

ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (518) 487-5400 <u>WWW.ALBANYCOUNTYSHERIFF.COM</u>

MICHAEL S. MONTELEONE EXECUTIVE UNDERSHERIFF

CRAIG D. APPLE, SR. SHERIFF



WILLIAM M. RICE
UNDERSHERIFF

LEON A. BORMANN
CHIEF DEPUTY

SHAWN P. NOONAN CHIEF DEPUTY

December 9, 2022

Honorable Andrew C. Joyce Legislative Clerk's Office 112 State Street, Room 710 Albany, New York 12207

Dear Mr. Joyce:

County Legislature.

Attached, please see a draft of the Albany County Arson Control Plan from our Emergency Management Fire Coordinator's Office. Legislative approval is required prior to our office filing the plan with the NYS Office of Fire Prevention and Control.

incerely.

Should there be any questions, please do not hesitate to contact me.

Att.

Cc:

Hon. Daniel P. McCoy, County Executive

Hon. William Clay, Public Safety Chairman

Hon. Wanda Willingham, Audit & Finance Chairman

FOR COUNSEL USE ONLY DATE: RECEIVED: REQUEST FOR LEGISLATIVE ACTION RECEIVED BY: METHOD: HAND **COURIER** MAIL DATE: **NOVEMBER 15, 2022 DEPARTMENT:** ALBANY COUNTY SHERIFF'S DEPT CONTACT PERSON: SHERIFF CRAIG D APPLE SR TELEPHONE: 518-447-5440 DEPT. REPRESENTATIVE ATTENDING COMMITTEE MEETING: SHERIFF CRAIG D APPLE SR PURPOSE OF REQUEST: ADOPTION OF LOCAL LAW AMENDMENT OF PRIOR LEGISLATION APPROVAL/ADOPTION OF PLAN/PROCEDURE **BOND APPROVAL** BUDGET AMENDMENT(SEE BELOW) CONTRACT AUTHORIZATION (SEE BELOW) **ENVIRONMENTAL IMPACT** HOME RULE REQUEST PROPERTY CONVEYANCE OTHER: (STATE BRIEFLY IF NOT LISTED ABOVE) THE SHERIFF'S OFFICE IS SEEKING LEGISLATIVE APPROVAL FOR ADOPTION AND IMPLEMENTATION OF THE ALBANY COUNTY ARSON CONTROL PLAN CONCERNING BUDGET AMENDMENTS STATE, THE FOLLOWING INCREASE ACCOUNT/LINE NO. SOURCE OF FUNDS: TITLE CHANGE: CONCERNING CONTRACT AUTHORIZATION, STATE THE FOLLOWING: TYPE OF CONTRACT CHANGE ORDER/CONTRACT AMENDMENT PURCHASE (EQUIPMENT/ SUPPLIES) LEASE (EQUIPMENT/SUPPLIES) REQUIREMENTS PROFESSIONAL SERVICES **EDUCATIONAL/TRAINING GRANT:** RENEWAL SUBMISSION DEADLINE DATE SETTLEMENT OF A CLAIM

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SUBMITTED BY:	CRAIG D APPLE SI	₹		
ΓITLE:	SHERIFF			

ALBANY COUNTY ARSON CONTROL PLAN



Albany County Office of Emergency Management Fire Coordinator's Office 58 Verda Ave Clarkesville, New York, 12041

Albany County Arson Control Plan

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ALBANY COUNTY ARSON CONTROL PLAN

Recommended for Adoption by: OFFICE

OF FIRE COORDINATOR

Date: November 14, 2022

SUBMITTED BY COUNTY FIRE COORDINATOR

Gerald E. Paris Jr.

ADOPTED BY:

ALBANY COUNTY LEGISLATURE Date:

, Representative

Offered a resolution that the following plan be adopted as the:

ALBANY COUNTY ARSON CONTROL PLAN

Resolution Number

APPROVED AND ACCEPTED BY:

Division of Homeland Security and

Emergency Services
OFFICE OF FIRE PREVENTION AND CONTROL

Date:

ALBANY COUNTY ARSON CONTROL PLAN

Section I. Plan Overview

Scope & Purpose

The purpose of this plan is to develop processes and procedures for the conduct of fire investigations with the ultimate goal of controlling arson within Albany County. This can be accomplished by integrating fire, law enforcement and prosecutorial services, as dictated, during all fire investigations and increasing the cooperation between government and key private sector stakeholders.

There are numerous agencies within Albany County responsible for arson investigations; City of Albany Department of Fire & Emergency Services, Town of Bethlehem Police Department, City of Cohoes Fire Department, Town of Colonie Fire Services/ Colonie Police Department, Town of Guilderland Police Department, and City of Watervliet Department of Public Safety Bureau of Fire. Each of these municipalities have their own arson investigation team in addition the Albany County Sheriffs' Office which has an arson investigation team that covers the remainder of the county and can be called on to assist any of the other teams as requested. In addition, for cases that exceed local resources the Office of Fire Prevention and Control Arson team provides assistance. All of these teams shall follow currently recognized best practices and industry standards.

The prosecution of suspected arson cases is handled by the Albany County District Attorney's office (DA) working closely with the arson investigation teams. The DA's office has a dedicated Assistant District Attorney (ADA) who prosecutes cases of suspected arson. This ADA is available to the municipal and county teams to provide advice and guidance relative to documentation and preparation for court appearances or consultation on any other legal matters relative to fire investigations.

Current County Demographics

The area of the County is 533 Square Miles and has a population of 306,165 per the most recent census it is comprised of 3 Cities, 10 Towns and 6 Villages. It has a mix of rural, suburban and urban areas.

The majority of the Fire Departments in the County are volunteer with seven career Departments and two Combination Departments.

The County has an active Fire Advisory Board that normally meets monthly and acts as a tool to address any Firematic issues including Arson team issues. The Board has an Arson team representative member.

Many of the County investigators are also members of the Capital District Fire Investigator's Association that provides training opportunities, as well as, an opportunity for networking.

