

**DRAFT PROPOSED CONSOLIDATION
AGREEMENT**

(Subject to legal review and approval)

VICTOR CONSOLIDATED FIRE DISTRICT

July 6, 2017

CONSOLIDATION AGREEMENT

VICTOR CONSOLIDATED FIRE DISTRICT

EFFECTIVE DATE

_____, 2017

This Agreement made this _____ the day of _____, 2017, by and between the Victor Fire Department, a New York Fire Department, encompassed in and operating in the Village of Victor/Victor Fire Protection District, County of Ontario, State of New York, having a principal place of business at 34 Maple Avenue, Victor, NY 14564, herein referred to as "Victor Fire Department", and The Fishers Fire District, a New York Fire District, encompassed and operating in the Town of Victor, County of Ontario, State of New York, having a principal place of business at 7853 Main Street Fishers, NY 14564, herein referred to as "Fishers Fire District", and

WHEREAS, the Fishers Fire District is a fire district duly organized and existing under the laws of the State of New York and a local government entity under General Municipal Law Article 17-A; and

WHEREAS, the Victor Fire Department is a fire department duly organized and existing under the laws of the State of New York and a local government entity under General Municipal Law Article 17-A; and

WHEREAS, the Fishers Fire District and the Victor Fire Department, collectively referred to the "consolidating districts" desire this agreement to be a joint consolidation agreement as that term is set forth in §732 of the General Municipal Law, subject to the requirements of Article 17-A of the General Municipal Law,

WHEREAS, the Town of Victor commissioned a Public Safety/Emergency Services Study, through the New York State Department of State, through the Local Government Efficiency grant program contract T1000614, which report is dated January, 2017, herein referred to as the "study", which was prepared by the Center for Governmental Research. The study is available for inspection at the Center for Government Research at www.cgr.org/victor.

Now therefore the parties agree as follows;

I

THE NAME OF EACH FIRE ENTITY INVOLVED IN THE CONSOLIDATION PROCESS

The fire entities involved in the consolidation process are the Fishers Fire District with offices at 7853 Main St. Fishers, NY 14453 and 380 High Street, Victor, NY 14564, referred to herein as “FFD”, and the Victor Fire Department/Victor Fire Protection District, 34 Maple Avenue, Victor, NY 14564, referred to herein as “VFD”, collectively referred to as the “consolidating entities”.

II

THE NAME OF THE NEW FIRE DISTRICT AFTER CONSOLIDATION

The fire district after the consolidation will be called the “Victor Consolidated Fire District”, sometimes referred to herein as the proposed joint consolidated fire district. (Name is tentative pending additional discussion)

III

THE RIGHTS, DUTIES, AND OBLIGATIONS OF THE PROPOSED CONSOLIDATED FIRE DISTRICT

A fire district is a political subdivision of the State of New York and a district corporation. The Victor Consolidated Fire District will oversee and provide fire protection and other emergency services to the entire Town and Village of Victor. The Victor Consolidated Fire District will operate with all the rights, duties, and obligations as that are defined by the laws of State of New York regarding fire districts.

The Fishers Fire District and the Victor Fire Department on and after consolidation shall be treated and considered for all purposes as one fire district under the name of the Victor Consolidated Fire District and on the terms and conditions that are set forth in this consolidation agreement.

The Fishers Fire District and the Victor Fire Department are allowed to consolidate into a single fire district since each of the fire district/department is contiguous to each other. The consolidating fire entities intend and desire that they form a joint consolidated fire district.

IV

THE TERRITORIAL BOUNDARIES OF THE VICTOR CONSOLIDATED FIRE DISTRICT

The territorial boundaries of the Victor Consolidated Fire District will be the current territorial boundaries of the Fishers Fire District and the Victor Fire Department, which is located within the boundaries of the Town of Victor, encompassing the entire Town including the Village of Victor. The map of the proposed newly consolidated fire district is set forth in attachment "A".

V

THE VICTOR CONSOLIDATED FIRE DISTRICT

The newly formed Victor Consolidated Fire District is a New York fire district and as such is a political subdivision of New York State and a district corporation.

VI

THE ORGANIZATION OF THE VICTOR CONSOLIDATED FIRE DISTRICT AS IT CONCERNS ELECTED AND APPOINTED OFFICIALS AND PUBLIC EMPLOYEES, ALONG WITH A TRANSITIONAL PLAN AND SCHEDULE FOR ELECTIONS AND APPOINTMENTS OF ALL FIRE DISTRICT OFFICIAL

The Victor Consolidated Fire District will be an independent governmental entity governed by a Board of five Fire Commissioners. The Fire Commissioners and other officers and employees of the fire district are employees and officers of the Victor Consolidated Fire District and not officers and employees of the Town of Victor or of any other political subdivision.

A. THE INITIAL BOARD OF FIRE COMMISSIONERS

The effective date of consolidation is _____, 2017. The initial Board of Fire Commissioners shall be by appointment. On _____ at 7:00 P.M., the Victor Town Board (with input from the Victor Village Board, Fishers Fire District, and Victor Fire Department, Fishers Fire Association, and the Victor Fire Department Incorporated), shall appoint five fire district commissioners and a treasurer for the Victor Consolidated Fire District who shall hold their respective offices until December 31, 2017. Town Law §174. Prior to these appointments, the existing organizational structure of the respective fire departments will remain in place.

