

**EMS (EMERGENCY MEDICAL SERVICES) SPECIAL COMMITTEE**  
**AGENDA**  
**MARCH 22, 2022**

*Committee Members: Supervisors Leggett, Merlino, Conover, Dickinson, Geraci, Diamond and Runyon*

- I. Committee meeting called to order by Committee Chair
- II. Approval of minutes of prior Committee meeting - *October 7, 2021*
- III. Action Agenda/New Business Items: None
- IV. Discussion Items:
  - 1. Recap of what has been discussed.
  - 2. What has changed in the past two years.
  - 3. What other counties are doing.
  - 4. What we can do by statute.
  - 5. Next steps.
- V. Referrals/Pending Items: None
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

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*Attachments: County Ambulance Service - General Municipal Law 122-b.*

County Ambulance Service  
General Municipal Law §122-b

- 1) County may provide emergency medical services, or general ambulance services or a combination by:
  - a. Acquiring “motor vehicles suitable for such purpose and supply and equip the vehicles with materials and facilities as may be necessary to provide the services” and may operate, maintain, repair and replace such vehicles and such supplies and equipment. Basically, the County can buy ambulances and the equipment and supplies for them, and hire county employees to operate them, and provide the emergency medical services.
  - b. Contract with an entity having sufficiently trained and experienced personnel for “operation, maintenance and repair of such emergency medical service or ambulance vehicles and for the furnishing of prehospital emergency treatment.”
  - c. Contract with an entity to supply, staff, equip, and operate ambulances.
  - d. Employ a combination of a, b, or c.
  - e. Until April 9, 2026: The County can contract with an “emergency rescue and first aid squad of a fire department or fire company” which is subject to the provisions of General Municipal Law Section 209-b.
  - f. Beginning April 9, 2026: The County **cannot** contract with “emergency rescue and first aid squad of a fire department or fire company” which is subject to the provisions of General Municipal Law Section 209-b.
- 2) Costs of providing this service is a general County charge.
- 3) County must formulate rules and regulations relating to the use of apparatus and equipment and may fix a schedule of fees or charges to be paid by people requesting the use of such services.
  - a. May provide for the collection of such fees and charges or may formulate rules and regulations for the collection thereof by the entity furnishing services under a contract.
    - i. May add the amount of an unpaid ambulance bill to the resident’s tax bill if municipality passes a local law to do so.
    - ii. But, the County cannot levy and collect unpaid user fees in same way as delinquent property taxes. The unpaid ambulance fees cannot be included

in the amounts claimed when foreclosing on properties for delinquent taxes.

iii. County may commence civil action for payment of fees.

- 4) May provide for the administration and coordination, and communications system for the emergency medical services.
- 5) Fire Districts may also provide general ambulance services or emergency ambulance services.

## Town Ambulance Service

General Municipal Law §122-b, and Town Law Articles 12 and 12-A

- 1) Towns may individually or jointly provide emergency medical services, or general ambulance services or a combination by:
  - a. Acquiring motor vehicles suitable for such purpose and supply and equip the vehicles with materials and facilities as may be necessary to provide the services and may operate, maintain, repair and replace such vehicles and such supplies and equipment. The Town could buy its own ambulances and equip and supply them and operate them, and maintain them by having town employees do it.
  - b. Contract with an entity having sufficiently trained and experienced personnel for operation, maintenance and repair of such services.
  - c. Contract with an entity to supply, staff and equip the services, and to operate such vehicles.
  - d. Use a combination of a, b, or c, just like the County can do.
  - e. Until April 9, 2026: The Town can contract with an “emergency rescue and first aid squad of a fire department or fire company” which is subject to the provisions of General Municipal Law Section 209-b.
  - f. Beginning April 9, 2026: The Town **cannot** contract with “emergency rescue and first aid squad of a fire department or fire company” which is subject to the provisions of General Municipal Law Section 209-b.
  - g. Town can also establish an ambulance district as a special district.
  - h. Town can contract with a fire protection district for general ambulance service.
- 2) Costs of providing this service is a general town charge.
- 3) Towns must make rules and regulations relating to the use of apparatus and equipment and may fix a schedule of fees or charges to be paid by people requesting the use of such emergency medical services.
  - a. May provide for the collection of such fees and charges or may make rules and regulations for the collection thereof by the entity furnishing services under a contract.

- i. May add the amount of an unpaid ambulance bill to the resident's tax bill if municipality passes a local law to do so.
  - ii. But, cannot collect the unpaid ambulance bill the same way as delinquent taxes, cannot be part of the delinquent taxes forwarded to the County for collection.
  - iii. Town could start a civil suit to collect the unpaid ambulance fees.
- 4) May provide for the administration and coordination, and communications systems for the emergency services.
- 5) Fire Districts may also provide general ambulance services or emergency ambulance services.
- 6) An individual town does not have authority to provide ambulance services to another town, unless there is a contract for it. In the absence of a contract the town ambulance service should not operate outside of the town.

## Consolidating Ambulance Districts

- 1) Consolidating Town ambulance districts.
  - a. Beginning Consolidation.
    1. Joint resolution by governing bodies to be consolidated endorsing a proposed joint consolidation agreement.
    2. The ambulance districts to be consolidated - each district must be contiguous to at least one of the other consolidating districts.
  - b. The proposed consolidation agreement, by joint resolution from the towns and county. The agreement must include:
    1. Name of each local government entity to be consolidated;
    2. The name of the proposed consolidated local government entity;
    3. Rights, duties and obligations of the proposed consolidated local government entity;
    4. Territorial boundaries of the district;
    5. Type and/or class of the district;
    6. Governmental organization of the proposed district as it concerns elected and appointed officials and public employees, along with a transitional plan and schedule for elections and appointments;
    7. Fiscal estimate of the cost and/or savings which may be realized from consolidation;
    8. Each entity's assets, including ambulances, life-saving equipment, ambulance stations, offices, and the fair value thereof;
  - c. Publication of the proposed joint consolidation agreement, on websites, and in public places, and at least once per week for four consecutive weeks in newspaper.
  - d. Public hearing on the proposed joint consolidation agreement.
    1. Held between 35 and 90 days from resolution, 10 to 20 days notice in newspaper and on website.
    2. After public hearing the governing bodies may amend the joint consolidation agreement, or decline to proceed further.
    3. Approval of the joint consolidation agreement must occur within 180 days of the final public hearing.

4. If the joint consolidation agreement is amended it must be republished, but no further public hearings are required.

- e. No referendum necessary for consolidating ambulance districts. (GML §755).
- f. Could consolidate by voter initiative and referendum, petition by voters in the district, if voters approve, then “governing bodies” must approve, procedure for state supreme court involvement, detailed requirements outlined in General Municipal Law Sections 755 through 766. This method more contemplated for towns or villages themselves, or maybe for fire districts. Have not heard of ambulance or EMS districts combining by voter initiative and referendum.