Over the last 7 years our average call volume is 40810 and of this number 36 are suspected arson. Over this same period there were 26 arson convictions in the County and we currently have 43 active cases from this period.

Arson Task Force

There is no Arson taskforce in Albany County.

<u>Section II. Fire Service Resources & Role/Responsibilities to Control Arson</u>

There are 42 Fire Departments in Albany County and their Chiefs are responsible under General Municipal Law (GML) 204-d (see below), which requires a Fire Chief to "determine or cause to be determined the cause of each fire or explosion which the fire department or company is called to suppress."

As the majority of fire chiefs in Albany County are Volunteers with seven career departments and two combination. Many Departments either do not have the advanced training and experience to make a fire cause determination and/or the time required to thoroughly investigate major fires, therefore, they may depend on one of the Arson investigation teams to determine the cause and origin of the fire,

§ 204-d. Duties of the fire chief. The fire chief of any fire department or company shall, in addition to any other duties assigned to him by law or contract, to the extent reasonably possible determine or cause to be determined the cause of each fire or explosion which the fire department or company has been called to suppress. He shall file with the office of fire prevention and control a report containing such determination and any additional information required by such office regarding the fire or explosion. The report shall be in the form designated by such office. He shall contact or cause to be contacted the appropriate investigatory authority if he has reason to believe the fire or explosion is of incendiary or suspicious origin. For all fires that are suspected to have been ignited by a cigarette, within fourteen days after completing the investigation into such fire, the fire chief shall forward to the office of fire prevention and control information detailing, to the extent possible: (a) the specific brand and style of the cigarette suspected of having ignited such fire; (b) whether the cigarette package was marked as required by subdivision six of section one hundred fifty-six-c of the executive law; and (c) the location and manner in which such cigarette was purchased.

The Albany County Fire Investigation Teams are considered "specialized teams", (per N.Y. GMU. LAW § 209-bb: NY Code - Section 209-88) and are in compliance with NFPA 921 and NFPA 1033. The details of each Arson Investigation Team are attached (Appendix A).

The Fire Departments/Companies in Albany County are:

Albany-Career

Albany Int'l Airport-Career

Altamont-Volunteer

Berne-Volunteer

Boght Community-Volunteer

Coeymans-Volunteer

Coeymans Hollow-Volunteer

Cohoes-Career Colonie-Volunteer

Delmar-Volunteer

Elsmere-Volunteer

East Berne-Volunteer

Fort Hunter-Volunteer

Fuller Road-Volunteer

Green Island-Career

Guilderland-Volunteer

Guilderland Center-Volunteer

Knox-Volunteer

Latham-Combination

Maplewood-Volunteer

McKownville-Volunteer

Medusa-Volunteer

Menands-Volunteer

Midway-Volunteer

New Salem-Volunteer

North Bethlehem-Volunteer

Onesquethaw-Volunteer Ravena

Rensselaerville-Volunteer

SABIC (non-municipal) -Career

Schuyler Heights-Volunteer

Selkirk-Volunteer

Shaker Road-Combination

Slingerlands-Volunteer

Stanford Heights-Volunteer

Tri-Village-Volunteer

Verdoy-Volunteer

Voorheesville-Volunteer

Watervliet-Career

Watervliet Arsenal (non-municipal) -Career

West Albany-Volunteer

Westerlo-Volunteer

Westmere-Volunteer

Local Fire and Law Enforcement Agency Responsibilities

The fire chief of each department within Albany County is responsible for initial origin and cause investigation of any fire they respond to in accordance with GML 204-D, Origin and cause of minor fires is generally completed by individual departments without a need to call on one of the Fire Investigation Teams.

County Fire Departments and the Fire Coordinator's Office provide support to Arson investigation teams by supplying items such as lighting, hose lines, heavy construction equipment and other duties as requested by Fire Investigation team.

While some departments may have members who have received fire investigation training there are no departments except Albany Fire, Cohoes Fire, Watervliet Fire and Colonie Fire Services which have established in-house fire investigation teams. The above listed agencies conduct fire investigations and work very closely with all local law enforcement agencies and rely on Law Enforcement agencies for assistance including but not limited to maintaining a scene, assisting in evidence collection, packaging, security and witness interviews. In addition Bethlehem, Colonie, and Guilderland Police have Fire investigation teams. Fire Departments outside the areas covered by municipal Fire Investigation teams will call upon the County Sheriffs' team for a fire investigation when they determine it is beyond their knowledge and training.

All investigations conducted by investigation teams are done in compliance with NFPA, Standard 921 and teams are trained in accordance with NFPA Standard 1033.

Albany City Fire Department:

1. Staffing of team (how many staff): 5

2. Level of training of team members: Certified New York State Fire Investigators

3. In-service training requirements: NYS and National Standards

- 4. Rotation of staff: (by shift or on call : All work 5 day work week (0800 x 1600) with on call coverage 24 hrs.7 days per week/365 days per year
- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code: Full time – assigned to Fire Prevention/Investigation Unit

6. Geographic area covered: City of Albany

Cohoes Fire:

- 1. Staffing of team (how many staff): 2
- 2. Level of training of team members: Pro Board and New York State Certified Fire Investigators.

3. In-service training requirements: NYS and National Standards

4. Rotation of staff (by shift or on call): Work shift and called back as needed

- Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code: Full time – assigned to Fire Prevention/Investigation Unit
- 6. Geographic area covered: City of Cohoes

Colonie Fire Services:

- 1. Staffing of team (how many staff): Four
- 2. Level of training of team members: Three full time, New York State certified Fire Investigators, and one Colonie Police Officer make up the Town of Colonie Fire Investigation Unit
- 3. .In-service training requirements: Members maintain the required State in service training annually
- 4. Rotation of staff (by shift or on call): The three Fire Protection Specialist's rotate a weekly on call assignment
- Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS General Municipal Code: All team members are full-time employees of the Town of Colonie
- Geographic area covered by team: The team investigates fires for the entire Town of Colonie, including the Incorporated Villages of Colonie and Menands. We will respond outside the Town of Colonie if requested.