B. THE ORGANIZATIONAL MEETING

The Victor Town Clerk shall immediately notify the commission appointees of their appointment as fire district commissioners and set _____, 2017 at 7:00P.M. at the Victor Town Hall, 85 East Main St., Victor, New York 14564 as the organizational meeting of the Board of Fire

Commissioners of the Victor Consolidated Fire District. At the organizational meeting, the Treasurer shall preside until a chairperson of the Board of Fire Commissioners shall be chosen, but such Treasurer shall not be entitled to a vote at such meeting. The Board of Fire Commissioners of the Victor Consolidated Fire District shall appoint a secretary who shall hold office until December 31, 2017.

C. THE FIRST ANNUAL ELECTION ON DECEMBER 5, 2017

The first election of fire district officers shall be held on Tuesday, December 5, 2017. At the first annual election of fire district officers, five district commissioners and a treasurer shall be elected. The candidates for such offices must notify the fire district secretary in writing by October 15, 2017, of their intent to be a candidate for the office of fire district treasurer or fire district commissioner but not both. There will be separate ballots for the office of treasurer and fire commissioner.

D. DETERMINATION OF THE ELECTED BOARD OF FIRE DISTRICT COMMISSIONERS

The voter will be allowed to choose only one fire commissioner. The person receiving the greatest number of votes for the office of fire commissioner shall be elected for a term of five years the term of office to commence January 1, 2018 to December 31, 2023; The person receiving the second highest number of votes shall be elected for a term of four years commencing January 1, 2018 to December 31, 2022; the person receiving the third highest number of votes shall be elected for a term of three years, the term of office to commence January 1, 2019 to December 31, 2021; the person receiving the fourth highest number of votes shall be elected for a term of two years, January 1, 2019 to December 31, 2020 and the person receiving the fifth highest number of votes shall be elected for a term of one year January 1, 2019 to December 31, 2019. In the event that two persons shall receive the same number of votes the terms of office shall be decided by lot. Thereafter the election of fire district commissioners shall be in accordance with New York State Town Law. Fire District commissioners shall thereafter be elected for the term of five years.

E. THE FIRE DISTRICT TREASURER

The person receiving the greatest number of votes for the office of Treasurer shall be elected for a term of three years (January 1, 2019 to December 31, 2021). The Board of Fire Commissioners could decide to make the position of treasurer appointive, in which case the Board of Fire Commissioners of the newly consolidated fire district must comply with the provision of Town Law 176 (2-a) to accomplish this. The Fire District Treasurer may not be a fire district commissioner.

F. THE FIRE DISTRICT SECRETARY

The fire district secretary shall be appointed by the fire district commissioners at its

organizational meeting and the secretary appointed shall serve until December 31, 2017.

G. ORGANIZATIONAL MEETING FOR 2018

The fire district secretary shall immediately notify the officers elected on December 5, 2017, of their election to office and that an organization meeting will be held on the day specified in said notice, which shall not be later than January 15, 2018. At such organization meeting, the treasurer shall preside until a chairperson of the Board of Fire Commissioners shall be chosen. The treasurer shall not be entitled to a vote at such meeting.

H. COMPENSATION FOR FIRE DISTRICT OFFICIALS

I. The Fire District Commissioners

The fire district commissioners shall receive no compensation for their services. A commissioner acting as secretary of the fire district may be compensated for their duties as Fire District Secretary.

2. The Fire District Secretary

The Fire District Secretary shall receive such compensation as the fire district commissioners may determine, but if the secretary were a member of the Board of Fire Commissioners that compensation shall be fixed by the other members of the Board.

3. The Fire District Treasurer

The Fire District Treasurer shall receive such compensation as the fire district commissioners may determine.

4. The Fire District Chief

The Fire District Chief will be volunteer, appointed by the commission from the recommendation of a vote during an annual joint membership meeting of the volunteer fire companies, held in December. The first Fire District Chief will be appointed from either of the current (2017) Fishers Fire Chief or Victor Chief of Department. Future District Chiefs must have at least one year as a Chief of either Fishers or Victor prior to election and meet their respective company by-laws or equivalent. The Fire District Chief term of office will be two years. The commission can determine whether future chiefs will remain volunteer or become a paid position.

5. The District Administrator

The Fire District Administrator will be a full-time, paid position appointed by the commission at a salary to be determined by the commission, and will serve as clerk of the commission, provide administrative support to the volunteer chief, provide human resources assistance to the staff, and conduct procurement responsibilities for services and equipment, plus any other duties as specified by the commission.

I. OATH OF OFFICE

I. Filing of oath of office

Each fire district commissioner, treasurer and secretary in the Victor Consolidated Fire District shall before entering upon the duties of his office take the constitutional oath of office. Such oath shall be filed with the Victor Town Clerk.

2. Filing of undertaking

The Treasurer of The Victor Consolidated Fire District shall before entering upon the duties of their office, execute and file with the Victor Town Clerk an official undertaking, conditioned for the faithful performance of their duties and that they will and truly keep, pay over and account for all monies of the fire district coming into their hands as Treasurer of the Victor Consolidated Fire District. The undertaking shall be in such form, in such sum and with such sureties as the Fire Commissioners shall direct and approve and such approval shall be indicated upon such undertaking.

