

Advisory Study of Merger of the Larchmont Fire Department and the Town of Mamaroneck Fire District

Fire Council Larchmont Fire Department Village of Larchmont

*Version 2.3
January 2007*

At the December 2006 meeting of the Fire Council, the Council asked the Chief to form an advisory study team to report to the Council concerning the concept of a merger of Larchmont Fire Department and the Town of Mamaroneck Fire District. The Chief appointed the advisory group, consisting of the following members, along with a technical reviewer:

- Tom Broderick, LFD First Deputy Chief
- Chief PJ Abrahamsen, LFD Second Deputy Chief
- Brian Payne, former LFD Chief
- Jim Sweeney, former LFD Chief
- Ned Benton, LFD member, former Village Trustee, and Management Professor
- Professor Glenn Corbett,¹ as Technical Reviewer

The study reflects the opinions of the study team, as advice to the Fire Council. The team views this report as preliminary. We expect that questions will be raised about the ideas presented, and we look forward to answering the questions in a subsequent report or presentation.

1. Summary

While merger or consolidation of the provision of fire services between the Village of Larchmont and the Town of Mamaroneck could be accomplished in several ways, the study team finds that merger generally offers significant advantages to both communities.

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- Possible savings to taxpayers of both communities;
- Improved services and response times;
- Significant improvements in locations closer to the other community's fire station; and
- Potential solutions to management challenges.

There would still be fire engines and paid and volunteer firefighters responding from Larchmont Village Hall. The historical and ceremonial traditions would be intact. But the costs would be less and the responses and services would be better.

The savings would come from applying the Town's more efficient management and deployment practices to the Village; savings in supervisory paid positions; savings in overtime because one firehouse can offset needs of the other; combining responses from both firehouses in more situations; reducing certain kinds of apparatus; and savings in related fringe benefit costs.

Service improvements would include the following.

- Faster responses to the Dillon Park and Harrison Drive areas. These neighborhoods are in the Town of Mamaroneck, but they are located beyond Staples on the way to New Rochelle.
- more frequent cross-training and joint training across both departments,
- avoidance of delays associated with calling the wrong firehouse in an emergency,
- better management and supervision of the paid staff (TMFD is not having the problems Larchmont is having,)
- elimination of duplicated equipment,
- development of better specialized response teams

But perhaps the most important difference is that the combined fire department will gain more combined experience in fighting more fires.

2. Historical Perspective

The concept of merger or consolidation of smaller fire departments into larger ones is not new to Larchmont and not new to the United States. The following are summaries to some recent studies:

In 1991, the Westchester 2000 report recommended that "Fire Departments within villages/towns should be consolidated into one fire district and share personnel and equipment."

In 1996, the Village of Larchmont commissioned a report on fire services by Carrol Buracker and Associates – locally referred to as the Buracker Report. The report included

a chapter on consolidation opportunities for Larchmont, which included the following observations:

- “Larchmont’s cost of fire protection is usually one of the highest, when compared to fire department expenditures of other villages in Westchester County. Larchmont was second highest in fire department operation and capital expenditures, according to the State of New York Comptroller’s Special Report on Municipal Affairs issued for the fiscal year ended 1990.” (page 51.)
- “In summary, based on a review of previous consolidation efforts, the history of consolidation points to very positive and beneficial results for the fire departments, the municipalities involved and the citizens served. In every instance, the benefits to the citizens were very substantial.” (p. 68)
- With respect to the concept of consolidation with the Town of Mamaroneck Fire District, the study stated: “The opportunity for the attainment of service improvement at a reduced cost to the taxpayers of both communities appears to justify the more detailed consideration of the consolidation option by the Village of Larchmont.” (p. 79)

Buracker’s observation about Larchmont’s high personnel costs can be confirmed with more recent information. Based on the Comptroller’s 2004 Village Financial Statistics, Larchmont ranked 6th in career firefighter salaries and benefits per capita, compared to 125 villages in New York State that reported salary expenses for fire protection services.

A more recent basis for salary cost comparison is that the LFD is responsible for 43% less assessed valuation of property compared to TMFD, yet expends 42% more on career firefighting salaries.

The Village of Larchmont has not yet taken steps to thoroughly consider the idea of consolidation of fire services with the Town of Mamaroneck. In the past, there may have been an impression that the volunteer members of the Larchmont Fire Department would resist the idea of studying this concept, and would resist attempts to implement consolidation.

Perhaps the most important observation that the study team can make is that the volunteer members of LFD appear to be very open to a study of consolidation, and appear to value many of the potential benefits of a merger. There are many details that would have to be worked out, and there would be a strong desire to preserve Village Hall as the site of a distinct firefighting organization with intact historical, ceremonial and community service traditions. However, the study team believes that consolidation can be achieved in a way that would have strong support from the LFD membership.

2. Benefits of Merger

The only valid purpose for merger is to improve fire protection for the two communities involved. The following are benefits that are likely to be achieved by a merger of the two departments.

