

June 26th, 2013

A Special Public Informational Meeting regarding ambulance service was held by the Town Board on Wednesday, June 26th, 2013 at 7:00 PM with the following members present: Richard Rowland, Supervisor; Daniel Pemrick, Thomas Kinsella, Daniel Cochran and Walter E. Chandler, Councilman. Also present were approximately 24 residents.

Kinsella, C. gave an brief overview of the last informational session showing what the current coverage was and listing 5 alternative proposals that the committee came up. The last three dealt with non-profit services. The last option suggests that the Town be divided into 3 districts and have three ambulance services in adjacent Towns cover the various districts in Town. He summarized the input received from the public during the last session: Concern regarding the cost and potential tax impact; What is being done to hold the current provider accountable; Need for more facts; Use objective criteria to assess options; What is the compelling reason to change and both positive and negative reports on the performance of the current provider. Kinsella, C. stated that he would like to talk a little more tonight about the option of dividing the Town into 3 districts. He would like to divide the Town into 3 sections and send out a Request for Proposal (RFP). Anyone will be able to submit an RFP and any provider would be able to bid on one or more of the sections. Kinsella, C. stated that the estimated cost for this option was approximately \$115,000. based on preliminary budgetary information received from Community Emergency, Jessup's Landing and Wilton Emergency. A RFP should have certain elements: Available 24/7 - 365 days a year; At least one paramedic on the ambulance; Ambulances that are certified in New York State; Radio communication with the Saratoga County emergency network; Liability Insurance; Ambulance service to be responsible for billing; Quarterly reports to be filed with the Town to include number of calls, time it took to reach the scene and list of personnel responding on the ambulance; Penalties for non-responsiveness inadequate performance and agreement on availability of books for Town review.

Donna Middlebrook asked when the Town would be putting out the RFP. Kinsella, C. felt that it would be in 2 or 3 months because they would want to have it in place for next year. There are several steps that the Town will have to go through. They need to have the proposal back from the services, have a signed contract with them and submit to the State for approval.

Mary Vetter asked if this would pick up where the contract with Empire ends. Supervisor Rowland stated that the contract with Empire expires December 31st. We will have to have a new contract in place by then or get them to agree to extend it for a period of time if necessary. Mary Vetter asked if Empire comes in with an acceptable bid do we still have to take them. Kinsella, C. stated one of the comments was "what is the objective evaluation criteria". He added that they would have to talk with Town Counsel to see if they could get what they call "the best value contract" which means that the Town would establish what the value was. If an objective set of evaluation criteria is set then that would be used to help to determine who to award the contract to. If you use an objective and fair process and Empire comes out to be number one, the contract would have to be awarded to them. Cochran, C. stated that they would have to meet all the criteria in the RFP.

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Donna Middlebrook asked if there would be a time where the Town would not have coverage. Supervisor Rowland stated that no matter what, even if Empire were to stop being our ambulance service today, there is a mutual aid procedure in place. There would always be coverage.

Butch Duffney if the ambulance service was responding to calls and they did not have a paramedic on board was there a stipulation for breach of contract. Kinsella, C. stated that was one of the things that he talked about regarding adding possible penalty situations to the RFP, however there was no provision in the current contract.

Mary Vetter asked if the service could be dropped if they consistently do not meet the criteria. Kinsella, C. stated that every year the contract needed to be renewed and they could choose not to renew it if they consistently under perform.

Stan Weeks stated that he was intrigued with the idea of requiring the services to open their books. Supervisor Rowland stated that it was not uncommon. Every non-profit that accepts donations has to file a certified audit with the charities bureau. He has heard of an experience with an adjacent Town having some trouble not getting a look at the books. The squad refused to give the Town access so the Town reduced the fee that they would pay them until they got to see the books. He believed that if the Town had seen the books for SEMS they may have been able to help or at least they would have known about it before it got to the point where it was collapsed. Mr. Weeks asked if the Supervisor respected that a for-profit would have some resistance to that request which could rule them out. Supervisor Rowland stated that if they were to totally say that they will not let us look at their books then it may if that is a condition of the RFP. He added that he asked Empire when they signed the contract with them if we could look at their books and they said we could. Kinsella, C. stated that Wilton Emergency has said the same thing. Supervisor Rowland felt that it was important to know the compensation schedule. You want to know who is getting paid what in this type of agreement. Because we are using taxpayers dollars, he did not see any reason why they could not make that a strict requirement in the RFP.