J. QUALIFICATIONS FOR THE POSITIONS OF FIRE DISTRICT OFFICERS

1. Compatibility of positions - Dual office holding

The fire district treasurer or any commissioner of the fire district, whenever so appointed, may also act as fire district secretary. A person shall not hold the offices of fire district commissioner and fire district treasurer at the same time.

2. Incapability of positions

A person shall not hold the office of fire district commissioner and the office of Fire Chief, Deputy Fire Chief or Assistant Fire Chief of the fire departments of the fire district at the same time.

3. Criminal Convictions

A person who has been convicted of arson in any degree shall not be eligible for nomination, election or appointment to the office of fire district commissioner, fire district treasurer or fire district secretary.

4. Residency Requirements

Every fire district commissioner, treasurer, deputy treasurer and secretary must at the time of his or her election or appointment and throughout his or her term of office be a resident of such fire district, subject to certain statutory exemptions. Membership in a volunteer fire company shall not disqualify any such fire district commissioner, treasurer, deputy treasurer or secretary. Property ownership is not required.

STAFFING

The Fishers Professional Firefighters and Drivers currently employed in the Fishers Fire District will be transferred to the Victor Consolidated Fire District through a Civil Service Section 70 – Transfer of Personnel Upon Transfer of Functions. Employees so transferred shall be transferred without further examination or qualification, and shall retain their respective civil service classifications, status, and current benefits. The union contract in place at the time of consolidation will be honored. These personnel will wear the uniforms of the Victor Consolidated Fire District.

The volunteers of the Victor Fire Department Incorporated and the Fishers Volunteer Fire Association will retain their assets and will continue their operations as separate entities. They will retain their uniforms and identify with their respective departments. The Victor Consolidated Fire District patch will be added to their uniforms.

The Fishers Professional Firefighters and Drivers will have the ability to occupy any fire station at any time, as determined by the District Chief.

PROPOSED CHAIN OF COMMAND

1. Operations Officers of the Joint Fire District are the appointed officers who shall direct and command the department at every alarm and fire related activity or training session. The Fire District Chief shall have the authority to delegate command as may be deemed necessary
2. Each of the volunteer fire companies shall be entitled to the elected positions of Chief, Deputy Chief, Assistant Chief, 3 Captains, 4 Lieutenants, and a Fire Police Captain. The Chief position shall be required to be filled; additional ranks can be diminished at the discretion of individual company by-laws or failure to fill. All elected positions shall have the authority to delegate command as may be deemed necessary.
3. Minimum qualifications for elected volunteer positions will be determined by individual company by-laws or equivalent.
4. For Operational purposes, the Chain of Command and Order of Authority is as follows:
 - Fire District Chief
 - Chief
 - Deputy Chief

Assistant Chief

Captains (order of authority assigned by company by-laws)

Career Shift Lieutenant

Lieutenants (order of authority assigned by company by-laws)

Seniority within grade between volunteer companies will be determined by consecutive and continuous time in that grade.

5. The incident command system shall be used at all incidents, fire related activities, and drills, and shall clearly identify who is in overall command at the scene throughout the incident duration.
 - a. The Senior Fire Officer of the first arriving unit will provide size up and declare on investigation, in fast attack mode, or take command and establish a command post.
 - b. Command passes to the next officer upon their arrival, either immediately if first due is on investigation or in fast attack, or after receiving face to face briefing at the command post. Consideration should be given to allow inexperienced officers to remain in command under the guidance of a more senior officer if staffing levels and incident complexity allows.
 - c. Command will assign additional ICS roles as staffing and complexity require.
6. Each volunteer company will assign duties necessary for the operation and administration of their individual companies. Those assigned to duties, such as training officer, quartermaster, maintenance officers, safety, EMS, etc., will meet quarterly (at a minimum) with their equivalent in the other volunteer company and the career staff, along with a designated Chief, for planning, coordination, and continued interoperability. The results of these meetings will be documented and provided to the District Chief and Commissioner assigned to that area.

K. TRANSITION PLAN

The effective date of consolidation is _____, 2017. Until their appointment by the Victor Town Board on _____, 2017, the 5 commissioners of the Fishers Fire District and governing members of the Victor Fire Department will be treated and considered for all purposes as one government and govern the consolidated entity.

Until the Treasurer of the Victor Consolidated Fire District is appointed by the Victor Town Board on _____, 2017, the treasurers of the Fishers Fire District and Village of Victor will retain their respective duties and authority over assets that are owned by their respective consolidating districts, and all assets of the consolidating fire district shall be transferred to the consolidated fire district and secured by the Treasurer of the Victor Consolidated Fire District. Reserve funds shall be transferred to and held according to General Municipal Law §6-g.

The Fishers Fire District and Victor Fire Department have appointed subcommittees to study various aspects of the administration and delivery of fire protection services within the proposed Victor Consolidated Fire District. The Subcommittees will make recommendation to be furnished to the newly appointed Board of Fire Commissioners for their consideration subsequent to the establishment of the newly formed Victor Consolidated Fire District.

According to General Municipal Law §765(2), all rights, privileges and franchises of the Victor Fire Department and Fishers Fire District, as well as all the assets, real and personal property, books, records, papers, seals and equipment, as well as other things in action, belonging to the Fishers Fire District and Victor Fire Department shall be deemed as transferred to and vested in the newly formed Victor Consolidated Fire District, without further act or deed.

