe County that do not have in-house or contracted physician direction" (Monroe County RFQ, May, 2016). EMS providers may contract their own Medical Director (Czapranski, August 29 2016). Jack Davidoff, M.D., serves as "Agency Medical Director," for HFMVA (Milne email, August 16, 2016).

C. Emergency Service Identity. The *County of Monroe Mutual Aid Fire Plan*, assigns "All fire companies, departments or districts who participate in the *Plan* to one of five fire battalions..." (p. 16). Honeoye Falls Emergency Services are assigned to the 5<sup>th</sup> Battalion (p. 18), and their assigned Department Number is "6" (Monroe County Communications Manual Appendix, p. 15). "Formulation of the numbers used are standardized to ensure easy identification for mutual aid and to avoid duplication (Communications Manual, Section 9.10.2., p.14). Appendix 5-6

The Communications Manual (p. 16) also assigns, "A standard code system...so that the last number will indicate the TYPE OF APPARTUS:

Apparatus Type	Apparatus Number	Detail
QUINT	0	Aerial with a pump
LADDER or SNORKEL	1	Aerial without a pump
PUMPER or SQUIRT	2, 3, 4, 5	
SPECIAL APPARTUS	6, 7, 8	Rescue, Salvage, Tanker, Emergency Vehicle
AMBULANCE	9	

The **HFFD** Fleet of Vehicles includes:

- 560 - 1999, RD Murray Quint, with a 105-foot extension ladder
- 562 - 2005, 4 Guys Engine, with a 1500 gpm pump and a 1,000 gallon tank capacity
- 563 - 2013, 4 Guys Engine, with a 1500 gpm pump and a 1,000 gallon tank capacity
- 566 - 2002, Ford F450 Squad Truck, with a custom utility body

- 567 - 2014, John Deere Gator (UTV), and a 2014, Atlas 24-foot, enclosed, Command Trailer
- Chief's Car - 2011, Chevrolet Tahoe (purchased by HFFD, Inc.) equipped for Command Post operations

Three-digit numbers are spoken individually, e.g. five-six-two (Communications Manual, p. 16).

Department Command Personnel (Officers) are also identified through the use of a standardized number and letter designation: “#1 is used for the Chief of the department.” Other numbers are assigned at the department’s discretion and usually designate the order of Command Personnel (Communications Manual, p. 16), e.g. 5C-16 is HFFD Chief (5<sup>th</sup> Battalion, Chief, Department number 6). Used in this application, the last two digits are spoken as one number, e.g. “sixteen, and twenty-six.” The 2016 HFFD Line Officers are identified, with their assigned Command Number on [Appendix 5-7](#).

The HFMVA Fleet of Vehicles includes:

- 5619 Ambulance
- 5629 Ambulance
- Medic 56 - 2016, Chevrolet Tahoe “Fly Car”
- DeFib 56 - 1998, Ford Expedition
- “Chief’s” Car - 2004 Ford Expedition (former Medic 56 Fly Car so designated by the Board of Trustees) (Minutes of Meeting, July 18, 2016).

Four-digit numbers, as they are used here to identify Ambulances, are also spoken individually.

Medical Personnel are numbered in a similar fashion with Fire Personnel, but use the letter “M.” “#1 is used for the director of operations [and] other numbers are up to the individual agency to designate to order the command assignment” (Communications Manual, p. 16), e.g. 5M-16 is HFMVA “Chief” (5<sup>th</sup> Battalion, Director of Operations [per the Communications Manual], Department number 6). As with Fire Department Command Personnel, the last two digits of the Medical Command Personnel are spoken as one number, e.g. “sixteen.” The HFMVA, “Operational Chain of Command” Chart, includes the assigned personnel numbers.

[Appendix 5-8](#)

D. Service Capacity for Emergency Services is generally based on the resources required for a safe, effective and efficient response to the usual number and predictable nature of calls originating from within the Department’s jurisdiction.

**Risk Management.** “A community’s investment in fire mitigation is a proven and reliable predictor of future fire losses. Statistical data on insurance losses bears out the relationship

between excellent fire protection – as measured by the [ISO] program – and low fire losses” (ISO Report, p. 1). The value of Risk Management is recognized in both public and private-sectors. NYCOM’s Handbook, Chapter 14 presents “risk Management” as an effective tool to assist local government with multiple municipal interests. [Appendix 5-9](#)

Both the Town of Mendon and the Village of Honeoye Falls participate in the *Monroe County Pre-Disaster Mitigation Plan* and its associated planning process. This Plan is a federal requirement vested in FEMA. It is renewable on a scheduled time frame, and it is the gateway to federal grants that support local mitigation projects identified in the Plan. The County’s third *Plan*, per the renewable time frame, is currently under review by FEMA (Rion, May 25, 2016).

Risk Assessment is necessary to understand community vulnerabilities, determine their adverse impact on our landscape and decide: (1) an appropriate mitigation strategy; (2) preparedness including education, response planning and resource requirements; (3) response protocol for Emergency Services, local government officials and the public; and, (4) recovery efforts necessary to return to “business as usual,” even if usual routine is a “new” normal.

[Figure 5-a](#) summarizes twenty-four (24) years of response from Monroe County’s Emergency Operations Center to natural and technological hazards that tax local Emergency Services in community-wide response, and present fiscal challenges to local governments whose budgets are not designed to accommodate the magnitude of these emergent events. This table provides a community-wide glimpse of the reality of probable risk beyond normal call types and the average, annual volume of responses for local Emergency Services.