Better Response: Merger would result in an overall improvement in response, both in terms of the speed of response and the equipment and personnel deployed. The following are examples of how this could be achieved:

- **More flexibility to handle simultaneous calls:** Currently, if one department is to assist the other department, it is done through mutual aid. If the departments are merged, responses to second calls would be managed more directly by 60 Control automatically. Through the computer aided dispatch system, the dispatcher would automatically call the next available units even if they are from the other house.
- **Access to larger pool of volunteers:** A larger pool of volunteers would be routinely available for response to alarms.
- **Ability to send 2nd engine right away when fewer than 3 career firefighters are on duty in either firehouse:** Currently the TMFD uses Code 2 (two men on shift when a career firefighter misses his shift) during the night time shift. By having more available career members, we could dispatch a 2nd due engine from the other house to reported structure fire calls.
- **Automatic dispatching of additional units with suspected/confirmed working fire:** Such dispatching would be improved because the two departments would be functioning as a single operational organization.
- **Centralized dispatching:** Since 60 Control (central fire dispatching for Westchester County) would receive all fire alarm calls, there would be better coordination of all responses from both houses. This would be utilized through the CAD system and the standard operating guidelines that are provided to 60 Control to aid in dispatching.

Equity and Safety of Response: The Dillon Park neighborhood and parts of Harrison Drive (areas in the unincorporated part of the Town of Mamaroneck that are on the other side of the Village of Larchmont adjacent to New Rochelle) are served by the TMDF. Merger would significantly improve promptness and safety in responding to calls for service.

- **Response Times for Fire Calls:** These properties are currently served by TMFD, and it takes 2-3 minutes longer for their apparatus to arrive than would be the case if our apparatus responded to their alarms. The first minutes of a fire are critical in terms of lives saved and property conserved.
- **Public Safety in the Village of Larchmont:** This is a public safety hazard for VOL residents also. According to National Fire Administration statistics, 25% of

firefighter deaths result from vehicle collisions on the way to alarms. This statistic does not include the civilians who are also killed and injured. NFA studies indicate that the greatest risks occur when the emergency vehicles move through congested areas with businesses, schools and complex intersections. Every time there is an alarm (even a false alarm) in the Dillon/Harrison areas, TMFD apparatus and TMFD volunteers must drive through the Village to get to the site of the alarm.

- **Response times for Emergency Medical First Responders:** During weekdays, the Dillon/Harrison residents receive first-responder medical service from TMFD. If one of their residents has a heart attack, it could take 2-3 minutes longer to get the defibrillator there compared to what would be the case if the first response was from LFD.

Coordination of Personnel and Equipment: Currently, certain specialized equipment and personnel functions are duplicated, which increases costs and reduces efficiency and effectiveness. The following are examples of how coordination could be improved:

- **Eliminate multiple mobile cascade units:** These units refill air tanks at the fire scene. One unit could serve both communities.
- **Only need one in-house cascade system:** This system refills the air tanks in the fire station. One unit could serve both communities avoiding a future equipment investment.
- **Operate with one fewer chief's car.** It is likely that the leadership structure of a merged organization would have fewer chiefs and deputy chiefs than the present structure, reducing the need for at least one car.
- **Reduced Equipment Needs:** Equipment includes fire engines as well as other specialized equipment. The equipment needs of a merged organization would be different than the needs of two separate organizations. For example, one fewer fire engine might be needed. The precise equipment needs would be determined by a technical study, and the transition from the current inventory or a proposed inventory would take place over time as redundant equipment might not be replaced, and as new equipment would reflect the future needs of the merged organization.

Career Staffing: Career firefighters are an important component of the approach to firefighting in both communities. Deploying the career firefighters efficiently and effectively is essential. Yet, the salaries and benefits of career firefighters are the major cost of providing fire protection services. They represent 91% of the current costs in Larchmont. These costs include pension and fringe benefit costs which have been escalating, as well as overtime costs. A merged firefighting organization will make more

efficient and effective use of career firefighting personnel. The following are examples of how this can be achieved:

- **Elimination of a significant amount of overtime:** In a combined organization, the combined number of career firefighters could be scheduled and deployed in such a way as to avoid the need for overtime in many instances. Another cost savings would come from reducing career firefighter coverage to two firefighters (as is regularly done in the Town of Mamaroneck) at night where the larger volunteer pool can replace a career firefighter who is not on shift for various reasons. In the event of a working fire, a 2nd Due engine can be sent from the other firehouse manned by a career firefighter to quicken the response when coverage is provided by two career firefighters.
- **Enhancing Daytime response:** Today TMFD and LFD both maintain three career firefighters during the day. In a combined department, the deployment of career firefighters can be better utilized in the daytime to increase the number of available firefighters by sending another engine to residential structure fires. This is currently done with Commercial Structures but can be expanded during the daytime.
- **Total number of Career Firefighters:** One area that can be looked at would be going to 2 career firefighters per night shift, per firehouse. Due to the much larger pool of volunteer firefighters during the evening, this could lead to a substantial cost savings.

The combined effect of these changes would be an improvement in service. It is also likely that the combined effect would also result in a reduction in overall costs. But even if the combination did not save money, it would be worth undertaking because the money spent would result in more timely and effective fire protection for both communities.

3. Disadvantages of a Merger

There are five potential disadvantages of a merger. These disadvantages can be mitigated, but they need to be clearly understood.

Transition Complexity: In the short run, it is usually easier to not change than to change. Combining two departments, each with a century of history in two separate municipal governments, presents legal, fiscal, organizational, personnel and technical challenges.

The purpose of this study is to identify many of these challenges, and to recommend solutions that can eventually be considered by the departments and governments involved. The study relies on a list of merger issues which the Fire Council developed several years ago.

We also believe that the LFD and the TMFD, and the communities that they serve, have reached a stage of development where the current structure is becoming increasingly obsolete. The fortunate trend, due to construction codes and fire prevention, detection and suppression technologies, is that the number of serious fires is declining. Another trend is that the number of residents willing to serve as volunteer firefighters has declined over the decades, and the level of training and technical competence required is increasing.