VII

THE FISCAL ESTIMATE OF THE COST OF AND SAVINGS THAT MAY BE REALIZED FROM CONSOLIDATION

A. FISCAL ESTIMATES OF THE COST AND SAVINGS REALIZED

The estimate of the cost of and savings that may be realized from the consolidation of the Fishers District and Victor Fire Department into the Victor Consolidated Fire District are based upon the joint consolidation committee using medium revenue assumptions, which uses a combination of the budgets of the Fishers Fire District and Victor Fire Department for 2017, are as follows;

Consolidation would put the Victor Consolidated Fire District in a stronger position financially,

- a. The estimate of the savings, which may be realized from consolidation, is \$ 1,704,670.00 over a five-year period in personnel costs (Appendix A), and approximately \$1,500,000.00 from savings on rolling stock from fleet reproduction due to the following items:
 - Sale of one pumper truck
 - Sale of one heavy rescue vehicle and replacing it with a light duty rescue

- vehicle
- Sale of one brush truck
- Sale of one trail rescue vehicle

	Currently Approved Fleets		If combined	
	Fishers	Victor	Combined	Savings
Quints	1	1	1	\$0
Engines	3	2	4	\$600,000
Heavy Rescues	1	1	1 *	\$800,000
Light Rescues	0	0	1	\$0
Utility trucks	2	1	3	\$0
Brush Trucks	1	1	1	\$75,000
Chief Vehicles	2	3	5	\$0
Trail Vehicles	1	1	1	\$30,000

* One heavy rescue replaced with a light rescue

Consolidated Fire District Fleet – proposed capital plan

- 2018 Sell 2751 (2000 Ford 450/ Brush Truck)

- 2018 Replace 911 (eliminate 1997 pumper)
 Rescue Engine to be housed at High St Station
 Estimated cost: \$650,000
 Current 911 relocated to Fishers Station, designated 912

- 2019/20 Replace 971 (2004) and 2771 (1999 Spartan/Rescue 1)
 Light duty rescue (\$175,000), housed at Fishers Station
 Heavy duty rescue (\$1,000,000), housed at Victor Station

- 2024/26 Replace 912 (2008) and 2711 (2010)
 Utilize “Program Engine” – basic engine company/ supply truck
 1500 gpm pump, 750 gal tank, 30 gal foam cell
 \$550,000

- 2026 Replace 911 (2018)
 Rescue engine to be housed at High St Station
 \$650,000

- 2030 Replace 2712 (2012 Sutphen)
 Special access engine company
 Urban interface or small 4WD engine
 \$450,000

- b. Consolidating the Fishers Professional Firefighters and Drivers with the Victor Fire Department and Fishers Fire Association volunteers will enable sufficient coverage and quicker response times to residents in emergency situations, and will not require the additional hiring of paid firefighters for the Victor Fire Department.
- c. Merging the fund balances may create greater leverage for capital purchases.
- d. The pooling of the monetary assets of the Victor Consolidated Fire District will

- allow greater return on the investment and higher interest earned.
- e. The Victor Consolidated Fire District may save money on its insurance liability coverage, vehicles collision and liability insurances as well as property casualty and fire insurance premiums.
 - f. Consolidation will result in an increase in the assessment base, allowing for a higher spending limitation, less fluctuation in tax revenue, and a steady and a more consistent tax revenue stream.
 - g. Consolidation will save the need for separate independent audits.
 - h. Costs for services, including equipment and higher standards for training continues to rise. At the same time fire districts are now constrained in raising funds to offset these higher costs due to the 2% tax levy cap. A combined larger budget will provide greater flexibility to address these increased costs and imposed higher standards. Consolidating the finances of the two districts will alleviate some of this pressure and help position the consolidated district on a stronger foundation moving forward.
 - i. A new consolidated district offers improvements in efficiency by consolidating the administrative structure to one fire chief and five fire commissioners. Having one set of commissioners responsible for making the decisions for the district also eliminates multiple decision making (a.k.a. governing) bodies.
 - j. One district level chief will help streamline the command structure and facilitate a good protocol in emergency situations. A leaner command structure should promote better communication between the fire companies and aid in improving the overall productivity of the fire companies. While it is uncertain whether the overall pool of volunteers will grow, pooling from a larger area for volunteer membership should enhance the response and coverage for the entire district. Allowing for the entire membership of the two districts to respond to the primary dispatch of an emergency will encourage a broader and timelier response. Additionally, the pool of volunteers can be coordinated more effectively during deployment to emergencies and for training purposes. The pool of volunteers available to serve as commissioners will also be enhanced.
 - k. A newly-formed fire district can establish special taxing districts.
 - l. The Victor Consolidated Fire District will implement the point system for volunteers who wish to take the Civil Service tests for paid firefighter positions, thereby increasing volunteers while grooming them for potential career positions within the Victor Consolidated Fire District.

B. THE ESTIMATE OF THE COST OF CONSOLIDATION, INCLUDING PUBLICATIONS AND OTHER COSTS

The estimate of the cost of consolidation, including publications, legal and administrative costs, and other costs will be primarily covered through consolidation grant funding.

