

The Fremont Town Board held their Regular Town Board Meeting on November 9, 2022 at 7:00 PM.

Supervisor Murray called the Meeting to order at 7:00pm; led the Pledge of Allegiance, Councilman Burns gave the invocation.

Present Town Board: Supervisor Emily Murray, Councilman Cynthia Smith, Councilman Dean Kiefer, Councilman Carol Burns and Councilman Bert Candee.

Guests: Hornell Mayor John Buckley and Hornell Fire Chief Frank Brzozowski

Thirteen residents attended the meeting.

Reports of Public Officials were read and are on file: Justice Betsey Farley, Assessor Holley Smalt, John Leonard, Jr., Code Enforcement Officer, Debra Matthews, Dog Control Officer, Highway Superintendent Tom Flansburg.

Superintendent Flansburg stated that the Board received his log and the 2020 Mack needed four new tires and the 1999 Mack had brake issues. He also needs to have an ad placed for an on-call part-time MEO because Carl McNaughton resigned.

#### **Old Business:**

##### **Resolution #98 Approve the Minutes from Public Hearing October 11, 2022 Town Budget**

Motion by Councilman Candee seconded by Councilman Kiefer Resolution #98 was adopted: Resolved to approve the Minutes for October 11, 2022 Public Hearing on the Town Budget. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye, Burns abstain. 4 Aye 0 Nay 1 Abstain.

##### **Resolution #99 Approve the Minutes from the Regular Town Board Meeting on October 11, 2022**

Motion by Councilman Candee seconded by Councilman Smith Resolution #99 was adopted: Resolved to approve the Minutes from the October 11, 2022 Regular Town Board Meeting. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye, Burns abstain. 4 Aye 0 Nay 1 Abstain.

Supervisor Murray asked Councilman Kiefer for an update on the doors from Flower City in Rochester. He informed the board the doors were ordered and once they are received, they will schedule a time to install them. He needed to know how many keys are out there for the front door.

#### **New Business:**

Supervisor Murray introduced Mayor John Buckley and Fire Chief Frank Brzozowski to the town board. They are here to explain why the City of Hornell wants a contract with the Town of Fremont for ambulance service. Mayor Buckley began with the Hornell Common Council passed a resolution that requires all municipalities that the City of Hornell provides EMS (ambulance services). Require all municipalities going forward have a contract with the City of Hornell to provide this service. The City of Hornell provides these services to the City and Hornellsville year around. Our neighbors in the surrounding areas are supplied with supplemental services when the municipality volunteers cannot answer the call then the 911 dispatcher will go down a list then it falls to Hornell. What we have seen over the past few years is a decline in volunteers due to aging population; New York State does not make it any easier; volunteers are working out of the town area as well. With that said and with the aging population we in the City of Hornell are getting more pressure to respond out of town. Our call volume has increased exponentially. The City of Hornell has 7 ambulances (6 that are used and 1 for reserve if needed). We are getting pulled further and further out and more frequently. There are staffing issues, cost issues, liability issues, training invested in the ambulance crews. We have an ALS department and EMTs and Paramedics. These people do not grow on trees. We send our people to paramedics' school and it is a huge commitment on the city taxpayer's part. They just cannot do it for free any longer, it is not fair to the city taxpayers. That is why the City of Hornell Common Council passed this resolution requiring a contract with any municipality that we provide service to going forward beginning April 1<sup>st</sup>. Why April 1<sup>st</sup> it is the beginning of the City's fiscal year and it gives us time to have conversations like this with the different municipal officials. We are talking about ten different municipalities historically that we have provided services for. One of the things we are seeing more and more are lift assists, I have fallen and can't get up and it is 10:30 at night and the volunteers cannot get out so Hornell is dispatched. We have the ability to bill the patient's insurance but we don't have any contracts other than the Town of Hornellsville. So, when we go we are basically providing a free service and that is not fair to our taxpayers. It has become not feasible going forward. That is about it in a nutshell. The Fire Chief can talk more about what the volume and what they see on a daily basis.

Frank Brzozowski, Fire Chief, stated that they have two types of calls ALS and ELS. What has happened in other communities is that the volunteers do not work within their communities any longer to they are not available to respond to the ambulance calls. Fremont Volunteers do a great job but they need that advanced life support service. The resources that we are spending on these calls are not being reimbursed. We used to have about 14 calls in a month and now this number is weekly. The numbers keep creeping up. All call volumes are increasing in all areas. The burden has come back on us. That is why we are here tonight to answer any questions you may have.