**Call Types.** In their July, 2010 “Report to Trustees,” HFFD summarized their calls for service as: Fire Suppression for structures, vehicles and wild-land fires; response to Motor Vehicle Accidents (MVAs); Personal Rescue - ropes and machinery; EMS; HAZMAT First Response; Ice/Cold-Water Rescue; Hazardous Conditions; and, “Service” Calls. Response to these calls deployed them to a mix of single-family and multi-family structures, light industries, schools, commercial businesses, and open agricultural land (Village File).

In 2013, 2014 and 2015, Monroe County 911 data identifies the Call Types on [Figure 5-b](#) as receiving response from HFFD. The only exception is in 2014, with the addition of “Drowning” (Nies, September 2, 2016).

Ambulance call types are determined in a different manner. The Monroe County 911 Center uses “Emergency Medical Dispatch (EMD),” a system that prompts the 911 call taker to query callers about the patients’ medical symptoms to assist them with instruction in providing immediate and timely care until First Responders arrive on-scene. The symptoms expressed to the call taker prompt a “Priority” assignment for EMS providers. These Priorities, together with

a brief description of the patient's symptoms, alert the EMS provider about the nature of the call and ensure the appropriate level of EMS care is delivered at the scene, e.g. BLS, ALS.

**HFMVA** Call Types are expressed following this system, and it is these "Types" that translate into the "Fee Schedule" for Ambulance services that is authorized for billing by the Board of Trustees. For example: "Treat with No Transport; BLS Non-Emergency; BLS Emergency; ALS 1; ALS 1 Emergency; ALS 2; Paramedic Intercept; and, Specialty Care Transport" (MedEx email, September 7, 2016).

**Staffing.** Both departments are staffed with professional volunteer and career members. Traditionally, community volunteers comprise the backbone of Fire and EMS delivery. And, as noted above (Section "B. Oversight"), volunteers are considered to be public employees as established by OSHA and administered in New York State by the Department of Labor, under the provision of the New York *Public Employee Safety and Health Act*.

Both HFFD and HFMVA elect and/or select Line Officers who are empowered to act as the Incident Commander at events, represent their department in an official capacity and assume duties and responsibilities that are designated by their department, the Board of Trustees and/or as obligated by State Statute. For example:

**HFFD:**

- General Municipal Law, "Section 204-d. Duties of the fire chief" (FASNY, p. 241);
- HFFD "Standard Operating Guidelines" that enumerate Officer titles and define their command presence (January 1, 2003, pp. 1-3) excerpt in [Appendix 5-10](#); and,
- Honeoye Falls Fire Department, Inc., "By-Laws," that stipulate the Department Officer role within the Corporation structure (August, 2011).

**HFMVA:**

- The Operational and Supervisory responsibilities enumerated on the "Village of Honeoye Falls/Mendon Ambulance EMS Operations Supervisor/Paramedic" job description [Appendix 5-11](#); and,
- The "Agency Medical Director Expectations" and NYS Department of Health "Medical Director Verification" forms associated with the HFMVA Medical Director. [Appendix 5-12](#).

**Training.** Fire and EMS personnel receive training in their respective disciplines from multiple sources and in various aspects related to their role(s). New York State certifies Fire and EMS Instructors to deliver training courses that include functional skill sets, clinical application and evaluation, scenario-driven response evolutions, the academic and scientific nature/behavior of

hazards, responder safety, incident management, and the psychological and social aspects of emergent conditions, among other topics. Depending on the subject matter and its resource requirements, classroom instruction and field-based training is delivered across the community from Monroe Community College, to the Public Safety Training Facility, to individual provider facilities, to medical facilities, to accredited providers who mentor, to fields, forests and waterways appropriate for instruction, demonstration, practice and skill evaluation.

Monroe County is fortunate to have a cadre of State-Accredited local Instructors who can deliver Certified Training Programs when our local schedule of State-sponsored training hours is exhausted. This allows timely delivery to meet the demand of local needs and it keeps First Responders here to remain available in our community.

There are universal and parochial training requirements. One of the universal subjects that stipulates member training is the *National Incident Management System (NIMS)*. By Executive Order No.26, (then) New York State Governor Pataki, "...established the *NIMS* – Incident Command System as the State standard command and control system during emergency operations" (Executive Order No. 26. March 5, 1996). [Appendix 5-13](#). FEMA offers on-line training for specific levels of this training program, and classroom training is offered across the State by certified Instructors for others.

In addition to formal training required for certification in a specific discipline, local department-sponsored training may be required before members are authorized to drive vehicles, operate equipment and/or communication devices, serve in an Officer role, and/or represent the membership within the member corporation. HFFD and HFMVA both maintain training schedules to provide local training opportunities for these and other aspects of their service. Training policies provided by HFFD are included in [Appendix 5-14](#). Training policies provided by HFMVA are included in [Appendix 5-15](#). Local training requirements are financially supported by the department's Village Budget, and/or its corporate budget. County and State training is financially supported by the County and/or the State (for the authorized hours scheduled for Monroe County).

**Equipment.** In addition to HFFD's Fleet, specialized equipment is necessary to support functional operations and the capacity for specific types of calls. For example: a Hurst Tool for vehicle extrication; SCBA for safe building entry; the tags, passports and status boards for Firefighter Accountability; portable generators and pumps; 4,200 feet of 5-inch diameter hose for drafting and water extension; and, the UTV and water-rescue apparatus that provide off-road and water access to all areas of the natural landscape within the Department's jurisdiction (Henry, September 30, 2016). Resource support is underwritten by the Department Village Budget and grant awards.

