

A Public Hearing was held by the Town Board of the Town of Moreau on January 5, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York, for the purpose of hearing interested persons for or against the proposed contract for the Year 2012 between the Town of Moreau and the Moreau Emergency Squad, Inc.

Supervisor Jenkins opened the Public Hearing at 7:05 p.m.

The Town Clerk called the roll.

**Town Board Members Present**

Robert J. Vittengl, Jr.	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

**Town Board Members Absent**

Bob Prendergast	Councilman
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**Also Present:** Jeanne Fleury, Town Clerk; Malcolm O'Hara, Attorney for the Town; Omar Aquije, Post Star Reporter; and the following members of the South Glens Falls Fire Co., Moreau Emergency Squad and/or the general public: Marylou Simmons, Betty Wimette, Nick Smith, Ron Quinn, Jr., Joshua Jacobs, Tressa Jackson, Mike Howard, Angela Howard, R. Oddey, Helen M. Glen, Garth Baker, Rusty Baker, Tim Pease, Pete Corlew, Jean-Pierre Delvaux, Huguette Delvaux, Don Ranck, Joe Bovey, John Bonn, Brian Abare, Ed Tracy, Ed Robbins, Donna Prout, Bobbi Spaulding, John Blanchard Jr., Adele Kurtz, Andre Delvaux, Steve VanGuilder and Danny Shannon

The Town Clerk read aloud the following Notice of Public Hearing that appeared in the legal ad section of the Glens Falls Post Star Newspaper on December 29, 2011:

TOWN OF MOREAU  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to Section 184 of the Town Law and Section 122-b of the General Municipal Law, that the Town Board of the Town of Moreau shall conduct a Public Hearing at the Moreau Town Hall, 61 Hudson Street, South Glens Falls, New York on January 5, 2012 at 7:00 p.m. for the purpose of receiving public comment on a proposed contract between the Town of Moreau and the Moreau Emergency Squad, Inc. Under the proposed agreement, the Moreau Emergency Squad, Inc. will furnish emergency and general ambulance service within the Town during calendar year 2012. The funds to be paid by the Town of Moreau to the Moreau Emergency Squad, Inc. for these services is Two Hundred Thousand and 00/100 Dollars (\$200,000.00). In addition, the Moreau Emergency Squad, Inc., on behalf of the Town, will charge and collect fees, established by the Town Board for ambulance services in the Town. The Moreau Emergency Squad, Inc. will be solely responsible for billing and collection of the fees. The fees, as property of the Town of Moreau, will be deposited into the general fund of the Town of Moreau and, periodically, an equivalent amount of said fees deposited will be returned by the Town of Moreau to the Emergency Squad for additional compensation for providing ambulance services in the Town of Moreau. A copy of the proposed contract is available at the office of the Moreau Town Clerk located at the Moreau Town Hall.

Jeanne Fleury  
Town Clerk

The Town Clerk read the following letters into the record:

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January 5, 2012

Preston L. Jenkins, Jr., Supervisor  
Town Board, Town of Moreau  
P.O. Box 1349, 61 Hudson St.  
South Glens Falls, NY 12803

RE: 2012 Contract

Dear Supervisor Jenkins and Town Board of Moreau:

The Moreau Emergency Squad, Inc. Board of Directors met January 4, 2012 to indicate their willingness to continue to provide Emergency Medical Services in accordance with the terms and conditions of the 2011 Contract between the Town and the Squad.

The Board has been made aware that a 2012 Contract has been proposed under the same Terms and Conditions. The Board has directed its Attorney to approve the form and content of that Contract with one exception.

The Squad clearly argued for funds in the sum of \$231,000.00 to satisfy certain basic needs to maintain the level of service in the Town of Moreau for the calendar year 2012. The Board is concerned (especially with certain inaccuracies reported by local media) that the total funds allocated will not be set forth in the final Contract.

The Squad implores the Supervisor and the Town Board to restore funding to the Squad in accordance with the terms of the 2011 Contract. The Board resolves to maintain full compliance with the 2012 Contract as the Board fully complied with the 2011 Contract.

Individual members of the Board and the general membership of the Squad have been instructed not to debate legal issues at the Public Hearing this evening but to simply advise as to the need for complete funding for the calendar year January 1, 2012 through December 31, 2012.

Thank you for your continuing support of our Organization.

Very truly yours,

MOREAU EMERGENCY SQUAD, INC.  
Steven M. Van Guilder  
President

SMV/tc  
cc: Kenneally & Tarantino, Esqs.

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Preston L. Jenkins, Jr., Supervisor  
Town Board, Town of Moreau  
P.O. Box 1349, 61 Hudson St.  
South Glens Falls, NY 12803

RE: Moreau Emergency Squad, Inc.

Dear Supervisor Jenkins and Board Members:

This correspondence will confirm that the undersigned continues as General Counsel to the Moreau Emergency Squad, Inc.

Our office has received and reviewed the proposed Contract between the Town Board and the Squad for the year January 1, 2012 through December 31, 2012. Our office has no objection to the form and content of that Contract with the exception that apparently the amount funded is less than the amount approved by the Town Board in the past.

The undersigned has been in communication with the Post Star to ensure correct information concerning the status of Contract negotiations. Apparently, the Post Star posted a correction to certain information on December 27, 2011. Regardless of media coverage of certain issues, it should be noted that the Squad is satisfied with the form and content of the 2012 Contract and has guaranteed full performance as in the past.

On behalf of the Squad, we would appreciate it if full funding would be reinstated in the final Contract for immediate approval.

In the meantime, it is my understanding that the Squad continues to function in the absence of a formal, written Contract.

Thank you for your understanding in reference to this most important matter.

Very truly yours,

KENNEALLY & TARANTINO

Dennis J. Tarantino

DJT/tc  
Cc: Moreau Emergency Squad, Inc.

Supervisor Jenkins stated that prior to the Town Board's Annual Meeting he met with three representatives of the Moreau Emergency Squad and discussed the issues and where they were at. Councilman Cumm, who is no longer a member of the Town Board, was at that meeting. He indicated at that meeting that the Town Board had decided that we would only put \$200,000.00 in the contract assuming that the conditions were the same as last year's contract and that we have additional funds in the Town Budget that could be put into the contract if there is full disclosure of all financial information other than medical information. They left the meeting with no decision. The article in the newspaper

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ignored the fact that there wasn't any settlement, just discussion. As far as he knows this is where the current Town Board stands.

Councilman Kusnierz stated that typically when the Town puts a contract together all the board members are involved in it. It involves negotiation between both parties. We did this with the Fire Company. They came in and sat down with us. He said this contract didn't involve the second party, the recipient of this contract. He asked why they wouldn't include in the contract any additional information that the Town Board wants from the squad.

Supervisor Jenkins replied that when he met with the squad it was understood that the Town Board was going to submit to them a contract the same as last year and that the Town Board would be willing to provide them with \$200,000.00 based on the fact that they would give us the same information as last year to look at. If they (The Moreau Emergency Squad) wanted to agree to provide full disclosure then he told them there was a good chance the Town Board would want to put the \$31,000.00 back into the contract and we would change the language in the contract to simpler terms so that they could do one accounting. We would only want a general financial review.

Councilman Kusnierz asked Supervisor Jenkins if he would agree that all the board members get copies monthly of the expenditures of the squad and one of the sticking points the past 1 ½ years has been the issue of payroll? He asked if this was fair to say.

