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FEBRUARY 8, 2011

The Town Of Corinth Town Board held An Emergency Meeting with the Village Board on February 8, 2011 at 5:30 PM at the Town Hall.

Present: Richard Lucia, Supervisor
Charles Brown, Councilman
Edward Byrnes, Councilman
Mitchell Saunders, Councilman
Rose E. Farr, Town Clerk
Robert Hafner, Town Attorney

Excused John Major, Councilman

Bradley Winslow, Village Mayor
Melanie Denno, Village Trustee
Leigh Lescault, Village Trustee
Pauline Densmore, Village Trustee
Martin Auffredou, Village Attorney

Excused: Julius Enekes, Village Trustee

Public: Kate Halliday. Attorney Jim Trainor, Fran Nichols, Ray Bush, Linda Hamm, Beverly Jacon, Don Briner, Janet Briner, Jim Murray, Sr., Joel Jenkins, Travis Flint, Lisa Flint, Shari Jensen, Brandon Stautner, Sherry Mann, Sigrid Koch, Shelly DeLong, Stephanie Madison, Ed Kelly, Julie Kelly ,(Channel 6 CBS) C.J. Spong(Channel 9 YNN), Melody Burnham, Wendy Clements, Linda Walsh, Ansel McKnight, Caroline McFarlane, Josie Miner, Bernard Gille, Tracy McIntyre, Vernon Brownell, Randy Tubbs, David Ordway, Toni Hall, Michael McKelligott, Sue Winslow, Lynn Walker, Judy Walker, Connie Tubbs, Karen Bourdeau, Tammy Martineau, Brian Martineau, Michael Drolette, Donna Briner, Mike Briner, Michelle Roberts, Mark DeSimone, Michele Eggleston, Rose Butler, Karen Saunders, Shawn Eggleston, and Christopher Eggleston.

After roll call by both the Town Clerk and the Village Clerk the following business was transacted:

Supervisor Lucia told the public that this is a workshop meeting between the boards for a joint application to the State Emergency Service Bureau. Supervisor Lucia said that there would be no public participation at a workshop but the Town Board will take comments at its regular meeting this Thursday, February 10th, 2011 at 7:00PM. He said each speaker must sign up prior to the Town Board meeting and will be given five (5) minutes pursuant to a Town resolution.

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Supervisor Lucia told the public that the Town Board passed a resolution at last Thursday's meeting, with public present, to send our resolution on to the state. He said that in further conversations with the state it was said that the Village must also pass a resolution to be included in the Town's CON and that is the purpose of tonight's workshop.

Supervisor Lucia told the public that last Thursday's meeting was a very short scheduled workshop adjourning to Executive Session to pursue personnel interviews. He said the front doors were open until 9:00PM and the Town Clerks were in their office until 5:30 PM during which time people came in and paid taxes to them. Supervisor Lucia told the public that the meeting was not a closed door secret meeting as was reported to the news media.

Supervisor Lucia then turned the meeting over to attorneys.

Attorney Hafner said that the purpose of the meeting is that the Town, last week, did a resolution as was advised by the Department of Health to move forward to obtain a Certificate of Need for the whole Town of Corinth. Attorney Hafner said that when the resolution was filed with the state the person in the Department Health Emergency Service Bureau advised Supervisor Lucia that because the Village is a separate municipal entity within the Town that they required that the Village request and obtain a Certificate of Need for the Village and that the Village could then, as part of that resolution, provide that all services would be provide pursuant to a contract with the Town of Corinth. Attorney Hafner said that this was a surprise to both counsels and the purpose of this meeting is to discuss this.

Attorney Auffredou said that it does come as a surprise and he has never heard of the Village needing a separate Certificate of Need but if that is the case that is the case. Attorney Auffredou said that he will speak to the individual at the state about her recommendation and advice and will report back to the Village Board. He said that if it was the direction of the Village Board he could craft a resolution. He said he thought this was a formality that the Village Board needs to do to support the Town in its efforts to get their Certificate of Need and provide services.