Maintaining the current structure will also present challenges, and solutions within the framework of the current structure will be increasingly expensive and less and less satisfactory. The long-range trend in the fire service is toward consolidation, and LFD and TMFD should move in this direction.

The study team does not find any transitional challenge that is so complicated and serious that it should outweigh the potential benefits of merger.

Transition Cost: There are costs to change. Most of the costs do not involve dollars. They involve additional time and effort for everyone involved.

However, we have identified below some dollar costs to merger, but we believe that these costs are modest. We also believe that the potential savings and performance improvements associated with merger would outweigh any costs.

One option to consider is that the State of New York provides grants that can cover one-time costs associated with study and transition for projects to improve the sharing of municipal services. The grant program, titled the Shared Municipal Services Incentive Grant Program” is offered by the NY State Division of Local Government Services.²

Community Identity and Tradition: LFD has served the Village of Larchmont for more than a century, and TMFD is approaching its 100th anniversary. Both organizations have rich histories and grand traditions, and they serve prominent and important symbolic and practical roles in their respective communities.

The study team believes that the residents of the Village of Larchmont would resist a reorganization that significantly changed the traditional relationship between the LFD and the Village as a community. Residents want firefighters and fire engines in Village Hall, and they want the personnel and equipment to continue to promptly respond to alarms primarily from Village Hall. Residents also want the traditions of the fire department to continue – participation in parades and ceremonies; and the tradition of volunteer service at community events – especially when Engine One and hot dogs are involved.

² The Program Guidance states: “The Department of State is soliciting applications for grants to cover costs associated with consolidations, mergers, dissolutions, cooperative agreements, and shared services between two or more municipalities, including but not limited to, legal and consultant services, feasibility studies, capital improvements, and other necessary expenses.” Applications are awarded for up to \$200,000.

The study team believes that a merger can be accomplished in a way that preserves the traditions and traditional role of the LFD in Larchmont while moving forward to address contemporary challenges. What must be preserved include the following:

- Firefighters and firefighting equipment deployed from Larchmont Village Hall,
- Volunteer fire companies stationed in Village Hall, and
- Traditional participation and service in community ceremonies and events.

Career Firefighter Concerns: The study team expects that the LFD career firefighters will have a mixed view of the concept of a merger with TMFD. They might view favorably the improvements in services, while having concerns about their role in the new structure, and how the reorganization might affect the provisions of their labor agreement.

The team believes that the LFD career firefighters play an important role in firefighting and emergency service delivery in Larchmont, and their experience and insights should be fully considered in developing a plan for merger. Therefore, a plan for a merger should provide for a structured process where concerns can be raised and resolved in a manner that is fair to the career firefighters and to the community that they serve. Because the framework for such a process involves labor relations, the study team has not attempted to address or discuss potential concerns as part of this study.

Volunteer Firefighter Concerns: The study team identified three areas of potential concern.

- **Equity:** The first concern is that any merger treat the volunteers from LFD and TMFD in an equitable manner. Both organizations have members with extensive training and experience. In the new organization, firefighters should have equivalent opportunities for service and leadership based on their experience and training.
- **Alarm Response Volumes:** The second concern is based on national experience with volunteer department mergers. If a merger results in volunteer firefighters responding to twice as many alarms twice as far away, then burn-out can be a result. In the new organization, all members should be expected to respond whenever possible to major incidents, but initial responses to most alarms should be based on response areas associated with each firehouse.
- **Fire Companies:** The third concern involves the status of the LFD fire companies. The companies no longer operate as separate firefighting units, because during the 1990s LFD restructured so as to respond to fires as an integrated unit. However, the companies continue to play a role in departmental governance, and the social functions of the companies play an important role in membership retention. In planning for the new organization, the role of the fire companies should be carefully evaluated.

4. Planning for a Merger

The study team recommends that merger be considered, and possibly implemented, in three stages.

- Formal Decision to Seek a Memorandum of Understanding
- Developing a Memorandum of Understanding
- Legal Implementation
- Operational Implementation

The study team believes that the first step would be for the Fire Council to formally ask the Village Board to make a **formal decision** to seek a Memorandum of Understanding that could lead to consolidation. Such a decision would not commit the Village to consolidation, but it would signal to the Town of Mamaroneck that the Village wanted to engage in serious discussions intended to lead to consolidation.

The **Memorandum of Understanding** (MOU) would set out the general approach to merger. This study identifies many of the topics that should be addressed in the MOU, and it recommends approaches considered preferable to the study team. The value of the MOU would be to provide clear guidance to everyone involved as to what would take place, and when.

The next step would be for the Village and Town to conduct the hearings, draft the legal documents, and eventually enact the **legal documents** necessary to develop the new or expanded fire district.

Once the two governments have authorized the consolidation and set a date for the establishment of the district, a District Commission could be appointed and the leadership of the two fire departments could take the practical steps for **operational implementation**.

5. Legal Approach

There are two possible legal approaches to consider for the consolidation or merger. The simplest approach would be for the Village, after agreeing with the Town on a target date, to dissolve the Larchmont Fire Department. Effective on the target date, the Town would vote to expand the boundaries of the Town of Mamaroneck Fire District to encompass the territory of the Village of Larchmont.³ Implementation might be patterned after the Ambulance District where there is an advisory committee that includes a representative of each involved government.

³ The study team has not yet fully confirmed that the law under which the TMFD was created permits boundary expansion into a village.

The primary advantage of this approach is that it would offer the least disruption to the Town of Mamaroneck and the TMFD.

