

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**Special Meeting**

*Monday, October 2, 2023*

*10:20 a.m.*

*Legislative Chambers, 3<sup>rd</sup> Floor, Annex Building*

*Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	John V. Malter, Chair Wendy Lozo	Jeffrey P. Horton, Vice Chair Frederick G. Potter	K. Michael Hanna
<b>STAFF:</b>	Jack K. Wheeler Tim Marshall	Christopher Brewer Craig Patrick	Jennifer Prossick
<b>LEGISLATORS:</b>	Scott J. Van Etten Steven P. Maio Gary D. Swackhamer	Kelly H. Fitzpatrick Robert V. Nichols	Carol A. Ferratella Nicholas D. Pelham
<b>OTHERS:</b>	Mary Perham		

**I. CALL TO ORDER**

Mr. Malter called the meeting to order at 10:20 a.m.

**II. GENERAL BUSINESS**

**1. EMS Discussion**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.H. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

a. *EMS Coverage* Proposal - Mr. Malter asked what is the proposal to provide EMS coverage? Mr. Wheeler replied we are modeling our budget based upon what Chenango County has done. The proposal is that coverage will be based on peak hours of service delivery; for discussion purposes that would be 8am – 8pm. We would start with part-time employees, which is what Chenango did. The question is, are we going to be able to recruit? We have some county employees that are EMT certified and they could sign up for a shift on their days off.

Mr. Wheeler stated the draft budget includes \$55,000 to purchase an ALS fly car, fully outfitted. We propose a budget for salaries of \$583,450 which includes the salary for the EMS Coordinator, part-time EMT's and part-time paramedics for ALS fly car services. Under this model, you could enter into lease agreements with any volunteer ambulance corps. We would need to get our CON (Certificate of Need) and then we would co-brand those ambulances that we would lease. Under the DOH (Department of Health) regulations, we would have to pay some form of a lease payment. His argument would be that we are providing the staff and the municipalities are providing the ambulance.

Mr. Wheeler stated other items of note in the proposed EMS budget would be \$30,000 for training and conferences, and \$15,000 for outside counsel to assist us with the CON process. We have also calculated the fringe at \$64,179.50 which is just FICA without NYS Retirement or Health Insurance. We are estimating anticipated revenue at \$250,000 with an estimated net cost of \$1.2 million. Hopefully the revenue would be greater than \$250,000. He noted Madison County is very close to break even for their first year under a similar model. Again, this is just a draft.

Mr. Malter commented what we have been doing is allowing the pieces to fall into place. We can modify this as we need to. Mr. Nichols stated this is a good starting point. Mr. Wheeler stated the EMS Coordinator, Brandon Rosettie, will be starting part-time this week. We will be looking at supplementing coverage in the southwest and south central portion of the County. We would be positioning someone in either Woodhull, Addison or Rathbone, and then the fly car would be positioned in the Bath area. We do have some coverage issues in the Hammondsport and Avoca/Wheeler area. Mr. Nichols commented Tuscarora has one EMT and Cameron doesn't have any coverage. Mr. Marshall commented Bath Ambulance is taking over the Cameron territory. Mr. Wheeler stated if we can stabilize those outlying areas, then those other areas can stay where they are.

Mr. Potter stated he does not believe that AMR is answering a lot of calls for Troupsburg. In his district, four towns have ambulances and two towns, West Union and Rathbone, contract for ambulance services. Mr. Swackhamer stated the City of Hornell is running seven ambulances and serving the southwest portion of the County, plus covering Hornell. Mr. Marshall stated Hornell is running all of their ambulances and they are taking all of the transfers from St. James to Strong.

Mr. Horton asked should we look at changing the timeframe of peak hours to 6am – 6pm due to people traveling to and from work/school, etc.? Mr. Wheeler replied we could. Mr. Marshall explained the model is to provide coverage five days a week with a 24-hour paramedic with a fly car, and 2 BLS rigs on 12-hour shifts. If a call comes in at 6am, a lot of first responders will not go as they would be late for work. We have not set any time for the peak hours yet as we want to look at all of the call data.

Mrs. Lozo commented a lot of fire departments are mutual aid and have agreements in place to cover. That is the model to start with and then we can adjust if need be. I think 6am – 6pm is standard throughout the County. Mr. Horton stated I am in favor of anything that shows there is an effort as we cannot do a \$12 million program up front.

Mr. Wheeler stated for this discussion, we also have budget amendments for the EMS budget which we had previously set at \$500,000. We are doing a draft budget and it includes numbers closer to what I have presented to you this morning. We need to work with outside counsel on the CON. If this concept sounds good to you, then that allows us to work with counsel.

Mr. Van Etten asked for the small towns that have ambulance service, will this be an incentive for them to back away from providing that service? That is not what we want. Mrs. Lozo replied that depends on the town and if they feel that they are being taken over. It is all in the approach.