Supervisor Jenkins said there were other issues.

Councilman Kusnierz said he was only aware of the payroll issue and asked what the other issues are.

Supervisor Jenkins said another issue is the cost that goes into the annual banquet in the range of \$16,000.00 to \$18,000.00 which they say is not our money. However, we provide support for their organization so it does impact us and our taxpayers. When we had our budget meeting there was discussion on the purchase of a vehicle in the future and they had already purchased two new vehicles that created debt for the organization yet they never mentioned it. That is another issue. There are a lot of issues that he is very concerned about. It is taxpayer's money so he doesn't know why there can't be full disclosure.

Councilman Kusnierz said it has always been like trying to hit a moving target so he wanted to make sure he understood the issues and he understands them to be: The cost of the banquets, payroll and the board as a whole would like to see money set aside for a new vehicle.

Supervisor Jenkins stated that is part of it, but he is also very concerned about decisions that the squad has made. For one the new debt that was created for new vehicles, that are actually personal vehicles.

Councilman Kusnierz stated that these are very difficult economic times and we have a not-for-profit entity that is having their budget not capped at 2%, not capped at 0%, but is \$31,000.00 lower than where they would have been had they received the 2% that all of our other not-for-profits received.

Councilman Kusnierz asked Supervisor Jenkins if he went over the squad's financial records in great detail when he met with the squad two weeks ago.

Supervisor Jenkins replied no. They had a general discussion of what they thought the issues were that have to be resolved. They discussed what the shortcomings are and what the Town Board needs to see.

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Councilman Kusnierz asked Supervisor Jenkins if he saw their total financial picture of what they spend annually and how much they take in. He said he doesn't know, because he wasn't at that meeting and he didn't get a report.

Supervisor Jenkins said they didn't look at financial information. Previously he looked at two months worth of expenditures from an account they call the "Town of Moreau Account", which is an operating account. The expenditures in there were all eligible and that has never been a question. We provide the support services for them to run the organization and it is his belief that we need to get answers to questions from the citizens. Taxpayer's are concerned. The statement he hears often is "if there is nothing to hide and no problems then why don't they disclose the information, why don't they open up the books". To say those books have been opened up to us is like looking at business records and only looking at accounts receivables. It is an incomplete presentation of the total finances of the operation.

Councilman Kusnierz asked why it isn't in the contract then.

Supervisor Jenkins reiterated that he told the squad that we were preparing the contract this way and if the squad gave us full disclosure of the financial information then we would change the contract by shortening up the language to make it easier for them to operate with just one account.

Councilman Kusnierz told Supervisor Jenkins that he made some valid points and he knows that this whole issue could probably go away if the squad was amendable to indicating what each individual's salary was. We have gotten schedules of what the rates are for various classes of employees down there. He asked if anybody knows how many employees or volunteers are involved with the squad.

Supervisor Jenkins said it changes, but he thought that there were around 24 paid employees, but most were part-time.

Councilman Kusnierz said that he was not in support of the \$200,000.00 for many reasons. He stated that our squad provides a phenomenal level of care and probably one of the highest levels of care in the area and by contract they are not allowed to charge for certain services they provide. One category is the contractual allowance. The definition of contractual allowance is what is mandated by insurance carriers that the squad cannot legally bill for. He asked if any of the board members knew what that amount was for 2010 or 2011. He said he would give it to them. For 2010 it was \$373,637.00. That is a lot of expense to absorb, an incredible amount he said. The most recent figure he was able to obtain for 2011 is \$265,000.00. He said the combined total is \$640,000.00 that the squad has absorbed and we as a board are looking at just over \$200,000.00 in previous years and this year we are looking at a fixed amount of \$200,000.00 of taxpayer's money to operate the squad. He doesn't see how they can maintain the level of service for this community and surrounding communities if we don't include that additional \$31,000.00. He said that is all he has to say for now, because he knows that the public wants to speak. He wanted to make sure that the broader picture was portrayed and that the public in general understands the financial situation facing not only the squad or fire department, but local municipalities especially with the 2% tax cap.

Supervisor Jenkins said he wanted to add something to Councilman Kusnierz's statement. He said that they know that with any medical billing process there are substantial amounts not allowed. They never get what is billed in any medical industry so he doesn't know what that number means. He doesn't question that it is going to put pressure on the squad. The only answer he has is that he knows where he stands and where he will continue to stand and that is that with full disclosure he doesn't see why they can't fulfill this problem.

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John Bonn asked if the Town Board was willing to “bribe” the squad for full disclosure to the tune of \$31,000.00.

Supervisor Jenkins told Mr. Bonn that he doesn’t agree with the language. He doesn’t look at it as bribery. He is doing his job. The taxpayers have told him that he needs to straighten out the problem. They feel disclosure is needed.

Mary Lou Simmons stated it isn’t bribery. Any institution has to disclose things. As the board has stated, they are definitely in favor of giving the money to the squad. She has no qualms about the service the squad provides. They provide an excellent service. There are so many innuendos going around the Town as to what is really truly going on with the squad and full disclosure would cover it. She has heard about people getting interest free loans on vehicles and she has no way of proving if this is right or wrong, but opening up the books would prove it right or wrong. Opening the books would solve all the problems.

Councilman Kusnierz said she made a good point by mentioning the word “innuendo”. He said that as a public body if they acted on every innuendo in this community we would be chasing our tails and that is not what the public is looking for.

Mary Lou Simmons replied that she has been on a board before and she knows that they aren’t going to open every issue.

Councilman Kusnierz said if he had factual information about something that was being done illegally, improper and against the wishes of the taxpayers he would be the first one to go after it.

Betty Wimette asked if he has seen the books.

Councilman Kusnierz replied that he gets a report every month. He hasn’t seen the evidence.

Mike Howard stated he is a resident and taxpayer and a volunteer on the Moreau Emergency Squad. He said the national average for ambulance care is \$500.00 per ride. Moreau EMS responds to about 1,800 calls per year and that equates to about \$800,000.00. The squad has a CPA that reviews the books. The squad provides copies of payroll reports, expenses, etc. We are talking about \$200,000.00 and \$231,000.00. He said he came to this board last year and he will do it again. He joined the squad shortly thereafter, because he believes in the mission they provide. He said we are talking about people’s lives. This is public safety. We aren’t talking about how many basketballs we are going to buy at the rec. or how many afghans we are going to get crocheted over at the community center. It is people’s lives. He asked if the squad was in full compliance with the 2011 contract yes or no.

Supervisor Jenkins replied yes.

Mike Howard asked why the reduction.

Supervisor Jenkins said that when we settled that contract we decided to see what would happen. We still have a lack of confidence in the disclosure information that they are getting. There is a big difference in a financial audit and the audit we are going through in Town Hall with the State Comptroller’s Office. It is a whole different approach to auditing. There is a lot more detail. If the rest of the records are as good as the ones he has seen then there shouldn’t be any reason to not disclose them to us.

Mike Howard mentioned the contractor that is building the highway garage and he asked Supervisor Jenkins if he has requested full disclosure from him.

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Supervisor Jenkins said he doesn't have to, because he is building the garage to a set of specifications and that is what we are going to get and it is not giving them an open checkbook.

