

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

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.
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- 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.

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: EMS (EMERGENCY MEDICAL SERVICES)

DATE: DECEMBER 12, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS: MERLINO
CONOVER
GERACI
RUNYON

OTHERS PRESENT:

KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
AMANDA ALLEN, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
SUPERVISORS BRAYMER

COMMITTEE MEMBERS ABSENT:

SUPERVISORS: LEGGETT
DICKINSON
DIAMOND

DRISCOLL
MCDEVITT
SEEBER
STROUGH

TAMMIE DeLORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
KELLY NESTLE, CHAIR, JOHNSBURG EMS BOARD OF DIRECTORS
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

Please note, the following contains a summarization of the December 12, 2022 meeting of the EMS Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:
<https://warrencountyny.gov/mma>

In the absence of Committee Chairman Leggett, Supervisor Merlino, as Vice-Chair, called the meeting to order at 11:04 a.m.

Copies of the meeting agenda were distributed; a copy of the agenda is on file with the meeting minutes.

Motion was made by Ms. Runyon, seconded by Mr. Geraci and carried by a unanimous vote of those present (*Messrs. Leggett, Dickinson and Diamond absent*) to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Committee reviewed of the Discussion Items section of the meeting agenda which included the following:

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.

Chairman Geraghty provided an update on what had happened since the last Committee meeting, advising a County-wide EMS district had been desired; however, it was determined that State law prevented this, only allowing for town-wide EMS districts to be developed, which was problematic. Committee discussed options, including whether opioid funds could be used to subsidize EMS districts and it was determined further research by the County Attorney's Office would be necessary before such a determination could be made.

Following discussion, and review of the aforementioned agenda items, motion was made by Mr. Geraci, seconded by Ms. Runyon and carried by a unanimous vote of those present (*Messrs. Leggett, Dickinson and Diamond absent*) to authorize Chairman Geraghty and Committee Chair Leggett to work with the County Attorney to draft a letter to NYSAC (*New York State Association of Counties*) and to the Intercounty Legislative Committee of the Adirondacks supporting the idea of County-wide EMS/Fire districting and seeking assistance in achieving legislation which would allow for same.

Concluding the agenda review, privilege of the Floor for public comment was extended:

Kelly Nestle, *Chair, Johnsburg EMS Board of Directors*, spoke about the Johnsburg EMS agency, which had become a tax district in 2008, but had not sought sufficient base funding to compete with surrounding agencies which had larger support, leading them to partner with the Town of Minerva EMS agency. She indicated they had excellent individuals working for them, but they did not have enough funding for salaries and benefits. She noted they had a few individuals from other agencies who traveled to work for the Johnsburg EMS agency.

As there was no further business to come before the EMS Committee, on motion made by Mr. Geraci, seconded by Mr. Conover and carried by a unanimous vote of those present (*Messrs. Leggett, Dickinson and Diamond absent*), Mr. Merlino adjourned the meeting at 11:33 a.m.

Respectfully submitted,
Molly Ganotes-Gleason, Legislative Office Specialist

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