Watervliet Fire:

- 1. Staffing of team (how many staff):6 total team members: 3 New York State Certified Fire investigators (2 fire officers, 1 firefighter) and 3 Police Officers (2 detective sergeants, 1 detective lieutenant)
- 2. Level of training of team members. Combination of Pro-Board certified (2 members), New York State certified (1 member), and Evidence Technician/Crime Scene Technician (2 members)
- 3. In-service training requirements: We conduct training requirements set forth by NYS and submit our Attestation Letter annually to NYS OFPC.
- 4. Rotation of staff (by shift or on call): Both on-call or on shift, depending who is on duty at the time of the incident.

- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS General Municipal Code: All team members are full-time employees of the City of Watervliet Fire or Police Departments
- 6. Geographic area covered by team: City of Watervliet and the Village of Green Island

III. Law Enforcement Agencies & Role/Responsibilities for Arson Control

Law Enforcement Agencies within County of Albany

Albany City PD

Albany County Sheriff

Altamont PD

Bethlehem PD

Cohoes PD

Coeymans PD

Colonie PD

Green Island PD

Guilderland PD

Menands PD

NYS Police

SUNY Albany PD

Watervliet PD

Watervliet Arsenal PD

All above Police Departments have general law enforcement responsibilities regarding Fire Investigation including scene security, general criminal investigation and evidence security as well as providing assistance as requested by the Incident Commander or the Fire Investigation team. In addition Cohoes, Albany County Sheriff, Bethlehem, Colonie and Guilderland PD have Fire investigation teams these teams operate in accordance with NFPA, Standard 921 and teams are trained in accordance with NFPA Standard 1033. They all work closely with the Fire Service to determine cause and origin of fires.

Albany County Sheriff's office:

- 1. Staffing of team (how many staff): 3
- 2. Level of training of team members: Two Pro Board Certified and one support staff
- 3. Rotation of staff (by shift or on call): Either on shift or on call as needed
- 4. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code - Specialized Team: Full time staff
- Geographic Area covered: Berne, Knox, Westerlo, Rensselaerville, New Scotland, Voorheesville, Coeymans, Ravena, Green Island, Albany International Airport, and any County owned property

Bethlehem Police:

- 1. **Staffing of team (how many staff):** Currently have 3 New York State Certified investigators. In the process of putting 3 new investigators through school in the fall.
- 2. Level of training of team members: See above
- 3. **In-service training requirements:** Members are required by the state to complete 12 hours of tested training and 12 hours of investigation.
- 4. Rotation of staff (by shift or on call): Members are available for call in as needed
- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS General Municipal Code- Members are all full time employees assigned to various details within the police department but are available for fire investigation when the Fire Chief determines the need.
- 6. Geographic area covered by team: Town of Bethlehem

Guilderland Police:

- 1. Staffing of team (how many staff): 8
- 2. Level of training of team members:1 administrator/New York State Certified, 3 New York State Certified, 3 pending New York State Certification, and 1 support services
- 3. **In-service training requirements**: Minimum of 12 hrs. CME training, and 12 hrs. of fire investigation
- 4. Rotation of staff (by shift or on call): On call or working for town/volunteer
- Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code - Specialized Team: Fire Investigation Unit consists of 6 full time Town of Guilderland Employees (Police Officer, Fire Prevention, and Building/Zoning), 2 volunteer fireman
- 6. Geographic area covered by team: Town of Guilderland

IV. Prosecution/District Attorney Office

The Albany County District Attorney's (DA) Office relies on the municipal and county investigation teams to conduct on site fire investigations. The DA's office does have a dedicated Assistant District Attorney (ADA) who prosecutes cases of suspected arson. They also have both fire and criminal investigators that can assist fire Investigation teams. They currently have a New York State Certified and an additional investigator on staff.

This ADA is available to the municipal and county team members to provide advice and guidance relative to documentation and preparation for court appearances or consult on any other legal matters relative to fire investigations. They can also be requested to the scene by the Fire Investigation team if needed.

V. Supporting Programs/Services

Juvenile Fire Setter Program

Albany County is fortunate to have an interdisciplinary team that comprises the Juvenile Fire Setter Program and a designated deputy fire coordinator charged with administering the program. The County also has several members of fire investigation teams who are trained to work with juvenile fire setters. The City of Albany Fire Department, Colonie Fire Services, and Cohoes Fire Department have personnel trained to work with these individuals. Trained investigators make themselves available to schools, both public and private, to present programs for juveniles. Representatives of the Albany County Office of Mental Health and the Probation Department are also trained to recognize and work with juvenile fire setters.

The team makeup is as follows- One Deputy Fire Coordinator is assigned to manage the program

- -It is an inter-disciplinary team. Consisting of Firefighters/investigators, Law Enforcement, Mental Health and Probation. All Team members have received J-Fire 1 training
- -In-service training requirements -There are no requirements but the team meets monthly to review cases and discuss issues and new actions
- -The Team is assigned cases on a jurisdictional basis.

- -All team members volunteer or are assigned by their home agency. All Team members work for a career FD, Law enforcement agency, county mental health or county probation
- The team covers all of Albany County

On the county level, most cases are referred through the Office of Fire Coordinator who in turns puts individuals in contact with the trained members. Information garnered during the process of dealing with a juvenile fire setter is confidential and the only information available is the fact that the potential fire setter was either contacted or not.

We have developed an educational brochure explaining our J-Fire program that is being distributed at various public events and at schools throughout the County.

Other Arson control steps taken

We have continued to encourage local public works and building departments to board-up and secure all vacant and abandoned buildings.

Albany County has instituted one of the most active land banks in the State to get vacant properties either rehabilitated or demolished to reduce the chances of arson.

Education/Training

The Office of Fire Coordinator has realized the need to continue to educate firefighters in recognizing potential arson fires. Working closely with the State Fire Instructors assigned to Albany County,a certified fire investigator from one of the Fire Investigation Teams makes a presentation during all Firefighter I courses.

