



Erie County Fire Service Mutual Aid Plan

County of Erie Department of Emergency Services
Division of Fire Safety

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ATTACHMENTS:

- Organizational Chart – Erie County Division of Fire Safety
- Resolution for Participation – Signature Page

SECTION 1 ~ OBJECTIVE

A. Definition of Mutual Aid

Mutual Aid is organized, supervised, coordinated, cooperative, reciprocal assistance in which personnel, equipment and physical facilities of all participating fire departments and other appropriate emergency response agencies, regardless of types or size, are utilized for fire or other emergencies in which the services of a firefighter or other appropriate first responder would be used throughout the County of Erie and adjacent areas.

This plan in no way changes any mutual aid agreements or plans now in existence with any fire company or department in Erie County.

It formalizes what has been in existence for many years. Present operations will not be affected. Local Fire Chiefs will continue to exercise all their power and authority.

B. Amendments

1. Amendments to this plan may be made periodically and will follow this procedure:

a. Prepared by the Deputy Commissioner of Fire Safety through the Mutual Aid Committee of the Fire Advisory Board and representatives of the Erie County Volunteer Firefighter's Association, Erie County Fire Chiefs Mutual Aid Organization, Erie County Volunteer Fire Police Association and the Erie County Fire District Officers Association.

b. Recommended by the County Fire Advisory Board.

c. Submitted to all local participants for their review, comments and signature.

d. Admitted into the New York State Fire Mobilization and Mutual Aid Plan by the New York State Department of State, Office of Fire Preventions and Control.

2. Notwithstanding the above, Section 3, Table of Organization – Designation of Personnel; Section 4, Line of Authority and Section 6, Operation of Erie County Fire Control Center shall be subject to change, modification or elimination at any time by Erie County.

C. Annual Review

Each year this plan shall be reviewed by the Deputy Commissioner of the Fire Safety Division, the Mutual Aid Committee of the Fire Advisory Board and Amendments, Corrections or Changes Processed.

SECTION 2 ~ PARTICIPATION

A. Extent and Limit of Participation by Fire Departments

ALL cities, towns, villages and fire districts in Erie County may fully participate in this plan.

These departments or companies presently consist of:

City of Buffalo Fire Department

City of Lackawanna Fire Department

City of Tonawanda Fire Department

All Volunteer Fire Companies & Departments

Aircraft/Rescue/Fire Fighting Department at BNIA

Specialized Fire, Rescue, EMS and Hazardous Materials Teams as appropriate

B. Extent and Limit of Participation with Counties of Cattaraugus, Chautauqua, Wyoming, Genesee and Niagara:

There are no formal agreements with these counties. Local reciprocal assistance, if any, is in accordance with Section 209 of the General Municipal Law.

All requests for assistance will be routed through the Erie County Communications Center or their respective control centers.

Mutual Aid is provided to and received from Cattaraugus, Chautauqua, Wyoming, Genesee and Niagara Counties through their respective County Fire Control Centers under the direction of their County Fire Coordinators or their legally appointed deputies.

C. Erie County, Niagara County, Province of Ontario Cross Border Mutual Aid:

Three distinct fire disaster situations could arise requiring the assistance of cross border fire service. A Level One incident or situation occurs when specialized equipment and/or manpower is most readily or exclusively available across the border or the municipalities' usual local mutual aid resources are fully engaged. Second Level or region-wide are defined as incidents where county-wide or region-wide fire resources are fully engaged and additional fire service assistance is needed beyond the capability of the county or region. Level Three fire disasters require an executive declaration either from a state or local executive.

1. Legal Authority to respond to cross border fire disaster

New York General Municipal Law, Section 209, and Ontario Municipal Act, Chapter 302, Section 210, impose no territorial limitation on fire service response. Municipal authorities in the Niagara Region and in Erie and Niagara Counties are permitted to call for and receive aid and equipment from foreign fire company's at all three levels of fire disaster.

2. Liability

a. Any loss or damage to, or expense incurred in the operation of fire apparatus or other equipment answering a call for assistance from outside territory, and the cost of any materials used in connection with such call, and for salaries and other compensation and traveling and maintenance expense of the assisting forces furnished during the time they shall be performing their duties for the assisting municipality/entity, shall be a charge upon the municipality which issued the call for assistance. This paragraph shall not apply to the case of damage or expense to fire apparatus or equipment which occurred while responding to a request for assistance or returning from the scene upon completing the assistance and while the apparatus or equipment was not involved in the emergency operation, and which was caused by:

1. The act or omission of a firefighter in the performance of their duties who is a member of the assisting force which suffered damage; or
2. The act or omission of a third party or through an instrumentality not connected with the actual emergency operation.