A second approach is to undertake the merger based on NY State Town Law Section 11-a, titled “Joint Fire Districts in Towns and Villages.” This law appears to fit our circumstances closely. The full text of the law is included in the Appendix to this report.

The law envisions that the Larchmont Village Board and the Town of Mamaroneck Council would hold a series of joint public hearings, and then, a majority of each board would be legally authorized to vote to establish the joint fire district. The Larchmont Village Board would have to vote to dissolve the Larchmont Fire Department, and the Town Council would have to vote to dissolve the Town Fire District.

The law permits considerably discretion about how the new district is structured, and how policies, structures and practices are transitioned. It would be important to the MOU to clearly describe the policies, structures and practices, and for the law to be consistent with the MOU.

It is also possible for the Board and Council to put this question to a public vote.

6. Budget and Property Tax Implications

At the outset, it is important to place fire protection costs, as experienced by the taxpayer, in context. For taxpayers in the Village of Larchmont and the unincorporated area of the Town of Mamaroneck, fire protection represents about 3% of the overall property tax. This is because the municipalities account for about a quarter of the overall property tax, and fire protection costs represent less than 15% of municipal budgets.

Thus, even the most remarkable changes in expenditures resulting from fire service reorganization would not be likely to result in dramatic changes in property taxes experienced by taxpayers. For example, a total elimination of fire protection costs would result in a 3% reduction in overall property taxes. But every opportunity for efficiency in the expenditure of tax funds is important, because overall property tax efficiency is achieved by the accumulation of numerous small efficiencies in many areas of each budget.

The study team believes that there would be cost savings, provide that the new district had the authority to restructure how services were delivered. The savings would come from applying the Town’s more efficient management and deployment practices to the Village; savings in supervisory paid positions; savings in overtime because one firehouse can offset needs of the other; combining responses from both firehouses in more situations; reducing certain kinds of apparatus; and savings in related fringe benefit costs.

The budget and tax implications of merger can be described more precisely based on various levels of assumptions. The first step is to describe the current expenditures. The following tables summarize the expenditures.⁴

Table 1: TMFD Fire Protection Expenditures

Item	Expenditure
TMFD Salaries	1,035,215
TMFD Operations	370,300
TMFD Benefits	802,000
<u>TMFD Bond Amortization</u>	<u>299,075</u>
TMFD Total	2,506,590

The TMFD expenditures include costs that are not attributed to fire protection in the Village of Larchmont budget, such as a share of building maintenance and utilities. Because the TMFD firehouse is a separate building, these costs are more readily identified and separated. In addition, the TMFD budget includes \$70,000 for a Length of Service Incentive Program (LOSAP) which is not provided to LFD volunteers.

Table 2: LFD Fire Protection Expenditures

Item	Expenditure
LFD Salaries	1,469,117
LFD Operations	151,586
LFD Benefits	696,301
<u>LFD Bond Amortization</u>	<u>59,442</u>
LFD Total	2,376,445

The LFD career firefighter salaries are significantly higher than the TMFD salaries for two reasons: the general TMFD practice of not replacing one absent career firefighter on the night shift so that sometimes two career firefighters serve on the night shift compared to the LFD practice of scheduling three career firefighters at night. Another difference is the provision of an “Operations Captain” for LFD which sometimes results in four career firefighters being on duty during the day shift compared to the regular practice in TMFD of scheduling three career firefighters.

Another factor is that within the salary budget, Larchmont budgets more for overtime, but much of this difference is generally accounted for by the need to provide temporary coverage due to various forms of leave taken by career firefighters.

⁴ The TMFD table is based on the 2006 Town of Mamaroneck Adopted Budget. The LFD table is based on the FY 2006-2007 Village of Larchmont Budget. The TMFD budget is consolidated for the Fire District. The LFD budget includes the Fire Department lines in the budget, along with an estimate of the Fire Department share of the benefits lines in the budget based on salary proportions, and the bond amortization for items specifically associated with fire protection.

The LFD benefits are lower than the TMFD benefits because the TMFD benefits include the LOSAP program described above, and because some of the LFD salary expenditures are for overtime which incurs lower fringe benefit costs.

The differences in bond amortization reflect the cost of renovation of the TMFD firehouse, along with differences in timing of equipment purchases. Over time, the equipment expenditures should be about the same because the major equipment inventories are similar in numbers and overall cost.

For all of these reasons, the presentation of these expenditures has to be considered a snapshot of a point in time, and not necessarily a prediction of the future distribution of costs under any particular organizational scenario. However, the salary differences are real and are likely to persist unless there are changes in deployment assumptions for career firefighters.

Based on these expenditure summaries, a rough approximation of the effects of consolidation can be estimated.

- The combined expenditures total \$4, 883,085. Of this total, TMFD accounts for 51% and LFD accounts for 49%.
- The unincorporated area of the Town of Mamaroneck accounts for 64% of the property tax valuation, and the Village of Larchmont accounts for 36% of the property tax valuation.
- If the two organizations were combined into a combined fire district and the current expenditures were combined without change⁵, the property tax effect would be that the Village of Larchmont budget and tax for fire protection would be eliminated, and the new or expanded district would have a combined budget equal to the sum of the two eliminated budgets. Property taxpayers in both jurisdictions would have a new line in their property taxes for the combined district.
- The immediate fiscal consequence would be that the unincorporated Town taxpayers would pay for 64% of the combined fire protection cost rather than 51%, and the Village of Larchmont taxpayers would pay for 36% of these costs rather than 49%. This would represent a net shift of about \$600,000 from one tax base to the other.
- While this is a large number, it would represent a very small change in the actual overall property tax rate for either set of taxpayers.