In addition, members of the team are invited to fire department open houses and will display equipment and discuss fire investigations with fire department members and the general public. Some fire departments within the county have also devoted training/drills to fire investigations with members of the team as main speakers.

There are several other educational outreach programs we use to assist in Arson prevention. The retention & recruitment car and tactical training trailer are used throughout the County at various Fire Department and community events, and at the Fire Museum at the Altamont fair, to provide fire prevention material as well as trained personnel who can discuss fire prevention and arson awareness with County residents who attend these events.

Arson Control Plan Attachment A



CITY OF ALBANY DEPARTMENT OF FIRE AND EMERGENCY SERVICES 26 BROAD STREET ALBANY, NEW YORK 12202 TELEPHONE (518) 447-7879 FAX (518) 447-7883



To: Albany County Fire Coordinator Gerald Paris

From: Joseph W. Gregory, Chief of Department

Date: September 1, 2021

Re: Fire Investigation Policy

The purpose of this memorandum is to inform you of the Albany Fire Departments procedure for Fire Investigations. Per our Standard Operating Guidelines, the Incident Commander will request a member of our Fire Prevention & Investigation Unit for:

- Any fire or explosion involving any structure, vehicle, or victim(s)
- Suspicious fire (including, but not limited to vehicle, dumpster, and trash fires)
- Suspected arson
- Juvenile fire setters or fire play

This guideline is consistent with all aspects of NFPA 921 and NFPA 1033, and ensures a minimum of one (1) NYS Certified Fire Investigator at all origin and cause investigations.

In the event that additional resources are needed we may request assistance from the NYS Office of Fire Prevention and Control and/or the Albany County District Attorney's Office.

Should you require any additional information in regards to this matter please feel free to contact me.



ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (516) 487-5400
VMW.ALBANYCOUNTYSI/ERIFF.COM

CRAIG D. APPLE, SR.

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WILLIAM M. RICK

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SHAWN P. NOONAN UHAR DERVIES

To: Albany County Fire Coordinator Gerard Paris Jr.

From: Senior Investigator Hector Fernando

Date: August 24, 2021

Re: Fire Investigations

The following is the Albany County Sheriff's Policy for conducting fire investigations. When a request for cause and origin determination is made from a tire chief in our area of responsibility, in the County of Albany, our Sergeants or Communications Staff start making notifications.

The process involves notifying the on-call investigator, the Senior Investigator of the Criminal Investigations Unit, and two NYS certified the investigators. The two NYS certified fire investigators have their pro-board certifications as required by the State of New York.

During each fire investigation, if additional resources are needed, this agency requests the New York State Office of Fire Prevention and Control in order to assist.

If you have any questions or concerns regarding this matter, do not hesitate to contact me.



DEPARTMENT OF PUBLIC SAFETY BUREAU OF FIRE

THE CITY OF WATERVLIET
MCCORMACK FIRE HEADQUARTERS
116 THIRTEENTH STREET, WATERVLIET, NEW YORK 12189
TELEPHONE: (518)270-3826 FAX: (518)272-1036



September 9, 2021

Chief Gerald Paris Albany County Fire Coordinator 58 Verda Ave. Clarksville, NY 12041

Re: City of Watervliet Arson Task Force (Fire Investigation Team)

Chief Paris,

The City of Watervliet has an Arson Task Force Team that consists of 6 members. 3 From the Fire Department, 2 are fire officers, and 1 firefighter. All fire personnel are NYS Level 2, with the exception of one member who is finishing his on-scene hours. The other 3 members are from the Watervliet Police Department. They provide 1 Lieutenant, and 2 Detective Sergeants.

This task force is responsible for ALL fire investigations in the City of Watervliet, and the Village of Green Island.

Please feel free to contact me with any questions or concerns.

Thank You,

James J. Strock Jr. Lieutenant City of Watervliet Fire Department

COHOES FIRE DEPARTMENT

172 Onterio Street Cohnex, New York 12047-2897 Joseph M. Falid, Fire Chief



Phone: (518) 237-1241 Fax: (518) 237-1494

Chief Gerald Paris Albany County Fire Coordinator

August 12, 2021

Chief Paris,

The Cohoes Fire Department has two pro board contified fire investigators and they are called in to investigate any fire the OIC deems necessary. In addition to these we also utilize the OIIice of Fire Prevention and Control for any major fires that we feel we need their assistance. If you need any further information feel free to contact me.

Respectfully.

Joseph M. Fahd Fire Chief

TOWN OF BETHLEHEM

David VanLuven Torn Supervisor

Gitta F. Cucchiara Chief of Police Albany County - New York
POLICE DEPARTMENT
447 DBLAWARE AVENUE
DELMAR, NEW YORK 12054
(518) 439-9973
Fax: (518) 439-6965



To: Albany County Fire Coordinator Gerald Paris

From: Commander Adam N. Hornick

Date: August 13, 2021

Re: Fire Investigation

The purpose of this memorandum is to inform you of this agency's policy for conducting fire investigations. When a request for cause and origin determination is made from a fire chief in the Town of Bethlehem, our communications staff starts a notification procedure.

This procedure consist of calling the on-call detective, and at least two NYS certified fire investigators. This procedure is consistent with all aspects of NFPA 921 and NFPA 1033, and ensures a minimum of two investigators, and a minimum of one State certified investigator at all cause and origin investigations.

In the event that additional resources are needed we request State certified investigators from the Albany County District Attorney's Office and/or the New York State Office of Fire Prevention and Control.

Should you require any additional information in regards to this matter please feel free to contact are.

New York State Accredited Agency Since 1990



PICTUR G. BARBER SUPERVISOR DANIEL P. MCNALLY CHIEF OF POLICE

To: Albany County Fire Coordinator Gerald Peris

From: Chief Daniel P. McNally / 1979

Date: August 24, 2021

Re: Fire Investigation Policy

The purpose of this memorandum is to inform you of the Town of Guilderland Fire Investigation Procedure. When a request for origin and cause determination is initiated by a fire chief in the Town of Guilderland, our communication staff notifies all members of the Guilderland Fire Investigation Unit. This unit is comprised of members of the Guilderland Police Department, Fire Prevention, Building/Zoning Department and volunteer fire department members.