Rick Schwartzbeck, Plank Road, stated that he was a for-profit business. If he contracted with the Town he has to have a bond or some kind of insurance and asked if it was the same way for non-profits. He wondered if that was one of the reasons why the Town had trouble with the non-profits going out because they did not have to have this safeguard. Mr. Schwartzbeck asked if he were to call an ambulance would he be transported to the nearest hospital or could he request to be taken to Albany Med, for example. Kinsella, C. stated that the Town is working on contracts for emergency ambulance service when you dial 911 and they are going to take you to the nearest hospital. If you want to be transported for personal reasons to another hospital you would have to call ahead for whatever ambulance service you want. Kinsella, C. stated that as far as performance bonds are considered, they are usually part of a fixed price contract and he was not sure if that was something that could be part of a service contract. Mr. Schwartzbeck asked what legal liabilities would come with the Town having its own certificate of need. Supervisor Rowland stated that there were some concerns about that. He spoke with a representative at the Dept of Health. In most cases, the ambulance squad

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gets the certificate of need. All the Town has to do is say that they are contracting with the ambulance service and they can get the certificate of need fairly simply with a municipal contract. If the Town were to get the certificate, then there is some liability to the Town. Supervisor Rowland added that if an individual was at Saratoga Hospital and needed to be transported to Albany Med, they would be taken by whomever Saratoga Hospital contracts with. That is not a Town service. In the event of an emergency, you would be transported to the most appropriate hospital for the care that is needed.

Joan Stunzi, Town Bookkeeper, asked what the cost was for the Municipal Certificate of Need. Chandler, C. stated that the cost was \$7,500. however you would get most of that money back. Joan stated that up until this point the Town has never had a certificate of need. The ambulance services that provided services to us have held it. She questioned what the advantage was for the Town to have our own certificate if we would be incurring additional liability. Kinsella, C. stated that they will have to look at the 2 options and decide if they should add the requirement to the RFP that the ambulance service obtain the certificate of need. Chandler, C. stated that they may not be able to hold a certificate of need for our Town. Supervisor Rowland stated that if the Town has a contract with them then they could hold a certificate of need. Supervisor Rowland stated that whoever we contract with will have to provide a certificate of insurance with the Town named as additional insured, just as we do now. In the event that something happens, their insurance would be ahead of ours.

Stan Weeks, Ashlor Drive, asked how the Board would decide where the boundary lines were going to be if they decide to divide the Town into 3 districts. Supervisor Rowland stated that the Board would have to establish the districts prior to establishing the RFP. During discussion this evening, he was thinking that if there are 3 ambulance services and one of them does not perform as necessary, there needs to be something in the contracts that would require the others to pick up the slack so that there is coverage.

Mary Vetter asked if any other Town in the area has done something like this. Supervisor Rowland stated that there are several Towns that are covered by more than one service. Cochran, C. added that in the 1990's the Town was also covered by 3 districts and it worked at that time. Chandler, C. stated that the groups have verbally agreed to call off immediately if they were not available. Cochran, C. stated that it would have to be in the contract that they had to cover each other, just as it happens now with mutual aid. Mary Vetter stated that this should be an improvement for them because they would be providing service for which they will get paid. Kinsella, C. stated that the biggest source of their income comes from insurance, not from what the Town pays them.

Joan Rowland stated that she heard 2 or 3 ambulance services named this evening and questioned whether if anyone knew how many ambulances they each had. Kinsella, C. guessed that Wilton had about 4; Community Emergency had 3 or 4; Jessup's had 3 and Empire has about 15 which operate all around with 3 located at West Avenue. Kinsella, C. added that he was looking for the services to be able to provide 24/7 service 365 days per year and not necessarily require a certain number of ambulances. Chandler, C. added that the Town is fortunate to have many ambulance services with paramedics all around us.

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Lorraine Fiorino, Porter Corners Road, asked if it were possible that the Town could end up with 1 ambulance servicing all three districts in the Town. Kinsella, C. stated that it could happen if they were to bid on all three districts, however response time may preclude this from happening. Mary Vetter asked if the Town could reject the bid if they believed it was unrealistic for a service to meet the requirements. Kinsella, C. stated that the Town can not make a decision based on opinion. If a service bids on a contract and states in writing that they can meet the requirement then we may have to award it. We will have to have performance standards that they will have to meet or we would be entitled to get money back and not renew the contract the following year. Mary Vetter stated that you could time it out and determine whether or not it would be practical for them to make it from point A to point B in a timely matter and that would be objective. Kinsella, C. stated that they may have an interim garage somewhere that the Town is not aware of. Chandler, C. stated that it why they went to the Fire Company and they said they would house an ambulance for free on a temporary basis. Supervisor Rowland stated that there had been an offer of another facility as well. Kinsella, C. stated that the RFP will give people who want to bid the opportunity to come up with innovative ways to meet the requirements. Pemrick, C. stated that they will also have the responsibility to supply data to the Town on a monthly or quarterly basis. The Town will be evaluating response times, etc. on a regular basis. Chandler, C. noted that as the Supervisor stated the Town had been offered a piece of property and building to house an ambulance by Prestwick Chase. However, it is very costly and he did not feel that the Town could afford the cost of paramedics, ambulance, etc. at this time. Mary Vetter asked if the Town decides to go with three districts would Prestwick Chase be happy with having Wilton Emergency for coverage or would they build their own. Kinsella, C. stated that would be a business decision for them. Joan Stunzi stated that if Prestwick Chase decides to contract with their own service it may cut the number of calls the Town has. She asked if at some point in time the Board would be reviewing the cost that was being charged to the Town on a per call basis. Cochran, C. felt that if that happens it would be something that would have to be looked at. Pemrick, C. felt that it was a critical element of this entire process. As the regular Town Budget increases or changes over a period of time there is a tax amount for that. Any increases for ambulance service will have to be added as well. Pemrick, C. stated that the Board is going to have to continue to evaluate how these two figures impact the taxpayer and adjust things accordingly. The Board has to continue to make the information available to the people so that they know how much we are paying and we have to continue to evaluate as best we can the providers that we have. The people have to let the Board know what they can afford. This was something that was going to be on going. Supervisor Rowland stated that in the current contract full payment for service has been made up front. He suggested that we stagger payments, perhaps quarterly based on the quarterly reports submitted. Supervisor Rowland added that at the estimated cost of \$115,000. for ambulance service, that would mean that it would cost 15 cents per every \$1,000. of assessment.