In addition to HFMVA's Fleet, they too have specialized equipment to support their scope of pre-hospital care. From the usual equipment and supplies that support BLS patient care, since 1987, HFMVA offers ALS and its life-saving interventions. The Department's Village Budget and grants afford supplemental equipment to enhance provider and patient safety, including: "Fly Cars" to expedite ALS and Defibrillator response, an ALS Training Simulator, and power gurneys.

E. Requests for Service.

**Emergency Calls from within Monroe County.** Since the inception of formal 9-1-1 service in January 1986, Monroe County assumed responsibility to answer all calls placed to 9-1-1 that originate within the geography of the County. Monroe County is served by one Public Safety Answering Point (PSAP), we know as the County's "911 Center." It currently serves a population of over 740,000 residents, dispatching 16 Police Departments, 39 Fire Departments and 32 EMS agencies (ECD Annual Report: 2015, p .5). Governance and guidance for this County operation is provided by, "The 9-1-1 Operating Practices Board (OPB). [The OPB is] a representative body created by the County Legislature pursuant to Resolution No. 361 of 1981.... [It] shall provide direction on operational policy, practices, and protocol to the Emergency Communications Center [911 Center], as well as changes to operational policy, practices, and protocol recommended by the Law Enforcement Council, the Fire and EMS Advisory Boards and the Emergency Communications Department based on Subscriber needs, and in accordance with funding appropriated by the Monroe County Legislature" (911 Subscriber Agreement, p. 10).

911 Center services are provided to public safety agencies through "Subscriber Agreements" with the governing bodies for the agencies. In our case, the Village of Honeoye Falls is the Subscriber for HFFD and HFMVA beginning September 21, 1981, renewing March 30, 1983, and currently as authorized by the Village Board of Trustees on March 20, 1995 and executed by the Mayor [Anne R. Morton] on March 24, 1995. It authorizes the County, "...to receive, and answer [911 calls]...and provide Central Dispatch Service" (911 Subscriber Agreement, pp. 7, 20) for both HFFD and HFMVA.

As the "Subscriber," the Village has responsibility to: "...provide the County, in written form, information pertinent to method and mode of dispatch including, as appropriate, specification of vehicle territories and beats, areas and hours of service, procedures for numbers and types of vehicles to be dispatched to specific types of call[s], which vehicles are to be first responders, second response requirements and any other information necessary to accurately dispatch Subscriber's units in accordance with OPB approved protocols, practices and procedures. The Subscriber shall regularly update such information and shall immediately advise the Emergency

Communications Center (911 Center) of any temporary changes in its roster of available vehicles” (911 Subscriber Agreement, p. 11). The Subscriber Agreements for HFFD and HFMVA and supporting documents are attached as Appendix 5-16.

**Calls for service in the North Bloomfield Fire Protection District:** Ontario County Emergency Manager and Fire Coordinator, Jeff Harloff advises that resident calls to 911 are answered at the Ontario County PSAP in Canandaigua. Fire Department requests are transmitted to the Monroe County 911 Center via radio frequency 45.88 for HFFD dispatch. HFFD is not a participant in the Ontario County Mutual Aid Plan, although they receive requests from Ontario county-based departments and/or through the NYS Fire *Mobilization and Mutual Aid Plan*. HFFD does not operate on Ontario County Fire [radio] frequencies. Coordination is achieved in the Command Post (face-to-face) (June 16, 2016).

**Calls for service in the North Bloomfield Ambulance District.** Ontario County EMS Coordinator, Debra Trickey advises that resident calls to 911 are also answered at the Ontario County PSAP in Canandaigua. Unlike Fire Dispatch, EMS calls for HFMVA go directly to HFMVA via pager and are facilitated by radio communications. HFMVA is authorized to operate on radio frequencies that are licensed to Ontario County. Fire and EMS dispatch are simulcast and then assigned an operations frequency for their call. As is common elsewhere, communication between an ambulance and a hospital is acceptable via cell phone. Hospitals in Ontario County that may receive patients are: F.F. Thompson, Canandaigua – U. of R. affiliate; Clifton Springs Hospital, Clifton Springs – Unity affiliate; and, Geneva General, Geneva – Finger Lakes Health affiliate.

Although Ontario County is a participant in the Finger Lakes Regional EMS Council, it is the agency’s “home” Council that governs medical protocol. No matter where HFMVA is called for service, the Monroe-Livingston EMS Regional Council governs their medical protocol (June 16, 2016).

**Calls for service in the Town of West Bloomfield.** The Village of Honeoye Falls Ambulance Service Certificate (CON) includes the entire Town of West Bloomfield. Other Ambulance services with a CON for the Town of West Bloomfield are: Finger Lakes Ambulance, Inc., AMR, Monroe Medi-Trans, Inc. and East Bloomfield-Holcomb Ambulance. HFMVA is a compliant participant agency with NYS *Policy Statement 1206*, directing all Ambulance agencies to have a Mutual Aid Plan in their territory, and they are included in the County’s *Mass Casualty Incident Plan*. As in the North Bloomfield Ambulance District, requests for HFMVA go directly to them via pager and are facilitated by radio communications (June 16, 2016). HFMVA dispatch to fire calls in the Town is determined by the Department having jurisdiction (Trickey, June 16, 2016).

**Calls for service in the Town of Lima.** The Village of Honeoye Falls Ambulance Service Certificate (CON) includes the entire Town of Lima. Resident calls in Lima to 911 are answered at the Livingston County PSAP.