Mike Howard stated that the squad provides a service per the contract. He told Supervisor Jenkins that if he wanted to get full disclosure then he should get it from everybody and not pick on just one.

Supervisor Jenkins told Mike Howard that he wasn't picking on anybody and told Mike Howard that he was entitled to his opinion.

Rusty Baker asked how many other private companies that the Town Board deals with provide full disclosure before the Town release's taxpayer's dollars.

Supervisor Jenkins said the only other two non-profits is the Moreau Community Center and Fire Company and we get full disclosure from them.

Rusty Baker asked about fuel oil or diesel fuel. He thinks the prices are too high and he asked Supervisor Jenkins if he could investigate where their profits go. He asked how they could pick out three from all the private contractors that this Town does business with and not do all of them. He asked if there is a little discrimination going on and he asked for justification.

Councilman Kusnierz said that in both the contract with the Moreau Emergency Squad and the Fire Company in Article 5 we intentionally establish the independent status of the entity we are contracting with and he read the following: "During the existence of this agreement, the squad shall remain an individual, independent contractor, retaining its separate entity and shall in no way be considered a division, department or agent of the Town."

Supervisor Jenkins stated that if he buys fuel oil he is going to buy it at state contract or lower. They deliver it and we pay for it. The difference here is that we hand out a check and it gets spent. It is totally different.

Rusty Baker asked where does that check come from and he answered his own question by saying taxpayer's dollars. He said he just wanted to verify that. He then said there is a contract with the squad and the Town hands them a check, what is the difference? He said they want full disclosure from the squad, but not from the contractor building the highway garage, the guy we bought salt from and what about the guy who fixed the lawnmower? Did the board look at his finances to see if he spent the money on his wife to take her out to dinner with taxpayer's money before they handed him the check?

Councilwoman LeClair said she wanted to respond to this comment. She said that she has never had a taxpayer call her and ask for information on any entity with the exception of the emergency squad and it has been ongoing.

Rusty Baker asked Councilwoman LeClair if he called her and asked where the profits for fuel oil went will she look into it for him.

Councilwoman LeClair told Rusty Baker that she doesn't see how they can look into that and he knows that.

Rusty Baker asked why not.

Councilman Kusnierz asked Councilwoman LeClair how many calls she has received.

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Councilwoman LeClair said she didn't know. It has been ongoing.

Councilman Kusnierz said that was fair enough. He said his phone rings quite a bit when an individual in this Town has a problem and he always brings it to the Town Board. He hasn't received one phone call about a suspicion of impropriety or that taxpayer's dollars aren't being spent wisely and it boggles his mind, because he knows other Town Board Members are being contacted about this and he isn't. He said it leaves him scratching his head, how real is the problem?

Councilwoman LeClair said it may be that he has stated a different opinion than they have.

Councilman Kusnierz said he always has an open mind to everybody's opinion. He doesn't always agree with everybody, sometimes he agrees and sometimes he agrees with some and not others. He will always listen to somebody who has a complaint, but he hasn't gotten any complaints.

Angela Howard stated that the board was holding \$31,000.00 hostage, because the squad won't open up their financial records. She asked if the board was getting their salaries.

Councilman Kusnierz replied that they were getting a copy of total payroll monthly.

Angela Howard asked if that goes over and above the \$200,000.00 that the taxpayer's are paying.

Supervisor Jenkins said the payroll should be about \$425,000.00 a year.

Angela Howard stated that we are squabbling over \$200,000.00 that is coming out of taxpayer's money, but the board wants to know where everything else is going to. These guys, she said, are non-profit. They are working to save lives in our community. There are volunteers working there all the time and the board is squabbling over \$200,000.00 and they are holding \$31,000.00 hostage. She said she just doesn't understand it.

Ed Tracy stated that this whole thing sounds ridiculous. All they have to do is open their books. He said no one is a bigger fan of the squad than he and his family. They have made numerous runs for him and his family. The whole thing is very childish. They should open their books and put it to rest once and for all and all questions would be alleviated. There is nothing wrong with disclosing where public money goes. As Town Justice he had to account for every cent he took in. This has the Town split into factions and it is unnecessary. He said the squad should open their books and be done with it.

Nick Smith asked how much the 2011 contract was for and if the squad complied with the 2011 contract.

Supervisor Jenkins replied that the contract was in the amount of about \$228,000.00 and he only reviewed a couple of month's worth of expenses and they appeared to be okay.

John Bonn mentioned again about the highway garage that was being built.

Supervisor Jenkins mentioned how the payroll for the Moreau Emergency Squad was in the range of \$400,000.00 and the payroll for West Glens Falls Emergency Squad was around \$150,000.00 a year.

Councilman Kusnierz responded that he couldn't compare the two unless he knew what the level of service was and number of runs and things like that between the two entities.

Bobbi Spaulding asked if the two vehicles were purchased under state contract.



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Supervisor Jenkins explained that the vehicles are registered and insured under the name of Moreau Emergency Squad and that the salaries of the two individuals driving the vehicles are being reduced by the amount of the loan payments on the vehicles. He said he wasn't sure this was legal, but the squad will have to deal with it. He was told that the reason it was done this way was because in the past there was a case where a full-time employee was using a personal vehicle to respond to a call and was involved in a serious accident and seriously hurt and his insurance company wouldn't pay, because the vehicle he was driving wasn't a business vehicle or emergency vehicle. However, they are definitely personal vehicles.

Helen Glenn who retired from State Farm Insurance said it was true that if you use a personal vehicle while in the course of employment and you have an accident then your insurance company will not pay.

Adele Kurtz asked what happens if an uninsured person is picked up by the squad. Are they billed by the squad and monies collected.

Supervisor Jenkins stated that the person would be billed three times by law.

Andre Delvaux said that was correct. If it is not paid after being billed three times then the unpaid bill is sent to a collection agency. It is illegal to soft bill any patient.

Supervisor Jenkins said they receive a statement every month showing what they write off.

Mike Howard stated that there are three people in the room, including himself, who are attending training classes to become volunteer EMT's. The more volunteers the lower the payroll costs will be. He explained how Empire charges \$850.00 to transport a patient from Eden Park Nursing Home to Glens Falls Hospital and a similar run by the Moreau Emergency Squad would cost \$665.00. Health care costs are rising. The squad is doing their best to keep costs down. They turn the television off when they go out on a call to save on the electric bill. They are doing their due diligence for the taxpayers, because they are taxpayers.

Ed Tracy stated that no one is questioning the level of service that they get from the squad. They are head and shoulders above any other squad around. It is simple, just open the books and be done with it. Then the Town wouldn't be divided and people wouldn't be making accusations. Then we can move on to bigger and better things.

Councilman Kusnierz said that is the part that is confusing to him. What are they not showing us that the board wants to see? He said he is on the board and he doesn't know.

Ed Tracy said that Councilman Kusnierz is the one who is always questioning where the money goes and he would think that he would want to know where the taxpayer dollars are going.

Councilman Kusnierz said he didn't know why Ed Tracy said that. The full board should be doing that. He said he does know where the money is going. He gets a report every month.

Ed Tracy asked if it is complete with all their finances. He said the answer is no.

Councilman Kusnierz said it has everything that we have asked them for. He asked for someone to please tell him what they want to know. Do you want to know an individual's payroll?

Supervisor Jenkins said he wanted a complete opening of the records other than the medical records which are protected under the law.