This procedure is consistent with all aspects of NFPA 921 and NFPA 1033, and ensures multiple Fire Investigators and a minimum of one NYS Certified Fire Investigator at all origin and cause investigations.

In the event that additional resources are needed we may request assistance from the NYS Office of Fire Prevention and Control and/or the Albany County District Attorney's Office.

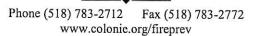
If any additional Information is required, in regards to this matter, please feel free to contact me.



TOWN OF COLONIE

Fire Services

347 Old Niskayuna Road Latham, New York 12110





August 24, 2021

Chief Gerald Paris Albany County Fire Coordinator 58 Verda Ave. Clarksville, NY 12041

Re: Town of Colonie Fire Investigation Team

Dear Chief,

The Town of Colonie Fire Investigation Team is comprised of 3 NY State level 2 Fire Investigators from the Town of Colonie Fire Services Department and 1 NY State level 2 Fire Investigator and 1 NY State level 1 Fire Investigator from the Colonie Police Department.

Through the Town of Colonie Mutual Aide agreement, we are responsible for all fire investigations in the Town of Colonie.

Should you have any questions, feel free to contact me at 518-783-2804.

Very Truly Yours,

Joseph Bisognano Senior Fire Protection Specialist

ALBANY COUNTY ARSON CONTROL PLAN



Albany County Office of Emergency Management Fire Coordinator's Office 58 Verda Ave Clarkesville, New York, 12041

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ALBANY COUNTY ARSON CONTROL PLAN

Recommended for Adoption by: OFFICE

OF FIRE COORDINATOR

Date: November 14, 2022

SUBMITTED BY COUNTY FIRE COORDINATOR

Gerald E. Paris Jr.

ADOPTED BY:

ALBANY COUNTY LEGISLATURE Date:

, Representative

Offered a resolution that the following plan be adopted as the:

ALBANY COUNTY ARSON CONTROL PLAN

Resolution Number

APPROVED AND ACCEPTED BY:

Division of Homeland Security and

Emergency Services
OFFICE OF FIRE PREVENTION AND CONTROL

Date:

ALBANY COUNTY ARSON CONTROL PLAN

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The purpose of this plan is to develop processes and procedures for the conduct of fire investigations with the ultimate goal of controlling arson within Albany County. This can be accomplished by integrating fire, law enforcement and prosecutorial services, as dictated, during all fire investigations and increasing the cooperation between government and key private sector stakeholders.

There are numerous agencies within Albany County responsible for arson investigations; City of Albany Department of Fire & Emergency Services, Town of Bethlehem Police Department, City of Cohoes Fire Department, Town of Colonie Fire Services/ Colonie Police Department, Town of Guilderland Police Department, and City of Watervliet Department of Public Safety Bureau of Fire. Each of these municipalities have their own arson investigation team in addition the Albany County Sheriffs' Office which has an arson investigation team that covers the remainder of the county and can be called on to assist any of the other teams as requested. In addition, for cases that exceed local resources the Office of Fire Prevention and Control Arson team provides assistance. All of these teams shall follow currently recognized best practices and industry standards.

The prosecution of suspected arson cases is handled by the Albany County District Attorney's office (DA) working closely with the arson investigation teams. The DA's office has a dedicated Assistant District Attorney (ADA) who prosecutes cases of suspected arson. This ADA is available to the municipal and county teams to provide advice and guidance relative to documentation and preparation for court appearances or consultation on any other legal matters relative to fire investigations.

Current County Demographics

The area of the County is 533 Square Miles and has a population of 306,165 per the most recent census it is comprised of 3 Cities, 10 Towns and 6 Villages. It has a mix of rural, suburban and urban areas.

The majority of the Fire Departments in the County are volunteer with seven career Departments and two Combination Departments.

The County has an active Fire Advisory Board that normally meets monthly and acts as a tool to address any Firematic issues including Arson team issues. The Board has an Arson team representative member.

Many of the County investigators are also members of the Capital District Fire Investigator's Association that provides training opportunities, as well as, an opportunity for networking.

Over the last 7 years our average call volume is 40810 and of this number 36 are suspected arson. Over this same period there were 26 arson convictions in the County and we currently have 43 active cases from this period.

Arson Task Force

There is no Arson taskforce in Albany County.

Section II. Fire Service Resources & Role/Responsibilities to Control Arson

There are 42 Fire Departments in Albany County and their Chiefs are responsible under General Municipal Law (GML) 204-d (see below), which requires a Fire Chief to "determine or cause to be determined the cause of each fire or explosion which the fire department or company is called to suppress."

As the majority of fire chiefs in Albany County are Volunteers with seven career departments and two combination. Many Departments either do not have the advanced training and experience to make a fire cause determination and/or the time required to thoroughly investigate major fires, therefore, they may depend on one of the Arson investigation teams to determine the cause and origin of the fire,

§ 204-d. Duties of the fire chief. The fire chief of any fire department or company shall, in addition to any other duties assigned to him by law or contract, to the extent reasonably possible determine or cause to be determined the cause of each fire or explosion which the fire department or company has been called to suppress. He shall file with the office of fire prevention and control a report containing such determination and any additional information required by such office regarding the fire or explosion. The report shall be in the form designated by such office. He shall contact or cause to be contacted the appropriate investigatory authority if he has reason to believe the fire or explosion is of incendiary or suspicious origin. For all fires that are suspected to have been ignited by a cigarette, within fourteen days after completing the investigation into such fire, the fire chief shall forward to the office of fire prevention and control information detailing, to the extent possible: (a) the specific brand and style of the cigarette suspected of having ignited such fire; (b) whether the cigarette package was marked as required by subdivision six of section one hundred fifty-six-c of the executive law; and (c) the location and manner in which such cigarette was purchased.