Mr. Potter commented the discussion in my district is they will not be allowed to have a CON to form a district ambulance. That might be a red flag for the County getting a CON. Mr. Wheeler stated in talking with counsel and others, we have not seen any County having issues with getting a CON from the DOH. We have already started the CON process. We can start the other processes and we would need to get approval from the State for co-branding, etc.

Mrs. Ferratella asked hypothetically, if someone calls 911 and needs an ambulance, how will the dispatchers know who to send? Mr. Marshall replied everything is identified by an emergency services number for each area. If we provide supplemental coverage, the 911 center will dispatch the primary agency along with the County. Our goal is that we, depending on our availability, we would be on that first call out. Mr. Wheeler stated a lot of work will be done by the EMS Coordinator to work with Mr. Marshall and dispatch to identify those areas that

would require both agencies to be called out simultaneously. Mr. Marshall stated what we have seen in other counties is that the local volunteer corps have ended up turning their services over to the County or another agency and then they go to a first responder setup. A lot of the municipalities that have done this like it a lot better than having an ambulance because they may only be out on a call for 20 or 30 minutes and then are back in service.

Mr. Van Etten asked if all of the agencies did this, wouldn't we be short on coverage? Mr. Marshall replied if that happened, it would be a slow transition based on what we have seen in other areas. That is what happened in Chenango and they are just hiring their first full-time staff after providing supplemental services for a year and half with part-time staff.

Mr. Horton stated the downside of this is if a town has an ambulance crew and contract with the City of Hornell or AMR, they might be more apt to not want to renew their contract or pay for that service. Mr. Swackhamer stated the City of Hornell has three municipalities that have told the City that they do not want to contract because they want to wait to see what the County is doing. Mr. Wheeler stated he would argue that this is going to help the system tremendously, but it will not help the call volumes in their municipalities.

Mr. Maio asked if the towns are not able to take their calls and the County has to do that, could we charge that back to the municipality? A lot of municipalities do not have the resources to do this and you are seeing more municipalities that cannot fill other big paid positions such as judge, town board, etc.

Mrs. Lozo stated we need to keep encouraging the first responder units to be active and continue doing what they are doing. Having a first responder unit still helps, because they are not gone for two or three hours per call. When you are a first responder unit, you don't have to do billing. We should keep encouraging agencies to go toward having first responder units. Mr. Van Etten stated messaging will be critical if we adopt and do this. We need to encourage those that have services to keep their services.

Mr. Wheeler stated they have talked with Chenango about this. There are many county functions that taxpayers pay for and they don't get the direct benefit from, for example, paving on a county road when they don't live on a county road, but it still helps the entire system to function.

Ms. Fitzpatrick commented if you have a town that has ambulance service and an EMT, the people benefit from that reimbursement and then that EMT may be able to sign up and work some of those shifts. This would provide an opportunity for EMT's to get paid for some of those hours. One issue is that we may have to budget for equipment as the agencies would be losing equipment. Mrs. Lozo explained as a first responder unit, except for the stretcher, they have to have every other qualification that a BLS ambulance has to have. The only difference is that a first responder unit does not transport. They have to have the same amount of equipment as an ambulance. Ms. Fitzpatrick clarified those agencies would be losing their ambulance vehicles. Mrs. Lozo stated they would only be losing the transport. Ms. Fitzpatrick stated if some of the vehicles transition out, eventually the agencies will not replace them.

Mr. Malter stated we are proposing a reimbursement for the vehicles for them. Mr. Wheeler stated it will not fully fund the vehicles, but it would help. Mr. Malter stated they would use the ambulance as a first responder unit, but just not doing the transporting.

**MOTION: AUTHORIZING THE PURCHASE OF TWO VEHICLES; ONE FOR THE EMS COORDINATOR AND THE SECOND VEHICLE AS A FLY CAR OUT OF THE 2023 EMS BUDGET AND ADDING BOTH VEHICLES TO THE 2023 EMS MAJOR EQUIPMENT LIST MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

b. *Volunteer Reimbursement* – Mr. Malter stated he had previously proposed providing reimbursement to volunteers; a per hour amount for training for EMT and recertification courses, mileage, books, lab fees, etc. Would that reimbursement go directly to the individual? Mr. Marshall replied he has drafted a

resolution that states that approval would go through our office to receive the reimbursement stipend and the individual would have to provide a certificate of completion as well as proof of their standing in their department, along with a W-9 form. Mr. Wheeler stated the proposed reimbursement is \$1,500.

Mrs. Lozo stated I have no problem reimbursing the cost of the course, the cost of any books, lab work, testing or anything like that; I have a problem with actively paying the person to take the course. We are setting a precedent that when they are having a hard time getting volunteer firefighters, they will want the same kind of program. We need to be really careful about paying someone to take the course. I don't agree with that part. Mr. Potter stated he agrees.