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While Supervisor Jenkins was saying this Councilman Kusnierz interjected and told Supervisor Jenkins that he was talking in general terms and for him to please tell him what he wants to know. Supervisor Jenkins repeated the above.

Ed Tracy asked Councilman Kusnierz why he had a problem with that.

Councilman Kusnierz said he didn't have a problem with that, but that is what they are getting.

Supervisor Jenkins said no they aren't.

Councilman Kusnierz said it is in the contract and they provide it. He said he doesn't understand. The way he was interpreting it, is that he wanted to know individual payroll salaries.

Supervisor Jenkins said he wants a complete financial view of their business. He understands that he can't see medical records. He wants to see the total payroll records, checks paid, total finances.

Councilman Kusnierz said that is what he suspected all along, but it hasn't ever come out that way.

Supervisor Jenkins said he has said that many times back in 2010.

Councilman Kusnierz said no he did not and it was actually denied. He asked that question at every board meeting when they had this discussion.

Supervisor Jenkins stated that back in 2010 we went through that and we finally settled the contract after spending \$10,000.00 in litigation on a case that no bearing.

Councilman Kusnierz said they didn't have to. They could have lived by the contract.

Supervisor Jenkins replied that they didn't have to sign a contract either, but they did and the Town continued to give them money every month and the board did everything they could to get the information from them.

Councilman Kusnierz said actually we don't "give them money" we obtain a service that we pay them for.

Supervisor Jenkins said hopefully they will want the money and take it and give us the information we want and then we can give them the additional money. He said that was his opinion and it wasn't going to change.

Councilman Kusnierz said we should have this in the contract and he asked shouldn't we?

Supervisor Jenkins replied that he told them that we could put that in the contract. This is the contract if they take the \$200,000.00. If they want to take the rest then we will adjust the contract. We want visibility of the financials of the organization.

Nick Smith asked for the record if the board was asking to see every person's salary.

Supervisor Jenkins said he wanted to see the payroll records

Nick Smith asked if didn't he receive that information already.

Supervisor Jenkins replied that the board receives a summary.

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Nick Smith asked if he wanted to see a breakdown of what every person makes.

Supervisor Jenkins said he wants to see the payroll records.

Nick Smith said it was a yes or no answer.

Supervisor Jenkins said he doesn't know what the records look like. He hasn't seen them.

Nick Smith asked how much the Town budgeted for the Moreau Emergency Squad for 2012.

Supervisor Jenkins replied \$231,000.00 was budgeted for emergency services.

Nick Smith asked if that was the amount provided to the public as the amount budgeted.

Supervisor Jenkins replied no. It was made very clear at the Public Hearing that the \$200,000.00 was the amount the board was going to give them and the \$31,000.00 we would hold contingent on getting the additional financial information.

Councilman Kusnierz said in answer to his question the line item in the budget is \$231,000.00.

Supervisor Jenkins stated that he already said that.

Nick Smith said if they are being taxed on \$231,000.00 and at the end of the year there is \$31,000.00 left what happens to that money. Does it go towards new cushions for the chairs or where does it go.

Supervisor Jenkins said it becomes part of the fund balance.

Councilman Kusnierz stated that had there been intent to stay at \$200,000.00 then there would have been \$31,000.00 that could have been used to reduce the tax levy.

Betty Wimette stated that a lot of people got letters from the squad asking for donations. She asked why people would want to donate if the squad is not willing to open the books.

Tressa Jackson stated that there seems to be a focus on the paid staff and a lack of interest on the part of the board to see similar hours and information from the volunteer staff. She asked why there is no distinction between wanting to see the hours of the paid staff vs. the volunteer people. Is there justification for that?

Supervisor Jenkins replied that the board hasn't asked for that information, but if he received that information he would look at it. He is aware that there are a lot of volunteers working for the organization and that they have to put in so many hours in order to stay active in the organization the same as the Fire Company. He thinks it is just as important to look at.

Councilwoman LeClair stated that the questions from the public haven't been about just payroll. They have also questioned cell phones and trips. The public wants to know that the squad is being fiscally responsible. It may be that if they look at this information they may say they don't have a problem with it. The problem is that she doesn't know enough about it to know if there is a problem or not. People have told her that they have heard that the squad pays for training in Las Vegas and at local casinos within the New England area. She has heard comments about the cell phones that they use and how they are "way beyond what is necessary". No one has said to her that they feel that anything illegal has been done. The concern is that they are living on a champagne pocketbook and people are paying for the bills so that can

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happen. People don't support that. If she was in their position she would be quick to say we aren't living that way. We are paying our bills. This is how the cars were paid for. This is why we need the cars. The public doesn't know that. She said that the donations from the public seem to be going down each year and that is a reflection of that. They want to understand what is happening and she can't answer their questions only the squad can.

Councilman Kusnierz stated that the part that is confusing is that we have addressed this issue before and it has been a concern and we have worded the contract to spell out what we as a board expect from the squad, as far as, what their expenditures are and what they shall provide to this Town. He said the contract is identical from last year except the dollar amount. He referred to section (d) (i) under Article 2 of the proposed contract that lists what the monies from the Town can't be used for and he read in part: "payment of salaries for paid employees, banquets, monetary awards, fundraising activities, except that these restrictions shall not prohibit reimbursing members for telephone calls, food and beverage, and other business expenses related to the squad." He then read section (d) (e) as follows that he said was negotiated by the board with the squad: "In addition to the foregoing, upon request of any member of the Town Board, allow for inspection of all books and records of the squad to all funds provided by the Town including third party billing funds." He asked if they are not meeting the letter of the contract.

Supervisor Jenkins replied that they don't look at third party billing.

Councilman Kusnierz said they need additional language then.

Supervisor Jenkins said again that the discussion with the squad was that we would be willing to change all that language if we have complete disclosure of the information and then we wouldn't have to limit their spending. We may want to still say that they can't spend the money on a banquet, because we think it is a violation of their not-for-profit status. Most of the language we wouldn't need if they gave us full disclosure, because then we would know what the funds are being used for and it wouldn't bother him if some of the funds were used for payroll if that is what it is needed for. He said Councilman Cumm said at the Public Hearing that maybe we aren't giving them enough. In his opinion they don't have a very strong balance sheet. They talked about other issues. They haven't raised their rates since 2008.

Councilman Kusnierz said they can't raise their rates without Town Board approval.

Supervisor Jenkins said they haven't asked us to raise them since 2008. It may not make any difference, because they are only going to get so much from the insurance companies no matter what they bill.

Councilman Kusnierz said he by no means pretends to be a CPA. He doesn't understand what Supervisor Jenkins means by financial record. What he is looking for? He asked Supervisor Jenkins to be very simplistic for him so he can go to the squad and tell them what they need to have. He doesn't know what he is looking for.

Supervisor Jenkins said all they have to do is open up their books.

Nick Smith asked Supervisor Jenkins to specify what financial records he was talking about so he could understand as a taxpayer what financial records are not being opened.

Supervisor Jenkins said there are payroll records, there are several different check books, there are funds received from the public that he would like to see. He said there are other emergency squads whereby the municipality has to approve any equipment they purchase above a certain amount. We don't do that. We try to continue to have flexibility in that area.

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Nick Smith asked Supervisor Jenkins if his concerns were addressed in a formal contract and presented to the squad as a viable contract to be signed.