While responding to a call for assistance, the municipality or entity shall be liable for the negligence for firefighters of that municipality or entity occurring in the performance of their duties in the same manner and to the same extent as if such negligence occurred in the performance of their duties within the area regularly served and protected by said unit.

Any such claim for loss, damage, expense or cost shall not be allowed unless within 60 days after the same shall have been sustained, a written notice of such claim, under oath, itemizing such loss, or expense is served by mail upon the fiscal officer of the municipality/entity which requested assistance.

***Coverage must be from time of call to return to service, all inclusive.

- b. Liability for workers' compensation for firefighters involved in a cross border incident remains with the firefighters' home fire company.

3. Procedure

According to standard operating procedures of individual fire companies.

D. Entering and Participating in the Plan

Any duly established fire company or fire department may participate in this plan by filing with the Office of the Deputy Commissioner of the Fire Safety Division, a copy of a resolution adopted by the Fire Company or department.

Such resolution shall state that such Fire Company or department elects to participate in the Erie County Mutual Aid Plan and will comply with the provisions of such plan.

The resolution shall also state that the fire company or department shall recognize a call for assistance from another fire company or department through the Erie County Fire Control Center or a fire radio base station. These shall also be filed with the Deputy Commissioner of the Fire Safety Division. A copy of a resolution adopted by the legislative body of each participating city or village or by the board of fire commissioners or other governing board having jurisdiction over the fire department, the board of fire commissioners of each participating fire district, or the town board of each town in relation to participating fire companies serving territories outside of cities, villages and fire districts or in relation to a town fire department.

Such resolution shall state that no restrictions against a call for assistance outside the area regularly served and protected by the fire company or department of the municipality or district within the meaning of Section 209 (1) of the General Municipal Law (Mutual Aid), which would affect the power of such fire company or department to participate in the Erie County Fire Mutual Aid Plan except as noted in the resolution.

If the "outside services" or mutual aid activities of a participating fire company or fire department are restricted pursuant to Section 209 (10) of the General

Municipal Law, notice of any such restriction shall be given promptly to the Deputy Commissioner of the Fire Safety Division.

Any such restriction imposed by the legislative body of a city, town or village or by the board of fire commissioners shall take effect in accordance with the resolution imposing the restriction.

The fact that a fire company or department becomes a member of the Erie County Fire Mutual Aid Plan will in no way give the County or State any right, other than that already in effect, to order fire companies or departments to send their apparatus to out of area locations.

If equipment and/or manpower is needed somewhere, a request will be made for voluntary assistance and the responding agency will be directed as to how and where to respond. It will not be an order. The obligation to respond rests with the responding agency.

E. Withdrawal from the Plan

Any fire company or department may elect to withdraw from this plan by adopting a resolution to such effect. Such a resolution will become effective 60 days after filing notice with the Erie County Deputy Commissioner of the Fire Safety Division. Such withdrawal shall remain in effect until reinstated by resolution as defined under Section 209 (1) of the General Municipal Law.

Withdrawal from the plan may have an adverse effect on mutual aid operations, both on the withdrawing fire company or department and on the surrounding fire companies or departments and should be seriously thought out before such action is taken.

SECTION 3 ~ DESIGNATION OF PERSONNEL

A. Organization Chart ~ See Appendix A

B. Extent and Limit of Authority of County Officials

1. Commissioner of Emergency Services – shall have all the powers and shall perform all of the duties conferred or imposed upon county fire coordinators by the laws of the State of New York.
2. Deputy Commissioner of the Fire Safety Division – shall, when so directed by the Commissioner of Emergency Services, have and exercise any and all of the powers and duties vested in and imposed upon a county fire coordinator by the laws of the State of New York; the Erie County Charter; and the Erie County job description for that position; and those duties as assigned by the Commissioner of Emergency Services.