Supervisor Murray asked how many calls a year for Fremont does the City of Hornell respond to? We did a survey study and it was estimated that in 2019-2021 the average was about 22-25 calls a year.

Barry Dye stated that the Fremont ambulance does about 200-300 calls a year.

Tom Flansburg asked is they bill insurance companies and what kind of money are you asking for? Mayor Buckley stated that they will also bill the insurance companies as long as they have a contract with the municipality. The cost to the Town of Fremont would be \$600 per call with a mileage flat rate charge of \$51.00. They based a flat rate mileage beginning from the fire department to the municipality's town hall. A contract needs to be in place by April 2023.

Supervisor Murray asked if the cost would be different for ALS vs ELS. No, just a flat fee.

Supervisor Murray stated that the budget was already done for 2023 and it would be difficult. She also asked how it would be billed. Mayor Buckley said it would be quarterly.

Barry Dye stated that Fremont works with Hornell very well and are fortunate to have Hornell close by. For an insurance policy to have Hornell so close that other districts have to wait possibly an hour for an ambulance. There are times where lives are lost due to this. 911 dispatches the crews and go down a list and it may be 30 minutes before they reach Hornell on the list. People get upset because we send them a bill for the ambulance because we got the call because their local ambulance could not make the call. We do run into instances where people don't have insurance and cannot pay. So, we just write it off. Over time this adds up. They did 133 calls in the village of Canisteo and the Town these add up to a lot. It is a lot of wear and tear and not feasible any longer.

Bruce Smith asked if an accident happens on I86 and Hornell is sent who gets billed. Mayor Buckley stated if it is in your municipal boundaries the Town of Fremont would be billed. We have the ability to charge anyone's insurance but the call would be charged to Fremont.

Supervisor Murray asked if charging the Town and billing the Insurance companies would be considered double dipping? Mayor Buckley said no. She calculated the amount to be around \$20,000 a year based on the number given by Mayor Buckley. No because that is the way it is in Hornell. We pay taxes and if I were to need an ambulance, I would get a bill for the ambulance call also.

Bruce Smith stated that the Fremont ambulance can bill insurance companies now.

Dan Hammond asked how the Town was going to get billed and was told quarterly for only the number of calls that were done. It may fluctuate each quarter. Dan Hammond asked how do we budget for this? Mayor Buckley told him that the Town should budget a few more calls than quoted. If we budget for 30 calls it would be \$20,000.

Bruce Smith stated that this \$20,000 would increase his taxes \$10 every year. Does this mean I am going to pay this \$10 from here on. Supervisor Murray said yes. Bruce thanked Hornell. Mayor Buckley stated that it costs the City of Hornell \$3 million to run the ambulance operation.

Supervisor Murray stated to Barry Dye that they do the calls for South Dansville and Howard and he said yes. She then asked Mayor Buckley how will this work and he said at this time Hornell is not going to provide service for those areas. So, if you get a call from Howard are you going to say no? He said if there is no contract then we will not respond.

Barry Dye stated that legally you have to respond due to mutual aid. Mayor Buckley said that is not true. Mutual aid is not full service. Barry suggested that he read a document he had but Mayor Buckley said we do not have to go anywhere we do not have a contract with. That is a fact. I have had discussions with Jack Wheeler and been to several county meetings with public safety and various attorneys. Any municipality does not have to provide service to other municipality without a contract.

Supervisor Murray stated that the Fremont Fire Department has a contract with South Dansville and Howard.

Bruce Smith asked who would get charged if Fremont goes to Avoca and requests aid from Hornell? If there is no contract with Avoca then Hornell will not go. We have to have a contract. It's a liability.

We had a call last year out of Canisteo and an ambulance crew member fell and broke his ankle and we had to cover the costs of him being off for six months.

Supervisor Murray asked who would be responsible for the liability and Mayor Buckley said the Municipality would be responsible. Bruce Smith asked if Hornell already had this liability insurance and was told yes in the City only. Supervisor Murray said the town does not have insurance to cover workers coming in and doing this. Dan Hammond said we now just incurred another added cost. The budget has already been set as well as the Town Insurance.

Supervisor Murray asked Mayor Buckley if he had a copy of the contract he is proposing. He said yes and gave her the copy. The town clerk went to make copies of the contract for the other Board members.

The municipalities need to have skin in the game.