Supervisor Jenkins said he couldn't speak for the board, but he wouldn't have a problem if they were willing to agree to that and then they could release the balance of the funds and this is what he told Mike Seney three weeks ago. Mike Seney wasn't in a position then to agree to that. They were electing a new board on that Sunday.

Councilman Kusnierz asked who does the balance sheet for the squad.

John Blanchard Jr. spoke up and said he did.

Councilman Kusnierz asked him where he gets the information from.

John Blanchard Jr. said it comes off of quick book and the depreciation values come from Jeff Beecher.

Councilman Kusnierz asked if the balance sheet included all the money spent for each month.

Councilwoman LeClair replied only the money for the unpaid portion of the squad.

John Blanchard Jr. replied only the money from the Town.

Councilman Kusnierz said the balance sheet gives a documented accounting of the monies raised by taxes in this Town that fund the squad.

John Blanchard Jr. stated that it does not include the money from the Town of Northumberland. What the Town gets each month is an overview of the agencies expenditures.

Councilman Kusnierz asked if the profit and loss statement for each month that lists expenses such as: telephone, radios, fundraiser expenses, payroll taxes, payroll expense, is taxpayer dollars or all the money that comes into the squad.

Supervisor Jenkins replied that it is taxpayer dollars only.

John Blanchard Jr. stated that the problem with this report is that it shows a combination of payroll dollars, taxpayer dollars, donation dollars and it isn't only taxpayer dollars from the Town of Moreau.

Councilman Kusnierz said he heard tonight that the board wants to know how much donation money is taken in.

Supervisor Jenkins said the balance sheet is for the entire organization and the income statement is not for the entire organization. One doesn't complete the other and it isn't actually a complete set of records. They essentially have more than one set of books if they wanted to look at it that way. Their auditor at the end of the year combines them into one audited statement that he releases.

Councilman Kusnierz asked if there was a separate accounting for the insurance money.

John Blanchard Jr. said that wasn't done by him.

Steve VanGuilder replied it was done by the billing specialist.

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Councilman Kusnierz asked if they separate the money that comes in contractually.

Steve VanGuilder said yes, they never co-mingle.

John Blanchard Jr. said there are actually three different accounts; The Town of Moreau account, which is strictly Town of Moreau taxpayer contractual dollars, the general fund that contains taxpayer dollars from the Town of Northumberland and the donation money that comes in from both Towns.

Councilman Kusnierz said when he sees payroll expense on the report for November that includes taxes and other expenses, is it for all paid services for the month.

John Blanchard Jr. said he would assume so.

Steve VanGuilder said that is how Jeff Beecher set it up in quick books per the Town's request.

Councilman Kusnierz asked if money from insurance is going towards any payroll.

Andre Delvaux stated that the third party billing money is entirely for payroll. When their billing specialist bills for an ambulance call, that money is deposited into an account. On a monthly basis they go down to the bank and get a bank check payable to the Town of Moreau and they bring it to the Town of Moreau every two weeks for audit purposes. It is run through as a pass through audit by the Town and at the end of the week the Town issues a check for the same dollar amount that gets deposited into the squad's payroll account.

Councilman Kusnierz asked what the distinction is between an accounting of monies for payroll that we receive here vs. if you were to look at the books for insurance purposes for payroll.

Andre Delvaux said they even fax over a sheet on a monthly basis, which outlines contractual allowances, bad debt, how much received, how much is written off. It is based on the 2011 contract and the result of the litigation that they were amendable to. He said they also fax over bi-monthly a payroll summary that is prepared by Jeff Beecher. Jeff Beecher takes all this information and prepares the report that Councilman Kusnierz was referring to.

Councilman Kusnierz said there is no way taxpayers could foot the bill for payroll. Payroll was about \$30,000.00 for the month of October and contractually we were at \$228,000.00 last year.

John Blanchard Jr. said not even at the \$231,000.00 amount.

Councilwoman LeClair said that taxpayer's are paying for it. In the 2010 contract it says it is expressly acknowledged that the fees charged are the property of the Town.

Councilman Kusnierz said that Councilwoman LeClair didn't understand what he was saying. He said that the amount of money that is raised by the taxpayer's of this community that we pass to the Moreau Emergency Squad through a contract is not enough to pay for payroll.

Councilwoman LeClair said no it is not.

Mike Howard asked Supervisor Jenkins if the Moreau EMS was to obtain an independent audit from a licensed CPA and that CPA said that the accounting practices of Moreau EMS were in accordance with generally accepted accounting principles and there were no material deficiencies in those principles or no material deficiencies in their accounting practices would that satisfy him.

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Supervisor Jenkins said he has already seen that. It doesn't answer his questions. He said the CPA's have different interests than him. All they are concerned about is the financial position of that entity. They aren't giving money to the squad the Town of Moreau is. All he was saying is that if there aren't any problems in the records then why shouldn't they disclose the records to the board.

Nick Smith stated that the Moreau EMS is not a division of Moreau. Therefore, why is it okay for the Town to micromanage them outside of a contractual agreement.

Supervisor Jenkins replied that they don't have to take taxpayer's dollars if they don't want it, but he would assume that they need it and we want them to stay around and survive. They don't have to take the money. The Town isn't ordered to give them the money. We are asking to contract with them to provide a service and we are willing to give them money to do it. If they don't want our money they can operate without it, but he doesn't think they want to. So he thinks they should feel like they should give us the information. He doesn't understand the disparity there.

Nick Smith said he doesn't understand why this contract is treated differently than another sole entity contract that the Town may have that they are doing business with.

Supervisor Jenkins asked Nick Smith why he feels they are being treated differently.

Nick Smith replied that the Town is asking for specific records that the Town doesn't ask for from any other company or organization.

Supervisor Jenkins said he does from other not-for-profits, because we give money for operations. The other companies we don't give them money for operations. We give them money for gas, to build buildings, to give us telephone or electric service. We give them a check for a specific purpose. We are giving the Moreau EMS a checkbook of cash to spend. We are asking for the right to look at the information.

Ed Tracy asked what the big secret is. The Fire Company opens their books. The Moreau Community Center opens their books. He said again there is no bigger fan of the squad than he and his family. He doesn't understand any of this. It is simple. Just give us the information, open the books and be done with it and let our Town move on to bigger and better things.

Donna Prout stated that with the economy the way it is she thinks the squad is going to be in trouble. She said that maybe the squad needs \$300,000.00, but we don't know that. It sounds like they don't have enough money, because people aren't paying them. We aren't going to give them money if we don't know where it is going.

Steve VanGuilder replied that if they needed that much they would have asked for it. He told Donna Prout that for the \$226,000.00 she could come to the squad anytime and he would show her where that money is going. He will even show her the Northumberland account and that isn't their responsibility to do so. He will show her every penny. He said they sat down as a board at a Town budget workshop setting and said they came up with a figure of \$231,000.00 and Supervisor Jenkins said so did they. They both agreed on \$231,000.00 then Larry Bulman comes into a meeting and mentioned \$200,000.00 and all of a sudden Supervisor Jenkins comes up with \$200,000.00.

Supervisor Jenkins said that number came from the 2009 budget.

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Steve VanGuilder told Supervisor Jenkins that he was trying to move backwards. It was settled in litigation.

Councilman Kusnierz asked what the impact will be if we move forward with the \$200,000.00. Will the squad come to the board and ask for increased rates or will the squad absorb it and reduce services.