⁵ The team recognizes that certain pension and medical insurance costs for retired fire department employees would remain as costs for the Village of Larchmont, and at this point in the study process the team has not separately identified those costs. These costs are, however, included in the estimates for the TMFD.

There are compelling financial benefits to Village of Larchmont property taxpayers if the costs of fire protection are borne through a combined district. However, the initial compelling benefits are achieved largely by a shift in the tax burden between communities, not real savings. For merger to make financial sense to both communities, the effect should be at least cost-neutral for both communities. There are several ways to accomplish greater equity and taxpayer benefit in the effect of the merger.

- One approach is to carefully review the number, supervisory structure, and deployment of career firefighters, particularly as currently organized in Larchmont. While a technical study is needed, the questions to be considered would include: Is there a need for two Captains? Could the Operations Captain concept be restructured to cover the entire combined district? Could deployment and scheduling efficiencies be achieved by emphasizing greater use of combined career firefighter responses and by patterning the shift schedules so that they are more comparable? Would the same overtime expenditures be necessary in a combined operation? Because of Larchmont's comparatively high career personnel costs, there would appear to be opportunities for savings.
- Another approach is to evaluate exactly which costs are included in the combined district budget. If, for a period of years, the cost of new fire engines were paid for by each municipality, this might have a favorable effect on the distribution of costs.
- Another approach is to consider how transition costs are allocated. For example, the one-time costs of including the Larchmont volunteers in the LOSAP incentive program could be borne by the Village of Larchmont since the unincorporated Town taxpayers have already borne the one-time costs for the TMFD firefighters.
- Another approach would be for the municipalities to agree, in the initial structuring of the combined district, to an annual transitional fund transfer from the Village of Larchmont that would decline over a period of years, to account for the additional costs associated with the LFD career firefighter structure. Such a transitional arrangement would recognize that Larchmont brings to a merger a more costly career personnel structure.⁶

The study team believes that there would be significant financial benefits to merger. These benefits would require deliberate restructuring of policies, organizational structures and operational practices. Some of the efficiencies and economies could occur immediately and some might take time to achieve. However, they are achievable.

More importantly, the operational benefits to both communities with respect to the quality of fire protection are a compelling justification for the merger, even if the merger were to result in no savings.

⁶ The LFD is responsible for 43% less assessed valuation of property compared to TMFD, yet expends 42% more on career firefighting salaries.

7. Physical Locations and Service Areas

There would be two fire stations as there are now, with career staff and volunteer companies stationed at each site. The study team recommends the following service area changes:

- Dillon Park and South/West side of Harrison Drive would become part of Larchmont's first call area to provide quicker response.
- 10-75 alarms (possible or confirmed) would also include a FAST team (an emergency response team) from the other firehouse. Commercial alarms would continue to get a 2nd ladder as is current the case.
- For 10-75 alarms (possible or confirmed) an extra engine will be dispatched from the other house during the day tour and if operating with two career firefighters on duty at the station involved, at night.
- Special operations – for special operations (HazMat, Decon, ConSpace, FAST) the district will pull from both houses to form the teams. Use Rescue 1 to complement R6 and R46. Might include dual response form both houses.
- Dispatching of the other house to cover multiple calls in one house.

8. Company Structure and Distribution of 1.8 Funds

The purpose of fire companies in the Larchmont Fire Department is primarily for social and governance purposes related to the distribution and expenditure of 1.8 funds. TMFD accomplishes the same purposes with a single-company structure. The study team expects that TMFD would retain their structure as it is, but this would, of course, be determined by TMFD.

If the goal is to mirror the TMFD structure while retaining the traditions of the Larchmont Fire Department and respecting the membership affiliations of the LFD members, there would be four options for the Larchmont companies.

- Join the TMFD company so that the new fire district consists of a single company.
- Merge the four companies into one of the existing companies, thereby creating a structure that mirrors the TMFD structure. The new district would have two fire companies.

- Create a new company, with a name like Larchmont Fire Company, and disband the four existing companies.
- Retain the four existing companies for their social functions, but have the four companies officially agree to a cooperative structure to operate, for many purposes, as a single company.

It will probably be necessary to retain separation of the TMFD and LFD companies, because the funding policies and practices and the settled expectations of the members are very different. Probably the best approach would be a phased transition to a two-company structure. The Larchmont companies would have time to prepare for a company-level merger that would take place after several years.

Once the new structure was in place, 1.8 funds would be distributed to the new combined district. Within the district, the funds would be redistributed to the TMFD and LFD companies in approximately the same proportions as is currently the case based on the respective service areas.

10. The Volunteer FF pension fund (LOSAP)

The TMFD presently has a length of service incentive program, but Larchmont does not. Recognizing that the TMFD have settled expectations about their LOSAP program, the study team does not envision that a merger should or would eliminate LOSAP for the TMFD members.

However, based on the principle of equity, the study team recommends that consideration be given, in a merger situation, to extending the LOSAP program to the LFD members. This will involve a one-time cost for accrued benefits, and the team recommends that this cost be borne by Larchmont Village as a transition cost.

13. Existing and New Apparatus

It is important to recognize that bond amortization represents about 7% of the combined budgets of both departments, and that a significant portion of that expenditure is associated with building renovation projects, not firefighting apparatus. Thus, the potential savings associated with a decision to retain or replace a pumper or ladder, while representing a significant capital expenditure, would not represent a major opportunity for savings.