The Albany County Fire Investigation Teams are considered "specialized teams", (per N.Y. GMU. LAW § 209-bb: NY Code - Section 209-88) and are in compliance with NFPA 921 and NFPA 1033. The details of each Arson Investigation Team are attached (Appendix A).

The Fire Departments/Companies in Albany County are:

Albany-Career

Albany Int'l Airport-Career

Altamont-Volunteer Berne-Volunteer

Boght Community-Volunteer

Coeymans-Volunteer

Coeymans Hollow-Volunteer

Cohoes-Career
Colonie-Volunteer
Delmar-Volunteer
Elsmere-Volunteer
East Berne-Volunteer
Fort Hunter-Volunteer

Fuller Road-Volunteer Green Island-Career

Guilderland-Volunteer

Guilderland Center-Volunteer

Knox-Volunteer Latham-Combination Maplewood-Volunteer McKownville-Volunteer Medusa-Volunteer
Menands-Volunteer
Midway-Volunteer
New Salem-Volunteer
North Bethlehem-Volunteer

Onesquethaw-Volunteer Ravena

Rensselaerville-Volunteer

SABIC (non-municipal) -Career Schuyler Heights-Volunteer

Selkirk-Volunteer

Shaker Road-Combination Slingerlands-Volunteer Stanford Heights-Volunteer

Tri-Village-Volunteer Verdoy-Volunteer Voorheesville-Volunteer

Western Best O

Watervliet-Career

Watervliet Arsenal (non-municipal) -Career

West Albany-Volunteer Westerlo-Volunteer Westmere-Volunteer

Local Fire and Law Enforcement Agency Responsibilities

The fire chief of each department within Albany County is responsible for initial origin and cause investigation of any fire they respond to in accordance with GML 204-D, Origin and cause of minor fires is generally completed by individual departments without a need to call on one of the Fire Investigation Teams.

County Fire Departments and the Fire Coordinator's Office provide support to Arson investigation teams by supplying items such as lighting, hose lines, heavy construction equipment and other duties as requested by Fire Investigation team.

While some departments may have members who have received fire investigation training there are no departments except Albany Fire, Cohoes Fire, Watervliet Fire and Colonie Fire Services which have established in-house fire investigation teams. The above listed agencies conduct fire investigations and work very closely with all local law enforcement agencies and rely on Law Enforcement agencies for assistance including but not limited to maintaining a scene, assisting in evidence collection, packaging, security and witness interviews. In addition Bethlehem, Colonie, and Guilderland Police have Fire investigation teams. Fire Departments outside the areas covered by municipal Fire Investigation teams will call upon the County Sheriffs' team for a fire investigation when they determine it is beyond their knowledge and training.

All investigations conducted by investigation teams are done in compliance with NFPA, Standard 921 and teams are trained in accordance with NFPA Standard 1033.

Albany City Fire Department:

1. Staffing of team (how many staff): 5

2. Level of training of team members: Certified New York State Fire Investigators

3. In-service training requirements: NYS and National Standards

4. Rotation of staff: (by shift or on call : All work 5 day work week (0800 x 1600) with on call coverage 24 hrs.7 days per week/365 days per year

5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code: Full time – assigned to Fire Prevention/Investigation Unit

6. Geographic area covered: City of Albany

Cohoes Fire:

- 1. Staffing of team (how many staff): 2
- 2. Level of training of team members: Pro Board and New York State Certified Fire Investigators.

3. In-service training requirements: NYS and National Standards

4. Rotation of staff (by shift or on call): Work shift and called back as needed

- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code: Full time – assigned to Fire Prevention/Investigation Unit
- 6. Geographic area covered: City of Cohoes

Colonie Fire Services:

- 1. Staffing of team (how many staff): Four
- 2. Level of training of team members: Three full time, New York State certified Fire Investigators, and one Colonie Police Officer make up the Town of Colonie Fire Investigation Unit
- 3. .In-service training requirements: Members maintain the required State in service training annually
- **4. Rotation of staff (by shift or on call):**The three Fire Protection Specialist's rotate a weekly on call assignment
- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS General Municipal Code: All team members are full-time employees of the Town of Colonie
- **6. Geographic area covered by team:** The team investigates fires for the entire Town of Colonie, including the Incorporated Villages of Colonie and Menands. We will respond outside the Town of Colonie if requested.

Watervliet Fire:

- 1. Staffing of team (how many staff):6 total team members: 3 New York State Certified Fire investigators (2 fire officers, 1 firefighter) and 3 Police Officers (2 detective sergeants, 1 detective lieutenant)
- 2. Level of training of team members. Combination of Pro-Board certified (2 members), New York State certified (1 member), and Evidence Technician/Crime Scene Technician (2 members)
- **3.** In-service training requirements: We conduct training requirements set forth by NYS and submit our Attestation Letter annually to NYS OFPC.
- 4. Rotation of staff (by shift or on call): Both on-call or on shift, depending who is on duty at the time of the incident.

- Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS
 General Municipal Code: All team members are full-time employees of the City of Watervliet Fire or
 Police Departments
- 6. Geographic area covered by team: City of Watervliet and the Village of Green Island

III. Law Enforcement Agencies & Role/Responsibilities for Arson Control

Law Enforcement Agencies within County of Albany

Albany City PD

Albany County Sheriff

Altamont PD

Bethlehem PD

Cohoes PD

Coeymans PD

Colonie PD

Green Island PD

Guilderland PD

Menands PD

NYS Police

SUNY Albany PD Watervliet PD

Watervliet Arsenal PD

All above Police Departments have general law enforcement responsibilities regarding Fire Investigation including scene security, general criminal investigation and evidence security as well as providing assistance as requested by the Incident Commander or the Fire Investigation team. In addition Cohoes, Albany County Sheriff, Bethlehem, Colonie and Guilderland PD have Fire investigation teams these teams operate in accordance with NFPA, Standard 921 and teams are trained in accordance with NFPA Standard 1033. They all work closely with the Fire Service to determine cause and origin of fires.