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Lorraine Fiorino stated that at the night of the first public informational session there were a couple of firemen who stated that Empire was showing up at calls without a paramedic and asked if we know if that is the case. Kinsella, C. stated that they asked Empire for a listing of all their people and their qualifications. He then compared that against the reports that we had received regarding the calls. In a three month period between January & March, almost 50% of the calls did not have a paramedic on them and he asked the Supervisor to write a letter to Empire. Supervisor Rowland stated that they have a Critical Care Tech which is slightly different from a Paramedic. The Critical Care Tech has to have communication with a doctor at the hospital for certain procedures where a Paramedic does not have to. The State responded by saying that they did not believe that anybody in our Town was at risk having a Critical Care Tech working on them as opposed to a Paramedic. Chandler, C. stated that a Critical Care Tech can not do an airway on a child and for the cost he would want to have the Paramedic. Butch Duffney asked if they did not have a Paramedic on the ambulance could we possibly charge them back. Kinsella, C. stated that was not in our current contract. Mr. Duffney asked if there was any other way to get rid of the contract.

Phil Carrico, Wilton Road, asked how the cost to the patient was determined and questioned whether the Town had any say. His daughter-in-law was charged \$800. and her insurance only paid \$200. He felt that part of the contract should regulate the amount that can be charged. Supervisor Rowland stated that according to the State there is a procedure called compassionate billing. If they bill you and you do not pay for whatever reason, they will start a collection process but they will not complete it. The Town does not have control over that and he did not believe that there was any contract that the Town could put together that could stipulate that. He explained that when they contracted with Empire they were asked about that and they stated that they follow the compassionate billing procedure. They will send the bill to the patient if they do not have insurance. If they pay the bill that's fine, however if they do not, that is part of the reason why the Town pays a fee to help cover those costs. Dennis Morrale, volunteer with Jessup's Landing, stated that the squad is run by the Town of Corinth but the Village of Corinth works with the Town as far as helping to support that. They bill insurance companies, Medicare & Medicaid. A person is billed for service and sent a 2nd notice. After that, it does not go any further or go to collection. Mr. Carrico felt that the cost was too high for residents that have to use the service and that the Town should have an interest. Supervisor Rowland stated that they would have to get an opinion from Town Counsel as to whether or not the Town could set a maximum fee charged. Mr. Morrale stated that the problem with that is that every call is different. Different services are provided which have different charges associated with them. Supervisor Rowland added that in reviewing the report on the calls, a good number of calls were for assisting someone who had fallen. Stan Weeks noted that through the contract the Town is actually paying for those who can not pay their bill.

Joan Rowland asked if the State would have to approve any contract, whether it be for 1, 2 or 3 services? Kinsella, C. stated that they do and that it would take approximately 60 days.

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Candace Merbler asked the Board to review the option of having an additional building. Kinsella, C. stated that Mr. McNeary has offered to provide the Town with a building that would have 2 or 3 bays. If the Town contracted with an ambulance service to operate out of that building, there would be additional costs of utilities, operating costs, etc. The ambulance service would take one of their ambulances out of their fleet and operate from there. They may decide that they need an additional ambulance, which would be an extra cost. They would have to have extra staffing to operate a 2nd facility. It could be very costly to the Town if all the additional items were necessary.

Supervisor Rowland stated that the Board would have to put together an RFP and solicit responses. Once we have received the responses, prior to awarding a contract there would have to be a public hearing. There are going to be ongoing costs involved to make this happen. He added that as he stated before, he was not in favor of cutting back on road services in order to make this happen. The Town still has 8 miles of roads that are still dirt and others that are in need of pavement. There will have to be an increase in taxes in order to be able to provide this ambulance service. Butch Duffney asked if the Board would know what the possible tax increase would be at the time of the public hearing. Supervisor Rowland stated that once we have the RFP's back we will know what the price is going to be and begin to calculate what the budget cost will be.

There being no further public comments, the meeting was closed at 8:15 PM.

Town Clerk