The primary consideration in apparatus decisions should be the efficiency and effectiveness of fire protection services.

The new or expanded fire district may eventually need a different inventory of fire apparatus than is currently maintained by LFD and TMFD. However, major decisions

about changes in inventory should be based on a technical study that is conducted after the combined district is operational. Changes should primarily be implemented by discontinuing use of or not replacing equipment when it becomes clear through study and confirmed by experience that it is no longer needed.

The study team believes that the TMFD Ladder and the LFD Tower Ladder will remain needed because of their different operational capabilities. However, duplicate cascade systems would probably not be needed, and it is possible that one fewer structural engine across the district might be needed.

However, the replacement process for Engine 35 should continue regardless of whether a merger takes place or not, for the following reasons:

- TMFD is currently bidding on a structural engine while Engine 35 is a Rescue Engine. A structural engine is designed to support firefighting for fires and related incidents in buildings. A rescue engine is designed to respond to automobile collisions, hazardous materials calls, water/ice rescue calls and first response to medical emergencies. While the two engines might look similar in a parade, they are quite different with respect to what they are designed and equipped to do.
- The current fleet of both departments is aging rapidly. The two other engines in TMFD are over 15 years old as well. Both departments need to keep up with fleet replacement in order to avoid a situation like Larchmont faced in the early 90's when they had to buy two engines in three years.
- Larchmont's current Engines are now 15 and 13 years old. Due to their age and number runs they are being forced to go on is causing more frequent breakdowns which leaves Larchmont with only one Engine.
- Engine 35 will have capabilities that neither Engine 34 nor 33 have. None of the current TMFD engines or the one they just went to bid on have these capabilities either.
- In a combined department, the capabilities of this engine will be particularly necessary. For example, the TMFD can be on I-95 for an accident call and another accident call comes in for Larchmont or the Town. The new Engine 35 will handle this call.
- In a combined department both departments will maintain primary response areas. The LFD will still need Engine 35 in order to respond to automobile collisions, hazardous materials calls, water/ice rescue calls and first response to medical emergencies.

APPENDIX

ARTICLE 11-A

JOINT FIRE DISTRICTS IN TOWNS AND VILLAGES

189-a.	Procedure.
189-b.	Sale of firehouse, land and apparatus.
189-c.	Dissolution of existing district.
189-d.	Establishment of district.
189-e.	Management of affairs of joint fire districts.
189-f.	Powers of board of commissioners.
189-g.	Appointment of district treasurer.
189-h.	Annual statement of expenditures and levy of taxes.
189-i.	Fire protection.

§ 189-a. Procedure.

1. The town board of a town or the town boards of more than one town, and the board of trustees of an incorporated village or the boards of trustees of more than one incorporated village, as defined in the village law, located in said town or towns are hereby authorized to establish in such town or towns and village or villages a joint fire district for the purposes hereinafter stated and in the manner hereinafter provided, provided all of the territory in such joint fire district shall be contiguous.

2. (a) Whenever it shall appear to the participating municipalities to be in the public interest, the town board of such town and the board of trustees of such village shall hold a joint meeting at one location within the proposed joint district for the purpose of jointly proposing the establishment of a joint fire district.

(b) If at such joint meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing at one location within the proposed joint district upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in such town and village, at least once, and posted in five public conspicuous places in the town outside such village and in five public conspicuous places in the village, not less than ten days before the date of the hearing. In the event that the district maintains a website, one of the posting requirements may be fulfilled by posting such information on the website. Notice of such hearing also shall be served by such clerk upon the members of the town board and the members of the board of trustees of the village, by mail addressed to such members at their last known post office addresses, at least ten days

before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed joint fire district and of the objects and purposes for which it is proposed that a new district be created, and shall specify the single time when and place where such town and village boards will jointly meet to consider the proposal and to hear all persons interested in the establishment of the district. If, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the notice of hearing shall so specify and contain a statement of the estimated annual cost of the service award program to the joint fire district; provided, however, that if, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the district shall be submitted to referendum in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town board of such town and the board of trustees of such village shall determine whether it is or is not in the public interest to establish such joint fire district, and, if it is determined to be in the public interest, subject to permissive referendum, such town board and board of trustees shall, by resolution, duly adopted by a majority of each board, establish such joint fire district; provided, however, that if, upon the establishment of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the district shall be submitted to referendum in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(d) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the establishment, operation and management of any joint fire district provided for by this section.

(e) In all respects the provisions of this article, not inconsistent herewith, shall apply to the operation and management of any joint fire district heretofore established pursuant to the unconsolidated laws.

3. If, subsequent to the joint meeting for the establishment of a joint fire district as provided in subdivision two of this section and before the establishment of such district, it is desired to include in such proposed district any portion of the territory of an adjoining

town, the procedure shall be as follows:

(a) The town board of the town or towns and the board or boards of trustees of the villages which held such joint meeting and the town board of each adjoining town may hold a joint meeting for the purpose of jointly proposing the inclusion of the territory of such adjoining town in the proposed joint fire district.

(b) If at such meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in each such town and village, at least once, and posted in five public conspicuous places in each such town outside each such village and in five public conspicuous places in each such village, not less than ten days before the date of the hearing. Notice of such hearing also shall be served by such clerk upon the members of the town board or boards and the members of the board of trustees of the village or villages, by mail addressed to such members at their last known post office addresses, at least ten days before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed joint fire district and of the objects and purposes for which it is proposed that a new district be created, and shall specify the time when and place where such town and village boards will meet to consider the proposal and to hear all persons interested in the establishment of the district.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town boards of such town and the board of trustees of such villages, shall determine whether it is in the public interest to establish such joint fire district and if it is determined to be in the public interest, subject to permissive referendum, such town boards and boards of trustees shall by resolution, duly adopted by a majority of each board, establish such joint fire district.