Steve VanGuilder said he can't answer that without board approval.

Andre Delvaux stated that it will impact service. The cost of medical supplies is going up on a daily basis.

Steve VanGuilder said this was nothing but a witch hunt.

Angela Howard reiterated what she said earlier about the Town holding the squad hostage to the tune of \$31,000.00.

Ed Tracy gave a comment again the same as he did earlier in the meeting.

John Hayes asked what the squad hasn't shown the board.

Supervisor Jenkins stated that they have more than one set of books and one set the president doesn't look at and the bookkeeper doesn't look at. They should have one financial presentation and it should include everything. We get that at the end of the year from the CPA. The CPA takes the separate books and puts them together at the end of the year, but he doesn't look at some of the information that he wants to look at.

Steve VanGuilder said that Supervisor Jenkins wants to know what Andre Delvaux makes, what Mike Seney makes, etc. He wants to know what all the paramedics make. He said they have given the board that information. They gave the board a starting salary and a base salary.

Councilman Kusnierz said he asked for that information and the board members did receive that information. The board received a rate per hour of the various classes of employees in the squad.

Councilwoman LeClair said she and Steve VanGuilder had a conversation about a copy of a schedule that somebody left for her. I asked questions and the squad foiled the papers and they received the papers and saw what it was. If it was incorrect then why didn't the squad come to the board and public and say so. She said that she doesn't know if it was incomplete or not right.

Andre Delvaux said that schedule changes on a daily basis.

Steve VanGuilder said that if Councilwoman LeClair read the top of the schedule it reads for members only and he said it is privileged information. He said it would be like Councilwoman LeClair calling the Glens Falls Hospital and ask what doctor is working.

Councilwoman LeClair said if it is in her front door and she is looking at it, then at that point it is in her hands whether Steve VanGuilder calls it privileged information or not.

Steve VanGuilder asked Councilwoman LeClair why she didn't call him when she received it.

Councilwoman LeClair said she received it 10 minutes before a meeting.



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Steve VanGuilder said she should have called him and told him that she received a document that was marked for members only and asked what it was all about.

Councilwoman LeClair said she did ask him at the meeting. We haven't gotten an explanation yet.

Andre Delvaux asked how many times they have to explain it to the board. They explained it in 2006 when the program was set up and every year thereafter.

Rusty Baker said that Supervisor Jenkins said several times at this meeting that there was information that he hadn't received and Councilman Kusnierz said that the board did receive it and Supervisor Jenkins said he hadn't read it. It was said that the third party billing information was received and that Supervisor Jenkins said he didn't read that either.

Supervisor Jenkins said he didn't say that. He gets the same copies that Councilman Kusnierz gets and he does look at them. What he said was that he didn't remember the rates that they received about two years ago.

Rusty Baker said it seems that Supervisor Jenkins wants more information that he isn't going to look at so this isn't about wanting more information rather it sounds like Supervisor Jenkins has to win and if he doesn't win then he isn't going to give the squad their money.

Supervisor Jenkins told Rusty Baker that he was entitled to his opinion.

The comment was made by someone in the audience that it seems like Supervisor Jenkins wants to know what individual salaries are in the squad for the purpose of determining if the squad is overpaying it's employees or not and then cut their contractual portion accordingly.

Supervisor Jenkins stated that he has said many times at this meeting that he wants to see all the financial records of the organization. He doesn't know what the numbers are so he doesn't know how he would feel about the numbers.

Councilman Kusnierz stated that he originally asked for the rates, because it would be a good indicator as to whether or not someone was being overpaid. He doesn't care how much they make, if that is their rate and they are putting their hours in. He is just glad that somebody is down there to take care of him and his family when he calls 911 and that they provide the best level of care that this community has to offer. The board members were provided with the rates and that met the need that he had to make sure something wasn't out of whack with salaries.

Supervisor Jenkins said if he thought it was an insane number he would probably have a problem with it. If he thought it fit the industry categories and it was based on the expertise and skills of someone and their duties then he may not have a problem with it.

Councilman Kusnierz stated that he was on the board when the squad approached the board about going to a paid service. There was disagreement on the board at the time whether or not to move forward and he recalled that there was a split vote at the time by the board to move forward. The explanation given to them at that time and he believes it to be still true today, was about the level of service, and how they could provide advanced life support and personnel on the runs could provide services that other squads couldn't. When he heard how much better our squad would be as opposed to surrounding squads that is one reason why he voted to go with a paid squad. He was one of the board members who questioned whether or not the squad would ever be able to run on their own without taxpayer dollars and it was made very clear that would never happen. It was referenced several times tonight about separate sets of books.

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He said there is a separate set of books for a good reason. There are two separate pots of money. The taxpayer pot that comes in through contract and the money that passes through the Town from insurance money per the State Comptroller's Office. Taxpayer's didn't generate that money though. The taxpayer's only generated the \$200,000 plus that we contracted for. It is very clear to him where the taxpayer's dollars are being spent and that only makes up 1/3 of what it costs to run the squad annually. When the board decided to go forward it was written in the contract that any member of this community that didn't have insurance or couldn't afford to pay for the squad's service, this board at that time, said they could not be charged.

Supervisor Jenkins said it was in the minutes, but he didn't think it was in the contract.

Councilman Kusnierz said that there were some people who couldn't afford the service who thought they were being harassed and they called Town Hall and we explained to them, after talking to the squad, that legally they have to be billed three times and it would be submitted to collection, but after that they don't have to worry. Not only are our taxpayers getting an incredible bang for their buck with the service, but if they can't afford that service they don't have to pay for it.

Andre Delvaux stated that has changed. He said they can't soft bill patients. They have to make all attempts to recoup fees that were set by the Town Board. Other than contractual allowances if a bill is not paid for then it goes to collection.

Councilman Kusnierz asked if they have turned over any to collections.

Andre Delvaux said the ones that they discussed with the Town Board they have. For example, people involved in car accidents that have not submitted claims to their insurance companies for the service provided and those who received a check from their insurance company and haven't turned it over to the squad.

Councilman Kusnierz asked what happens if a person can't afford to pay.

Andre Delvaux stated that Supervisor Jenkins and Councilman Cumm were informed at their meeting with the squad that the squad has to hard bill.

Councilman Kusnierz said he was not made aware of that.

Mike Howard gave comments about the separate books the squad has and about the scheduling of volunteers and paid staff.

Supervisor Jenkins told Mike Howard that there is a set of books at the squad that the president and bookkeeper doesn't know what is in them and Mike Howard tells him that this goes on in businesses, well Supervisor Jenkins is telling him that it doesn't.

John Blanchard Jr. said it isn't like he doesn't know what is going on. He sees the bank statements and he knows what is in the billing account and Andre gives him a report at the end of every month. He said again that it isn't that he doesn't know what is in them, but he doesn't handle that account.

Mike Howard gave comments again.

Steve VanGuilder asked Councilman Vittengl how he feels about this. He said he was going on down the line and asking each board member how they feel about this.

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Councilman Vittengl stated that his father served on the Moreau Emergency Squad and he was a member of the squad. He said he wants to see the squad succeed. He doesn't know what the amount of cash is at the end of the year to buy a new ambulance. He doesn't know if they are running a positive or negative cash flow. He has been taking notes such as, the squad makes 1,800 runs at \$665.00 a run and they write off \$373.00. He is trying to put the numbers together. How much money in and how much money out? He noted that the squad has four funding sources; the Town of Moreau, Town of Northumberland, insurance money and donations. He said he is trying to get a handle on it.