Livingston County EMS Director, Karen Dewar, RN, EMT, remarked about the intention of NYS *Policy Statement No.12-06*. **Appendix 5-17**. She shared that the sequence of Mutual Aid is pre-determined by this planning format: it relieves the primary agency from designating an alternate agency, thus reducing time and Dispatcher “hopping” until an available agency accepts the call; it prioritizes dispatch to agencies with a valid CON in the territory; and, in Livingston County, it recognizes agency “status” for EMS operations. HFMVA is a partner in the County status program that tracks Ambulance agencies as “in” or “out of service.” Operating within the *Policy 12-06* framework, there is potential for HFMVA response to a higher volume of BLS calls in the Town of Lima, in addition to the current volume of ALS calls and intercepts.

Livingston County licenses EMS radio frequencies and they authorize HFMVA to operate on their channels. Although HFMVA can monitor calls for service to learn that they will be requested for response, the official dispatch for HFMVA is from the Monroe County 911 Center. The sequence: Livingston County requests Monroe County to dispatch HFMVA; they do so; HFMVA engages Monroe County for all procedural communications; and, then the procedure reverses to return in-service (June 1, 2016).

**Call Volume.** Both HFFD and HFMVA track their calls for service. They both have reporting requirements to Monroe County and New York State for data gathering, quality control and to effect third party billing.

Call volume is determined in a number of ways and used for multiple purposes, e.g. predictable budget estimates, gauging equipment longevity, resource determination, staffing and discerning patterns. It can be measured according to specific parameters, or strictly as a sequence of count.

**Figure 5-c** charts the collective volume of events for HFFD and HFMVA as they are tabulated for the City of Rochester Emergency Communications Department (911 Center) Annual Reports, from 1999 to 2014 (June 22, 2016).

**Appendix 5-18** contains Annual Reports from the 911 Center stating the number of Events that were created for HFFD for years 1999 through 2015; and, 911 Events for HFFD by month, for the years 2013, 2014 and 2015 (Nies, September 2, 2016).

**Appendix 5-19** presents data on HFMVA calls from six (6) report sources:

1. Annual Reports from the 911 Center stating the number of Events that were created for HFMVA for years 1999 through 2015.
2. *Summary of Income Status*, Report from MedEx, for Village Fiscal Year 2015-2016, reflecting 826 "Claims" [or 911 PCR "Cases"].
3. *Services Types Summary*, from MedEx, for the 2015 calendar year.
4. MedEx, Inc. report as requested for "the twelve month period of April 2014 – March 2015" (Email to Greg Emerson, July 14, 2015).
5. A copy of **Figure 4-o** "Ambulance Calls per Year," as reported on the annual Village Ambulance Contract Worksheets, for the years 2002 to 2017 (Village Files).
6. 911 "Events" and "Cases" for HFMVA by month, for the years 2013, 2014 and 2015 (Nies, September 2, 2016). A "Case" represents a Patient Care Report (PCR) that is generated for each patient who receives care at that "Event" (call for service) by an EMS agency. Each 911 "Case" is the genesis of a patient's report for HFMVA's "EMS Charts" software, which is electronically conveyed to MedEx, Inc. for third party billing.

Note: the author finds no apparent reason/explanation for disparity in the call volumes expressed across the documents represented in **Appendix 5-19**. The Ambulance generates a "Patient Care Record (PCR)," for each patient. PCR records are collectively labeled "Cases" at the Monroe County 911 Center. When the Ambulance electronically forwards a "Case" to MedEx, Inc., the "Case" becomes a "Claim" with them for third party billing. Since the Village is invoiced for payment by MedEx, Inc. for each "Claim" it processes for third party billing, the number of reported "Cases" by HFMVA, should reconcile with the number of "Claims" invoiced to the Village for processing.

Patient Care Records also indicate the level of care provided by the Ambulance, as evidenced by MedEx, Inc.'s requirement for a Village Fee Schedule to establish patient cost for each level of available service. The identifiable level of care translates into the categories identified in "PART III, Use Formula," on the Ambulance Contract Worksheets. Monthly reports from MedEx, Inc. would generate data for Contract calculations based on the most recent 12-month period, and would in-turn, document the source of the numbers for all Contract parties.

**Public Safety Communications in Monroe County.** Monroe County owns, operates, licenses and maintains the backbone, or infrastructure, system for all law enforcement, fire and EMS radio communications. The infrastructure supports base station operations, mobile and portable radios, Mobile Data Terminals (MDTs), the County paging system, multiple County department communications, many town, village and City of Rochester departments, the 911 Center and its redundant location, the Monroe County Emergency Operations Center, AIR COM (Greater Rochester International Airport), several secure facilities together with mobile equipment that can stand-alone, provide linkages to "bridge," communication voids, and/or

provide redundant communication resources in disaster response (Verdouw, June 17 and October 15, 2016).

Monroe County Public Safety Communications (Radio Center) is financed within the Public Safety Department Budget. The County also receives funding to support some of the facilities and operations described above, e.g. 911 Surcharge on cell phones, Radiological Revenue paid to New York State from companies operating Nuclear Power Reactors in New York State, and federal grant awards focused on planning, equipment and systems to enhance local capacity for interoperable communications. Monroe County employees staff regional and state committees for multiple and varied communications topics, and have volunteered to assist Frequency Coordination procedures required by the Federal Communications Commission (FCC).

F. Water Supply. As indicated in Chapter 2, “The traditional purpose of the public authority has been to construct, operate and finance a specific type of improvement” (Cuomo and Shaffer, p. 135). Public Authorities have direct and indirect roles with Emergency Service providers. The Monroe County Water Authority (MCWA) has a direct role in delivering fire protection and fire suppression in the Mendon Fire District, Mendon Fire Protection District No.1, the Village of Honeoye Falls, and the North Bloomfield Fire Protection District (in the Town of West Bloomfield).

