

June 12, 2007

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NYS Commission on Local Government

Efficiency and Competitiveness

Executive Director

30 South Pearl Street

Albany, New York 12245

**Re: Testimony to be offered at
Public Hearing, June 13th, 2007, Saratoga Springs**

Chairman Lundine, Mr. Clarkson and Members of the New York State Commission on Local Government Efficiency and Competitiveness

Thank you very much for having afforded me, William N. Young, Jr., Esq., General Counsel to the Association of Fire Districts of the State of New York, Inc. this opportunity to comment relative to the important task that has been assigned to you by Governor Elliot Spitzer to develop successful strategies to improve the efficiency and competitiveness of local government entities in New York State.

I will limit my comments relative to this task to fire districts, which are the smallest political subdivision in the State of New York. There are currently 842 fire districts existing in New York State providing fire protection to the residents of the State through a mostly volunteer firefighter service. The Association of Fire Districts, through a monthly bulletin, an annual meeting conducted in the Spring of the year, an annual workshop in the Fall and several teleconferences conducted in conjunction with the New York State Comptroller's Office, promote an efficient, effective, and reliable fire prevention and suppression service to the residents of the State of New York at the lowest possible cost. During the 2006 legislative session 13 bills were passed providing for greater transparency, accountability and better governance for the aforementioned 842 fire districts. Fire districts and fire protection district throughout the State of New York have effectively and efficiently utilized the mutual aid program

first authorized in 1931 by the addition of Section 209 to the General Municipal Law. Mutual aid plans enable fire departments throughout the State to, while maintaining their individuality, to assist and afford additional protection to other fire departments in their communities.

Within the volunteer service the Volunteer Firemen's Benefit Law which provides protection analogous to Worker's Compensation, follows the individual volunteer firefighter even when he leaves his own community to provide additional service to the residents of neighboring communities. The responsibility for damage to apparatus falls upon the protection area calling for such assistance. This system has been shown to work effectively and efficiently.

Article 5-g of the General Municipal Law added to the Laws of the State of New York in 1960, provides fire districts with yet another effective tool which sadly is somewhat under utilized at this time. Article 5-g authorizes municipalities, including fire districts, to enter into inter-municipal agreements with other municipalities. It has been used by fire districts to collaborate with town governments to provide a municipal service facility utilized by both the town government and the fire district to provide offices and house apparatus. Article 5-g has been used effectively by individual fire districts in Westchester County to cooperatively enter into agreements to acquire insurance and firematic supplies. In Albany County, in the Town of Guilderland, not far from where we sit today, it has been utilized by the fire districts in that community to acquire hose and turn out gear, etc. These are only some examples of what can be done collaboratively and cooperatively between fire districts and other municipal entities to effectively provide fire protection within the State of New York.

Fire districts, as well as all other independent fire companies, and there are approximately 800 of them in the State of New York, need your assistance, however, because the number of volunteers continue to dwindle. Volunteerism in the fire service and the emergency medical service and all other volunteer organization throughout the United States continues to suffer from a lack of personnel. Reasons are varied and I will not go into them as that is not the purpose of this commission.

Recruitment and retention of our volunteers continues to remain one of the highest priorities of the volunteer fire service in the State of New York. Legislation was introduced in 2004 creating a task force to study the issue of recruitment and retention with a charge that the report be submitted to the legislature and Governors by December 31st, 2005. The task force has yet to submit its report.

It was hoped that the task force would provide some insight as to the possibility of making health insurance available to the volunteers as an incentive and an inducement for recruitment and retention. Not that taxpayers would be called upon to pay for that health insurance, but rather that individual volunteer firefighters would be able to avail themselves of health insurance through a municipal program such as is now provided through Towns and Counties.

Over a decade ago a revolving loan fund was created in the State of New York authorizing entities providing fire service to access low interest loans. That program has been extremely successful, although wilfully under funded. Assistance from this commission, focusing attention on the need for additional funding to that program is requested.

Lastly, on behalf of the Association of Fire Districts of the State of New York, Inc. we applaud the Governor's efforts and those of the members of the legislature to finally bring reform to the Wicks Law which costs additional billions of dollars to the taxpayers in the State of New York according to a study done by the Division of the Budget in 1980. It can only be estimated that the cost continues to escalate. At that time it was estimated that the Wicks Law cost an additional 30% on all public works project and unduly delayed the completion of those projects.

Thank you very much for having afforded me an opportunity to comment relative to what has been done, what continues to be done and what should be done to bring greater effectiveness and efficiency to the fire service in the State of New York.

Very truly yours,
ASSOCIATION OF FIRE DISTRICTS

By: _____
WILLIAM N. YOUNG, JR., COUNSEL

WNY/mk
cc: Officers