Supervisor Lucia said that he spoke to the woman at the state again today and was she reaffirmed the fact that the Village needs to pass a resolution. He said that she told him it was only a paper trail and it would be of no cost to the Village because the emergency services is already in the Town/Village service from the town.

Attorney Hafner said that the Town did give Attorney Auffredou a copy of the resolution that the Town prepared and the State had accepted for use in preparing a Village resolution. Attorney Auffredou said that he has that and can use it as guide.

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Supervisor Lucia said that the state told him that the Village would have to add a paragraph stating that they would be contracting with the Town of Corinth for emergency services.

Mayor Winslow asked for any discussions on this matter from the Village Board members.

Trustee Lescault said that she wished to make a statement and she made the following statement on record: She said that it is her responsibility to make sure the Village residents are protected and have the best emergency services they can get and she is concerned that there was no communication to the Village from the Town about the problems that were being had. She said that they heard this on the street and she feels that at this time she is being forced to make a decision and she doesn't know why she is being forced to make it except that she has the fiduciary responsibility to protect the residents of the village. She said that her feeling is that the lack of communication between the Town and the Village was an error.

Supervisor Lucia responded that he did not think ever in the history that the Village Board has been included on a contract with the squad. Trustee Lescault said that she did not say the Village should have been in on the contract negotiations but she was saying that the Village should have been notified that their residents were in danger because there was no coverage. Supervisor Lucia said that this has only been since January 31st. Trustee Lescault said the Village should have been notified Supervisor Lucia said that he called Mayor Winslow.

Trustee Denno said that she feels that the Village Board has not been in on the conversations that the Town Board has had with the squad and therefore the Village is at a loss on how we could get to this point where we no longer have a volunteer ambulance squad and we need to get our own. Trustee Denno said that the Town Board is privileged to this information and the Village Board is not but the Village Board still needs to take care of their residents just like the Town Board does the town residents so the Village Board has to move forward with the Town's plan. Trustee Denno said that the Village Board was not part of all the history so it makes the Village Board feel like they are out in left field.

Councilman Saunders told the clerk that there was a workshop with the squad and the attorney. He said he didn't know the date but if the public could be apprised of that date so the public could review those minutes. Councilman Saunders said that Trustee Denno does make a valid point.

Attorney Hafner said the Town Board and the squad have been in negotiations for a long time and at no point did the Town Board feel that there would not be paramedic/ALS service to the Town of Corinth. He said that everything that they were working towards was to continue that level of service. Attorney Hafner said that the Town Board has made it consistent, for as long as their firm has been counsel, which they are very proud of the services that have been provided and the number of lives that the paramedics have saved. He said that the Town Board

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was shocked to find out on the day it happened, January 31st, that there was no ALS coverage. Attorney Hafner said the Town Board was scared and you could tell how concerned they were. Attorney Hafner said no one had any thought that this might happen. He said that his firm has worked with contract negotiation many times with other entities and there is never a time when that coverage is not provided. He said sometimes it takes a while to work through the logistics of the contract but to be at a point where you find out after the fact on that same day that was a shock to the board. Attorney Hafner said that was just nine (9) days ago. He said that the Supervisor told him that he called the Mayor.

Attorney Hafner said the Village saying that they were not kept in the loop and this is only nine (9) days later and the Mayor was advised immediately upon the Town knowing.

Trustee Denno asked if there was no chance that the Town could work it out with the present squad. Councilman Saunders said that the negotiations started back in mid July and he said he thought there were eight (8) points that the Town Board wanted to clarify before they got into a contract. He said several of them were addressed and then it came down to a couple of other issues that needed to be addressed. Councilman Saunders said the contract was ending on December 31st and then the board was asked to extend it to another month until January 31st. Councilman Saunders said the only thing that stopped was the Town paying the invoices that the squad submitted. He said that the Town Board even sent two board members down to meet with the squad in the interim without attorneys. Councilman Saunders said that if there was any chance that the Town could work it out with he believes that the present administration would have to resign from the Emergency Squad and a new group would have to take over.

