

MEETING CALLED TO ORDER BY GARY A. EPPOLITO, SUPERVISOR.

PRESENT: GARY A. EPPOLITO, SUPERVISOR  
JAMES M. KREZMIEN, COUNCILMAN  
PAUL F. SALZLER, COUNCILMAN  
DEBORAH A. KING, COUNCILWOMAN  
CLYDE M. DRAKE, COUNCILMAN

ALSO PRESENT: STEPHANIE BACON, Deputy Town Clerk  
DENNIS M. DAINS, Hwy Supt  
TERRENCE HANNIGAN, ESQ.  
TIMOTHY HANNIGAN, ESQ.  
DON TRZEPACZ, JR., Mercy EMS

Supervisor Eppolito opened the Public Hearing regarding the Ambulance Contract at 4:00 p.m.

Supervisor Eppolito asked Attorney Terrence Hannigan to explain the Resolution at hand. He stated that ambulance and emergency medical services have been provided in the Town by the Village of Springville Fire Department, East Concord Fire Department and by Rural Metro. Rural Metro also has provided advanced life support services. The Town Board has come to the realization that the volunteer fire companies are having difficulties in maintaining necessary staffing as Rural Metro is not providing the level of service that is needed. Rural Metro interprets its contract with the Town as not obligating the company to staff an ambulance within the Town at all times. Because the needs of the Town are not being met by Rural Metro, the Town Board is ready to move forward with the necessary actions to obtain a contract with a new ambulance and emergency medical service provider.

Mr. Hannigan further explained that in order to pursue a contract with a new ambulance service provider, the Town Board must prove that there is an emergency need because of an "immediate and obvious threat to the health and safety of residents of the Town." He believes that the Town's circumstance does meet this need.

Don Trzepacz introduced himself as Director of Air Medical Operations for Mercy Flight and Mercy EMS. Mr. Trzepacz explained that Mercy Flight had been in the ambulance and emergency medical services field as LaSalle until the mid-nineties when they sold to Rural Metro. Mercy Flight is returning under the name Mercy EMS as a New York State Certified provider of ambulance and advanced life support services. Mercy Flight has broken ground on a new helicopter hangar at Bertrand Chaffee Hospital. An ambulance would be stationed at the hospital at all times. If authorized to provide ambulance and advanced life support services for the Town, Mercy EMS would provide 24-hour a day, 7-day a week coverage.

Mr. Hannigan stated that in order for Mercy EMS to be authorized to initiate ambulance and advanced life support services in the Town, the Town Board must endorse and support the application of Mercy EMS to obtain Emergency Operating Authority from the State of New York. The Town also has to apply for a Municipal Certificate of Need (Muni-CON). The Town had a temporary two year Muni-CON, but it was allowed to expire. The Town Board will have to apply for a new temporary Muni-CON and then can apply for a permanent Muni-CON.

Councilman Salzler asked if the Town received the temporary Muni-CON, would there be a lapse between the temporary and permanent certificates. Mr. Hannigan stated that there would be a brief lapse but it would not be an issue.

Councilman Salzler asked if there would be opposition by Rural Metro to the Town contracting with another ambulance company. Mr. Hannigan and Mr. Trzepacz both stated that there would obviously be some discontent on the part of Rural Metro, but it should not be a problem.

There were no further questions or discussion.

Councilman Krezmien moved the adoption of Resolution 13, seconded by Councilwoman King:

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Concord as the governing body of the Town does hereby declare that “public need” exists for the provision of ambulance and advanced life support services in the Town as a result of the insufficiency and inadequacy of the current ambulance and advanced life support services being provided thereby creating an immediate and obvious threat to the health and safety of residents of the Town and,

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Concord as the governing body of the Town does hereby declare that “emergency need” exists for the provision of ambulance and advanced life support services in the Town as a result of the insufficiency and inadequacy of the current ambulance and advanced life support services being provided thereby creating an immediate and obvious threat to the health and safety of residents of the Town and,

**BE IT FURTHER RESOLVED**, that as a precursor to Mercy EMS being authorized to initiate ambulance and advanced life support services to ameliorate the “emergency need” and “public need” described above, the Town Board endorses and supports the application of Mercy EMS, as the Town’s intended ambulance and advanced life support services contract vendor, to obtain Emergency Operating Authority to conduct ambulance and advanced life support services in the Town of Concord and for Mercy EMS to commence providing such services as soon as possible and,

**BE IT FURTHER RESOLVED**, that the Town Board authorizes and acknowledges its unconditional support for the application for Mercy EMS’ application(s) for Emergency Operating Authority and for permanent operating authority before the Department of Health Bureau of EMS and the Wyoming-Erie Regional EMS Council and,

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the submittal of an application on behalf of the Town for permanent operating authority before the Department of Health Bureau of EMS and the Wyoming-Erie Regional EMS Council and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes the Town Supervisor to prepare and execute such documents as may be necessary to assist and to effect Mercy EMS’ efforts to establish and provide for the provision of ambulance and advanced life support services in the Town of Concord and to obtain temporary and permanent operating authority on behalf of Mercy EMS, the Town, or both.

Voting as follows:

Councilman Drake	Aye
Councilwoman King	Aye
Councilman Krezmien	Aye
Councilman Salzler	Aye
Supervisor Eppolito	Aye

The foregoing Resolution was thereupon declared duly adopted.

Motion by Councilman Salzler, seconded by Councilwoman Salzler to adjourn the meeting at 5:00 pm.

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Stephanie A. Bacon  
Deputy Town Clerk