Councilman Kiefer asked Fremont Fire Department members how they feel about the contract? Barry Dye thought it was something we need to have. We need Hornell ALS. Councilman Kiefer understands that there are costs to have an ambulance crew. Barry Dye said that their supplies expire in their ambulance and need to be replaced every month so imagine if you had seven ambulances. The cost would be high.

Shawn Smith stated that Hornell needs this contract by April 2023. Does the Town have this money to do this contract. Supervisor Murray told him that there is always a built in cushion in the budget for emergencies.

Supervisor Murray stated that she did not like the double dipping that Hornell would be doing and I don't like how if Fremont responds to a call in Avoca or South Dansville then Fremont requests aid from Hornell then the cost would go to Fremont for this call.

Bruce Smith stated that the Town has nothing to do with the Fire Department so why can't Hornell do the contact with them directly. The town does not own the Fire Department they just contract with them. Mayor Buckley stated that it has to be a municipality.

Mayor Buckley does not believe they are double dipping. Hornell taxpayers pay taxes as well as charged for ambulance calls.

Supervisor Murray asked Mayor Buckley if they could work with Howard and South Dansville to acquire contracts. They will reach out to them. A contract does not change what we do.

**November 8, 2022**

**Town Board Meeting Continued**

**7:00pm**

Superintendent Flansburg asked Mayor Buckley about the Reservoirs going up and down and he said that LaBella was looking into creating a plan with the costs to maintain them. We really need rain

Bruce Smith asked if Hornell gets called out when Fremont does not need them will Fremont be charged? Mayor Buckley replied yes. Bruce stated that that was not fair.

Supervisor Murray thanked Mayor Buckley and Frank Brzozowski for coming to the meeting.

Supervisor Murray read Judge Farley's notes regarding the case against Alan Watts at 7748 Old Big Creek Road. Superintendent Flansburg stated that it is going to be a big cost to the town.

Supervisor Murray asked if the Board had reviewed the 2023 Highway Contract and wanted to discuss anything. Councilman Smith said she had some questions.

**Resolution #100 Move to Executive Session with Town Clerk**

Motion by Councilman Kiefer seconded by Councilman Smith Resolution #100 was adopted: Resolved to move into executive session with the Town Clerk. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #101 Resume Regular Town Board Meeting**

Motion by Supervisor Murray seconded by Councilman Smith Resolution #101 was adopted: Resolved to resume regular town board meeting. Roll Call of Votes: Candee aye, Smith aye, Kiefer aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

Superintendent Flansburg submitted the form to have Richard Bates put on the Memorial Board for the Town. Mr. Bates passed away before the start date of 2021. A discussion began and a vote was taken.

**Resolution #102 Approve the Place Richard Bates on the Memorial Plaque for his Service to the Town**

Motion by Councilman Kiefer seconded by Councilman Candee Resolution #102 was adopted: Resolved to approve placing Richard Bates on the Memorial Plaque for his Service to the Town. Roll Call of Votes: Murray aye, Smith aye, Kiefer aye, Candee aye, Burns aye. 3 Aye 2 Nay 0 Abstain.

**Resolution #103 Approval to Place Ad in Shopper for Part-Time MEO**

Motion by Councilman Candee seconded by Councilman Smith Resolution #103 was adopted. Resolved to approve placement of an ad for a on-call part-time MEO. Roll Call of Votes: Kiefer aye, Candee aye, Burns aye, Smith aye, Murray aye. 5 Aye 0 Nay 0 Abstain.

**Resolution #104 Approve to Pay the Bills**

Motion by Councilman Burns seconded by Councilman Kiefer Resolution #104 was adopted: Resolved to approve to pay the bills in the amount of \$15,120.53. Roll Call of Votes: Kiefer aye, Candee aye, Smith aye, Murray aye, Burns aye. 5 Aye 0 Nay 0 Abstain.

A discussion began regarding the road usage by the wind company. Superintendent Flansburg called the police and wants them fined. Councilman Smith asked if we should send a letter from the attorney. Supervisor Murray really did not want to spend any more money on this but told Superintendent Flansburg to send an email to Attorney Pullen explaining the situation.

**Public Comments:**

Councilman Kiefer suggested that a letter should be sent to Mrs. Bates regarding the Memorial Plaque and Councilman Burns will send a letter on behalf of the Town Board.

Supervisor Murray motioned to end the meeting. All were in favor.

Meeting adjourned at 8:30 PM

*Susan M. Peck  
Fremont Town Clerk*