Supervisor Jenkins said that if he gets an agreement for full disclosure then he wouldn't have a problem increasing the contract to \$231,000.00 and if the board passes it he would sign the contract. If the board wanted to pass it at \$231,000.00 he would sign the contract, because it was his job.

Councilwoman LeClair said she wants the same thing she wanted from the squad last year. She wants the same thing that the taxpayers are asking for. Nobody has said that anybody is doing anything illegal. The question is if the squad is living on a champagne budget while we pay their bills. It isn't just about payroll for her. She has received questions about the type of cell phones they are using, where the members go for training, about the payroll, about the cars that they got. What the public wants to know is why if they are on the up and up aren't they showing us the books.

Steve VanGuilder asked Councilwoman LeClair why she hasn't called him.

Councilwoman LeClair told Steve VanGuilder that they have had this discussion and Steve VanGuilder said that he has never had a discussion with Councilwoman LeClair about the cell phones they use or where they go for training.

Councilwoman LeClair told Steve VanGuilder to foil the minutes. These are the same questions she has been asking.

Steve VanGuilder said that Councilwoman LeClair never asked him about a cell phone bill.

Councilwoman LeClair asked Steve VanGuilder what he has told them when they asked about anything on the side of the squad that is paid for with Town money that comes from billings.

Steve VanGuilder told Councilwoman LeClair that she has all the invoices that John sends to her.

Councilwoman LeClair said they don't answer the questions that the people are asking. Is the squad paying for Las Vegas training? She doesn't know.

Steve VanGuilder said the squad didn't pay for that. It was paid for by a pilot research program and if Councilwoman LeClair had done her investigation she would know that. He said that if Councilwoman LeClair had come to him and asked how he went to Las Vegas he would have turned around and said they used their EMS pilot research money.

Councilwoman LeClair told Steve VanGuilder to put the word out.

Steve VanGuilder told Councilwoman LeClair that she should come and ask him. She never asks him.

Councilwoman LeClair said that she asks him at a public meeting where it should be done.

Steve VanGuilder said he doesn't care what Councilwoman LeClair says, because she is lying. She has never asked him, because if she did he would have told her.

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Councilwoman LeClair said she is not lying.

Steve VanGuilder stated that anything anybody wants to know about the emergency squad he will tell them. He said if anybody wants to do a better job than him then they should step up to the plate and put their 16 hours in down there, 200 hours a year, six meetings and six trainings and then try to deal with a board like the Town Board.

Councilwoman LeClair said she has never doubted his devotion.

Steve VanGuilder told Councilwoman LeClair that she always says that. He told her to step up to the plate and join the squad and see what they have to deal with everyday. He said she should see what the staff has to wear for clothes everyday and that is because the board wants to cut their budget.

Steve VanGuilder asked if the board was satisfied with the contract for 2011 and he asked if they violated any part of the contract.

Supervisor Jenkins replied that he has already answered that at least three times tonight. The squad complied with it. Based on the way the squad keeps their books and the information he looked at he didn't find any problems.

Joe Bovey said he was a volunteer for the squad and he has called the deputy chief and assistant deputy chief through e-mails, text messages and calls all hours of the day and even 2:00 a.m. or 3:00 a.m. The smart phones they have are necessary. As a volunteer and EMT when he calls him he is always doing his job. He doesn't know what he is getting paid, but he guesses it isn't enough. He is always there. He said the board is being stubborn.

Ed Tracy commented that no one is claiming malfeasance. The board wants to see what is going on. He has known the squad members for years and he would hate to think that anything bad is going on. It can all be put to rest if the squad just shows the board what is going on.

Andre Delvaux said he wants to know what Councilman Kusnierz thinks about this.

Councilman Kusnierz said he would wait until the public is finished speaking.

Tressa Jackson asked if the board should obtain full disclosure of financial records from the Moreau Emergency Squad and against what criteria should it be judged.

Supervisor Jenkins said it wouldn't be judged against any criteria. It would be judged on the financial picture as a whole. It can't be judged against another squad, because there isn't another squad like the Moreau EMS.

Adele Kurtz asked what legal basis the board has to ask for information outside of the contract and is there any statute that requires the squad to give the board information in exchange for the \$200,000.00.

Supervisor Jenkins said the current contract has language for that. He reiterated what he said earlier and that was that if they complied with full disclosure then the board would give them the additional \$31,000.00 and amend the language in the contract. He said that the \$200,000.00 is what the squad would be at if they didn't go to the paid paramedic program and were strictly volunteer.

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Adele Kurtz asked him how he sees it playing out. She asked if there is a meeting set up to discuss what the board is actually asking for. She asked Supervisor Jenkins if he wanted the language in Article 6 changed to read "we're requesting any and all financial documents from the Moreau Emergency Squad".

Supervisor Jenkins said the Town's attorneys will work on the language.

Supervisor Jenkins reiterated what he discussed with Andre Delvaux and Mike Seney at the meeting a few weeks ago. He said that at that meeting they told the squad that if they were concerned about their payroll records the board would audit them on-site or their accountant's site and not take any possession of them so they would not become a public record. He said they basically agreed to that.

Adele Kurtz asked if the Moreau Emergency Squad agreed to that.

Supervisor Jenkins replied that Mike Seney was not in the position at that time to agree to something like that. It was just him and Steve VanGuilder present and three days later they were going to elect a new board. He didn't necessarily agree. They just discussed the issue. It was something that was discussed back in Feb. or Mar. 2010. Then a week later they issued a lawsuit against the Town.

Adele Kurtz asked who would review the payroll records and asked Supervisor Jenkins if he would be doing it. She then said that wouldn't alleviate any of the taxpayer's concerns over who is getting paid, because none of that could be disclosed. So they will never have a satisfactory result for the taxpayers.

Supervisor Jenkins said they could issue a statement that says they weren't unhappy about anything they saw.

Adele Kurtz asked Supervisor Jenkins if Andre makes \$200,000.00 was he going to think that is excessive. She asked how he could make that determination.

Supervisor Jenkins said they never reached an agreement, but they were comfortable on a lot of issues discussed.

Adele Kurtz asked if the board would hold another Public Hearing when they amend the contract if they do come to an agreement.

Supervisor Jenkins said probably if they change the contract, but they really don't have to.

Attorney O'Hara said they have a contract now that they were holding a Public Hearing on and the board is going to act on that contract.

Supervisor Jenkins said the board potentially could amend it if they reach an agreement. Signing a contract would make sense, because the squad is due money in another week. We could continue to transfer the insurance money back to them under the 2011 contract, but as for giving them taxpayer funds we couldn't do that until we have a signed contract.

Bobbi Spaulding said that Councilwoman LeClair had valid concerns. She asked if the State Comptroller can get involved in non-profits.

Supervisor Jenkins said that the State Comptroller would look at cash flow to make sure the insurance money is passing through the Town.

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Ron Quinn Jr. asked if the board could draft a contract in the amount of \$231,000.00 and put in the contract what the board is looking for from the Moreau Emergency Squad so their board of directors can sign it.

Supervisor Jenkins said he would be willing to do that if there is a chance to get that agreement signed.