Albany County Sheriff's office:

- 1. Staffing of team (how many staff): 3
- 2. Level of training of team members: Two Pro Board Certified and one support staff
- 3. Rotation of staff (by shift or on call): Either on shift or on call as needed
- 4. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code - Specialized Team: Full time staff
- Geographic Area covered: Berne, Knox, Westerlo, Rensselaerville, New Scotland, Voorheesville, Coeymans, Ravena, Green Island, Albany International Airport, and any County owned property

Bethlehem Police:

- 1. **Staffing of team (how many staff):** Currently have 3 New York State Certified investigators. In the process of putting 3 new investigators through school in the fall.
- 2. Level of training of team members: See above
- 3. **In-service training requirements:** Members are required by the state to complete 12 hours of tested training and 12 hours of investigation.
- 4. Rotation of staff (by shift or on call): Members are available for call in as needed
- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209-bb of NYS General Municipal Code- Members are all full time employees assigned to various details within the police department but are available for fire investigation when the Fire Chief determines the need.
- 6. Geographic area covered by team: Town of Bethlehem

Guilderland Police:

- 1. Staffing of team (how many staff): 8
- 2. Level of training of team members:1 administrator/New York State Certified, 3 New York State Certified, 3 pending New York State Certification, and 1 support services
- 3. **In-service training requirements**: Minimum of 12 hrs. CME training, and 12 hrs. of fire investigation
- 4. Rotation of staff (by shift or on call): On call or working for town/volunteer
- 5. Are they full-time, assigned on a voluntary basis, or a specialized team per section 209bb of NYS General Municipal Code - Specialized Team: Fire Investigation Unit consists of 6 full time Town of Guilderland Employees (Police Officer, Fire Prevention, and Building/Zoning), 2 volunteer fireman
- 6. Geographic area covered by team: Town of Guilderland

IV. Prosecution/District Attorney Office

The Albany County District Attorney's (DA) Office relies on the municipal and county investigation teams to conduct on site fire investigations. The DA's office does have a dedicated Assistant District Attorney (ADA) who prosecutes cases of suspected arson. They also have both fire and criminal investigators that can assist fire Investigation teams. They currently have a New York State Certified and an additional investigator on staff.

This ADA is available to the municipal and county team members to provide advice and guidance relative to documentation and preparation for court appearances or consult on any other legal matters relative to fire investigations. They can also be requested to the scene by the Fire Investigation team if needed.

V. Supporting Programs/Services

Juvenile Fire Setter Program

Albany County is fortunate to have an interdisciplinary team that comprises the Juvenile Fire Setter Program and a designated deputy fire coordinator charged with administering the program. The County also has several members of fire investigation teams who are trained to work with juvenile fire setters. The City of Albany Fire Department, Colonie Fire Services, and Cohoes Fire Department have personnel trained to work with these individuals. Trained investigators make themselves available to schools, both public and private, to present programs for juveniles. Representatives of the Albany County Office of Mental Health and the Probation Department are also trained to recognize and work with juvenile fire setters.

The team makeup is as follows- One Deputy Fire Coordinator is assigned to manage the program

- -It is an inter-disciplinary team. Consisting of Firefighters/investigators, Law Enforcement, Mental Health and Probation. All Team members have received J-Fire 1 training
- -In-service training requirements -There are no requirements but the team meets monthly to review cases and discuss issues and new actions
- -The Team is assigned cases on a jurisdictional basis.

- -All team members volunteer or are assigned by their home agency. All Team members work for a career FD, Law enforcement agency, county mental health or county probation
- The team covers all of Albany County

On the county level, most cases are referred through the Office of Fire Coordinator who in turns puts individuals in contact with the trained members. Information garnered during the process of dealing with a juvenile fire setter is confidential and the only information available is the fact that the potential fire setter was either contacted or not.

We have developed an educational brochure explaining our J-Fire program that is being distributed at various public events and at schools throughout the County.

Other Arson control steps taken

We have continued to encourage local public works and building departments to board-up and secure all vacant and abandoned buildings.

Albany County has instituted one of the most active land banks in the State to get vacant properties either rehabilitated or demolished to reduce the chances of arson.

Education/Training

The Office of Fire Coordinator has realized the need to continue to educate firefighters in recognizing potential arson fires. Working closely with the State Fire Instructors assigned to Albany County, a certified fire investigator from one of the Fire Investigation Teams makes a presentation during all Firefighter I courses.

In addition, members of the team are invited to fire department open houses and will display equipment and discuss fire investigations with fire department members and the general public. Some fire departments within the county have also devoted training/drills to fire investigations with members of the team as main speakers.

There are several other educational outreach programs we use to assist in Arson prevention. The retention & recruitment car and tactical training trailer are used throughout the County at various Fire Department and community events, and at the Fire Museum at the Altamont fair, to provide fire prevention material as well as trained personnel who can discuss fire prevention and arson awareness with County residents who attend these events.

Arson Control Plan Attachment A



CITY OF ALBANY DEPARTMENT OF FIRE AND EMERGENCY SERVICES 26 BROAD STREET ALBANY, NEW YORK 12202 TELEPHONE (518) 447-7879 FAX (518) 447-7883



To: Albany County Fire Coordinator Gerald Paris

From: Joseph W. Gregory, Chief of Department

Date: September 1, 2021

Re: Fire Investigation Policy

The purpose of this memorandum is to inform you of the Albany Fire Departments procedure for Fire Investigations. Per our Standard Operating Guidelines, the Incident Commander will request a member of our Fire Prevention & Investigation Unit for:

- Any fire or explosion involving any structure, vehicle, or victim(s)

- Suspicious fire (including, but not limited to vehicle, dumpster, and trash fires)
- Suspected arson
- Juvenile fire setters or fire play

This guideline is consistent with all aspects of NFPA 921 and NFPA 1033, and ensures a minimum of one (1) NYS Certified Fire Investigator at all origin and cause investigations.