Text below is from the MCWA website: Fire Protection:

#### **“Community Fire Protection**

Unless you are looking for a parking spot or walking a dog, you probably don't pay much attention to fire hydrants. But at MCWA, we do. The same system of water mains, pumps and storage tanks that reliably provides clean tap water to your home also provides excellent fire protection for the community. We are proud to provide this important service to our entire customer base.

#### **“Always at the ready**

While firefighters primarily handle hydrants in an emergency, MCWA takes responsibility for day-to-day hydrant operation and maintenance. This means keeping clean water flowing -- at the right pressure -- to working hydrants around the clock all year long.

#### **“An extensive challenge**

In MCWA's service area, we properly tend to more than 25,000 public fire hydrants strategically placed along our 3,240 miles of water mains. Having a hydrant relatively close to a home or building can be a factor in fire insurance premiums” (August 10, 2016).

G. Trends. Delivery of Emergency Services is constantly evolving. Service delivery takes advantage of every available means to improve safety for responders and improve efficiency on the fire ground and in delivering prehospital care. Data collection and research influence equipment standards and training evolutions to insert every edge and advantage available to save lives.

Trends in "Delivery of Service" have a different complexion from other chapters in this report. Service delivery is personal. Delivering service is the ultimate goal, and it is given by people who are passionate about this work. They are motivated by what they do and are drawn together with others who share their desire and the thrill of this role.

Individuals who volunteer or choose Emergency Service careers will always be advancing community programs, training opportunities, leadership development, academic programs and specialized services. Human nature will drive invention in the application of fire protection, and Emergency Medical Services within our local communities, and we will continue to benchmark advances that benefit our quality of life.

Monroe County EOC Activations

Figure 5-a.

<u>Activation</u>	<u>Closed</u>	<u>Duration</u>	<u>Event</u>	<u>Requestor</u>	<u>Fed. Declaration</u>	<u>Declaration Date</u>
11-12-92, 2330 hrs.	11-13-92, 1345 hrs.	13.25 hrs.	Wind/Rain Storm	circumstance		
3-13-93, 1500	3-15-93, 0700	40	Blizzard '93	CEO	3107-EM-NY	declared 3-17-93 President Clinton
3-30-93, 2100	3-31-93, 0100	4	Flooding	circumstance		
4-1-93, 2100	4-3-93, 1230	39.5	Flooding	CEO		
10-16-94, 0650	10-16-94, 1330	6.75	3-Alarm Fire, City	circumstance		
3-31-95, 1000	3-31-95, 1300	3	Level 2 HAZMAT	Plan		
4-6-95, 1905	4-6-95, 1945	40 min.	Plane Crash	Plan		
7-15-95	7-15-95	3 hrs.	North Country Wind Burst	circumstance		
1-19-96, 1030	1-19-96, 1230	2	Flooding	circumstance		
1-8-98, 1130	1-8-98, noon	.50	Flooding	circumstance	1196-DR-NY	declared 1-21-98 President Clinton
9-7-98, 0345	9-11-98, 1800	113.75	Wind Storm	circumstance	1244-DR-NY	declared 9-22-98 President Clinton
3-4-99, 1200	3-8-99, 0530	89.50	Blizzard '99	circumstance	3138-EM-NY	declared 3-9-99 President Clinton
12-31-99, 1900	1-1-2000, 0305	8.05	Y2K	CEO		
6-19-01, 1930	6-19-01, 2030	1	Fire - HAZMAT Level 0	Fire Coordinator		
7-28-01, 1337	7-28-01, 1750	4.25	HAZMAT - Level 1	Incident Commander		
9-11-01, 1000	9-11-01, 1830	8.50	NYC Attack	CEO	1391-DR-NY	declared 9-11-01 President Bush

<u>Activation</u>	<u>Closed</u>	<u>Duration</u>	<u>Event</u>	<u>Requestor</u>	<u>Fed. Declaration</u>	<u>Declaration Date</u>
4-4-03, 0430	4-9-03, 1330	153 hrs.	April 2003 Ice Storm	CEO	1467-DR-NY	declared 5-12-03 President Bush
8-14-03, 1630	8-15-03, 0900	16.5 hrs.	Power Outage of 2003	CEO	3186-EM-NY	declared 8-23-03 President Bush
11-13-03, 1035	11-13-03, 1835	8 hrs.	Wind Storm	circumstance		
11-19-09, 0830	11-19-09, 2115	12.75 hrs.	Public Health H1N1 Clinics (5)	CEO		
11-21-09, 0830	11-21-09, 1915	10.75hrs.	Public Health H1N1 Clinics (5)	CEO		
1-12-10, 0845	1-12-10, 1445	6 hrs.	Public Health H1N1 Clinics (2)	CEO		
9-13-11, 1930	9-13-11, 2051	1 hr. 21 min.	Mumford Gas Explosion	circumstance		
10-29-12, 1000	10-30-12, 1000	24 hrs.	Super Storm Sandy	circumstance		
3-12-14, 1000	3-12-14, 1800	8 hrs.	Blizzard	circumstance		
2-16-16, 1000	2-16-16, 1900	9 hrs.	Snow Storm	circumstance		

Figure 5-b.