These duties and responsibilities shall include, but not be limited to:

- ✓ Administers the Erie County Mutual Aid Plan and is responsible for the efficient operation of the plan for intra and inter-county purposes at fires or where the services of firefighters are used.
 - ✓ Administer the Erie County Fire Radio System under authorization of the Federal Communications Commission and with the advice of the Fire Advisory Board.
 - ✓ Administer the Erie County Fire Communications Center.
 - ✓ Act as a liaison officer between the fire service of Erie County and the New York State Department of State, Office of Fire Prevention and Control.
 - ✓ Act as a liaison officer between fire service and County Executive, County Legislature, other counties and agencies.
 - ✓ Appoint and remove, subject to Fire Advisory Board approval, the Deputy Fire Radio Coordinators in accordance with Section 401 of the County Law, Section 3 of the Public Officers Law and the Civil Service Law if necessary.
3. Assistant Coordinator of the Fire Safety Division is directly responsible to the Deputy Commissioner of the Fire Safety Division and shall, when so directed by the Commissioner of Emergency Services, have and exercise any and all of the powers and duties vested in and imposed upon a county deputy fire coordinator by the laws of the State of New York; the Erie County Charter; and the Erie County job description for that position; and those duties as assigned by the Commissioner of Emergency Services and/or the Deputy Commissioner of the Fire Safety Division.
- The Assistant Coordinator assumes the duties of the Deputy Commissioner as assigned or when designated as such, during extended absence, or in case of death of the Deputy Commissioner until a new one is appointed.
4. Fire Advisory Board is an unsalaried board of 25 members appointed by the Erie County Executive and confirmed by the Erie County Legislature pursuant to Section 225-A of the County Law and new Article 11-C added by Local Law #1-1986
- a. The board meets regularly with the Commissioner of Emergency Services and the Deputy Commissioner of Fire Safety to advise them, the County Executive and County Legislature on matters of firematic interest and importance to the county.

- b. The board assists in the development and maintenance of programs of fire training and mutual aid in case of fire or other emergencies where the services of firefighters are used.
- c. Erie County Fire Advisory Board is responsible to the Deputy Commissioner of Fire Safety for all matters concerning the Erie County Fire Radio System.

The Board shall review all radio procedures and shall issue policy relative to radio usage; and approve all radio equipment requests.

The Board shall ensure adherence to all radio policy and procedures through the Deputy Fire Radio Coordinators.

- 5. Deputy Fire Radio Coordinator (Mutual Aid Operations) is directly responsible to the Deputy Commissioner and the Assistant Coordinator of the Fire Safety Division. The normal area of assignment is determined by the Deputy Commissioner and the Fire Advisory Board.
 - a. As a volunteer, he represents the Deputy Commissioner of the Fire Safety Division at the fire or other incident requiring the service of firefighters.
 - b. The Deputy Fire Radio Coordinator requests the local base stations or County Fire Control Center to dispatch mutual aid at the request of the fire chief or incident commander.
 - c. Acts as advisor to the fire chief or incident commander regarding kinds of fire mutual aid available
 - d. In the case of emergency, would make appropriate provisions for radio coverage.
 - e. Observes and checks on the manner of use of the fire radio system. Where use does not conform to adopted plans and the Erie County Radio Procedure Book, the Deputy Fire Radio Coordinator, shall notify the officers of the fire company involved. These officers are expected to correct the situation at once. Reports said abuses to the Deputy Commissioner of Fire Safety.
 - f. Reviews present fire company running cards, box assignments and/or dispatch protocols with the fire companies or departments and notifies the Deputy Commissioner of the Fire Safety Division of any changes made so that revisions can be made at the County Fire Control Center.

SECTION 4 ~ STATUS OF THE LOCAL FIRE COMPANY OR DEPARTMENT

A. Maintenance of Individuality

Each fire company or department participating in this plan shall retain its internal command and individuality.

B. Authority of “Requesting” Fire Chief or Incident Commander

1. A “requesting fire chief or incident commander is one who requests mutual aid for his company or department in accordance with this plan.

2. The command structure at a fire or other emergency in which the service of firefighters would be used for firefighters and officers entering the area under mutual aid remains with the chief of the fire company or incident commander of the department requesting the mutual aid.

3. The fire officer in command will utilize the incident command system in working with chiefs, senior officers and company officers of companies or departments providing the mutual aid.

4. The firefighters in the assisting company or department will be supervised by their own officers, who are in turn, commanded by officers of the company or department requesting the mutual aid.