Discussion followed.

Supervisor Jenkins asked Councilman Kusnierz if he was agreeable to having a contract drawn up as suggested by Ron Quinn and present it to the squad's board of directors for consideration.

Councilman Kusnierz asked the squad if they would be willing to have representatives sit down with board members and hash out what is workable for both sides and then draft a contract and have a Public Hearing on it.

Andre Delvaux said they have always been agreeable to that and a couple of other squad members concurred.

Councilman Kusnierz said they do this with the highway department union.

Supervisor Jenkins said he would rather prepare a contract with adjustments and let the squad look at both copies. He said he wasn't going to move very far on this issue and he didn't want another meeting like this one.

Councilman Kusnierz said he wasn't asking the supervisor to move on his position, although he would love for him to, but he wanted something in black and white as to what the board is looking for so the squad can move on it.

Supervisor Jenkins said the squad needs a check in ten days.

Attorney O'Hara stated that the squad's attorney would have to be involved in this also.

Supervisor Jenkins said he wanted to do a revised contract and get it to Dennis Tarantino the attorney for squad, because we don't have time. We have to cut a check in ten days.

Someone from the squad asked what happens if they don't sign an agreement.

Supervisor Jenkins said he assumes that the Town would have to do RFP's.

Councilman Kusnierz said it is more complicated than that. You have to get a certificate of need.

Supervisor Jenkins said he wasn't saying it wasn't complicated, but the Town can get a temporary one fairly easily, but he isn't saying that is what he wants to do. He is saying that he wants to give the squad the two contracts and if they don't like something they will tell us.

Nick Smith asked if what Supervisor Jenkins was saying was that he wanted to build two contracts rather than building and negotiating a contract together.

Supervisor Jenkins said he tried that for the past three years and it didn't work.

Nick Smith said it worked for the last three years, there was a contract.

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Supervisor Jenkins said they never really, totally, had an agreement. They finally got something done so they could survive.

Nick Smith said it was better than where they were right now.

Supervisor Jenkins said that is what he wants to do. He doesn't see any reason going through this again. He knows how the squad feels and he knows how he feels. He said maybe they could come up with something that works for all of them.

Nick Smith said not without working together.

A volunteer commented that it would be easier for him to hash it out in one meeting rather than sitting down at two or three special board meetings.

Supervisor Jenkins said he understood, but one board member is not present and he doesn't see him or Councilwoman LeClair changing their positions. He isn't sure where Councilman Prendergast stands, but he knows where Councilman Kusnierz stands. He doesn't see a change on this board from wanting to see full disclosure. He said if the squad can't accept that then they have the option of the existing contract before them. He said he can't speak for all the board members, because they haven't voted on it yet. However, he knows where they stood when they held the Public Hearing on the budget. He couldn't remember where Councilman Kusnierz stood on the vote that night.

Councilman Kusnierz said he voted no on the Town Budget and then he had a councilman take him to task because the press was here. He makes his opinions known whether the press is here or not.

Councilman Kusnierz asked if he could qualify his position now.

Supervisor Jenkins said yes.

Councilman Kusnierz said that if they have been reading the newspaper for the past 1 ½ year it appears that in some circles it has become politically fashionable to take on the emergency squads and sometimes there are good reasons for it and other times there is no good reason for it. He said the difficulty with that is that it fractures the community. Our squad has 41 members and most live within the Town. They provide a service that he considers is the greatest asset of the community, volunteers giving back to the community. Whether it is working for the community center, the fire company or donating your time to the squad or working for the squad. It has been a difficult time for the Town. He had hoped that when this issue came up during the previous contract and they came to resolution on it that we could move on, but that hasn't been the case. Things came out of those discussions that were included in the contract. He respects the position of each member of the board. He is probably the most fiscally conservative person on the board. He said that Councilman Vittengl has only been on the board five days so he would give him a pass on this and he has an opportunity to one up him on that. He questions everything that comes before the board for taxpayer expenditures. He said that in Article 17 of the proposed agreement and in previous agreements it allows for the Town Board to require a financial audit to be conducted and if the squad isn't willing to do this then we can sever the agreement. This should give the taxpayers a peace of mind. There have been figures tossed out tonight. The amount of money that we are squabbling over doesn't even cover payroll. The amount the taxpayers contribute to the squad doesn't even cover ½ of their payroll. What are we driving at here if we have disclosure and we have what we have asked for in the past? These are difficult times. In the interest of providing security for our residents we should do what we have done with all the other contracts in the Town. We should increase it 2% over last year. That would bring it up to what we budgeted, what we collected from taxpayers of \$231,000.00. The contract in

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his opinion meets the needs of the community except that it should be in the amount of \$231,000.00. He said that is where he is at.

Councilwoman LeClair said she had one more thing to say. Does she want to be here tonight dealing with volunteers from an emergency squad, volunteers from the fire department and making things difficult for them? No she does not. However when she took this job she agreed that she would answer the questions of the public about the fiscal responsibility of where we were spending their money and why we were spending their money. Perception is reality and you can see the perception from the public and you can hear it. She told the squad members present that they were the last people that she wanted to make things difficult for. She also took an oath of office that she would serve the people of this Town as well as the squad. She said the squad serves the people in a way that most people wouldn't even consider doing and she thanked them for that. She still has to be fiscally responsible to the people and answer their questions and she told the squad that they know what those questions are. Perception is reality for most people.

Councilman Kusnierz said he wanted to follow up and said that Councilwoman LeClair made some good points. He said that he talked about volunteers. There is one difference in the general characterization of volunteers and that is that the volunteers that work for the squad provide life saving measures. He said there is a big difference between serving seniors and somebody who is going to sustain your life long enough to get you to the hospital so you can get the care that will sustain your life longer so you can still stay on this planet. If we are going to hold \$31,000.00 hostage from the squad because of an apparent lack of disclosure or the innuendo of a lack of disclosure with the potential of risking the service that is provided to our community then he would have a very hard time going forward with a contract that is less than \$231,000.00.

Supervisor Jenkins said he wanted a final say for himself. At the meeting he went to he listened to a tape where one of the people in the vehicle mentioned his name and they had a problem and they were going to come see him. He said he wasn't really the person someone would want to come to against the squad, because he is probably the only person in the room who has had his life saved by the squad. They put him in a helicopter and sent him to Albany and it probably saved his life. He hasn't forgotten that. So he has no vendetta against the squad. However, he knows what his responsibility is under the law and the oath that he has taken. He believes that financial disclosure will not only solve his problems, because he doesn't expect to find any problems, but it will also answer the questions that some of the people in the community have been asking about certain issues. They may be very simple answers to give. Hopefully it can be accomplished and we can return the money to the contract and continue on with the great service that we get. That is his goal and he hopes it can be accomplished.

Supervisor Jenkins asked for a motion and second to close the Public Hearing.

A motion was made by Councilwoman LeClair and it was seconded by Councilman Vittengl to close the Public Hearing at 9:30 p.m.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	No
Councilman Vittengl	Yes
Councilman Prendergast	Absent



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Councilman Kusnierz asked if didn't they want to keep the Public Hearing open until they adopt the contract. He said it would allow for changes to the contract. He said that is why he is voting no.

Supervisor Jenkins

Yes

Respectfully submitted,

Jeanne Fleury  
Town Clerk