



Systems Operations Committee Meeting

July 27, 2018

Meeting Minutes

Start Time: 1000 End Time: 1052

Committee Members Present: Tim Kelly, Tom Kirchoff, Mark Philippy (acting Chair for this meeting), Tom Coyle, Tim Frost, Tim Czapranski, Karen Dewar

Committee Members Absent: Tom Bonfiglio, Aaron Farney, Tom Tracy

Administrative Support: Melinda Johnston

Webster EMS

- Ad-Hoc Committee Report Review
 - Reaffirmed our stance, and have edited our report to list the in favor and opposing points to outline items to the Council.
 - Comments, questions, concerns noted?
 - We want to ensure that we are in compliance with our policy.
 - Policy review
- Document Review
 - Mr. Cohen's Report & Recommendation
 - Utica v. Danes was a 3-2 decision and he did not pick up that it was reversed. Utica v. Danes should not have any bearing on this case. We should take that into consideration when we review this.
 - CGR report
 - Writing in response to Town of Webster operating certificate from Paul Bishop. Discusses how the CGR was misrepresented. This study never looked at Union Hill Volunteer Ambulance, it was solely looking at the Fire Department.
 - Union Hill Volunteer Ambulance Tax Return
 - Shows a financially healthy future for UHVA
 - Applicant did not measure against the performance measures set forth by the regional council
 - Applicant mention other studies in their narration but they don't cite the studies, just the CGR report.
 - Troubling that applicant did not reach out to current CON holders
 - Double billed – resident concern – WEMS & NEQALS bills. ALS level calls will still get two bills as WEMS plans on maintaining at BLS level.

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- Page 25 – talking about relying on mutual aid. Speaks of reduction in requests for mutual aid. Applicant did not take into account that Union Hill stood up a second ambulance at this time as well, not solely due to creation of WEMS.
- Amendment of their filing with State (incorporation paperwork – not as a fly car service, but transport) in 2011.
- Stated in the town board meeting minutes that development of an ambulance this has been an ongoing project since 2011. There is also language in there suggesting that the town intends to transfer the CON to NEQ so that residents will not have to pay out as much for the ALS services. The Town of Webster can't do that legally, but it's a troubling statement.
- The town had the right to make the decision to contract with WEMS. Does the Town of Webster have the right to choose their service?
 - Yes, their ambulance service needs to be licensed to operate in their territory
- If they set out what they intended, fulfilling their presumption of need.
 - Successful delivery of service is not need
 - How do we say that there is no need now when we have a service successfully covering the area?
 - They did not bring in other current CON holders for reallocation of resources.
 - If we go back to the original 2010 NEQ application – the Ad-Hoc Committee & the Systems Committee's recommendation to approve, and we are in the same situation now.
 - It's required that we have to have an affirmative motion, so that fact is moot.
 - If NEQ had an issue with that and thought that the Council decided wrongly, they should've appealed it at the State Council. Unclear as to why they did not do that.
- There are other cases where the municipal CON process have been used to the town's advantage.
- What's changed between 2010 and now?
- Learning opportunity for the future with municipalities.
- Recommendation that Mr. Kelly to have the section of 06-06 page 4 on the screen that we go through each of the bullet points, consider them and discuss them (definition of need).
- Motion to accept the Ad-Hoc Committee's Report and present to the Council by Mark Philippy. Motion seconded by Tim Frost. Six in favor, zero opposed, one abstention (Tom Coyle – conflicted).
 - Motion of order – we need to go through our Conflict of Interest Policy after the motion is brought forward for transparency prior to voting.
 - Motion to adjourn by Tim Czapranski, seconded by Tim Kelly. Motion passes.