VIII

A LIST OF EACH FIRE DISTRICT'S ASSETS, INCLUDING, BUT NOT LIMITED TO, REAL AND PERSONAL PROPERTY, AND THEIR CURRENT VALUE IN U.S. CURRENCY

General Municipal Law §765(2) states that all rights, privileges and franchises of the Victor Fire Department and Fishers Fire District, all assets, real and personal property, books, records, papers, seals and equipment, as well as other things in action, belonging to the Village of Victor for the Victor Fire Department and Fishers Fire District shall be deemed as transferred to and vested in the newly formed Victor Consolidated Fire District, without further act or deed. Furthermore, pursuant to GML §765(3) all property, rights of way and other interests of the Village of Victor for the Victor Fire Department and Fishers Fire District shall be effectually the property of the Victor Consolidated Fire District as they were prior to _____, 2017. The title to the real estate which is vested in the Village of Victor for the Victor Fire Department and Fishers Fire District shall not be deemed to revert or be in any way impaired by reason of the consolidation.

A. THE FISHERS FIRE DISTRICT

The assessed value assets of the FISHERS FIRE DISTRICT and the fair value thereof in current money of the United States as of June 16, 2017 are:

- 1) Real Property, Firehouse and Land, Station 2, 380 High Street, Victor, NY 14564 - \$1,900,000.00
- Real Property, Firehouse and Land, Station 1, 7853 Main Street Fishers, NY 14564 - \$855,000.00
- Real Property, Land and Building – FIT House, 7855 Main St. Fishers, Fishers, NY 14564 - \$285,000.00
- Life Time -7847 County Road 42 - \$457,000.00
- Real Property – Vacant Land on Malone Road, Victor, NY 14564 - \$39,700.00

2) Personal Property of the Fishers Fire District

Fire/Rescue/EMS Equipment					\$730,115	\$230,007	\$500,108
Fishers		Year Purchased	Est. Life	Book Value	12/31/16 Accum Dep	12/31/16 Net Value	
	Turn Out Gear	2008	10	\$6,385	\$4,885	\$1,500	
	Misc Equipment	2008	10	\$3,791	\$2,900	\$891	
	Hurst 32" Spreader	2008	10	\$6,650	\$5,087	\$1,563	
	Misc Equipment & Chains	2009	10	\$3,605	\$2,433	\$1,172	
	Eagle Compressor	2009	10	\$1,077	\$727	\$350	
	Turn Out Gear	2009	10	\$21,969	\$14,829	\$7,140	
	Turn Out Gear Washing Machine	2009	10	\$3,626	\$2,448	\$1,178	
	Hose and Hose Adapters	2009	10	\$2,680	\$1,809	\$871	
	Hurst Combo Tool and Retrofitting	2009	10	\$11,260	\$7,600	\$3,660	
	Multicut Rescue Saw	2009	10	\$2,064	\$1,393	\$671	
	Truck Video Cameras and Displays	2009	10	\$6,064	\$4,093	\$1,971	
	Rescue Randy - Training Maniken	2010	10	\$1,247	\$729	\$518	
	Turn Out Gear 2010	2010	10	\$9,590	\$5,610	\$3,980	
	Tremadyn Cutting Tool	2010	10	\$2,463	\$1,441	\$1,022	
	Portable Radios - 6 - dual frequency	2010	10	\$2,368	\$1,385	\$983	
	MOCZII Combination Tool	2011	10	\$6,695	\$3,314	\$3,381	
	Third Thermal Imaging Device	2011	10	\$7,004	\$3,467	\$3,537	
	Turn Out Gear 2011	2011	10	\$9,821	\$884	\$8,937	
	Hose	2011	10	\$7,120	\$3,524	\$3,596	
	Halligan Bars & JL Cutter	2011	10	\$6,835	\$3,383	\$3,452	
	EXACOM Dispatch Recording Device	2011	10	\$6,051	\$2,995	\$3,056	
	26 Digital Pagers	2011	10	\$4,451	\$2,203	\$2,248	
	First Out Rescue Jack System	2012	10	\$2,289	\$927	\$1,362	
	Turn Out Gear 2012	2012	10	\$19,739	\$7,994	\$11,745	
	Streamlites Replacements	2012	10	\$2,764	\$1,119	\$1,645	
	Rescue Saw with extra blades	2012	10	\$3,032	\$1,227	\$1,805	
	Replacement Radios	2012	10	\$122,863	\$49,759	\$73,104	
	Automatic External Defribulator AED	2012	10	\$2,444	\$990	\$1,454	
	Turn Out Gear 2013	2013	10	\$988	\$311	\$677	
	Knox Boxes	2013	10	\$1,050	\$331	\$719	
	Replacement Gas Detectors	2013	10	\$3,550	\$1,118	\$2,432	
	Bullard Thermal Imaging Camera	2013	10	\$10,799	\$3,402	\$7,397	
	Hose - hotel rolls	2013	10	\$2,169	\$683	\$1,486	
	Hurst T59 Ram and Mini Ram	2013	10	\$12,475	\$3,930	\$8,545	
	Hurst Tool Upgrade	2014	10	\$8,795	\$1,979	\$6,816	
	Turn Out Gear 2014	2014	10	\$23,835	\$5,363	\$18,472	
	Scott Airpacs & Bottles	2014	10	\$212,622	\$47,840	\$164,782	
	New Radio Equipment - Both Stations, Trucks, etc	2014	10	\$70,263	\$15,809	\$54,454	
	Rope Bailout System	2015	10	\$8,315	\$1,123	\$7,192	
	Turnout Gear 2015 - 12 sets	2015	10	\$28,540	\$3,853	\$24,687	
	Replacement Nozzels & Valves	2015	10	\$3,727	\$503	\$3,224	
	Radio Equipment Replacement	2015	10	\$22,660	\$3,059	\$19,601	
	Thermal Imaging Camera	2016	10	\$3,995	\$180	\$3,815	
	Thermal Imaging Camera	2016	10	\$7,536	\$339	\$7,197	
	Turnout Gear Dryer	2016	10	\$7,525	\$339	\$7,186	
	Ice Rescue Suits	2016	10	\$3,914	\$176	\$3,738	
	Blitz Force portable monitor	2016	10	\$1,595	\$72	\$1,523	
	Turnout Gear Washer	2016	10	\$9,815	\$442	\$9,373	