Supervisor Lucia told the Village Board that on the Thursday before all this happened the Town received a letter from the squad's attorney stating that they knew the contract runs out on the 31st but that they would be providing the same emergency care that the town has been getting and the question was asked if the Town was going to keep its paramedics because the squad needs the paramedics. Supervisor Lucia said he told them that indeed the Town was going to keep the paramedics. Supervisor Lucia said the letter confirmed that the emergency squad would continue coverage and they knew that they would not get any more money after the 31st because the State Comptroller told the Supervisor that the Town could not pay the squad anymore without a contract. Supervisor Lucia said he has the letter stating that they would keep the emergency services as long as the Town kept the paramedics and then everything happened on Monday.

Trustee Densmore said that it is very surprising to her and she is having to absorb so much in such a short time. She said her family has been part of the squad for so many years and it is shocking to understand all this.

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Trustee Denno said if she understands it the fastest way to proceed is for the Village and Town to form their own ambulance. Councilman Saunders said that was what he thought.

Mayor Winslow said the first time he knew something was going on was Thursday afternoon when he received a call from an anonymous source who asked what he was going to about the squad. He said he had no idea anything was going on until he received that telephone call. Mayor Winslow said that if the negotiations had been at a critical level for a week then there should have been a board meeting before all this happened and there should have been a little bit better communications. However, Mayor Winslow said he does understand how quickly things came down for the Town Board as well.

Mayor Winslow said that he is speaking as a former squad member. He said both he and his wife served for many years on the squad. He said he is beside himself to have to take an action that could put an end to the squad as he has known it. Mayor Winslow said it is a very tough decision, but the Village Board's and Town Board's primary function is to make sure that we have the very best emergency services available. He said that if things cannot be worked out with the current squad for a long term solution he doesn't see any other way to go. Also he said if this is the way to get the ALS back in service in the fastest way he thinks this is the best to move forward with this.

Trustee Densmore asked if the Town and Village had coverage at this time. Supervisor Lucia said that between 6:00AM and 6:00PM there is automatic mutual aid coverage which means we would get mutual aid from somewhere else. He said this is because the present squad that we have is not available during those hours and this is why the Town had gotten two paramedics to cover the daytime. He said from 6:00 PM to 6:00 AM there is Basic Emergency Services and anything requiring ALS the emergency squad must call someone else for Advance Life Support (ALS).

Supervisor Lucia said we need our own coverage back. He said that there was an issue at the school wrestling this passed Saturday and it was forty (40) minutes before somebody could get there. Supervisor Lucia said that if we had had our paramedics they would have been there.

Trustee Denno said she wanted to thank Supervisor Lucia for taking this matter so seriously and for taking the initiative that he did because it is about lives not money or jobs or anything that we have on the table that are being argued about. Supervisor Lucia said that it is not easy.

Attorney Auffredou asked if the town saw this as a long term solution. Supervisor Lucia said that anytime you go through the Municipal Declaration the Certificate of Need is not issued for two years. He said it is a process that is watched by the state for two (2) years and then you go through the whole process again and that is when the actual Certificate of Need is issued.

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Supervisor Lucia said that through the fast workings of the board, paramedics, State and County everything is in place. He said with the cooperation of the Village we have a place, we have an ambulance available, we have other equipment available. He said that there is some equipment at the squad building that the Town bought for the paramedics that is the Town's and as soon as this gets approved, which could be as early as in two (2) weeks, they would be able to roll and we would have our paramedic coverage back.

Councilman Saunders told the Village Board that the Town still kept their full time paramedics on the payroll. Supervisor Lucia said that they are doing the paperwork, etc. Attorney Hafner said that was done in order to make sure we don't lose skilled services to help save lives.