C. Local Mutual Aid Plans Presently Operating Exclusive of the County Fire Mutual Aid Plan

Mutual unwritten plans exist between the three (3) cities and the volunteer fire service and between the volunteer fire companies and departments themselves. No formalized agreements exist that are known to the County with the exception of being an agreement between the Town of West Seneca and the West Seneca State School and Development Center.

SECTION 5 ~ OPERATION OF ERIE COUNTY COMMUNICATIONS CENTER

A. Location

Chestnut Ridge Park, Communications Building, Orchard Park, NY
Erie County Public Safety Campus – MERS Control – Buffalo NY

B. Supervision and Dispatching Service

1. The Deputy Commissioner of Fire Safety is responsible for all activities of the County Fire Control Center and is authorized to dispatch.

2. Back-up dispatching service is provided from Chestnut Ridge Park, Orchard Park, NY or the Erie County Public Safety Campus, Buffalo NY as required.
3. The Deputy Commissioner of Fire Safety is authorized to provide a predetermined number of dispatchers to be used in emergencies using either radio coordinators or others recommended by the radio coordinators.
4. Restriction – no person may operate any radio equipment at the County Fire Control or any alternate control center unless he possesses a valid Erie County Fire Radio Communications Training Certificate issued by the Erie County Division of Fire Safety.

C. Radio and Telephone Communications Regulations

1. Procedure – the radio procedure shall conform completely with that prescribed in the Erie County Manual of Radio Procedures for Firefighters and the Declaration and Statement of Policy adopted by the Fire Advisory Board.
2. Authorization to Operate – no fire officer or firefighter may use the Erie County Fire Radio System unless he completes the course “Erie County Fire Radio Communications Training” and receives such a certificate as prepared by the Erie County Division of Fire Safety.

A “Certification of Training” and/or wallet card for this course must be in the personal possession of any firefighter using a mobile two-way radio, including walkie-talkies, in this County under the license issued to the County of Erie.

3. No fire radio may operate on the fire frequency as part of the County fire network unless specifically authorized by the Deputy Commissioner of the Fire Safety Division and upon advice of the Erie County Fire Advisory Board and in accordance with the rules and regulations of the Federal Communications Commission. Upon application to the Erie County Deputy Commissioner of Fire Safety Division and the Fire Advisory Board and upon issuance of a mobile station identifier, a fire chief of a fire company or department may operate a mobile radio unit in his personal car.

At the expiration of his term in office, the identifier is cancelled and the mobile unit cannot be used for transmissions. Operation of an identifier authorized by the licensee is a violation of rules of the Federal Communications Commission.

D. Radio System

1. The fire radio system of the County of Erie shall be depicted on a map available for immediate examination.
2. The Erie County Fire Radio System is comprised of the following Area Base Stations:

Amherst Control	Springville Control
Cheektowaga Control	Lancaster Control
West Seneca Control	Hamburg Control
Angola Control	East Aurora Control Helmuth Control

3. The following Base Stations are operational within their respective jurisdictions and have the capability of operating with the County fire Radio System in a Mutual Aid Mode:

Buffalo Fire Dispatch	Orchard Park Control
Town of Tonawanda Control	Lackawanna Fire
Grand Island Control	City of Tonawanda
Aircraft/Rescue/Fire Fighting Department of BNIA	

E. Communication with the County Fire Control Centers of Chautauqua, Cattaraugus, Wyoming, Genesee and Niagara Counties:

Erie County and the above mentioned counties conduct daily tests with one another on the state-wide inter-county fire emergency radio net using the frequency of 45.88 MHz.

Cheektowaga Fire Control houses the transmitter on this frequency and the dispatchers of the base station staff the unit.

Back-up operation can be performed at Chestnut Ridge Park as necessary.

F. Provision for Emergency Power of Base Stations

It is recommended that fire radio base stations provide and maintain emergency back up power systems including, but not limited to emergency generators and uninterruptible power supply (UPS) systems

SECTION 6 – INVENTORY OF FIRE APPARATUS

A. Location of County Inventory of Fire Apparatus

The County inventory records shall be located as follows:

First Set – Fire Safety Division

Second Set – At Each Base Station

Third Set – Erie County Emergency Services Communications Center (MERS Control) at the Public Safety Campus

A copy of said inventory of fire apparatus shall be forwarded to the New York State Office of Fire Prevention & Control.

B. Officer Responsible for Maintaining Inventory

The officer responsible for maintaining the County inventory is the Deputy Commissioner of Fire Safety.