(d) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the establishment and the operation and management of any joint fire district provided for by this section.

4. Any joint fire district formed pursuant to the provisions of this article may be extended from time to time to include contiguous territory except contiguous territory in a city. The procedure for extending the district shall be as follows:

(a) The town board of each town and the board of trustees of each

village in which any portion of the district as proposed to be extended is located shall hold a joint meeting at one location for the purpose of jointly proposing the extension of the district.

(b) If at such meeting it is determined by a majority vote of each board to make such proposal, each such board shall, within thirty days thereafter, hold a joint public hearing at one location upon such proposal and shall cause notice of such public hearing to be published in a newspaper having general circulation in each affected town and village, at least once, and posted in five public conspicuous places in each affected town outside any affected village and in five public conspicuous places in each affected village, not less than ten days before the date of the hearing. Notice of such hearing also shall be served by such clerk upon the members of each town board and the members of each village board of trustees, by mail addressed to such members at their last known post office addresses, at least ten days before the date of the hearing. Such notice shall contain a brief description of the boundaries of the proposed extension of the joint fire district and of the objects and purposes for which it is proposed that the district be extended and shall specify the single time when and place where such town and village boards will jointly meet to consider the proposal and to hear all persons interested in the extension of the district. If, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the notice of hearing shall so specify and contain a statement of the estimated annual cost of the service award program to the joint fire district; provided, however, that if, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the districts shall be submitted in each such town and village in the manner provided by article seven of this chapter or article nine of the village law, respectively.

(c) After such hearing, and upon evidence given thereat, and after considering the objections, if any, the town board of each such affected town and the board of trustees of each such affected village shall determine whether it is or is not in the public interest to extend such joint fire district, and, if it is determined to be in the public interest, subject to permissive referendum, such town board and board of trustees shall, by resolution, duly adopted by a majority of each board, extend such joint fire district; provided, however, that if, upon the extension of a joint fire district, the joint fire district would become the sponsor of a service award program pursuant to section two hundred sixteen-b of the general municipal law, the resolutions establishing the districts shall be submitted in each such town and village in the manner

provided by article seven of this chapter or article nine of the village law, respectively.

(d) A signed or certified copy of the determination extending the district shall be recorded in the office of the county clerk and, when so recorded, shall be presumptive evidence of the regularity and validity of the extension of the district and of the acts of the town board or boards and village board or boards of trustees relating thereto. A review of such determination may be had in the manner provided in section one hundred seventy-three of this chapter, except that the undertaking for costs and expenses shall run to such town or towns and village or villages and apply to the costs and expenses of each.

(e) In all respects the provisions of article eleven of this chapter, not inconsistent herewith, shall apply to the extension, operation and management of any joint fire district provided for by this section.

§ 189-b. Sale of firehouse, land and apparatus. The board of trustees of a village or the commissioners of a fire district, all of the territory of which is embraced within the boundaries of a joint fire district established or extended pursuant to the provisions of this article, may by resolution authorize the sale or transfer of a firehouse (including the plot of land on which the building or fire district is situated), fire apparatus and fire equipment owned by such village or by such fire district to said joint fire district with or without consideration and, upon such terms and conditions as to such board of trustees or board of commissioners may deem fitting and proper.

§ 189-c. Dissolution of existing district. If the town boards of each town and board of trustees of each village determine it is in the public interest to establish a joint fire district and the territory contained within said joint fire district is presently part of an existing fire, fire alarm, or fire protection district, the boards shall by local law dissolve the existing district pursuant to section one hundred eighty-five of this chapter except the requirement for a petition therein shall not apply.

§ 189-d. Establishment of district. The clerk of such town or village designated by the town and village boards participating in the determination to establish or extend any joint fire district pursuant to this article shall, within ten days, cause a certified copy of the determination establishing or extending the district to be filed in the state department of audit and control at Albany, New York, and shall, within ten days, cause a certified copy of such determination to be recorded in the office of the county clerk, and when so recorded it shall be presumptive evidence of the regularity and validity of the

creation of the district and of the acts of such boards relating thereto. A review of such determination may be had in the manner provided in section one hundred seventy-three of this chapter, except that the undertaking for costs and expenses shall run to such town and village and apply to the costs and expenses of each.

§ 189-e. Management of affairs of joint fire districts. Subject to the restrictions hereinafter established, the property and affairs of joint fire districts shall be under the management and control and in charge of a board of not less than three and not more than seven commissioners, appointed by the town board of the town or the town boards of the towns and the board of trustees of the village or the boards of trustees of the villages in joint session as hereinafter provided, or elected as provided in article eleven of this chapter, as may be determined by resolution adopted at the meeting for the establishment of the district in the same manner as the resolution for the establishment of the district is adopted. In case it is determined that the commissioners shall be selected in the manner provided by article eleven of this chapter, the appointments as provided for in subdivision one of section one hundred seventy-four of this chapter shall be made by the town board, or, if the district includes territory in more than one town, by the town board of all of the towns at a joint session held at one location within the district and thereafter elections shall be held as provided in article eleven of this chapter except that the terms of the commissioners shall be as hereinafter provided. They shall be residents of such district and in case selection is made as provided in article eleven of this chapter there shall be no other residential requirement, but otherwise if there are an even number of commissioners not more than half at any time shall be residents of such village or villages and if there are an odd number, the number that are residents of such village or villages shall not exceed the number that are residents of such town or towns by more than one. First appointments hereunder shall be made in the following manner: If there be three commissioners, the term of one shall expire one year, of another two years and of the other three years from the then next ensuing thirty-first day of December, and thereafter one shall be appointed annually for a term of three years from the date of the expiration of the term of his predecessor. If there be four commissioners, the term of one shall expire one year, of another two years, of another three years, and of the other four years from the then next ensuing thirty-first day of December, and thereafter one shall be appointed annually for a term of four years from the date of the expiration of the term of his predecessor. If there be five commissioners, the term of one shall expire one year, of another two years, of another three years, of another four years, and of the other five years from the then next ensuing thirty-first day of December, and thereafter one shall be appointed annually for a term of five years from