## 911 Center Call Types

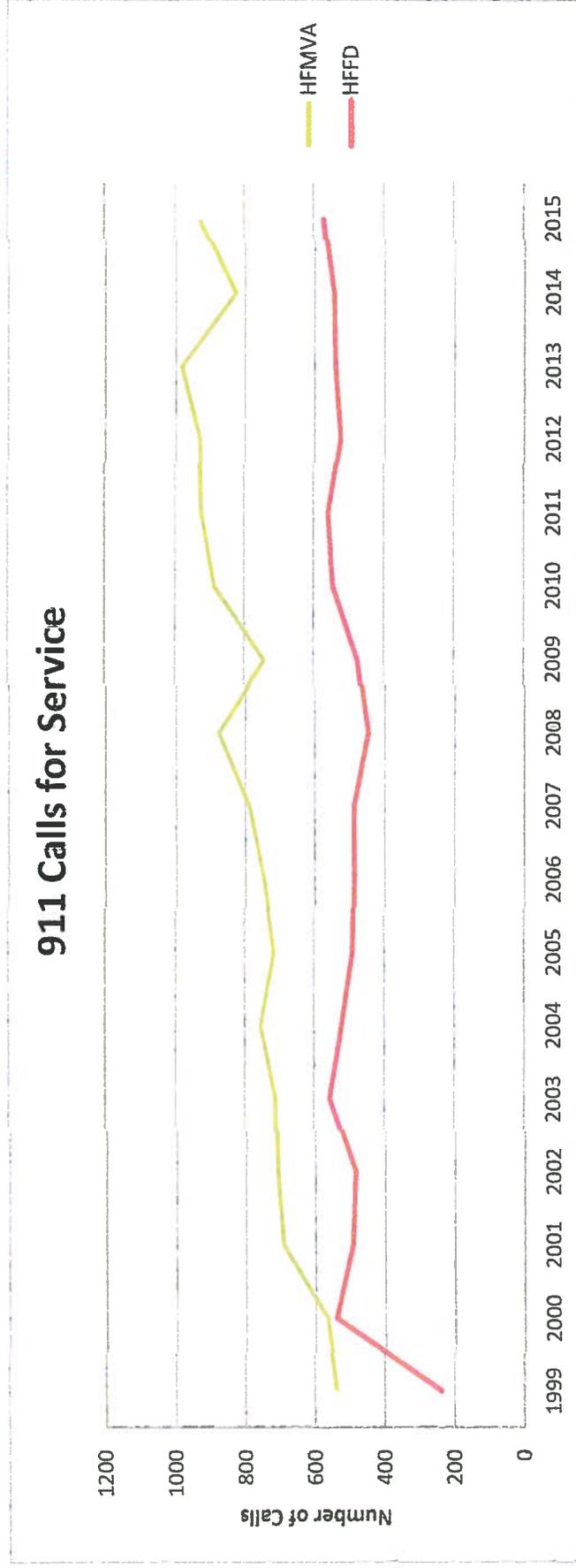
Call Type	Definition
AMTCA	FIRE alarms only. Alarms for fire, smoke, dialers for fire or heat.
ASSTB	All requests for assistance – HFFD calls are for Ambulance assistance.
FILLIN	Generated by Fire Dispatchers. Any and all fill-ins.
FIREA	Any smoke in the area OUTSIDE. Any other type of incident that needs the fire dept. and cannot be categorized by any other event type.
FIREB	Any dumpster, grass, rubbish fire or fluid leak not posing an exposure problem; unknown substance in mail.
FUMSA	Any odor other than smoke. If it is gas, ascertain whether it is gasoline or natural gas.
FUMSB	Carbon monoxide alarm – no reported sickness.
MVAs	Accidents of motor vehicles involving known or unknown injury. May include: people trapped, hit and runs, blocking traffic, building or structure struck. Any school bus accident with children on board but no reported injuries.
RESCUE	Any technical rescue incident (not an MVA with people trapped).
STRCTA	Structure on fire (house, garage, shed, building, school, etc), any smoke or report of smoke seen coming from any type of structure, by a witness on the outside. Fire with people trapped, multiple calls reporting of fire, Fire/Police/EMS on scene with a fire, AMTCA with backup call reporting fire.
STRCTB	Appliance fire (stove, dryer, etc), chimney fire, smoke in the structure, odor of smoke in a structure, lightning strikes.
VFIRE	For all vehicle fires with no exposure problem and/or hazards.
WATRB	Water problems. Any commercial or residential water problems. Not sewers. Does not include water flow alarms.
WTRFLW	Water flow alarm. This event type covers risers, water flows, sprinkler activation, etc.

Source: City of Rochester Emergency Communications Department. "Policies and Procedures, Number 88.02.54" Rochester, New York. (Revised) July 10, 2015. Section 8: pages 12-20.

HFFD and HFMVA: Number of 911 Events [Services Dispatched]

	1999	2000	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15
HFFD	239	540	492	484	557	522	491	485	487	447	476	546	559	525	540	544	572
HFMVA	538	565	690	707	711	754	716	745	787	877	742	888	925	930	983	827	929

NOTE: Data from: City of Rochester Emergency Communications Department (911 Center), “Events Processed by 911 per Agency” for the years 1999 – 2013, originating from Annual Reports; and, City of Rochester Emergency Communications Department (911 Center), “Annual Report: 2015” for the years 2014 – 2015.



## PART II. CORPORATE OPERATIONS

### Chapter 6. Honeoye Falls Fire Department, Inc.

#### A. Legal Identity.

The corporate identity known as the “Honeoye Falls Fire Department, Inc.” is separate and distinct from Village governance. The membership of the fire department created a corporate identity pursuant to Section 402 of the State Not-for-Profit Corporation Law, approved by the Supreme Court for the Seventh Judicial District, on September 29, 1987, Index Number 11958/87. The corporation is recognized by the Internal Revenue Service as described in Section 501(c)(3), of the Internal Revenue Code. The purposes of the corporation are enumerated in its certification document. [Appendix 6-1.](#)

#### B. Governance.

The Corporation Board of Directors: the President, the Vice President, the Fire Chief and two (2) Wardens, “shall govern over all corporation business” (By-Laws, p. 3).