3) Rolling Stock – Fishers Fire District

Fishers			Purchased	Est. Life	Book Value	12/31/16 Accum Dep	12/31/16 Net Value
	Pumper/Engine	Spartan (355/912)	1997	20	\$376,620	\$330,484	\$46,136
	Pumper/Engine	4 Guys/Spartan (353/911)	2008	20	\$511,788	\$195,759	\$316,029
	Heavy Rescue	KME (358/971)	2004	20	\$405,639	\$228,172	\$177,467
	Quint	Seagrave (350/981)	2017	20	\$1,100,000	\$0	\$1,100,000
	Multipurpose	Tyler Ford 350 (356/951)	2012	20	\$89,565	\$16,122	\$73,443
	Pick Up	Ford 250 (357/961)	2016	10	\$56,204	\$2,529	\$53,675
	Chiefs Vehicle	Chevy Tahoe	2010	5	\$37,621	\$34,039	\$3,582
	Chiefs Vehicle	Chevy Tahoe	2013	5	\$36,921	\$21,017	\$15,904
	Chiefs Vehicle	Chevy Tahoe	2017	5	\$50,000	\$0	\$50,000
	Trail Rescue	Kubota ATV & Trailer	2011	10	\$19,856	\$8,935	\$10,921
	Total Fishers				\$2,684,214	\$837,057	\$1,847,157

4) Monetary Assets (as of June 16, 2017)

General Fund: \$ 304,052.00

General Fund Reserve Accounts: \$2,042,168.00

	Current Assets			
		Checking/Savings		
		A201-a · Reserve for Contingency	27,700.00	32,700.00
		A200 · Gen Fund Now Checking	28,275.38	7,865.72
		A201 · General Fund Time Deposits	274,776.36	28,893.11
		A202 · Security Deposits	1,000.35	1,012.23
		Total Checking/Savings	331,752.09	70,471.06
		Accounts Receivable		
		1200 · Accounts Receivable	3,105.00	16,197.92
		Total Accounts Receivable	3,105.00	16,197.92
		Other Current Assets		
		Land & Building Reserve	379,935.33	229,435.55
		Equip & Appar Reserve	1,634,532.69	1,276,640.61
		Total Other Current Assets	2,014,468.02	1,506,076.16
		Total Current Assets	2,349,325.11	1,592,745.14
		Current Liabilities		
		Accounts Payable		
		A600 · Accounts Payable	59,138.67	36,282.29
		Total Accounts Payable	59,138.67	36,282.29
		Credit Cards		
		Home Depot	0.00	224.94
		First Bankcard	2,576.90	635.26
		United Refinery / Kwik Fill	6.40	317.96
		Total Credit Cards	2,583.30	1,178.16
		Other Current Liabilities		
		A687 · Accrued Sick Time	96,883.83	81,690.48
		A683 · Accrued Payroll	39,534.83	25,201.18
		A521 · Encombrances	12,000.00	10,000.00
		2100 · Payroll Liabilities	2,321.65	323.97
		Total Other Current Liabilities	150,740.31	117,215.63
		Total Current Liabilities	212,462.28	154,676.08

***A copy of the 2016 audited financial report is located in the Appendix. The above balance sheet reflects 2015 and 2016 numbers.

B. THE VICTOR FIRE DEPARTMENT

The assessed value of the Victor Fire Department and the fair value thereof in current money of the United States as of June 16, 2017 are:

- 1) Real Property, Fire House and Land, 34 Maple Avenue, Victor, NY 14564,
\$3,010,000.00

Cell antennae revenue will remain with the Village of Victor.

**Note: If the property is not used for a fire station, the 100-year reverter clause will take effect and the property ownership will revert back to the Village of Victor

- 2) Miscellaneous Other Property of the Victor Fire District
No figures available – an inventory will be required.

3)Fixed Assets and Vehicles

Fixed Assets:			Book
<u>Year</u>	<u>Category</u>	<u>Description</u>	<u>Value</u>
2016	Vehicle	Quint	Leased
2010	Vehicle	Pumper	\$ 343,490
2013	Vehicle	Pumper	\$ 239,927
2000	Vehicle	Rescue	\$ 145,360
2003	Vehicle	Brush	\$ -
2013	Vehicle	Utility	\$ 43,788
2005	Vehicle	Chief	\$ -
2013	Vehicle	Chief	\$ 23,484
2015	Vehicle	Chief	\$ 24,321
2016	Fixture	Digital Sign	\$ 40,785
2002	Equipment	Bauer Compressor	\$ 9,970
2010	Equipment	Ranger	\$ 6,364
2010	Equipment	Utility Trailer	\$ 1,586
2012	Equipment	Radio Upgrade	\$ 125,300
	Building	Solar Panels	\$ 109,521
	Total Book Value		\$ 1,113,896