In the event that additional resources are needed we may request assistance from the NYS Office of Fire Prevention and Control and/or the Albany County District Attorney's Office.

Should you require any additional information in regards to this matter please feel free to contact me.



ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (516) 487-5400 WWW.ALBANYCOUNTYSPERIFF.COM

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CRAIG D. APPLE, SR.

SHAWN P. NOONAN



WILLIAM M. RICK TALESCHIER

LIGNA, RORMANN

To: Albany County Fire Coordinator Gerard Paris Jr.

Prom: Senior Investigator Hector Fernande

Date: August 24, 2021

Re: Fire Investigations

The following is the Albany County Sheriff's Policy for conducting fire investigations. When a request for cause and origin determination is made from a tire chief in our area of responsibility, in the County of Albany, our Sergeants or Communications Staff start making multications.

The process involves notifying the on-call investigator, the Senior Investigator of the Criminal Investigations Unit, and two NYS certified tire investigators. The two NYS certified fire investigators have their pro-board certifications as required by the State of New York.

During each fire investigation, if additional resources are needed, this agency requests the New York State Office of Fire Prevention and Control in order to assist.

If you have any coestions or concerns regarding this matter, do not hesitate to contact me.



DEPARTMENT OF PUBLIC SAFETY BUREAU OF FIRE

THE CITY OF WATERVLIET
MCCORMACK FIRE HEADQUARTERS
116 THIRTEENTH STREET, WATERVLIET, NEW YORK 12189
TELEPHONE: (518)270-3826 FAX: (518)272-1036



September 9, 2021

Chief Gerald Paris Albany County Fire Coordinator 58 Verda Ave. Clarksville, NY 12041

Re: City of Watervliet Arson Task Force (Fire Investigation Team)

Chief Paris,

The City of Watervliet has an Arson Task Force Team that consists of 6 members. 3 From the Fire Department, 2 are fire officers, and 1 firefighter. All fire personnel are NYS Level 2, with the exception of one member who is finishing his on-scene hours. The other 3 members are from the Watervliet Police Department. They provide 1 Lieutenant, and 2 Detective Sergeants.

This task force is responsible for ALL fire investigations in the City of Watervliet, and the Village of Green Island.

Please feel free to contact me with any questions or concerns.

Thank You,

James J. Strock Jr. Lieutenant City of Watervliet Fire Department

COHOES FIRE DEPARTMENT

172 Ontario Street Cohnes, New York 12047-2897 Joseph M. Falid, Fire Chief



Phone: (518) 237-1241 Fax: (518)237-1494

Chief Gerald Paris Albany County Fire Coordinator

August 12, 2021

Chief Paris,

The Cohoes Fire Department has two pro board certified fire investigators and they are called in to investigate any fire the OIC deems necessary. In addition to these we also utilize the Office of Fire Prevention and Control for any major fires that we feel we need their assistance. If you need any further information feel free to contact

Respectfully.

Josephm Fehrl Joseph M. Fahd Fire Chief

TOWN OF BETHLEHEM

David VanLuven Torn Supervisor

Gina F. Cucchiara Chief of Police Albany County - New York
POLICE DEPARTMENT
447 DELAWARE AVENUE
DELMAR, NEW YORK 12054
(518) 439-9973
Fax: (518) 439-6965



To: Albany County Fire Coordinator Gerald Paris

From: Commander Adam N. Hornick

Date: August 13, 2021

Re: Fire Investigation

The purpose of this memorandum is to inform you of this agency's policy for conducting fire investigations. When a request for cause and origin determination is made from a fire chief in the Town of Bethlehem, our communications staff starts a notification procedure.

This procedure consist of calling the on-call detective, and at least two NYS certified fire investigators. This procedure is consistent with all aspects of NFPA 921 and NFPA 1033, and ensures a minimum of two investigators, and a minimum of one State certified investigator at all cause and origin investigations.

In the event that additional resources are needed we request State certified investigators from the Albany County District Attorney's Office and/or the New York State Office of Fire Prevention and Control.

Should you require any additional information in regards to this matter please feel free to contact me.

New York State Accredited Agency Since 1990



PETER G. BARBER SUPERVISOR DANIEL P. MCNALLY CHIEF OF POLICE

To: Albany County Fire Coordinator Gerald Peris

From: Chief Daniel P. McNally

Date: August 24, 2021

Re: Fire Investigation Policy

The purpose of this memorandum is to inform you of the Town of Guilderland Fire Investigation Procedure. When a request for origin and cause determination is initiated by a fire chief in the Town of Guilderland, our communication staff notifies all members of the Guilderland Fire Investigation Unit, This unit is comprised of members of the Guilderland Police Department, Fire Prevention, Building/Zoning Department and volunteer fire department members.

This procedure is consistent with all espects of NFPA 921 and NFPA 1033, and ensures multiple Fire Investigators and a minimum of one NYS Certified Fire Investigator at all origin and cause investigations.

In the event that additional resources are needed we may request assistance from the NYS Office of Fire Prevention and Control and/or the Albany County District Attorney's

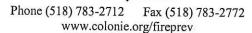
If any additional Information is required, in regards to this matter, please feel free to contact me.



TOWN OF COLONIE

Fire Services

347 Old Niskayuna Road Latham, New York 12110





August 24, 2021

Chief Gerald Paris Albany County Fire Coordinator 58 Verda Ave. Clarksville, NY 12041

Re: Town of Colonie Fire Investigation Team

Dear Chief,

The Town of Colonie Fire Investigation Team is comprised of 3 NY State level 2 Fire Investigators from the Town of Colonie Fire Services Department and 1 NY State level 2 Fire Investigator and 1 NY State level 1 Fire Investigator from the Colonie Police Department.

Through the Town of Colonie Mutual Aide agreement, we are responsible for all fire investigations in the Town of Colonie.

Should you have any questions, feel free to contact me at 518-783-2804.

Very Truly Yours,

Joseph Bisognano Senior Fire Protection Specialist