#### C. Membership.

The Fire Department’s “Personnel List, June 3, 2016 Report,” carries an “Active Corporate” status of twenty-six (26) members (Churnetski, June 3, 2016).

#### D. Operations.

The By-Laws (dated August, 2011) direct corporate operations with sections dedicated to membership qualifications and duties, meetings, election of officers, officer duties and administrative functions. [Appendix 6-2.](#)

#### E. Affiliations.

HFFD members continue active affiliation at the county, state, national and international levels with Fire Service organizations that advocate for firefighter safety and firematic interests. Among these organizations are: Monroe County Chiefs Association; Monroe County Volunteer Firefighters Association; Firemen’s Association of the State of New York (and its affiliate geographic subdivisions); New York State Chief’s Association; and, the International Fire Chief’s Association. HFFD members have held, and continue to hold leadership roles within these

organizations. Also, HFFD members were instrumental in developing the State Fire Prevention Program and continue a leadership role with this organization.

#### F. Activities.

Membership-sponsored activities are focused on community events, public education, member support and fund raising. For example:

- Community events defined as parades including: Memorial Day; HF-L Fall Weekend; other department parades - for returning Olympian Joan Smith; and, their own Holiday Parade, a community fixture for more than 15 years. Members also participate in special community events like the Village Sesquicentennial, the Town of Mendon Bi-Centennial, the Village "Festival on the Green," and other venues that offer first-hand interface with the public.
- Public education focuses on fire prevention and fire safety. This category includes: "Open House" at the Fire House; school classroom programs and demonstrations with real-time response scenarios; the County Volunteer Firefighter's Association annual Fire Prevention Essay and Poster contests; and, the Department Face Book page with safety tips and links to other educational sites.
- Member support from the community has many expressions. Until 2014, there was a Department-chartered Boy Scouts of America Explorer Post for teens who are interested in learning more about the Fire Service and its functional delivery of emergency services. An Auxiliary Unit assists the department with corporate events, emergency response, fundraising, and expenses noted below on [Figure 6-a](#). Examples of community business support expresses: in monetary donations; with equipment purchases like a Chief's Car (see below) and Scott Air Packs (Southco, September, 1979); and, employee-release for HFFD volunteers to respond to alarms.
- Fundraisers like the annual Turkey Raffle (and others detailed on [Appendix 6-2](#)), are community events that generate revenue for membership activities to defray taxpayer expenses and provide community programs described here.
- The Training Grounds (321 Monroe Street), is a venue for many community social activities hosting local groups and community members. This land is leased by the Village to HFFD, Inc. [Appendix 6-3](#).

#### G. Finances.

Since its beginning, Department members contributed to off-set tax expenditures, and in some cases, paid the full cost of Village Department resources. These are examples cited by the Marasco, [Honeoye Falls Fire Department \(1985\)](#) publication, which contains un-numbered pages:

- The members of the original four companies paid for their uniforms.
- “The original Fire Police badges were purchased at a Woolworth’s 5 & 10 and engraved by someone so the cost was about 12 cents each.”
- \$2,000 of the \$7,000 cost of the [1944] Monroe Street fire house was contributed by the department membership, and members donated time to assist Swartout and Rowley (General Contractor) construct the building.
- August 11, 1963: Morrystown Rescue Truck (M15), purchased by the membership at a cost of \$7,000.
- 1981 Ford station wagon, “Chief’s Car” (5C-16), purchased by the membership from Everett Lewis Ford at a cost of \$8,500.
- 1983 Amthor Rescue Truck (568), purchased by the membership, “with assistance from merchants and Molye Chevrolet” at a cost of \$32,000.
- Auxiliary-sponsored fundraising assisted with purchases when the Fire House was expanded in 1975. They donated an outdoor grill and purchased equipment for the Kitchen including the commercial gas stove.

Figure 6-a.

As of May 18, 2016, current revenue and expense categories from the Corporate Ledger (full detail in [Appendix 6-3](#)):

Revenues	Expenses...2 columns	
Grants	Food at fires	Dinners
Annual Fund drive	Training & seminars	Corporate donations
Contributions/memorials	Scholarships	Chief’s Car
United Way Campaign	Awards	Disability Insurance
2% Income *	Association dues	Fire House: Lounge refreshments
Training Ground user fees	Explorer Post	Uniforms
Turkey Raffle	Good & Welfare	Dept. picnic, clambake, banquet
Sportsman Raffle	Other member benefits	Training Ground: supplies, maintenance, utilities, insurance
Ironman Club (since 1951)	Website	Community events
Investment income	Holiday Parade	Public Relations
Interest on accounts	Advertising	Bank charges
	Admin. Fees for Corporation	Misc.

\* “Foreign Fire Insurance Moneys,” commonly known as “2% Money,” are regulated by State Statute. “New York State collects a tax on all fire insurance policy premiums paid by foreign (out-of-state) fire insurance companies (Insurance Law, Sections 2118, 9104, and 9105). The

law provides that the fire departments protecting an eligible area are entitled to receive a share of the collected tax. New York Insurance Law governs the use of foreign fire insurance tax money (Insurance Law, Sections 9104, 9105)" (DiRaddo, 25:10). Insurance Law, Section 9105 stipulates that, "...such tax [the 2% money] shall be used for the benefit of, [the fire department] as determined by the members thereof" (FASNY, p. 341). These funds are received on an annual basis and deposited in the corporate account. Members decide expenditures which must benefit the entire organization (Churnetski, June 3, 2016).