4) Monetary Assets

Fire Apparatus Reserve Fund :	\$403,401.00
Fire Truck Maintenance Reserve Fund:	\$7,022.00
Fire Hall & Renovation Reserve Fund:	\$39,753.00

C. TOTAL ASSETS AND LIABILITIES – Combined

Total Asset Summary						
				Book Value	12/31/16 Accum Dep	12/31/16 Net Value
	Fishers			\$9,735,172	\$2,167,819	\$7,567,353
	Victor			\$5,181,498	\$0	\$5,181,498
	Total			\$14,916,670	\$2,167,819	\$12,748,851
Current Assets						
	Fishers					12/31/2016 \$2,346,220
		General Fund			\$304,052	
		General Fund Reserve Accounts			\$2,042,168	
	Victor					\$450,176
		General Fund			\$0	
		General Fund Reserve Accounts			\$450,176	
	Total					\$2,796,396
Real Property						
		Assessed Value			12/31/2016	
		Full	Land	Book Value	Accum Dep	Net Value
	Fishers	\$3,536,700	\$506,700	\$3,945,842	\$1,089,109	\$2,856,733
	Victor	\$3,010,000	\$300,000	\$3,617,426	\$0	\$3,617,426
	Total	\$6,546,700	\$806,700	\$7,563,268	\$1,089,109	\$6,474,159
Rolling Stock						
				Book Value	12/31/16 Accum Dep	12/31/16 Net Value
	Fishers			\$2,684,214	\$837,057	\$1,847,157
	Victor			\$826,734	\$0	\$826,734
	Total			\$3,510,948	\$837,057	\$2,673,891
Fire Rescue and EMS Equipment						
				Book Value	12/31/16 Accum Dep	12/31/16 Net Value
	Fishers			\$730,115	\$230,007	\$500,108
	Victor			\$0	\$0	\$0
	Total			\$730,115	\$230,007	\$500,108
Other Equipment and Furnishings						
				Book Value	12/31/16 Accum Dep	12/31/16 Net Value
	Fishers			\$28,781	\$11,646	\$17,135
	Victor			\$287,162	\$0	\$287,162
	Total			\$315,943	\$11,646	\$304,297
Total Liability Summary						
						12/31/2016
	Fishers					\$212,462
	Victor					\$2,027,717
	Total					\$2,240,179
Current Liabilities						
	Fishers					12/31/2016 \$212,462
		General Fund			\$212,462	
	Victor					\$24,445
		General Fund			\$24,445	
	Total					\$236,907
Long Term Liabilities						
	Fishers					12/31/2016 \$0
		General Fund - none as of 12/31/16			\$0	
	Victor					\$2,003,272
		Bonds Issued for Victor Fire Hall Principal Only			\$1,315,000	
		Lease/Purchase for 2016 Quint Principal Only			\$688,272	
	Total					\$2,003,272

Adjusted for 2017 Quint/Chiefs Vehicle

No inventory available

Insurance

IX

THE LIABILITIES AND INDEBTEDNESS, BONDED AND OTHERWISE, OF EACH OF THE FIRE DISTRICTS, INCLUDING THE VALUE OF THE LIABILITIES AND INDEBTEDNESS

All the consolidating fire districts have ongoing liabilities such as utilities, vehicles maintenance, carrying costs for real and personal property, the value of which is better demonstrated by the attached budget of the consolidating fire districts for current year 2017.

A. LIABILITIES AND INDEBTEDNESS OF THE FISHERS FIRE DISTRICT

The liabilities and indebtedness of the Fishers Fire District, bonded and otherwise, and the fair value thereof in current money of the United States is \$212,462.00 (other obligations) from the General Fund.

B. THE LIABILITIES AND INDEBTEDNESS OF THE VICTOR FIRE DEPARTMENT

The liabilities and indebtedness of the Victor Fire District, bonded and otherwise, and the fair value thereof in current money of the United States are:

Lease Purchase Agreement for Quint.....\$1,585,975.40
Bond for Firehouse (34 Maple Ave., Victor).....\$1,308,416.26

(Based on actual bond notes)

The Village of Victor will lease these assets to the Victor Fire District until the debts are satisfied. The assets will then be turned over to the Victor Consolidated Fire District.

C. OTHER OBLIGATIONS

The consolidating fire districts each have property leases and contracts such as: lawn care, grounds and building maintenance, fuel purchase and equipment maintenance. All these agreements will be deemed to be assigned to the newly formed Victor Consolidated Fire District.

X

THE TERMS AND CONDITIONS FOR DISPOSING OF EXISTING ASSETS, LIABILITIES, AND INDEBTEDNESS OF EACH FIRE DISTRICT

The existing assets of the Fishers Fire District and the assets of the Village of Victor for the Victor Fire Department shall become assets of the newly consolidated Victor Consolidated Fire District.

The indebtedness of the Village of Victor for the Victor Fire Department shall be allocated to the Victor Consolidated Fire District instead of the indebtedness being retained by the individual fire districts.