Attorney Auffredou asked Supervisor Lucia if in order to meet that timeframe was he asking for a resolution tonight. Supervisor Lucia told him that the lady at the state asked that if the resolution could be passed tonight and sent to her tomorrow with the other paperwork that needed to be sent in.

Trustee Denno asked if we should consider adding any additional coverage for until we have state approval. Supervisor Lucia said that we could. He said he was obtaining quotes from neighboring agency but that comes with a cost. Supervisor Lucia said that a price cannot be placed on a human life. Councilman Saunders asked if the Town contracted with an outside service would Bernard Gille's license cover him to work. Mr. Gille said it would not. Mr. Gille said he could not be an employee of the Town of Corinth and work for say West Glens Falls. Councilman Brown said that Mr. Gille works part-time for Saratoga so if Saratoga was the one that was contracted with. Supervisor Lucia said that the Town has spoken with Saratoga, Empire, Luzerne, and Mohawk.

Supervisor Lucia said the state gave the following options:

- Current squad going with hiring Empire or Mohawk permanently;
- Go with the Municipal Declaration;
- Hiring out everything to another outfit.

He said that the Town Board decided to go with the Municipal Declaration. Mayor Winslow asked if the Town Board already did their resolution. Supervisor Lucia said they did and already sent it in. Supervisor Lucia said that he spoke to the woman from the state and she had the faxed copy of the resolution that was sent in and is waiting for the return receipt copy.

Supervisor Lucia told the Village Board that the resolution that the Town passed said for the entire Town of Corinth (including the Village) and that is when the state said that they must have misled the Town and that there needed to be two separate resolutions one from the

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Town and one from the Village. Attorney Hafner said that this did not make sense to him because the Town does it as a Town wide tax, the Village is part of the Town.

Supervisor Lucia said there has been some brainstorming with Brad and Sue regarding the paramedics and with Melanie as far as insurance goes. Supervisor Lucia said he thought that they were right on top of everything for getting ALS back in our Town as soon as possible.

Trustee Denno asked if the Town Board would be considering hiring ALS services for the two week period that this is going to take. Supervisor Lucia said that the Town Board is still waiting for the cost involved. He said it had to be some entity that already had a Certificate of Need. Supervisor Lucia said that every day there is something new coming up. He said it is very emotion and hard and all we have to do is make sure the coverage is back where it belongs.

Trustee Denno said that before the Village Board makes a vote she must make a couple disclosures. She told the boards that she has a professional relationship with the EMS and a past and present professional relationship with the Town of Corinth in regards to insurance. She said that they both buy their insurance from TD Insurance and that is her employer. Trustee Denno said that at no time has she received a commission for either EMS or the Town of Corinth. Trustee Denno said that considering everything that is going on she still thinks she can be fair and make an impartial decision. Supervisor Lucia said that he will vouch for Trustee Denno and she has been absolutely wonderful for every party of everything that we have ever had. Supervisor Lucia said that she has always been fair and honest. He said he would request that if there is question that Trustee Denno be allowed to vote.

Mayor Winslow asked that Attorney Auffredou read the resolution. Attorney Auffredou told the Village Board that he wanted to voice the resolution and then go back to his office tomorrow to put the resolution writing. He said the resolution would become an official record of the Village to be submitted to the State.

Attorney Auffredou voiced the resolution to the Village Board and the resolution was made, seconded and carried by unanimous vote of the Village Board Members present.

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RESOLUTION #99

MOTION TO ADJOURN

On a motion of Councilman Saunders and seconded by Councilman Brown the following resolution was

ADOPTED Ayes 4 Lucia, Brown, Byrnes and Saunders
 Nays 0

RESOLVED that with no further business the board adjourn at 6:05PM.

Respectfully submitted,

Rose E. Farr, RMC
Town Clerk