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The Corporation has written and submitted grant applications to New York State Legislators for Member Projects, New York State agencies, and to FEMA for the "Federal Aid to Firefighters Grant." Although the Corporation writes the grants, the Board of Trustees is engaged in the process when a local match of funds is necessary, and when the monetary award must be processed through a municipal channel. Grant awards are used for equipment, training aids, personal protective equipment and communication devices, among others. New York State "Member Projects," are funded from a line in the State Budget earmarked for Legislator use in their locale. The New York State Department of Environmental Conservation Grant is an example of a State aid program that assists a specific purpose. The FEMA grant is an example of a federal aid program, and like the state example, it is designed to assist specific programs.

Grant awards offset local tax dollars that support department resources. Figure 4-d. captures these grants in a condensed presentation, but with sufficient detail to present their monetary value and highlight their impact on relief for local tax dollars.

## Chapter 7. Honeoye Falls-Mendon Volunteer Ambulance, Inc.

### A. Legal Identity.

The corporate identity known as the “Honeoye Falls-Mendon Ambulance, Inc.” is separate and distinct from Village governance. The members of the Ambulance Department created a corporate identity as a “Domestic Not-For-Profit Corporation” pursuant to New York State Not-for-Profit Corporation Law, on July 11, 1994. The corporation is recognized by the Internal Revenue Service as described in Section 501(c)(3), of the Internal Revenue Code. [Appendix 7-1.](#)

In an interview June 23, 2016, Corporate President, John O’Donoghue indicated the members created this identity to gain tax-exempt status and to be classified as a public charity under the Internal Revenue Code.

### B. Governance.

Corporate President O’Donoghue provided a roster for the Board of Directors (June 23, 2016) that includes: Board President, first and Second Vice Presidents, Treasurer, Secretary (*Ex Officio*), and six specific titles related to Corporate activities.

### C. Membership.

On July 18, 2016, Corporate President O’Donoghue shared there are forty (40) members.

### D. Operations.

The By-Laws (Amended October 15, 2015), direct corporate operations with sections dedicated to:

*Article I: Name and Object of the Corporation*

*Article II: Membership*

*Article III: Meetings*

*Article IV: Directors*

*Article V: Officers and Directors of Operations*

*Article VI: Amendments* [Appendix 7-2.](#)

### E. Affiliations.

“Participation is not generally tracked. However, members have been part of NAEMT, MLREMS/REMAC and others” (Mayor Milne email, August 16, 2016).

F. Activities. As contained in information transmitted by Corporate President John O'Donoghue on July 18, 2016, membership-sponsored activities are focused on community events, public education, member support and fund raising. For example:

- Community events defined as parades including: Memorial Day; HF-L Fall Weekend; other community's; and, the HFFD Holiday Parade. Members participate in special community events like the Village "Festival on the Green," and other venues that offer first-hand interface with the public. Members also, "Provide stand-by crews at a significant number of community events as required by the Department of Health or event insurance. The stand-by crews provide pre-hospital care at events sponsored by the Town, Village, school district athletic events, local fire departments, and many other not-for-profit fundraisers such as Relay for Life, Equestrian Center 5K, Stars & Stripes Veterans 5K, and many more events at locations through-out the Town and Village."
- Public educations focuses on, "Build[ing] community capacity to respond to emergencies and disasters by recruiting, training, and certifying members of the public and employees of local businesses in CPR and AED use."
- The corporation expresses support to its members through, "Recruitment [and retention] activities to enhance and maintain volunteer members." For example: the Member Recognition Program; member training programs; and, opportunities to attend professional workshops and seminars.
- Fundraising includes: the Annual Fund Drive; Memorial donations and gifts; the United Way Campaign; employee/employer matching donations; and, grants from other levels of government and private foundations that provide valuable equipment to augment local tax dollars. Collectively, these revenues support the activities enumerated on Figure 7-a.
- The community medical equipment "Loan Closet" is housed at the Ambulance Facility, 210 East Street (Milne email, August 16, 2016).

G. Finances.

Figure 7-a. Corporate President, John O'Donoghue provided expense categories as of June 23, 2016, and revenue categories as of July 18, 2016.

Revenue	Expense
Grants	Fund Drive: printing, mailers, postage, other
Fund Drive	Bd. Of Directors: insurance, accounting, legal, PO Box, patient surveys
Memorials/gifts	Board Office & Admin. equipment and supplies
United Way Campaign	Dir. Of Operations

Revenue	Expense
Employee/Employer Matching donations	Occupancy: cable and internet, mobile communications, kitchen, janitor
Community Events	Classes and Meetings: CPR courses and cards
Raffles	Community Events
Recycling funds	Member Recognition Program
Bank Card rewards	Misc.
Interest on accounts	
Investment income	
Misc.	

In an Interview, June 23, 2106, Corporate President, John O'Donoghue said that HFMVA, Inc. seeks grant money to support the delivery of ambulance operations. Like HFFD, these awards offset local tax dollars. Upon award, the eligible applicant (the corporate identity or the Village) receives the funds and is responsible to comply with expense parameters. Grants shared for this report are identified in [Figure 4-e](#). All applications were prepared by the corporation. The condensed presentation has sufficient detail to present monetary value and to highlight the relief on local tax dollars.

H. Corporate President, John O'Donoghue shared (July 18, 2016) these "Forward Looking Activities:

- "Plan and execute public and private grant program[s] for equipment replacement and training
- "Plan and execute recruitment activities to enhance and maintain volunteer members."

Note: Printed information shared by John O'Donoghue are shared in [Appendix 7-3](#).

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