C. Method Used in Maintaining Inventory

The Chief of each Fire Company or Department in the plan shall submit changes in inventory of the company or department immediately to the Deputy Commissioner of Fire Safety.

The Deputy Commissioner of Fire Safety shall make and submit such corrections to each base station within 30 days of the receipt by him of such changes.

D. Review of Inventory

This inventory shall be reviewed annually at the same time that this plan is reviewed by the Deputy Commissioner of Fire Safety, the Mutual Aid Committee of the Fire Advisory Board.

SECTION 7 – STANDARD THREAD

All apparatus is to adapt to a N.S. Thread. All apparatus participating in this plan shall be equipped to adapt to national standard threads as defined by the National Bureau of Standards or other couplings.

SECTION 8 – EMERGENCY OR ALTERNATE COUNTY FIRE CONTROL CENTER

A. Transfer of Control

1. In the event that an Area Base Station experiences a failure and goes off the air, control of that Base Station will be transferred to its back up station.

2. The Area Base Stations are paired up with their primary frequencies and will back each other up in the event of failure.

The Area Base Stations are paired up as follows:

Cheektowaga Control / Lancaster Control

Hamburg Control / Angola Control

Helmuth Control / Springville Control

West Seneca Control / East Aurora Control

Amherst Control / Town of Tonawanda Control

Grand Island Control / City of Tonawanda

3. Control shall be transferred to the Erie County Fire Control Center at Chestnut Ridge Park in the event that an Area Base Station and its back up station suspend its control function due to a failure.

B. Alternate Fire Control Centers

Fire Alternate – Radio Communications Building, Chestnut Ridge Park – dispatchers shall report to the Deputy Commissioner of Fire Safety who shall act as Chief Dispatcher.

Second Alternate – in order of base stations listed or designated by the Erie County Deputy Commissioner of the Fire Safety Division. Dispatchers normally operating at these base stations shall man these alternate County Control Centers. Duplicate running cards shall be located at the second alternate.

Third Alternate – Mobile radios in the Deputy Commissioner of Fire Safety's Vehicle or other designated by him. Duplicate running cards shall be located in these vehicles.

SECTION 9 – PARTICIPATION IN THE STATE FIRE MOBILIZATION AND MUTUAL AID PLAN

A. State Mobilization

The Commissioner of Emergency Services, the Deputy Commissioner of the Fire Safety Division or a deputy in the line of authority designated pursuant to Section 401 of the County Law, after utilizing all available assistance within Erie County and all routinely activated mutual aid assistance from Cattaraugus, Chautauqua, Wyoming, Genesee and Niagara Counties, may call the New York State Department of State, Office of Fire Prevention and Control to request activation of the State Fire Mobilization and Mutual Aid Plan.

The procedure shall conform with that specified in the Guide to Fire Mobilization and Mutual Aid Plans in the State of New York issued by the New York State Department of State, Office of Fire Prevention and Control.

B. Authority and Responsibility of the Regional Fire Administrator

The authority and responsibility of the Regional Fire Administrator under the activated State Fire Mobilization and Mutual Aid Plan is established by the New York State Department of State, Office of Fire Prevention and Control.

In Erie County, the Deputy Commissioner of the Fire Safety Division has been designated as the Regional Fire Administrator by the State.

C. Retirement Provision Relating to Position of Regional Fire Administrator

Should the Deputy Commissioner of the Fire Safety Division be separated from his office for any reason, he is automatically retired as Regional Fire Administrator if he also holds his position.

The State Fire Administrator in the New York State Department of State, Office of Fire Prevention and Control, is authorized by law to appoint to this position.

D. County Number Issued Under the State Fire Mobilization and Mutual Aid Plan

The Erie County Deputy Commissioner of the Fire Safety shall utilize County Number 15 assigned to Erie County by the State Fire Mobilization and Mutual Aid Plan.

SECTION 10 – COORDINATION WITH OTHER EMERGENCY SERVICES

A. Sheriff

The Erie County Fire Control Center shall be in immediate communications via radio and telephone with the alternate control centers for both fire and sheriff.

B. Other Services

Telephone number will be listed at the Erie County Fire Control Center for the following services:

Utilities: Gas, Water & Electric

Police – FBI – Environmental – Health Department

These numbers shall also be maintained at all alternate County Fire Control Centers.

DEPARTMENT OF EMERGENCY SERVICES FIRE SAFETY DIVISION