General Municipal Law §765(2) states that all rights, privileges and franchises of the Fishers Fire

District and the Victor Fire Department, all assets, real and personal property, books, records, papers, seals and equipment, as well as other things in action, belonging to the Fishers Fire District and Victor Fire Department shall be deemed as transferred to and vested in the newly formed Victor Consolidated Fire District, without further act or deed. Furthermore, pursuant to GML §765(3) all property, rights of way and other interests of the Fishers Fire District and Victor Fire Department shall be effectually the property of the Victor Consolidated Fire District as they were prior to _____, 2017. The title to the real estate which is vested in the Fishers Fire District and the Victor Fire Department shall not be deemed to revert or be in any way impaired by reason of the consolidation.

XI

THE TERMS AND CONDITIONS FOR THE COMMON ADMINISTRATION AND UNIFORM ENFORCEMENT OF THE RESOLUTIONS AND ORDERS OF THE FIRE DISTRICT

The Victor Consolidated Fire District will administer the fire district through its Board of Fire Commissioners first appointed and then elected pursuant to Section IV of this consolidation agreement.

The terms for the common administration is that the Victor Consolidated Fire District will continue to be operated under the laws governing fire districts in New York State

The Victor Fire Department and the Fishers Fire District have already created respective subcommittees to examine and recommend a future course of action on a myriad of topics that involve the fire service. Those topics include:

- Fire District Buildings and Grounds Maintenance
- Fire Prevention and the Fire Safety Programs
- Junior Firefighter Program
- Information Systems,
- EMS Operations
- Apparatus and Equipment
- Communications Management
- Fire/Rescue/Training Operations
- Fire Police Operations
- Personnel Management
- Financial Management and Controls
- Radio Management and Control
- Department Affairs

- Command Officers and Elections
- Standard Operating procedures and Standard Operating Guidelines
- Dispatch alarm response protocol for 3 fire stations
- New Victor Fire District Logo

The newly appointed Board of Fire Commissioners will receive these recommendations from the appointed subcommittees.

The current Standard Operating Procedures (SOP's) and Standard Operating Guidelines (SOG's) will remain in place for each fire company until officers of the Fishers Fire Department and Victor Fire Department can conduct a thorough review of the existing SOP's and SOG's and present an updated and uniform set of SOP's and SOG's to the Board of Fire Commissioners for consideration and adoption.

2% MONEY

The New York State Insurance Department directs that the fire tax proceeds in a multi-company fire department are to be allocated between and among the fire companies proportional to the number of active paid and volunteer members in each fire company, and will be kept in a separate Victor Consolidated Fire District account. The 2% money for 2017 has been distributed. In 2018, the Victor Consolidated Fire District will distribute funds as required by law to the Fishers Volunteer Fire Association, Fishers Professional Firefighters and Drivers, and Victor Fire Department Inc., based upon the agreement reached by the three organizations.

LENGTH OF SERVICE AWARDS PROGRAMS (LOSAP)

Both the Victor Fire Department and the Fishers Fire District Programs have been evaluated. The Fishers Fire District program has a better benefit plan (\$20/month vs. \$10/month), and the current proposal is that the Victor Fire Department plan will be closed, and anyone vested in this program will receive their full value and benefits. The active Victor Fire Department plan members would then be enrolled into the Fishers Fire District program and would continue in this program. When the Victor Fire Department members of the old plan begin collecting their LOSAP funds, they will receive two checks – one from the Victor Fire Department LOSAP program at the eligible amount at the date of transfer into the Fishers Fire District LOSAP program, and one from the Fishers Fire District LOSAP program. There will be no loss of accrued time or benefits. ***The Victor Consolidated Fire District Commissioners will evaluate other plan options to determine if a better alternative exists that will benefit all eligible plan members in the Victor Consolidated Fire District. Until that time, both plans will remain intact.***

VICTOR CONSOLIDATED FIRE DISTRICT LOGO

A new logo will be designed for the Victor Consolidated Fire District that will be added to the Fishers Fire District and Victor Fire Department Trucks. All current apparatus will retain the logos of their respective fire departments.

XII

THE EFFECTIVE DATE OF THE PROPOSED CONSOLIDATION

The effective date of the proposed consolidation is _____, 2017.

XIII

GENERAL TERMS

This agreement embodies the entire agreement and understanding between the parties hereto relating to the subject matter hereof, and supersedes any prior agreements and understandings relating to the subject matter hereof. Unless otherwise expressly agreed upon by the parties, in the event of any conflict between the terms set forth herein and any other document referenced herein, the terms set forth in this agreement shall control. This agreement is endorsed by the Chairpersons of the Board of Fire Commissioners of the Fishers Fire District, and the Village of Victor _____ for the Victor Fire Department pursuant to resolution dated _____, 2017 endorsing such agreement. This agreement is not deemed effective on the effective date set forth herein, until the Board of Fire Commissioners of the Fishers Fire District, the Board of Trustees for the Village of Victor, and the Victor Town Board, jointly, pursuant to resolution, subsequent to public hearing on the matter, have approved this agreement.

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IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seal on the day and year set forth herein.

Dated: _____, 2017

Fishers Fire District

Print Name

Signature

Dated: _____, 2017

Village of Victor

Print Name

Signature

APPROVAL OF THE CONSOLIDATION AGREEMENT

The parties hereto have hereunto approved this agreement having set their hands and seal on the day and year set forth below, jointly, pursuant to resolution dated _____, 2017, following the public hearing held on _____, 2017, on the consolidation agreement.

Fishers Fire District

Dated: _____, 2017

_____, Chairperson

Village of Victor

Dated: _____, 2017

_____, Mayor