the date of the expiration of a term of his predecessor. If there be six commissioners, the term of one shall expire one year, of another two years, of another three years, of another four years, and of the remaining two, five years from the then next ensuing thirty-first day of December, and thereafter appointments shall be made for a term of five years from the date of the expiration of the term of each commissioner. If there be seven commissioners, the term of one shall expire one year, of another two years, of another three years, and of two of the others four years, and of the remaining two, five years from the then next ensuing thirty-first day of December, and thereafter appointments shall be made for a term of five years from the date of the expiration of the term of each commissioner. Such board of commissioners may employ necessary labor and assistants, at a compensation approved by such boards in joint session. Such commissioners shall receive no compensation for their services, but they and their employees shall be allowed and paid their necessary expenses, payable as expenses of the district.

§ 189-f. Powers of board of commissioners. The board of commissioners shall have and exercise, with respect to such district, the applicable powers and duties of a board of fire district commissioners as prescribed by the town law, with respect to similar functions of a fire district in a town and all of the provisions of article eleven of this chapter shall be applicable to a joint fire district created pursuant to this article. Such powers and duties of the board of district commissioners are subject to the following restriction:

No real property or easement therein shall be acquired by the board of commissioners without the approval of the village board or boards and the town board or boards of each village or town in which any portion of the district is situated. But this restriction shall not apply if, at the meeting for the establishment of any such district hereafter established, a resolution to that effect is adopted in the same manner as the resolution for the establishment of the district is adopted.

§ 189-g. Appointment of district treasurer. The board of fire commissioners shall appoint to serve during its pleasure, a district treasurer, who shall receive and have the custody of the funds of the district and shall disburse the same for the purposes herein authorized on the order of the board of fire commissioners. The board of fire commissioners also shall appoint a district secretary, who shall have the custody of all the records, books and papers of the district. The secretary shall attend all meetings of the board of fire commissioners and act as clerk thereof, shall keep a complete and accurate record of the proceedings of each meeting; and shall have and exercise such additional duties as the board of fire commissioners may determine not inconsistent with law.

§ 189-h. Annual statement of expenditures and levy of taxes. 1. The fiscal year of each joint fire district shall begin on the first day of January and end on the thirty-first day of December. The board of commissioners of each joint fire district shall annually prepare and file with the budget officer of each town and village in which the joint fire district is located, in accordance with section one hundred five of this chapter, detailed estimates in writing of the amount of revenues to be received and expenditures to be made during the next fiscal year for the purposes of such joint fire district and within the limitations specified in this article. The town board or the board of trustees of the village shall make no change in the estimate submitted by the board of fire commissioners of any joint fire district. After the annual budget has been adopted by the town board and the board of trustees and a certified copy presented to the board of supervisors of the county in which the town is situated, the board of supervisors shall assess and levy upon the taxable real property within the joint fire districts the amounts to be raised by tax for the purposes of the district as specified in such annual budget and shall cause the amount so assessed and levied to be collected, in the same manner and at the same time and by the same officers as town taxes are assessed, levied and collected. When such taxes are collected, the amount thereof shall be paid to the supervisor of the town and by him immediately paid to the treasurer of the joint fire district. If a joint fire district includes taxable property located in more than one town, the amount to be assessed, levied and collected upon the property within each of such towns shall be apportioned in accordance with section eight hundred six of the real property tax law.

2. In any case where a parcel of real property separately assessed on the town assessment roll shall be divided by the line of the joint fire district or of any zone established therein as provided in subdivision twenty-seven of section one hundred seventy-six of this chapter, it shall be the duty of the town assessors, after the valuation of the whole of such parcel shall have been fixed, to determine what proportion of such valuation is on account of that part of such parcel lying within the limits of the joint fire district or of such zone or zones, and the assessors shall enter such proportion separately on the assessment roll. The valuation of the real property lying within such joint fire district or within such zone or zones, as so fixed and determined, shall be the valuation subject to taxation for the purposes of such joint fire district or of such zone or zones.

3. The treasurer of each joint fire district shall prepare and file annually in the office of the town clerk of each town in which any part of such joint fire district shall be located, and in the office of the

state comptroller, a financial statement setting forth in detail the receipts and expenditures of such joint fire district. Such statement shall be filed in such offices within sixty days after the close of the fiscal year of the joint fire district.

§ 189-i. Fire protection. The board of fire commissioners shall provide fire protection throughout the entire district and for that purpose may accept the services of any volunteer fire department or company organized and operating within the village, or if the commissioners are unable to provide such fire protection by volunteer services, it may employ and fix the compensation of such firefighters as may be necessary to provide such protection. Moneys, if any, paid to firefighters shall be deemed a part of the cost of maintenance and operation of the district.