Mr. Marshall commented the State has come up with a plan to provide funding for firefighter training and basic officer training. I don't know how that process will work yet, but the State will pay the firefighters. There is nothing he is aware of that will pay ambulance volunteers. Before we get this resolution approved, we have to run it by Attorney Hannigan to make sure we are not putting anybody in jeopardy for their volunteer firefighter benefit. Mrs. Lozo stated until that happens, we should not be reimbursing per hour for taking the classes.

Mr. Malter stated I disagree; that is part of the solution to help recruit volunteers for the ambulance corps. Mr. Wheeler stated we have a resolution drafted. With the \$1,500 reimbursement, we could break that down to separate the cost of books, mileage, etc.

Mr. Swackhamer asked is this just for volunteers? Mr. Malter replied yes. Mr. Swackhamer stated you have the City of Hornell and other paid agencies. If their members take an EMT course, are we paying for them? Mr. Wheeler replied the volunteers cannot leverage federal training dollars, but paid members can. Through CSS Workforce NY and BOCES, members of the City of Hornell Fire Department could get reimbursed for training. However, we cannot do that for volunteers. Mr. Malter stated under my proposal, only volunteers would get reimbursement.

Ms. Fitzpatrick stated the Campbell Fire District pays for training and books for their volunteers. Does that mean those volunteers would not receive the reimbursement? Mr. Malter replied not if the department has already paid for them. He asked Mr. Marshall how is that written in the draft resolution? Mr. Marshall replied the draft resolution now is very general. If a volunteer ambulance worker is taking the EMT course, they are eligible for the \$1,500 reimbursement upon successful completion of the course. They would have to process their reimbursement request through our office and we would verify they are a member of an ambulance corps providing services in the County. We can include more specifics in the resolution about reimbursement for books, course fees, or fees not covered by their agency. We could add mileage into the reimbursement, however, that will be difficult for us to document. Who would police that?

Mr. Malter commented maybe we need to include mileage and increase the reimbursement to \$1,800? That amount would include their time and mileage. Mr. Marshall stated courses run between \$700 - \$800. Books would be another \$100 - \$150 and then there would be the lab fees. The \$1,800 reimbursement for mileage, course fee, books and lab fees would be pretty close. The volunteers would have to prove that they paid out of their pocket for those costs.

Mr. Potter commented if we do this, those agencies that already pay for their volunteers to take courses will no longer want to pay and will want the County to reimburse them. Ms. Fitzpatrick stated a lot of the members cannot afford the upfront costs, so that will not change substantially.

Mr. Malter stated the proposal is \$1,500 for course, books, lab fees plus \$300 for mileage. Mrs. Lozo stated you are still paying for their time and I don't agree with that. Mr. Maio commented if the idea is to pay for their time, that ought to be a single amount and then have the expenses. Mrs. Lozo stated you are setting a precedent and that will be a slippery slope. Mr. Malter stated we don't have volunteers and this is a way to help shore that up. Mr. Maio asked is the lack of volunteers a time issue or a money issue?

Mrs. Lozo stated if you want to volunteer, you volunteer and you don't expect to be paid for it. Mr. Van Etten commented this is also an age issue. Mr. Maio stated I don't have a problem helping to do it and I also understand what Mrs. Lozo's point is, as well.

Mr. Wheeler commented he views this as an incentive to defray the volunteer's cost. Mr. Malter commented if having this reimbursement does not work, then you can always pull it.

**MOTION: ESTABLISHING A REIMBURSEMENT PROGRAM FOR VOLUNTEER AMBULANCE WORKERS TO TAKE EMT AND RECERTIFICATION COURSES AND SETTING THE MAXIMUM AMOUNT OF REIMBURSEMENT AT \$1,800 WHICH IS TO INCLUDE TIME AND MILEAGE, ALONG WITH COURSE FEES, BOOKS, LAB FEES AND OTHER RELATED EXPENSES MADE BY MR. HANNA. SECONDED BY MR. HORTON. MOTION CARRIES 4-1. (LEGISLATOR LOZO WAS OPPOSED). Resolution Required.**

Mr. Wheeler recommended the committee reject the RFP for EMS Services.

**MOTION: REJECTING THE RFP FOR THE PROVISION OF EMS SERVICES MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

c. *LifePak 15 AED* – Mr. Marshall requested authorization to purchase a LifePak 15 AED for the fly car out of the 2023 EMS Budget. He requested authorization to move forward with this purchase as there will be a 3 percent price increase starting in October and there will be about an eight month lead time to receive the unit. Mr. Wheeler noted the cost will be between \$52,000 - \$54,000. Mr. Horton asked what is the life expectancy of this unit? Mr. Marshall replied 5 to 10 years.

**MOTION: AUTHORIZING THE PURCHASE OF A LIFEPAK 15 AED UNIT FOR THE PARAMEDIC FLY CAR TO BE PURCHASED OUT OF THE 2023 EMS BUDGET MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. HORTON. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature