

THE REGIONAL EMERGENCY MEDICAL SERVICES
COUNCIL OF NEW YORK CITY, INC.

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PUBLIC FACT-FINDING HEARING

DETERMINATION OF PUBLIC NEED FOR EXPANSION OF AN
EXISTING AMBULANCE SERVICE BAY COMMUNITY VAC

VIA ZOOM VIDEOCONFERENCE

Tuesday, May 26, 2021

6:04 p.m.

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REPORTED BY:

Charissa Hromadka

2 A P P E A R A N C E S (VIA VIDEOCONFERENCE):

3 TIM HANNIGAN, ESQ., Hearing Officer

4 MARIE C. DIGLIO, REMSCO Executive Director of
Operations

5

SCOTT CHIANG, REMSCO CPR Training and Emergency
6 Preparedness Coordinator

7 JOE RANERI, REMSCO Information System Data Coordinator

8 YEDIDYAH LANGSAM, REMSCO Chair

9 TRAVIS KESSEL, REMSCO, District 4

10 SEAN GRAVES, REMSCO Member

11 CHARLIE UNG, YouTube Technical Support

12

13 S P E A K E R S (VIA VIDEOCONFERENCE):

14 MIKE LYONS, President, Bay Community VAC

15 JORDAN HOFFMAN, ESQ., Counsel Bay Community VAC

16 ASHLEY KIM, President, Little Neck Douglaston Community
Ambulance Corps.

17

18 CHRIS CAPO, President, Bayside Community Amb. Corps

19 LOUIS ROTKOWITZ, M.D.

20 JERROLD GELBARD, Glen Oaks VAC

21 DAVE MEKETANSKY, Glen Oaks VAC

22 LOUIS GRECO, Glen Oaks VAC

23 MICHAEL BERLIN, ESQ., Counsel, Glen Oaks VAC

24

25

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2 EXHIBITS
3 1 Redacted application
4 2 Legal notice of public hearing with supporting
 affidavit
5
6 3 Letter of fitness and competency
7 4 Account of Events
8 5 PowerPoint presentation
9 6 E-mail transmitted by the applicant containing
 approximately 55 letters in support from
10 residents of the affected area
11 7 E-mail to the Council from Charles J.
 Silverstein, President Whitestone Community
12 Ambulance Service
13 8 Letter from Dr. Louis Rotkowitz to the
 applicant identifying himself as the
14 applicant's medical director as of May 4, 2021
 and expressing support for the present
15 application
16 9 Written submission with supporting
 documentation from Glen Oaks, a Volunteer
17 Ambulance Corps, made in opposition to the
 pending application
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MR. CHIANG: Good evening everyone.

This is the Public Hearing for
Expansion CON for Bay Community
Volunteer Ambulance Corps. This is
being held by Regional EMS Council of
New York City. Our hearing officer
this evening is Mr. Tim Hannigan. He
will be running the meeting tonight.
We have Charissa, our stenographer. If
you are called to speak, please make
sure you identify your name and what
organization you are with clearly, so
Charissa can properly record it in the
stenographic record. With that, I will
hand this over to our hearing officer.

HEARING OFFICER HANNIGAN: Thank
you, Scott.

Good evening everyone. The time is
now 6:04 p.m. This is a proceeding which
is a public hearing in the matter of the
application of Bay Community Volunteer
Ambulance Corps. Bay Community Volunteer
Ambulance Corps submitted an application
for an expansion of their operating

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authority and an amendment of the certificate to include the community of Bayside, which is bounded, as stated in its narrative, by the Long Island Expressway to the south, 23rd Avenue, 24th Avenue and 26th Avenue to the north, the Cross Island Parkway to the east and Francis Lewis Boulevard to the west. The applicant identified generally this geographical area as the entirety of the area formerly served by the Bayside Community Volunteer Ambulance Corps.

My name is Tim Hannigan. I'm an attorney from Delmar, New York and as Scott indicated, I'm serving as the hearing officer for this hearing in accordance with Department of Health Policy Statement 06-06. As hearing officer, my job is to moderate this proceeding and ensure that we follow generally accepted hearing procedures. Following the conclusion of this hearing, I will prepare a report that sets forth findings for The Regional Emergency

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2 Medical Services Council of New York City
3 and its Ambulance Committee.
4 This hearing is being held pursuant to
5 public health law Article 30 and is being
6 conducted in accordance with the
7 procedures set forth in Policy Statement
8 06-06. The purpose of this hearing is to
9 provide a technical review and an
10 objective evaluation of the applicant's
11 statement of need, as well as any other
12 testimony presented by witnesses this
13 evening. It is the intent of the hearing
14 process to obtain input from the general
15 public and from everyone who uses,
16 provides, pays for or participates in the
17 EMS system in the region. A stenographic
18 record and a video record of this
19 proceeding is being made. The testimony
20 taken and all exhibits received will
21 constitute the record in this matter.
22 Now, in virtual attendance at this
23 hearing are multiple members of the
24 Ambulance Committee appointed by the
25 REMSCO, as well as several Council members

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because we are all playing Hollywood Squares here, if they can kindly wave to everybody and identify themselves, there are multiple present.

All testimony and presentations will be directed to the Council and its Ambulance Committee. Any questions that the applicant has or that the speaker has for the committee can be addressed to and only committee members or council members can ask questions individually and direct them either to a witness that speaks or to the applicant.

To support the pending application, the applicant bares the burden of proof for demonstration of public. Public need is defined in Policy Statement 06-06 as the demonstrated absence, reduced availability or an inadequate level of care in ambulance or emergency medical service available to a geographical area, which is not readily correctable through the reallocation or improvement of existing resources.

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In this case, the application was deemed complete on April 23, 2021. As a matter of housekeeping, I have identified several exhibits prehearing. I will identify those now.

The redacted application has been marked and is incorporated into this proceeding as Exhibit 1.

A copy of the legal notice of public notice, which was published in advance of the hearing date, together with the supporting affidavit and notice of the application made by registered or certified mail by the REMSCO to the chief executive officers of all general hospitals, ambulance services and municipalities operating within the same county where the applicant seeks to operate has been marked as Exhibit 2.

The letter of fitness and competency from the Department of Health attesting to the applicant's fitness and competency to operate the proposed service has been received and is incorporated into this

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2 proceeding as Exhibit 3.

3 The timeline entitled Account of
4 Events, which is prepared by Council
5 Executive Director Marie Diglio, is
6 incorporated into this proceeding as
7 Exhibit 4.

8 The PowerPoint presentation
9 transmitted by the applicant to the
10 Council in advance of the public hearing,
11 which will be displayed for all present
12 this evening, has been received and is
13 incorporated into this proceeding as
14 Exhibit 5.

15 An e-mail transmitted by the applicant
16 containing approximately 55 letters in
17 support from residents of the affected
18 area is received and is incorporated into
19 this proceeding as Exhibit 6.

20 An e-mail to the Council from Charles
21 J. Silverstein, President Whitestone
22 Community Ambulance Service, is received
23 and is incorporated into this proceeding
24 as Exhibit 7.

25 A letter from Dr. Louis Rotkowitz to

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the applicant identifying himself as the applicant's medical director as of May 4, 2021 and expressing support for the present application, is received and is incorporated into this proceeding as Exhibit 8.

Finally, a written submission with supporting documentation from Glen Oaks, a Volunteer Ambulance Corps, made in opposition to the pending application, is received and is incorporated into this proceeding as Exhibit 9.

I note with respect to Exhibit 9 that those materials were received, I would say, within an hour, hour and a half or so of this hearing. They have been communicated to the applicant in advance of the hearing. All exhibits were received in advance of this evening's hearing.

We will commence with a presentation by the applicant.

Mr. Lyons, is it your intention to be the sole presenter on behalf of the

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2 applicant or will be Mr. Sheinberg and
3 Mr. Hoffman be assisting you?

4 MR. LYONS: Can you hear me?

5 HEARING OFFICER HANNIGAN: I can
6 hear you now, sir. Thank you.

7 MR. LYONS: Yes, they need to be
8 co-hosts.

9 HEARING OFFICER HANNIGAN: Okay.
10 Are there any other persons that will
11 be presenting in your application, your
12 initial presentation?

13 MR. LYONS: No.

14 MS. DIGLIO: Charlie, make Mike
15 co-host, please.

16 HEARING OFFICER HANNIGAN: In a few
17 moments we will begin with the
18 applicant's presentation. Once the
19 applicant's presentation concludes, the
20 council members and committee members
21 can ask any questions of the applicant
22 that they wish. Thereafter, we will
23 open the floor to those individuals who
24 requested to speak. Each person
25 requesting to be heard in the public

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2 forum will be allotted approximately
3 three to five minutes to offer
4 comments, testimony and make their
5 presentation. I may extend this time
6 period if circumstances warrant or for
7 good cause shown.

8 At the conclusion of the public forum,
9 the applicant will be afforded the
10 opportunity, if they so desire, for
11 additional time for the limited purpose of
12 rebuttable. Rebuttable time is for the
13 limited purpose of confronting or
14 responding to any opposition made during
15 the course of the hearing.

16 I will now call the names of the
17 individuals who are registered to speak in
18 the public comment portion. At time I
19 call the public speaker, I will also
20 identify the person who is next up. I ask
21 that the person who is on deck, so to
22 speak, be prepared to offer any remarks
23 when called upon so that we could assure
24 some efficient procedure and flow of this
25 hearing.

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I will now recite the names of the speakers in the order in which they are to proceed. First we will hear from the applicant and the applicant's presentation by Michael Lyons, Brian Shineberg and Jordan Hoffman and then we will open the public forum and go to Jena Lanzetta, Chris Capo, Ashley Kim, Ed Gorman, Dr. Louis Rotkowitz, Dr. Christopher Calandrella and Reverend Monsignor Thomas Machalski.

Thereafter we will continue our public session with Jerrold Gelbard, Dave Meketansky, Louis Greco and Michael Berlin, Esq.

Is there anyone present for this hearing who has not previously registered to speak whose name I did not read that would like to speak during the public comment session? If so, please indicate in the chat and we will set you up with Scott and Charlie.

Seeing none, Charlie and Scott, you can let me know if someone signs up and we

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2 will afford them some time.

3 When it is your turn to speak, please
4 state your name and spell your name for
5 our stenographer and your address and if
6 you are speaking on behalf of a particular
7 entity either in support or in opposition
8 of the application, please identify that,
9 as well as the name of the entity for
10 which you are speaking.

11 If there are any questions during this
12 proceeding, please place them in the chat
13 and Charlie or Scott and I will identify
14 those and answer any questions that
15 members of the public or the committee or
16 the applicant have.

17 There being no further comments in the
18 chat relative to speakers, I welcome
19 Mr. Lyons on behalf of the applicant to
20 offer the applicant's presentation.

21 MR. LYONS: Good evening and thank
22 you to Mr. Hannigan, Ms. Diglio, the
23 Ambulance Committee, REMSCO for putting
24 this all together. It's a tremendous
25 amount of work and I want to thank

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2 everyone for spending the time in doing
3 this so we can have our public hearing.

4 My name is Mike Lyons and I'm the
5 president of the Bay Community Volunteer
6 Ambulance Corps. With me is Brian
7 Sheinberg, the Vice President. We also
8 have here from our board Terri Will, our
9 Secretary, Vincent Chu, Director and Jeff
10 Lu, a director as well.

11 I'm going to go and give a short
12 presentation. It will cover our operating
13 area expansion, issue and our plan. We
14 will share a little bit about Bay
15 Community, who we are, what we cover and
16 what we do. Next slide, please.

17 We are here today to demonstrate the
18 public need for additional ambulance
19 service in Bayside and restore ambulance
20 service in Bayside back to the level it
21 was in 2018. On the left is a high level
22 map to give you an idea of the area we're
23 talking about. The yellow shaded polygon
24 illustrates the general area formerly
25 covered by Bayside. The exact proposed

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2 area of expansion, associated detail and
3 street map are located on page 5 and page
4 27 and 28 of our application. You can see
5 that there are two volunteer agency
6 headquarters. To the north on Fort
7 Totten, the yellow pin, is Bay
8 Community's. To the east, the yellow pin
9 is Little Neck Douglaston.

10 A little background, Bayside Volunteer
11 Ambulance Corps held the CON for Bayside
12 for over 60 years. They had two
13 ambulances serving the community located
14 in the heart of Bayside. You can see in
15 that blue star centrally located in the
16 yellow shaded polygon is the Bayside
17 headquarters building.

18 In the second half of 2018 they lost
19 their Department of Health Operating
20 Certification leaving a void in Bayside.
21 Towards the end of 2019, a new board at
22 Bayside Ambulance set out to restart the
23 Bayside Volunteer Ambulance Corps. Even
24 though Bayside Volunteer Ambulance Corps
25 lost their operating certificate, they

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2 still own the building on 42nd Avenue,
3 they still own ambulances and they are
4 still trying to serve the community in any
5 way they can.

6 During the summer of last year, the
7 surrounding agencies, Bellerose, Little
8 Neck Douglaston, Bay Community got
9 together with Bayside to see how we can
10 support this revitalization project. We
11 are here with this application as a result
12 of that work.

13 Late in 2020, as a result of the Glen
14 Oaks expansion CON application to add one
15 more ambulance to the area, the New York
16 City REMSCO determined that there is a
17 public need in Bayside. There is a public
18 need to bring it back to 2018 levels when
19 there were two ambulances, you know, in
20 Bayside. As I mentioned, this area was
21 served by two ambulances, not one. Bay
22 Community, Little Neck Douglaston and
23 Bayside are looking to help provide an
24 additional ambulance to the community.

25 We have an agreement to use the

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Bayside ambulance and to dispatch from the Bayside headquarter building at 42nd Avenue in the fall after the building construction is finished. Our application for expansion is to cover the same area that Bayside Volunteer Ambulance Corps previously covered.

Next slide, please.

I would like to share a bit about ourselves and our agency. Bay Community Volunteer Ambulance Corps started back in 1968, more than 50 years ago, serving North Bayside, East Clearview and Fort Totten. We served Fort Totten when it was an active military base serving the residential community living on the base.

In 1996, the military housing closed on Fort Totten and since then Fort Totten has become mostly parkland. There are no longer any residents on Fort Totten. Bay Community has maintained the same operational capacity while serving a decreased population. We have two ambulances to support the community and

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our history has done everything from single patient emergencies to plane crashes at La Guardia, to 9/11, now to the pandemic.

We have state certified EMTs. Our ambulance corps is set up on a community based firehouse model. New York City first responders with the best response time are coming from community based firehouses, especially headquartered on Fort Totten in a multibuilding, multi-acre complex.

Our facilities include an ambulance garage, crew quarters, kitchen, bunkroom. We can also respond from our homes to the building or directly to an emergency. We are 100 present volunteer with members that are from the community. A couple example are myself. I grew up here in Bayside. I have been involved in Bay Community since 1992 and have had a leadership role in administration since 9/11. My parents also live here in Bayside. As a teenager, I took a CPR

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class at the Bayside Volunteer Ambulance Corps and I'm looking for that to continue for others in Bayside, that there's something local that a kid can walk to, ride his bike and learn and enter the field of emergency service.

Next we have Brian here, the Vice President. He's a lifelong Baysider. He graduated Bayside High School. You have another director here, Vincent Chu, he's also a Cardoza grad, right from the area right here in Bayside. You know, we have a lot of ties to Bayside and, you know, we are a local Bayside organization.

Next side, please.

Our presence is strong in the Bayside area. It's not only emergency medical, we also do community outreach. We are doing everything we can to provide service to the Bayside Community without an official operating area certificate, which as you know, limits us from putting an ambulance on the street, which is the gap we are trying to fill.

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Since 2018 we, Bay Community, and Little Neck Douglaston, extended all the service that we were allowed to the Bayside Community. Educational outreach, for example, you see here the Girl Scouts at Our Lady of the Blessed Sacrament and we also have an example of the back to school carnival here in Bayside as well. Standbys at major events, we've worked with Glen Oaks and Little Neck Douglaston on emergency standby services, such as marathons that actually go through multi Volunteer Ambulance Corps (inaudible) area, as well as bike races that do the same.

We also do CPR and first aid training. Now, another thing we do is a booming business with the aging community in this area and our expanded area if granted. We do mobility assistance equipment. So we have plenty of elderly in the area that will call up and ask, hey, can I borrow a wheelchair, a walker, a cane? I have an elderly family member coming to visit for

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two weeks. I need, you know, medical equipment just for their stay here. When they fly back, then we'll go ahead and return the equipment to you. So these same folks that, you know, borrow all that stuff locally from us here on Fort Totten, ask us, Can you take us to the hospital? And when they are in the Bayside area, the answer is no. We are looking to make sure we can provide everything and include the additional choice in a service provider to take them to the hospital.

Next side, please.

Public need exists now more than ever. We were doing mutual aid with Bayside before they lost their operating certificate. When the COVID-19 pandemic hit and FDNY activated citywide mutual aid, we provided ambulance service for ten straight weeks to Bayside. Just recently, in the first quarter of 2021, REMSCO issued an advisory activating all City volunteer ambulance agencies regardless of operating (inaudible) to support the

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City's vaccination program. This allowed the surrounding agencies like Little Douglaston, Bellerose, Glen Oaks and ourselves to send an ambulance to the two vaccination sites here in Bayside. Without these directives, no volunteer agency held an operating certificate to send an ambulance into Bayside, a community that lost their service to no fault of their own. Application for expansion is looking to remedy that.

Next slide, please.

We want to thank everyone that has supported our application of expansion. We are overwhelmed by the showing of support of public need. We received endorsements from Federal, State and City elected officials, two community boards, Community Board 7 and Community Board 11, support from other area Volunteer Ambulance Corps, support from the fire department, multiple area hospitals, churches, local civic associations and numerous individual Bayside resident

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2 statements that indicate there's a public
3 need in Bayside. Here's a big fact of
4 them, it is more than 55. I think you
5 don't have all the attachments that were
6 sent to you, Mr. Hannigan, but the number
7 is higher than that.

8 The other thing is, you know, we were,
9 you know, a smaller agency and we were
10 able to get the tremendous amount of
11 support because there's a tremendous
12 amount of need and, you know, one extra
13 ambulance out there in a time of need is
14 definitely needed.

15 Next slide, please.

16 Thank, Mr. Hannigan. This concludes
17 my presentation. I will pass it back over
18 to you.

19 HEARING OFFICER HANNIGAN: Thank
20 you, Mr. Lyons.

21 Real briefly with respect to the
22 exhibits, the 55 letters that I noted as a
23 separate exhibit are in addition to those
24 and to the application. So the
25 application and all the initial letters

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2 you submitted are Exhibit 1 and then the
3 55 more are the later exhibit that I
4 referred to so we do have all.

5 Do any members of the Ambulance
6 Committee or the Council have any
7 questions for the applicant?

8 Charlie, do you see any on your side?

9 MR. UNG: No questions here,
10 although there is a hand raised.

11 HEARING OFFICER HANNIGAN: You can
12 unmute that person.

13 MR. KESSEL: Hi there, this is
14 Travis Kessel, District 4.

15 HEARING OFFICER HANNIGAN: Hi,
16 Travis. Sure, go ahead.

17 MR. KESSEL: Just a question on
18 some of the testimony. During the
19 ten-week deployment exactly how many
20 calls were done by the agency and
21 during the mutually aid activation for
22 vaccine sites, how many sites and how
23 many times have they covered individual
24 sites?

25 HEARING OFFICER HANNIGAN: Thank

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2 you.

3 Mr. Lyons, did you hear that question?

4 MR. LYONS: Yes. As far as the
5 COVID activation, I don't have that
6 available and it's not something that's
7 in the application, so I would have to
8 look into that.

9 As far as the vaccination sites, the
10 vaccination sites were only recently
11 opened up to us in the last week or two
12 and we have only been participating in one
13 so far. Previously the vaccination sites
14 were in Southern Queens.

15 MR. KESSEL: Do you have your total
16 call volume for 2020, which would
17 include that ten-week period?

18 MR. LYONS: I believe we do have it
19 in the application. I think we have an
20 average in here. I don't know if we
21 have it broken out by the year and I
22 think we had 100 to 150 calls is what
23 was mentioned here in the application.

24 MR. KESSEL: Would that be
25 representative of the call volume for

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2 2020, 100 to 150, somewhere in that
3 range?

4 MR. LYONS: 100 to 150, that would
5 be.

6 MR. KESSEL: Okay. Thank you.

7 HEARING OFFICER HANNIGAN: Are
8 there any other questions from members
9 of the Council?

10 Seeing none, Mr. Lyons, in your
11 introductory statement you indicated that
12 this Council has previously and recently
13 found public need in this area through the
14 application by Glen Oaks. Do you recall
15 that?

16 MR. LYONS: Yes.

17 HEARING OFFICER HANNIGAN: It's my
18 understanding that your organization
19 has appealed that finding; is that
20 right?

21 MR. LYONS: Correct.

22 HEARING OFFICER HANNIGAN: Is your
23 organization contending that public
24 need exists but there was some other
25 issue as to the appeal or is it that

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2 public need does not exist?

3 MR. LYONS: No. We've always said
4 public need exists and we only -- it's
5 the way the application was written and
6 the boundaries were done that is our,
7 you know, major appeal reason. The
8 boundaries overlap with us and our area
9 that we serve. You know, really, the
10 application is put to cover the area
11 that Bayside, you know, previously
12 covered and they went outside of that
13 and overstepped on us and then in the
14 process when we got a solicitation
15 letter, it did not even include a
16 northern boundary. So when we were
17 notified and had a chance to respond
18 that was completely lacking from the
19 solicitation. At that point, literally
20 that means, you know, to the water,
21 completely overlap our whole entire
22 area and, you know, we did to try -- we
23 sent in a letter, we said our
24 (inaudible), exactly to the way they
25 had written a solicitation letter with

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2 missing boundaries, no map provided so
3 we had to obviously oppose that.

4 We met with them, we gave them a whole
5 big discussion over geopolitical
6 boundaries and how to, you know, submit
7 it where there couldn't be any conflict
8 and when the application came out, that
9 really -- you know, it conflicted. That
10 occurred and then they tried to make
11 changes during the hearing of what the
12 boundaries were and further on the
13 boundaries changed again, you know,
14 leaving different community boards and
15 completely going out of what was in their
16 application.

17 So, really, at this point, there's
18 really no way to say what the boundaries
19 truly were and should be from the northern
20 boundary of that application process and,
21 you know, there's only a limited 30-day
22 window that you can do something in
23 regards to this process. So, you know,
24 after much discussion, we went ahead and
25 filed the appeal.

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Of course, you know, we tried to encourage Glen Oaks to speak to the State about what the geopolitical boundaries are. You know, how -- the REMSCO is one thing, but when you actually look at the State -- you know, the State laws are what you are doing, not going by just the policy and procedure that may be not accurate. We tried as best as we could, we asked them, you know, speak to a lawyer, try to do that.

And, really, if the application had been written that didn't overlap us at all, we would have had nothing to appeal and, you know, we would have just gone forward with our expansion as well. We have always been working with the Bayside Volunteer Ambulance Corps, right, and the best thing that, you know, we had always thought is if they were going to restart, we, you know, who supported them for all these years should help them out with that and go forward with that and when it came close that, you know, Bayside looked like

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they were -- you know, got a new board, they started going ahead and getting their house in order, you know, getting, you know, the nonprofit, everything back to the way it should properly be run, then you see Glen Oaks rushing in an application for the area.

So, you know, then we -- working with the other ambulance corps doing a lot of analysis and this is -- you know, what we moved forward with to help them out and, really, the thing is about getting what Bayside people donated to Bayside, those assets back to servicing Bayside. That building that people made donations for, those ambulances that they have and getting them turned back out to the Bayside Community and serving the area.

HEARING OFFICER HANNIGAN: With respect to Bayside Volunteer Ambulance Corps, you indicated that it's your intention, if this application is granted and you obtain operating authority, to use their facility and at

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2 least one of their ambulance resources,
3 correct?

4 MR. LYONS: Correct.

5 HEARING OFFICER HANNIGAN: Do you
6 have an agreement essentially in place
7 for that to occur should you obtain
8 operating authority for that area?

9 MR. LYONS: Yes, we do.

10 HEARING OFFICER HANNIGAN:
11 Independent of those two resources,
12 that being the facility and the one
13 ambulance, does your agency have
14 sufficient resources to respond to the
15 call volume you anticipate you would
16 receive in the affected area?

17 MR. LYONS: Yes. We have two
18 ambulances of our own headquartered on
19 Fort Totten and, you know, we are a
20 smaller agency. We have lost a
21 residential population with the closing
22 of the military housing on Fort Totten
23 and we can pickup extra calls. The
24 fact that is on a day where we might
25 not do a call, you know, we would then

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2 be able to do a call in Bayside.

3 That's basically, you know, how we see
4 that we'll be able to do that.

5 HEARING OFFICER HANNIGAN: Sir, is
6 your agency fully volunteer or do you
7 have a hybrid paid day crew? How does
8 your agency work as far as responding
9 to calls?

10 MR. LYONS: It's 100 percent
11 volunteer.

12 HEARING OFFICER HANNIGAN: That's
13 all the questions I have for your, sir.

14 Does any member of the Council have
15 any questions for Mr. Lyons before we
16 proceed to the public comment portion of
17 the meeting?

18 Seeing none, Mr. Lyons, was
19 Mr. Sheinberg going to make a presentation
20 at this point as well on behalf of the
21 applicant or is he waiving his opportunity
22 to speak?

23 MR. LYONS: He's waiving his
24 opportunity to speak.

25 HEARING OFFICER HANNIGAN: Is

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2 Mr. Hoffman -- he's listed as your
3 counsel. Is he here to speak?

4 MR. LYONS: Yes.

5 HEARING OFFICER HANNIGAN: Why
6 don't we go to Mr. Hoffman now? He's
7 listed next in the order and then we
8 will open it up to the members of the
9 public.

10 Is Attorney Hoffman on? I see him
11 there. He's muted.

12 Charlie, can you unmute Mr. Hoffman?

13 MR. KESSEL: Excuse me, Travis
14 Kessel, District 4, sorry I was
15 messaging Charlie for permission to
16 speak. I had my hand raised.

17 HEARING OFFICER HANNIGAN: Sure. Go
18 ahead, Mr. Kessel.

19 MR. KESSEL: I just wanted to
20 follow up on a point brought up in your
21 question. The overlap in the appeal, I
22 know that he stated that the half block
23 overlap was what his issue was with the
24 northern boundary and it's a regionally
25 approved application, so with a

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2 regionally approved application to
3 service this area and this application
4 being put in for the same exact area,
5 is Mike okay with overlapping agencies
6 because it's his application or where
7 does that contradiction come into play?

8 MR. LYONS: As far as the overlap
9 on our existing area, that's our area
10 of concern. The area that we filed for
11 includes the area of Bayside that was
12 covered and resided in Community Board
13 7, as well as in Community Board 11.
14 So we wouldn't completely overlap Glen
15 Oaks, but in a new area where no one is
16 established and there's no active
17 volunteer, overlapping is totally fine
18 and especially in today's day and age
19 of the way services are provided, it's
20 an Amazon era or the Uber era, it's all
21 about, you know, having choice and as
22 much providers as you can.

23 Original operating areas were done in
24 the '50s and '60s. That's not the way a
25 new area would work today. Overlapping in

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2 an area that doesn't have a Volunteer
3 Ambulance Corps, there's no issue with
4 that on our side.

5 MR. KESSEL: I just wanted to clear
6 that up. So a regionally approved
7 agency for that area is okay to be
8 overlapped, but a half block overlap
9 into your agency is not okay?

10 MR. LYONS: Any overlap of our
11 existing area that was not Bayside's is
12 not okay and all the -- you know, it's
13 the State that really decides, you
14 know, issues of operating certificate
15 so it's up to the State. Does that
16 answer your question?

17 MR. KESSEL: Yeah. It's pretty
18 clear that things are okay.

19 HEARING OFFICER HANNIGAN: Were
20 there any further questions or
21 questions of follow up to council
22 members to Mr. Lyons regarding his
23 opening presentation?

24 MS. DIGLIO: I believe
25 Mr. Sheinberg was going to speak.

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2 HEARING OFFICER HANNIGAN:

3 Mr. Hoffman is next up.

4 If there are no further questions from
5 Mr. Lyons, we will proceed with Attorney
6 Hoffman on behalf of the applicant.

7 Mr. Hoffman, go right ahead.

8 MR. HOFFMAN: Got it. It just
9 popped up. Now you can hear me?

10 HEARING OFFICER HANNIGAN: Yes.

11 MR. HOFFMAN: Sorry about that. I
12 would like to join Mr. Lyons in
13 thanking Mr. Hannigan and Ms. Diglio
14 and members of the Ambulance Committee
15 and the Council for organizing this and
16 being here today to determine if public
17 need exists in Bayside for more
18 ambulance service and better choices.

19 A little bit about myself, I'm an
20 attorney practicing in New York, New
21 Jersey and Connecticut. I grew up in
22 Bayside. My family and friends still live
23 in Bayside and I'm extremely familiar and
24 close with the community. I'm also an EMT
25 and a second generation of Bay Community.

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2 My parents actually met at Bay Community
3 while they were both EMTs.

4 Bay Community has served the community
5 for over 50 years. They've done mutual
6 aid with Bayside. I've done myself
7 probably 50, 60 mutual aid calls just in
8 Bayside and I see Mr. Hannigan just left
9 again. Do you want me to pause? What do
10 you want me to do?

11 MR. RANERI: Just hold off one
12 moment.

13 MR. HOFFMAN: Bay Community has
14 staffed multiple ambulances during the
15 COVID crisis and they did so for ten
16 straight weeks and fulfilled need in
17 Bayside and Bay Terrace and their
18 current operating area. They have done
19 mutual aid for all the surrounding
20 ambulance corps for years and a public
21 need absolutely exists and we look
22 forward to the Council approving the
23 application for a public need.

24 HEARING OFFICER HANNIGAN: Thank
25 you.

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2 Do any members of the Council have any
3 questions for Attorney Hoffman?

4 Seeing none, we will go to a
5 presentation by Jena Lanzetta, President,
6 Northwest Bayside Civic Association.

7 MR. LYONS: Hearing Officer
8 Hannigan, can I ask that we change the
9 order of speakers as I have Dr. Lou
10 Rotkowitz here and he's joining us from
11 work. He had to step out just to join,
12 so we will just go out of order just a
13 little bit for that.

14 HEARING OFFICER HANNIGAN:
15 Absolutely, yes, that's acceptable.
16 Dr. Rotkowitz did submit a letter
17 indicating that he would have limited
18 time so we can take him out of order.

19 Dr. Rotkowitz, please proceed when you
20 are ready, sir.

21 DR. ROTKOWITZ: Can you guys hear
22 me okay? I apologize, it seems like we
23 are having a fire drill over here.

24 HEARING OFFICER HANNIGAN: I was
25 having one in my office too so we are

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2 good. Go right ahead, sir.

3 DR. ROTKOWITZ: Thank you for being
4 here and, Mike, again, I want to thank
5 you for the opportunity being offered
6 to step up in this new role as the
7 medical director of the organization.

8 I'm just going to be simple and to the
9 point. I hope folks had a chance to read
10 my letter. I wrote it from the heart. We
11 need to start being kind to one another.
12 We need to start working together. All of
13 us need to start working together for the
14 better good. There is an unlimited need I
15 can tell you from today, just being in the
16 emergency room today, you know, at the
17 footsteps of Bayside. I'm here in North
18 Jamaica, South Jamaica, there's an
19 unlimited need, there are unlimited
20 patients. The possibility of another
21 health emergency, another pandemic is --
22 if you don't think it's possible, I think
23 maybe you slept through the entire COVID
24 experience.

25 Again, I'm going to shoot from the

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cuff here, I was stunned at the way people reacted about me wanting to step up to this role. A lot of things were said to me that were kind of -- I'm just going to leave it as disheartening and I'm just looking -- this is a public health issue. The ambulance corps needs -- the ambulance corps is in the midst of a transition. We are coming out of the darkness of COVID. Things have changed. The entire public health system has changed. Again, if you don't think that there is a tremendous cooperative need for voluntary EMS backup when the voluntary system comes down and collapses, I don't know what to -- I don't know where you were, where anyone has been.

You know, before I accepted this position, I looked very, very deep into the organization. You know, a lot of people had a lot of negative things to say about this organization, but there are things that, you know, this organization has a critical role. It provided

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pre-hospital care to Fort Totten. Fort Totten is another place that's in transition. Somebody said to me that the organization is doing nothing. Well, I think that everyone should know that this organization, this ambulance corps responded to the recent plane crash. This organization took -- stabilized a trauma patient from a plane crash and successfully transported that patient to a trauma center saving that patient's life.

Bay Community is in transition. I think it needs this expansion so that they can further recruit, that they can expand the organization. This is our chance to expand the organization to recruit more members and, again, from a public health standpoint, COVID was good for business, so to speak. COVID woke a lot of people up. COVID has inspired a lot of people to want to get involved. I can tell you that at my school of public health at SUNY Albany, the numbers are up. As things settle down, I can guarantee people are

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going to want to get involved. I don't know what else -- you know, what else to say?

I think I captured everything in the letter. I'm incredibly excited to be part of the organization. I have been in touch with some folks from the TBTA, the Triborough Bridge and Tunnel Authority and the New York State Police and in the late summer, early fall, I'm going to be working to put together a CME that will be available to everybody in the entire REMSCO system about providing pre-hospital care upon bridges. I think it's, like, a critical thing. Our ambulance corps sits literally beneath a bridge.

You know, I have heard a lot of things about, you know, you guys just help people out of bed, help people that have fallen out of bed. If somebody doesn't think that's important then, again, I question why you are doing this.

In short, I want us to start being kind to one another. I want us all to

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2 start working together. There are
3 unlimited patients. Nobody should be
4 fighting for territories for areas, for
5 blocks. It's completely absurd. There
6 are unlimited patients. I'm done.

7 HEARING OFFICER HANNIGAN: Thank
8 you, Dr. Rotkowitz.

9 Do members of the Council have
10 questions for Dr. Rotkowitz?

11 I see none. Charlie, do you see
12 anything?

13 DR. ROTKOWITZ: There are things
14 that have been said to me over the past
15 few weeks as I prepared myself to take
16 on this role, and people should be
17 ashamed of themselves. I question why
18 you all are doing this. We are doing
19 this for the community, we are doing
20 this because we care, we are doing this
21 because we want to help people. This
22 is not some like hillbilly social club
23 nonsense that people kickback and just
24 argue. We are here to help people.
25 It's enough. Let's start being kind to

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2 one another, respectful to one another
3 and let's work together. That's all I
4 have to say.

5 HEARING OFFICER HANNIGAN: Thanks,
6 Dr. Rotkowitz. Before you go, I want
7 to ask a follow-up question. The
8 question before -- well, first, will be
9 the Ambulance Committee and then second
10 the entire Council is whether public
11 need exists in this area. So based on
12 your knowledge as an emergency
13 department physician, does public need
14 exist as defined in 06-06 relative to
15 the area formerly covered by Bayside?

16 DR. ROTKOWITZ: There is absolutely
17 no question. If you do not think or
18 comprehend that there is a public need,
19 than you slept through COVID. There is
20 a critical need for overlapping for
21 backup services and I literally watched
22 the 911 system collapse and to put this
23 aside is insanity. We need to be
24 prepared for this. It's time to learn
25 from the lessons of COVID. It's time

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2 to be prepared. It's time for us all
3 to start working together. If you
4 don't think that it can happen again,
5 it can happen again. It's time for us
6 to start training together, working
7 collaboratively and learn from the
8 lessons of COVID.

9 This disease nearly wiped out the
10 entire infrastructure of the 911 system
11 and what we would have been left with was
12 our volunteer ambulance services. We are
13 the last line. To save one life is to
14 save a million. If an organization saves
15 one person and is available, then every
16 dollar, every bit of training paid, these
17 organizations are critical. They are
18 absolutely critical.

19 HEARING OFFICER HANNIGAN: Thank
20 you, Dr. Rotkowitz.

21 Do any members of the Council have any
22 questions for Dr. Rotkowitz before we
23 proceed with Jena Lanzetta?

24 Seeing none, Dr. Rotkowitz, thank you
25 for making time for us this evening.

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2 DR. ROTKOWITZ: Thank you.

3 HEARING OFFICER HANNIGAN: Next we
4 will go to Jena Lanzetta, President,
5 Northwest Bayside Civic Association.

6 MR. LYONS: She could not make it
7 this evening. She had a conflict,
8 however, she has submitted a statement
9 that there is a public need and she did
10 it already and it should be one of the
11 exhibits.

12 HEARING OFFICER HANNIGAN: One of
13 the exhibits attached to the
14 application, okay, very good. We will
15 rely on her written statement.

16 MR. LYONS: She put in another
17 statement just for the hearing for
18 public testimony, so you should have
19 two statements from her.

20 HEARING OFFICER HANNIGAN: Okay,
21 excellent. Thank you.

22 I believe our next speaker, Chris
23 Capo, I did see him on.

24 Mr. Capo, are you prepared to speak?

25 MR. CAPO: Hi. I'm the president

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2 of what's left of Bayside Volunteer
3 Ambulance Corps. As you know, our
4 operating certificate has been revoked
5 and we are putting our support behind
6 Bay Community for our territory. We
7 feel they are a competent team.

8 We are actually giving them space in
9 our building and an ambulance to cover our
10 area. I have no doubt in my mind that
11 they would be the perfect fit in this
12 neighborhood. Since they are Bayside, no
13 matter how you look at it, they're still a
14 Bayside volunteer. I have spoken to my
15 board, I've spoken to members and we all
16 agree that Bay Comm would be the perfect
17 fit for our community.

18 I have very little to say outside of
19 that, but again, my members support this
20 CON, this certificate of need, just for
21 the fact that we used to run two
22 ambulances for Bayside. So putting one
23 more in here is perfect, putting two in
24 here would be even better, but at least we
25 have people that are from our community

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2 that have worked together with us in past
3 years. So I feel that the need for Bay
4 Comm to be part of Bayside or Bayside to
5 be part of Bay Comm is a great need.

6 That's about all I have to say at the
7 moment if anybody has questions for me.

8 HEARING OFFICER HANNIGAN: Thank
9 you.

10 Do any members of the council have any
11 questions for Mr. Capo?

12 I'm seeing none. Charlie, are any
13 indicated in the chat?

14 Hearing none, Mr. Capo, I have one
15 follow up. Mr. Lyons in his initial
16 presentation referred to a recent
17 application by Glen Oaks for substantially
18 the same area albeit with an additional
19 block. Are you familiar with the
20 application that was made previously by
21 Glen Oaks?

22 MR. CAPO: Yes.

23 HEARING OFFICER HANNIGAN: Did your
24 organization support that application?

25 MR. CAPO: No.

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2 HEARING OFFICER HANNIGAN: Has
3 there been a change in public need from
4 the time that that application was made
5 until the present time?

6 MR. CAPO: In what sense?

7 HEARING OFFICER HANNIGAN: Does
8 need exist now that did not exist
9 previously or are ambulance calls being
10 responded to less frequently now? What
11 prompts the change?

12 MR. CAPO: Believe it or not, we
13 have our phone back online. They all
14 get directed to my cell phone and I
15 actually have people calling for an
16 ambulance needing a transport or no,
17 which then I will refer them, if it's
18 an emergency, back to 911 or to their
19 local valley because some of them are
20 outside of our area.

21 HEARING OFFICER HANNIGAN: Do you
22 have an estimate as to how many calls
23 per day or week you receive for service
24 from the former Bayside Volunteer
25 Ambulance Corps?

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2 MR. CAPO: I haven't taken any type
3 of record of how many calls I get. I
4 do get periodically, I would say,
5 anywhere between three and ten calls a
6 week at times, but I do find that some
7 of these calls are people from Glen
8 Oaks calling in asking for an ambulance
9 and I'm like, Where do you live? They
10 give me their address and I say, I'm
11 sorry, you are not in my territory.
12 You are in Glen Oaks territory and I
13 give them the number and I refer it to
14 them, but I have received calls like
15 that.

16 HEARING OFFICER HANNIGAN: And
17 those would be included in the three to
18 ten that you estimate?

19 MR. CAPO: Yes.

20 HEARING OFFICER HANNIGAN: Does any
21 member of the Council have any
22 questions for Mr. Capo?

23 Seeing none, thank you very much, sir.

24 We will move along to Ashley Kim,
25 President, Little Neck Douglaston

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2 Community Ambulance Corps.

3 MS. KIM: Hello. My name is Ashley
4 Kim. I am the current president of the
5 Little Neck Douglaston Community
6 Ambulance Corps. I am here in support
7 of Bay Community Volunteer Ambulance
8 Corps in providing ambulance services
9 in Bayside.

10 LNDC has a long history and
11 relationship with the Bayside Volunteer
12 Ambulance Corps, Bay Community and the
13 Bayside Community. We have ties with
14 Bayside leading back to the start of our
15 own community ambulance corps starting up.
16 Our first ambulance was actually donated
17 by the Bayside Ambulance Corps when we
18 were starting up in 1958.

19 Little Neck Douglaston Community
20 Ambulance Corps currently -- well, did
21 share the entire eastern boundary of
22 Bayside's former area. We had a good
23 mutual aid agreement with the Bayside area
24 and kept a good relationship with them
25 throughout the years.

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2 If the application is approved, Little
3 Neck Douglaston Community Ambulance Corps
4 would continue to provide mutual aid to
5 Bayside as we work together with the Bay
6 Community and I wholeheartedly support
7 Bayside Community Ambulance Corps
8 application to expand and we are looking
9 forward to continue working with hem.

10 HEARING OFFICER HANNIGAN: Thank
11 you, Ms. Kim.

12 Do any members of the Council have any
13 questions for Ms. Kim?

14 Seeing none, thank you very much.

15 We will now go to Ed Gorman, President
16 and Chief of Bellerose Rescue.

17 Charlie, I'm not seeing Mr. Gorman in
18 the meeting.

19 MR. LYONS: He was going to make
20 it. If he hasn't made it, I do have a
21 statement from him for his public
22 testimony tonight and I can definitely
23 e-mail that over to you.

24 HEARING OFFICER HANNIGAN: As long
25 as you have it now, you can send that

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2 by e-mail to Marie and we will
3 incorporate that as his testimony given
4 that he was registered to speak and he
5 has a statement prepared to be given
6 now.

7 Next up is Christopher Calandrella,
8 Dr. Calandrella, I should say, Associate
9 Chair, Department of Emergency Medicine.

10 MR. UNG: I do have a hands up for
11 a question.

12 HEARING OFFICER HANNIGAN: Oh,
13 sure, yes, go right ahead.

14 MR. GRAVES: Sorry about that.
15 Sean Graves. Can you hear me okay?

16 HEARING OFFICER HANNIGAN: Yes.

17 MR. GRAVES: My question was for
18 Ms. Kim. I was just wondering what was
19 the position of her ambulance service
20 during the GOVAC application and
21 whether it has been clarified by
22 Bayside or was that also clarified
23 regarding her organization?

24 HEARING OFFICER HANNIGAN: Ms. Kim,
25 are you still on?

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2 MS. KIM: Yes. Little Neck
3 Douglaston had opposed.

4 MR. GRAVES: What was the state of
5 reason?

6 MS. KIM: I believe that we had
7 opposed to the application were due to
8 in support of Bay Comm.

9 MR. GRAVES: Just to clarify at
10 that time, Bay Comm did not submit an
11 application; is that correct?

12 MS. KIM: They had not submitted an
13 application at the time, but they were
14 planning on to.

15 MR. GRAVES: Thank you, Ms. Kim.

16 HEARING OFFICER HANNIGAN: Ms. Kim,
17 with respect to the present
18 application, is it your agency's
19 position that public need exists in the
20 area where the territory sought for
21 expansion under the operating
22 certificate?

23 MS. KIM: Yes. We do believe that
24 there is a need for the community.

25 HEARING OFFICER HANNIGAN: Did the

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2 public need exist at the time of the
3 Glen Oaks' application as Mr. Lyons
4 indicated as well?

5 MS. KIM: Yes, there was.

6 HEARING OFFICER HANNIGAN: But your
7 organization's decision at that point
8 was to support one entity over the
9 other, is that a fair representation of
10 what you said?

11 MS. KIM: Yes.

12 HEARING OFFICER HANNIGAN: Thank
13 you.

14 I believe Mr. Kessel has raised his
15 hand to ask a question.

16 Mr. Kessel?

17 MR. KESSEL: Travis Kessel. No, my
18 question was actually what your follow
19 up was that if need existed at the time
20 of the initial application.

21 MS. KIM: Yes, as I said, there was
22 a need.

23 (Whereupon, Hearing Officer Hannigan
24 got disconnected.)

25 HEARING OFFICER HANNIGAN: I last

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2 left off with Mr. Kessel asking a
3 question of Ms. Kim.

4 MR. KESSEL: Travis Kessel. Yes,
5 your follow-up question of if there was
6 a need at the time the initial
7 application was answered.

8 HEARING OFFICER HANNIGAN: Did you
9 have any subsequent questions, Mr.
10 Kessel, in response to that answer I
11 received?

12 MR. KESSEL: Not at this time, no.

13 HEARING OFFICER HANNIGAN: Thank
14 you.

15 Next we will go to Ed Gorman,
16 President and Chief of Bellerose Rescue.

17 Is Mr. Gorman on yet or no?

18 MR. RANERI: Mr. Gorman is not on,
19 Tim.

20 HEARING OFFICER HANNIGAN: We will
21 proceed to Monsignor Machalski.

22 Is the Monsignor on?

23 MR. LYONS: I have a statement from
24 Ed Gorman, which I can e-mail to you.
25 I will e-mail it to Marie.

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2 HEARING OFFICER HANNIGAN: E-mail

3 Marie, yes. Thank you.

4 MR. LYONS: I think we were up to
5 Dr. Christopher Calandrella.

6 HEARING OFFICER HANNIGAN: Yes, he
7 was up next up. I was just seeing if
8 Monsignor was on right now as well.

9 Is Dr. Calandrella on?

10 MR. LYONS: He isn't either. His
11 clinical hours changed. He was unable
12 to make the hearing, but he submitted a
13 statement for this public testimony and
14 I have it and I can e-mail it to you or
15 I will e-mail it to Marie.

16 HEARING OFFICER HANNIGAN: Please
17 send that to Marie. You have those
18 statements, Mr. Lyons, before you now?

19 MR. LYONS: Yes.

20 HEARING OFFICER HANNIGAN: If you
21 can send those to Marie before the
22 close of this meeting, if you have them
23 by e-mail or scan, that would be
24 preferred.

25 MR. LYONS: Okay.

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2 MS. DIGLIO: Do you want them read
3 into the record?

4 HEARING OFFICER HANNIGAN: Yeah,
5 Mr. Lyons, in terms of length, why
6 don't you go ahead and read -- you said
7 you had one from Mr. Gorman first? We
8 will start with the statement of Ed
9 Gorman, President and Chief of
10 Bellerose Rescue.

11 Go ahead, Mr. Lyons.

12 MR. LYONS: I'm just pulling it up.

13 Dear Mr. Lyons, I am writing to
14 express support for the Bay Community
15 Volunteer Ambulance Corps' application to
16 The Regional Emergency Medical Services
17 Council of New York City and New York
18 State Department of Health for approval to
19 expand its ability to operate a basic EMT
20 volunteer EMS service in their adjacent
21 community of Bayside, New York in Queens
22 County The expanded area comprises an area
23 South of 24th Ave between Cross Island
24 Parkway and Bell Boulevard, South of 26th
25 Ave between Bell Boulevard and the

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Clearview Expressway, South of 23rd Ave
between Clearview Expressway and 201st
Street, South of 26th Ave between 201st St
and Utopia Parkway, and South of 26th Ave
between Utopia Parkway and Francis Lewis
Boulevard up to Long Island Expressway in
Queens Community Board 7 and 11, within
the confines of the NYPD 111th and 109th
Police Precinct.

We have received the definition of
public need as follows: the demonstrated
absence of reduced availability or an
inadequate level of care in ambulance or
emergency medical service available to a
geographical area that is not readily
correctable through reallocation or
improvement of existing resources.
Variables in considering public need
include geography; population size,
density, projections; level of care
existing, available; quality, reliability,
and response of existing services, type of
service emergency, non-emergency; special
need i.e., air, industrial facility,

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2 service effectiveness, cost and operation,
3 and other local factors, as indicated
4 within. NYS Department of Health, Bureau
5 of Emergency Medical Services, Policy
6 Statement 06-06, EMS Certificate
7 Application Process (CON).

8 I am happy to acknowledge that this
9 proposed area expansion will provide
10 better utilization of existing
11 community-based EMS resources, as the
12 Bay Community Volunteer Ambulance Corps
13 has an excellent service record since its
14 inception in 1968. Currently, the NYC
15 EMS-911 system is operating at greater
16 than 100% need, without the capability to
17 expand or relocate resources into this
18 relatively protracted area of the borough.
19 The services provided by the Bay Community
20 Volunteer Ambulance Corps are provided to
21 all and are not based on medical
22 need/necessity or their ability to pay.

23 They are active participants in the
24 EMS system, responding to all types of
25 medical emergencies within their existing

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communities, assisting in citywide disaster/pandemic activations, medical standby coverage for community events, and providing non-emergent ambulance transport when needed, as well as community-based training. All of these community-specific services cannot be replicated by other municipal, commercial, and hospital systems without considerable resource allocation and expense. They will also fill the gap created by the loss of service provided by the Bayside Community Volunteer Ambulance Corps, which ceased to operate after more than 50 years.

Therefore, it is my pleasure to endorse the Bay Community Volunteer Ambulance Corps' application and request that they receive the requisite approval to expand their operation as indicated.

Best regard, Ed Gorman.

HEARING OFFICER HANNIGAN: Thank you, Mr. Lyons.

Mr. Kessel has raised his hand.

Mr. Kessel, is that a new question or an

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2 old one from the previous time you raised
3 your hand?

4 MR. KESSEL: Travis Kessel. It's a
5 new question. Based on the Bellerose
6 testimony there's a question for Mike
7 being that he read it, are we safe to
8 assume that Bellerose, just like Little
9 Neck and Bayside and Bay Comm opposed
10 the Glen Oaks' application for need and
11 prevented an ambulance from serving a
12 needed area based on preference of
13 another agency, not on the actual need?

14 MR. LYONS: I cannot speak for
15 someone else.

16 HEARING OFFICER HANNIGAN:
17 Mr. Kessel, in a few moments, we will
18 have representatives from Glen Oaks and
19 they may be able to comment on that,
20 but we have several representatives
21 from Glen Oaks, at least four, to sign
22 up to speak. If Mr. Lyons can't
23 answer, you may want to reserve your
24 question for one of the reps from Glen
25 Oaks.

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2 Mr. Lyons, do you have a statement
3 from Dr. Calandrella regarding your
4 application?

5 MR. LYONS: Yes, I do.

6 HEARING OFFICER HANNIGAN: If you
7 can read that.

8 Charissa, who is our stenographer, we
9 will send you copies of these statements.
10 Marie will forward them so that to the
11 extent that Mr. Lyons reads them quickly,
12 we won't hold you to every word. We will
13 send you the written ones so you can
14 accurately record it in the record.

15 Mr. Lyons, on behalf of
16 Dr. Calandrella, please go ahead and read
17 his statement.

18 MR. LYONS: I'm writing to express
19 for support for the Bay Community
20 Volunteer Ambulance Corps' application
21 to The Regional Emergency Medical
22 Services Council of New York City and
23 New York State Department of Health for
24 approval to expand its ability to
25 operate a basic EMT Volunteer EMS

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service in their adjacent community of
Bayside, New York in Queens County.

The expanded area comprises an area
South of 24th Avenue between Cross
Island Parkway and Bell Boulevard,
South of 26th Avenue between Bell
Boulevard and the Clearview Expressway
South of 23rd Avenue between Clearview
Expressway and 201st Street, South of
26th Avenue between 201st Street and
Utopia Parkway and Francis Lewis
Boulevard up to Long Island Expressway
in Queens Community Board 7 and 11
within the confines of the NYPD 111th
and 109th Police Precinct.

As a nearby resident and someone who
spend a lot of time in this community, I
cannot emphasize enough how important it
is for this neighborhood to have these
additional resources available for its
residents. Whether I am dining at Maria's
Restaurant or buying goods at Bayside
Plumbing Supply, I can attest to how
wonderful and diverse our expanding

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community has become. As a physician working and serving this area during the pandemic, I can verify the impact the first line responders had and the care they provided to our friends and family. As a physician, I can also speak to the dedication and commitment the EMS workers exhibit daily in the face of so many challenges. And, finally, as the father of three daughters that attend school in Bayside, I can affirm the importance of having resources available to care for my family in times of emergency.

We have received the definition of public need as follows: The demonstrated absence, reduced availability or an inadequate level of care in ambulance or emergency medical service available to a geographica area, which is not readily correctable through reallocation or improvement of existing resources. Variables in considering public need include geography, population, size, density, projections. Level of care,

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existing available, quality, reliability and response of existing services, type of service emergency, nonemergency, special speeds. For example, air, industrial facility. Service effectiveness, cost and operation and other local factors as indicated within. New York State Department of Health, Bureau of Emergency Medical Services, Policy Statement 06-06 EMS Certificate Application Process CON.

I am happy to acknowledge that this processed area expansion will provide better utilization of existing community based EMS resources that the Bay Community Volunteer Ambulance Corps has an excellent service record since their inception of 1968. Currently, the New York City EMS system is operating at greater than 100 percent need without the capability to expand or relocate resources into this relatively protracted area of the borough. The services provided by the Bay Community Volunteer Ambulance Corps are provided to all and are not based on medical need,

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necessity or their ability to pay.

They are active participants in the EMS system, respond to all types of medical emergencies within their existing communities, assisting in citywide disaster, pandemic activation. Medical standby coverage for community events and providing non-emergent ambulance transport when needed, as well as community based training. All of these community specific services cannot be replicated by other municipal, commercial and hospital systems without considerable resource allocation expense. They will also fill the gap created by the loss of service provided by the Bayside Community Volunteer Ambulance Corps, which ceased to operate after more than 50 years.

Therefore, it is my pleasure to endorse Bay Community Volunteer Ambulance Corps' Application and request that they receive their approval to expand their operation as indicated.

HEARING OFFICER HANNIGAN: Thank

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you.

Mr. Lyons, I have a question for you just with respect to the letter from Mr. Gorman and then from Dr. Calandrella. Were those persons informed of your pending appeal of Glen Oaks before the time they submitted letters in support of your application?

MR. LYONS: I believe so. I mean, they would be the ones to answer, but I believe they all know. An appeal was in the process, the status of the appeal is based off the REMSCO website and, yes, we don't know if we are the only ones to file an appeal. We just know the application is under appeal and can only speak to, you know, our agency. I don't know if other agencies appealed. You know, you'd have to ask Ed Gorman.

HEARING OFFICER HANNIGAN: That's correct. Thank you.

The next person that registered to speak is Jerrold Gelbard on behalf of Glen

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2 Oaks Volunteer Ambulance Corps.

3 Charlie, if you can unmute.

4 Mr. Gelbard, when you are unmuted, you
5 can proceed, sir.

6 MR. GELBARD: Sure. Good evening
7 every one. Mr. Hearing officer, REMSCO
8 Ambulance Committee, council members
9 and guests. Tonight I will be speaking
10 in opposition on behalf of the Glen
11 Oaks Volunteer Ambulance Corps.

12 The applicant, Bay Community Volunteer
13 Ambulance Corps, cites a need to restore
14 volunteer EMS services that were left
15 unserved when the original Bayside VAC's
16 ambulance operations in 2018. Yet, the
17 applicant in three plus years has not
18 applied for an area expansion. It was
19 only after the Glen Oaks gained approval
20 that they went forward with the
21 submission.

22 Furthermore, the applicant also filed
23 an appeal in December, which obstructs our
24 operation from serving the very same
25 community that they cite as needing

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2 ambulance services. This appeal was a
3 frivolous tactic to obstruct EMS delivery
4 to this community while they place their
5 own application for need.

6 If restoration of volunteer EMS
7 services were paramount, opposition of
8 appeal of the previous would not have
9 occurred. Their interest to service this
10 new population is not genuine and appears
11 predicated on want, desire, agency self
12 preservation and an infusion of needed
13 finance by a secondary entity.

14 The area being proposed exhibits a
15 significantly larger population size.
16 This larger scope of coverage dictates
17 that an agency must retain the size and
18 scope to tackle such an increase in
19 potential call line without impacting the
20 service being provided to their current
21 operating area. The applicant currently
22 retains a team of ten EMTs. This is
23 hardly enough staff to effectively cover
24 the operating territory.

25 The application is not complete and

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2 should not have been proceeded to this
3 hearing level as they did not supply all
4 the U.S. Postal mailing receipts for the
5 affected adjacent areas. Flushing,
6 Jamaica Estates and Glen Oaks VAC's
7 documents are not present in the
8 submission, nor can they be added at this
9 time.

10 Was this a deliberate step by the
11 applicant to hide their plans from the
12 agency so they could not provide a
13 rebuttal or work on collaborating for the
14 better good of the community? We don't
15 know.

16 In addition, Dr. Crupi, the
17 applicant's medical director for over 20
18 years, removed his endorsement of this
19 expansion and resigned prior to the
20 application being deemed complete. Aside
21 from wondering why this occurred, the
22 application is not complete as the REMSCO
23 application completeness checklist
24 specifically notes the requirement of the
25 medical director's endorsement at the time

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2 of submission. Deviation from this
3 standard practice and procedure would show
4 partiality to this applicant.

5 In addition, the announcement of the
6 new medical director this evening bears no
7 merit as he does not have any experience
8 with this agency and cannot accurately
9 endorse their operational capacity to
10 engage in expanding.

11 I would also note that Form DOH 3777
12 submitted with this application lists
13 Dr. Crupi. Furthermore reason to consider
14 this application incomplete and factually
15 incorrect at the time of this hearing.

16 In the literary arena, plagiarism is
17 the utmost and flattering. We are humbled
18 that another agency sought out our
19 submission, however, in this case,
20 submitting incomplete, inaccurate or
21 copied information for this proceeding is
22 not a true representation of the
23 organization's research, deliverables and
24 capabilities to substantiate the burden of
25 proof clause. The application that Bay

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Community submitted is a 74.9 percent direct copy, inclusive of the typos that were confined in our original application. This side by side review was conducted using plagiarism software. This is a representation of someone using a term paper for a friend that received an A and makes it their own with some minor variations to receive that same A. We are not in school and this submission should not be rendered as their own work.

Since the Glen Oaks' approval, FDNY EMS redeployed or reallocated existing BLS ambulances toward the core of the Bayside area, which was not present during the Glen Oaks' process and subsequent approval. This reallocation of existing resources, as well as the recent regional approval of the Glen Oaks VAC expansion application for this same area now meets the needs of restoring community volunteer resources that were once provided by the old Bayside Community VAC group.

This recent development sustains that

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there is no new additional need for BLS EMS service in this same area. The applicant also does not address the gap in ALS availability for this very same area, nor can they provide that level of service, as they are a BLS service only.

The inequity or insufficient availability that was cited in the previous Glen Oaks' process has since been addressed between the FDNY EMS change of ambulance deployment, as well as the recent regional approval of the Glen Oaks VAC application. In fact, Glen Oaks VAC only allocated resources into the Bayside Community in March of this year to help establish a community vaccination pod as the contracted commercial provider was unable to fulfill this need.

This redeployment or reallocation of resources was coordinated in 30 minutes and the site was able to begin vaccinating.

In addition, Glen Oaks has provided ALS and BLS care and transport for various

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medical emergencies in this very same area under a regional emergency order since March of this year. The applicant operates as a BLS service and cannot provide the same level of services and is not able to substantiate that there additional resources are needed.

The area by needs of the Glen Oaks VAC also increases area coverage for critical ALS assignment types, which the applicant does not provide. The applicant states that they handle an average of 150 calls per year in their application. Public data obtain indicates the following, actual call volume in 2019 was 45 submissions with 22 emergency responses. In 2020, the agency had 70 calls, 47 of those being emergency responses. The 2020 data also includes approximately 12 responses, only 12, during the 911 COVID mutual aid activation from March 27th to May 21, 2020.

A review of the agency's non-for-profit IRS 990s would also concur

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with this data as their program line item income and revenue recovery is listed at list than \$5,000 a year for the preceding three years of record availability. The applicant also addresses that adjacent volunteer EMS providers only operate at the BLS level. This is another incorrect statement and a direct copy of the Glen Oaks' narrative. While this was a true statement from the Glen Oaks perspective, the applicant used this incorrectly as we provided tiered ALS and BLS level of care.

In addition, they address their relationship with Dr. Crupi in the QA QI that is performed, but they also left in from the Glen Oaks' narrative is the specific portion that speaks to EMS call review sessions available to the applicant and the region. This statement is, again, inaccurate as Dr. Crupi regularly provides regional EMS call review sessions through Glen Oaks to meet the New York City REMAC call review needs for the region. He has not, nor have there been any public

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offerings of CME at the Bayside Community location. Again, this is not an accurate statement.

The 911 EMS response times provided in the narrative are identical to what was submitted or current at the time of the Glen Oaks' submission in 2020.

Unfortunately, the statistics for 2020 were not provided and not researched to the Bay Community submission and should be considered an incomplete assessment of need. In addition, the agency neglected to include the appropriate 911 EMS response times for the 109th Police Precinct that they are also proposing to expand into under this application. Therefore, in addition to being inaccurate, this area is incomplete and does not address need.

The agency also did not deviate from the Glen Oaks' submission in the section as they used the exact language that now does not apply to this particular application. The applicant states that

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they will be able to use the Bayside VAC to handle and house their ambulance for better response. While that may or may not be true, there are no documents to support this in their submission and, quite frankly, our agency in a personal meeting with Mr. Capo was made that same offer by the president of Bayside VAC, who stated that he is not partial to any agency and if our agency is approved, we can place a vehicle there.

So the only this body can take into consideration is the now and the president, which is the applicant's current headquarters, location, fiscal personnel and operating environment. From an agency staffing perspective, they identify a staff of 25 to 30, however, the public documents obtained from their recent New York State DOH recertification indicated capturing about ten EMTs and about 5 non-EMTs, including some that obviously do not ride an ambulance. This is most definitely an inaccurate account

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2 of the agency's operational capabilities
3 and must be considered when determining
4 the capability to service the new
5 population, let alone what it would do to
6 their current one as well as the EMS
7 system if approved. How many more calls
8 will be placed back into the region's EMS
9 system?

10 The application uses a quote about
11 solicited funds to maintain a reliable
12 fee. We can let their (inaudible)
13 information, the agency appears to not
14 have realized enough capital to replace
15 their 1993 and 1999 single rear wheel
16 modular ambulances. Again, this is an
17 accuracy of the facts, budgets and shows
18 that the agency is attempting to use their
19 statements to garner approvals when, in
20 fact, they are attempting to expand beyond
21 the agency's fiscal means, which would be
22 devastating to their current and any other
23 communities.

24 As an active EMS provider and leader
25 for over 40 years who first started in and

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remains active in the volunteer EMS community, I have had a front row seat to the accomplishments and unfortunately the shortfalls of volunteer EMS agencies in this and other regions.

As many of you in the audience are aware, I am always advocating regionally and statewide on behalf of the volunteer EMS. I must caution everyone that a good portion of the information provided by the applicant to engage support for this proceeding may have been inaccurate or misleading and should not be taken into account to render an approval for the determination of public need.

Bay Community VAC has not demonstrated the need for additional resources in this proposed area, nor have they provided a complete, accurate and truthful submission. Approval of this application would be detrimental to the residents of the Bayside Community, the volunteer EMS community, as well as The Regional EMS system and I thank you for your indulgence

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2 and your time.

3 HEARING OFFICER HANNIGAN: Thank
4 you, Mr. Gelbard.

5 Mr. Kessel, I believe you had a
6 question before relative to Glen Oaks.
7 Would you like to ask Mr. Gelbard that
8 question at this time?

9 Is Mr. Kessel still on?

10 MR. UNG: He's still in the
11 meeting.

12 HEARING OFFICER HANNIGAN: Thank
13 you, Charlie.

14 MS. DIGLIO: Is he unmuted?
15 Charlie, you are going to have to
16 unmute Travis.

17 MR. KESSEL: Hi, there. Yeah, no,
18 it wasn't relative to Glen Oaks. It
19 was relevant to the agencies
20 specifically who would oppose one need
21 application and in support of the
22 other, so it wasn't really in reference
23 to Glen Oaks, it was in reference to
24 the other agencies.

25 HEARING OFFICER HANNIGAN: Okay.

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2 Mr. Gelbard, are you aware of what
3 agencies, if any, oppose your
4 application?

5 MR. GELBARD: Yes. Bay Community
6 Volunteer Ambulance Corps was the only
7 agency that supported an appeal against
8 our REMSCO Regional approval.

9 HEARING OFFICER HANNIGAN: Thank
10 you.

11 Do any members of the Council have any
12 questions for Mr. Gelbard?

13 Charlie, if you see any, please go
14 ahead and unmute them. I'm scrolling
15 through now.

16 MR. UNG: I do not see any
17 indications of a question.

18 HEARING OFFICER HANNIGAN: Neither
19 do I. Thanks.

20 Mr. Gelbard, I just want to ask a few
21 follow-up questions based on your
22 statement. I will note that we did
23 receive your statement as well and it has
24 been marked as an exhibit in this
25 proceeding because it was received in

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2 written form in advance of this evening's
3 hearing. I wanted to ask with respect to
4 your claim that the applicant plagiarized
5 the Glen Oaks' application, can you
6 identify the software or program that you
7 used to determine the 74.9 percent direct
8 copy?

9 MR. GELBARD: I believe my
10 colleague, Dave Meketansky, can answer
11 that question when he gets to it.

12 HEARING OFFICER HANNIGAN: Okay.
13 At what point did your entity determine
14 that your application was plagiarized
15 in this case or believe that your
16 application has been plagiarized?

17 MR. GELBARD: Probably immediately
18 after it was published.

19 HEARING OFFICER HANNIGAN: You
20 indicated with respect to the narrative
21 provided by this applicant, they
22 indicated that they are only BLS level
23 agency is neighboring. You clearly do
24 provide ALS care though, correct?

25 MR. GELBARD: Absolutely. We have

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2 three ambulances, two of which are ALS
3 capable and, in fact, during these
4 operations with vaccine sites, we've
5 actually had all three operating, one
6 to cover the response area and actually
7 two to cover some of the vaccine sites
8 because some of the other Regional
9 adjacent Volunteer Ambulance Corps
10 could not cover it and we jumped in and
11 provided the extra coverage.

12 HEARING OFFICER HANNIGAN: Is it
13 fair statement, sir, with respect to
14 all other agencies except for yours,
15 are they all only BLS agencies?

16 MR. GELBARD: All affected
17 agencies -- actually, all agencies in
18 East Queens operate at the BLS level
19 except us.

20 HEARING OFFICER HANNIGAN: Thank
21 you, sir. That's all I have for you,
22 sir.

23 Do any members of the Council have any
24 questions for Mr. Gelbard?

25 Mr. Meketansky, I see you have your

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2 hand raised. You are actually scheduled
3 next to speak. I will let you address
4 your comment there.

5 I'm just scanning to see if we have
6 any council members.

7 I'm seeing none. Charlie, is that
8 consistent with what you see?

9 MR. UNG: Yes, it is.

10 HEARING OFFICER HANNIGAN: Very
11 well.

12 We will proceed with statements by
13 Dave Meketansky on behalf of Glen Oaks.

14 Go ahead, sir.

15 MR. MEKETANSKY: Sure. I just want
16 to -- that question -- Jerry and I work
17 closely together running a lot of stuff
18 here. We used Copyleaks. I know it's
19 used by a lot of colleges in terms of
20 looking at term papers. So Copyleaks
21 was where we compared it and the thing
22 that set me off that put it through is
23 discussing about a youth squad. I
24 don't believe Bay Community has ever
25 had a youth squad, despite it being

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2 detailed in their application. That's
3 kind of what triggered me to the
4 question of plagiarism.

5 I mean, again, we are not a college,
6 we are not an academic university. I
7 don't want to say any kind of legal terms
8 there.

9 HEARING OFFICER HANNIGAN: No. I
10 appreciate the response to that
11 question. Thank you, sir. You
12 obviously now have the floor. You can
13 proceed with any comments you wish to
14 make.

15 MR. MEKETANSKY: Sure. I will be
16 brief. I know it takes a long time to
17 do this, but thank you, Mr. Hannigan,
18 thank you members of the Ambulance
19 Committee, members of REMSCO.

20 As someone who recently completed this
21 application and hearing process, I'm
22 appreciative of everyone's time and I also
23 want to be here to help clarify this a
24 little bit better. As we discussed
25 already, GOVAC, Glen Oaks VAC, received

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the approval for the determination of need back in November of 2020, but unfortunately, you know, despite being someone who always supports volunteer EMS, especially throughout New York City, especially throughout New York State, I'm opposing this application.

First, in all honestly, Bayside absolutely has a need. Bayside needs an exception volunteer ambulance agency that cares about responding to the community. Bayside needs an agency with 105 EMTs to staff multiple crews day in, day out especially for an agency that's looking to serve multiple areas.

Bayside needs an agency that can offer advanced life support. We have an aging population with critical needs. I'm an EMT. BLS before ALS, but our crews have enough REMAC certified paramedics that we are staffing ambulances seven days per week. Bayside needs an agency with over a dozen State certified instructors with collectively -- not to age anyone --

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hundreds of years of EMS experience,
capable of providing mentorship and
education to new EMTs and students,
especially coming from the Bayside area.

Bayside needs an agency with an active
youth corps program, teenagers and future
healthcare professionals and throughout
the Bayside area need a place where they
can learn and develop their interests in a
medical field. Bayside needs an agency
that within minutes, as Jerry just
discussed, can medical standby coverage at
vaccination sites right in the Bayside
area. So far I'm very appreciative of my
crews. They have covered over 250 hours
of vaccination sites over the past few
months and that was opened to all
volunteers. All the meanwhile covering
our own responses. That's, again, 105
EMTs can do that.

I can go on and on. The answer is
simple, Bayside has a need.
Unfortunately, Bay Community VAC is unable
to provide for those real needs of the

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2 Bayside Community.

3 Going back, November 17, 2020, this
4 Council that I appreciate so much, voted
5 an approval for Glen Oaks VAC to serve
6 this community, but this decision was
7 appealed on somewhat questionable grounds
8 which is causing further time, further
9 expense and, frankly, further loss to the
10 Bayside Community who doesn't have this
11 ambulance able to respond in their
12 community today, January 1st.

13 Bayside does not need an agency that
14 would obstruct and delay ambulance
15 services in the community for their own
16 want and desire for choice. This isn't
17 Amazon, this isn't Uber. This is a need
18 for an ambulance service. Thank you so
19 much.

20 HEARING OFFICER HANNIGAN: Thank
21 you, sir.

22 Do any members of the Council have any
23 questions for Mr. Meketansky?

24 Charlie, do you see any questions?

25 MR. UNG: No questions.

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2 HEARING OFFICER HANNIGAN:

3 Mr. Meketansky, with respect to -- you
4 acknowledge that public need does
5 exist, is that your statement this
6 evening?

7 MR. MEKETANSKY: I think there's a
8 public need for a lot of the services
9 that Glen Oaks can provide.

10 HEARING OFFICER HANNIGAN: Is it
11 your position, sir, that public need
12 exists sufficient to support two
13 agencies, two volunteer agencies,
14 having operating authority in this
15 area?

16 MR. MEKETANSKY: I think given the
17 size of our agency, we are fully able
18 to cover that response and I know a lot
19 of EMS operational people in this can
20 all attest that it's hard to run, you
21 know, multiple agencies responding to
22 one call. Having it as one agency that
23 can -- sorry. Having one agency that
24 can negotiate calls, cover BLS and ALS
25 in-house. That's a big, big benefit to

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2 the community and that's -- I think one
3 big enough agency can easily cover this
4 area. That's what I think Glen Oaks
5 is.

6 Again, even going back, we met with
7 Mike Lyons and Brian just right here in
8 our building and we discussed getting a
9 mutual aid agreement, you know, being able
10 to work together. They said they would
11 come back to us. I guess thank you to I
12 believe Ashley it was who I guess told us
13 they had always been planning this. We
14 were trying to work on this together and
15 build one cohesive agency. Lou Rotkowitz
16 said great things. We have to be kind and
17 we've got to work together. Stopping us,
18 obstructing us is not working together.

19 HEARING OFFICER HANNIGAN: Thank
20 you, sir.

21 Do any members of the Council have any
22 questions for Mr. Meketansky before we
23 proceed?

24 I see none.

25 Charlie, can you confirm that on your

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2 end?

3 MR. UNG: Yes, it is the same on my
4 end.

5 HEARING OFFICER HANNIGAN: Next up
6 is Louis Greco from Glen Oaks.

7 Mr. Greco?

8 MR. GRECO: Hi. Good afternoon.
9 My name is Louis Greco and I am the
10 President Chief of Park Slope Volunteer
11 Ambulance in Brooklyn and Vice Chair of
12 District 4.

13 Back in November the Council approved
14 Glen Oaks' application and they found that
15 there was a need and the need was there
16 and it was demonstrated clearly by Glen
17 Oaks' application. Subsequently, Bay
18 Community put in an -- filed an appeal and
19 when doing so, we moved forward to their
20 application and in their application they
21 are outlining the proposal of potentially
22 there being two volunteer agencies
23 covering the same area, and that's never
24 been the case in the City and one of the
25 biggest reasons that that's not the case

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is by doing so we put volunteer agencies against one another. We start competing for the same elected officials in their support or financial, as well as just day-to-day support that we gain from them.

We start competing against each other for the same membership base and we start competing against each other for the same call volume, which let's be frank, for volunteer ambulances throughout the City, the majority of them, that billable call volume is imperative to them continuing to operate.

By inserting two agencies over the same coverage area, we've set up ourselves for failure as a volunteer sector throughout the City. The volunteer sector is different than other sectors and it's important that communities have the ability to identify what their community's Volunteer Ambulance Corps is.

Furthermore, the ability for the agency to be able to move forward and to have the leadership and the depth to

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service in a community is more important at this point than geographic boundaries. The ability for an agency to have the manpower to being serviced and the statistics of the two agencies that have proposed and I understand that tonight is about Bay Community's application, but we need to look back at that November approval. That November approval clearly indicates an agency that demonstrated the ability and just like Jerry and Dave just presented on behalf of Glen Oaks, it depicted an agency that's moving forward and the Bay Community agency has done great work for Bay Community over the years and I don't want to take anything away from that, but what I want to be clear about is we need an agency that is progressive that can rise to the needs of this community, a community like has been depicted by Bay Community that's changing, it's becoming more dense in population and more diverse.

We need an agency that can service

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2 that community and I think that's one of
3 the most important things when REMSCO
4 reviews this application is that there is
5 a need, which we determined back in
6 November, but also who can fill that need,
7 who can legitimately fill that need, and
8 whose not just making a grab for territory
9 because they want it. Who can fill that
10 need to serve the people of that
11 community. I appreciate the time. I'm
12 happy to answer any questions.

13 HEARING OFFICER HANNIGAN: Thank
14 you, Mr. Greco.

15 Do members of the Council have any
16 questions for Mr. Greco?

17 I'm seeing none.

18 Charlie, can you confirm that on your
19 end?

20 MR. UNG: Yes, I can confirm.

21 HEARING OFFICER HANNIGAN: Thank
22 you, Mr. Greco.

23 The final speaker who was scheduled to
24 speak this evening is Michael Berlin,
25 Esquire, counsel for Glen Oaks.

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2 Mr. Berlin, are you on?

3 MR. BERLIN: I am. How are you?

4 Good afternoon.

5 HEARING OFFICER HANNIGAN: I am
6 doing well, sir. Good afternoon. I
7 think we started in the afternoon.

8 MR. BERLIN: Evening. It started
9 in the afternoon and we are now in the
10 late evening it seems so --

11 HEARING OFFICER HANNIGAN: You can
12 proceed, sir. Please, go ahead.

13 MR. BERLIN: Thank you. I
14 appreciate that. As you mentioned, I
15 am outside counsel to Glen Oaks.

16 I want to echo the powerful testimony
17 that was opposing the application that was
18 here, and I want to say putting aside the
19 blatant copying of an application, which
20 in itself would be enough to reject this
21 application and should be seen and looked
22 at very carefully, you know, again, as
23 Dave said, he mentioned the youth corps,
24 but also the fact that typos were actually
25 copied from the previous application is

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just illustrious of illustrative of what
this application way and the way that it
was rushed in.

I think it's part of a larger process
that we are seeing here, which is that the
application and also the statements of its
supports are pure gamesmanship. They
oppose Glen Oaks' application on
protectorial issues. They appealed the
valid decision to slow the process. Mr.
Lyons himself admitted that there were no
grounds for his appeal in that it's only
basis is that there is some overlap, but
he says he favors overlap as long it
doesn't affect him.

They put in their own copied
inaccurate application quickly during the
appeal. Their supporters have said
previously that there's no public need, as
you've asked a number of times, and
there's nothing that they can say that
would change it except for that they are
preferring one group over another.

This body should not award this type

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2 of conduct. A part should be allowed to
3 take a contrary position, appeal on
4 frivolous grounds, use the delay in that
5 appeal because of the backlog that's going
6 on right now in the Department of Health
7 to being heard to capitalize for
8 themselves.

9 The hypocrisy here is absolutely
10 blatant and I urge this body to see it for
11 what it is and to reject it. If they
12 truly want to meet the clear public need,
13 they should withdraw both their
14 application and their groundless appeal
15 and allow things to go forward in the
16 community to be served. Thank you.

17 HEARING OFFICER HANNIGAN: Thank
18 you, Mr. Berlin.

19 Do any members of the Council have any
20 questions for Mr. Berlin?

21 I'm seeing none.

22 Charlie, can you confirm that on your
23 end?

24 MR. UNG: Confirmed.

25 HEARING OFFICER HANNIGAN: Thank

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you.

Mr. Berlin, I wanted to follow up on the statement you just made there regarding withdrawal of an appeal of the Glen Oaks' application. Has anyone since the time that appeal was made in December of 2020, has anyone from the applicant contacted your entity regarding withdrawal of their appeal subject to clarification of your client's operating territory?

MR. BERLIN: You know, I would have to refer to Mr. Gelbard. I am not aware of them having done so, but I would like to let him answer because it may be possible I have not been informed of that.

HEARING OFFICER HANNIGAN: Okay. Mr. Gelbard, are you still on?

MR. GELBARD: Sure. Can you just repeat the question?

HEARING OFFICER HANNIGAN: Sure. Your counsel indicated that -- essentially requested that the applicant advancing the notice in the

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2 public need existence in this affected
3 area, withdrawal its application and
4 then work on some clarification of
5 territory or something outside of the
6 context of challenging public need on
7 appeal. Has the applicant contacted
8 you at any time following the filing of
9 their appeal?

10 MR. GELBARD: The applicant has
11 not. We attempted prior to our
12 application being submitted to work out
13 a collaborative operational agreement
14 that would have been beneficial to not
15 only the Bayside area, but to the
16 inherent Bay Community area, and as
17 repeated earlier, it was rejected and
18 the application was opposed and
19 subsequently appealed.

20 There were at least two individuals
21 outside of my organization that asked Bay
22 Community to withdraw their appeal and
23 withdraw their application to determine --
24 to be able to work collaboratively to the
25 betterment of the community and that was

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2 also rejected. So that is where we stand
3 right now.

4 HEARING OFFICER HANNIGAN: Thank
5 you.

6 Mr. Berlin, with respect to the
7 comments regarding the -- I guess you
8 echoed Mr. Gelbard's comments regarding
9 plagiarism of the application.
10 Mr. Berlin, have you personally compared
11 the application that was submitted by the
12 present applicant to the application that
13 was submitted by your client and either
14 independently or concurrently confirm that
15 it appears that plagiarism occurred?

16 MR. BERLIN: So I didn't look at it
17 in the detail that was there. I was
18 pointed out to certain paragraphs that
19 matched the previous application,
20 including the typos and the other
21 pieces that are there. I cannot say
22 that I went through it with a line by
23 line as the computer program did, but I
24 was able to look at specific paragraphs
25 that were clearly lifted from the prior

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2 application, including ones that
3 included typos that were in the --
4 unfortunately, I wish we picked them up
5 in the prior application, but did not,
6 but then were repeated in the
7 subsequent one.

8 It is -- I understand there's a
9 seriousness of the charge to say that they
10 simply lifted paragraphs from the
11 application of Glen Oaks and then put it
12 in there, but it is hard to see how where
13 there are factual inaccuracies that only
14 match Glen Oaks and where there are typos
15 that were copied into the subsequent
16 application that it was not simply the
17 taking of paragraphs, and as Mr. Gelbard
18 testified to, a substantial amount, almost
19 75 percent of it. Now, I have not done
20 that comparison to make the 75 percent,
21 but I have seen those paragraphs that are
22 identical and including inaccuracies.

23 HEARING OFFICER HANNIGAN: Thank
24 you, sir.

25 Does any member of the Council have

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2 any further questions for Mr. Berlin?

3 I'm seeing none.

4 Charlie, is that the same on your end?

5 MR. UNG: Same on my end.

6 MR. BERLIN: Thank for your time
7 and I do appreciate being allowed to
8 speak.

9 HEARING OFFICER HANNIGAN: Thank
10 you, sir. Absolutely.

11 Is there anyone from the public that
12 would like to offer comments on this
13 matter who has not already had the
14 opportunity to speak? If so, please alert
15 Charlie?

16 MR. UNG: I'm seeing none.

17 HEARING OFFICER HANNIGAN: No one
18 has asked to speak yet?

19 MS. DIGLIO: I see a hand up, I see
20 two hands up. Yedidiah Langsam and
21 Barbara Fischer.

22 HEARING OFFICER HANNIGAN: Sure.
23 We can start with Dr. Langsam.

24 DR. LANGSAM: As an academic, I
25 take very seriously accusations of

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2 plagiarism. They go veering on the
3 honesty of everything else that is
4 being said by the person who is being
5 accused. I just wonder whether there's
6 any response to that accusation. I've
7 heard the accusation and that software,
8 by the way, is one that I use quite
9 frequently. I wonder if there's a
10 response.

11 HEARING OFFICER HANNIGAN: Yes,
12 Dr. Langsam, that was a similar
13 question that I had. The applicant
14 will have the opportunity for rebuttal
15 in a few moments depending on whether
16 Ms. Fischer has any comments, but I
17 agree, that's a topic that I hope is
18 addressed in rebuttal time.

19 Ms. Fischer, do you intend to offer
20 comments at this time regarding the
21 application?

22 MS. DIGLIO: She needs to be
23 unmuted. Hold on, we have to unmute
24 you.

25 HEARING OFFICER HANNIGAN: Go

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2 ahead, ma'am.

3 MS. FISCHER: I'm sorry, I don't
4 have any comment. I just noticed the
5 gentleman's hand was raised for a
6 question and you were saying there was
7 no other questions. That's all.

8 HEARING OFFICER HANNIGAN: Very
9 good. Thank you, thank you. Someday
10 we will get to do this in person again
11 and these oddities of doing this
12 remotely will be solved. Thank you for
13 bringing that to our attention.

14 If no one further wishes to comment on
15 this application, the public forum is now
16 closed.

17 Mr. Lyons, this will commence the
18 period of time in which you can exercise
19 your opportunity for rebuttal. The
20 purpose of rebuttal, sir, is to respond to
21 comments made in opposition to the
22 application. Do you intend to exercise
23 your opportunity for rebuttal at this
24 time?

25 MR. LYONS: Yes.

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2 HEARING OFFICER HANNIGAN: Please
3 proceed, sir, and I ask that you do
4 address the comment raised by
5 Dr. Langsam regarding the allegation of
6 plagiarism in your comments. Thank
7 you.

8 MR. LYONS: Right. So Glen Oaks
9 Volunteer Ambulance Corps only filed
10 after Bayside Volunteer Ambulance Corps
11 who we had been working with started to
12 get their house in order. When they
13 saw that the Bayside Volunteer
14 Ambulance Corps wasn't going to be
15 taken over by the Attorney General from
16 its management, this is the only time
17 they went ahead, went forward and
18 rushed in an application.

19 We had been working with them to
20 restore them all along. We have spent
21 countless hours looking at many different
22 scenarios and this has been an evolving
23 process since they lost their operating
24 certificate. We have looked at many
25 different scenarios, which would include

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not working with Bayside at all originally if the agency was going to completely go away.

You know, we have had to modify our application as the whole entire plan evolved. Originally it was going to be filed in 2020 and then along the way as Bay Community was working to get public support, we were being constantly attacked and undermined by Glen Oaks because they are completely against us.

This has included, you know, as I said with politicians, with the fact that the medical director that we used to have who was our medical director for 20 years, is also the medical director for Glen Oaks and he was our medical director first and he signed our letter for filing in February that he intends to support this expansion and go forward with it, and then all of sudden he turns around and picks up and becomes the medical director of Ridgewood Volunteer Ambulance Corps, Middle Village and Glendale and then tells

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us, oh, he's too busy and he can no longer be our medical director, only for the expansion. He will remain our medical director as long as we don't expand and, obviously, you know, there was a conflict of interest, you know, if you want to call it competing for the expansion and, you know, at REMSCO, you know, I think they tried to explain it three different ways what our medical director did and did very, you know, last minute.

We had placed in our application at the time it was in and by the deadline when it should have been deemed complete, he was our medical director. Then we didn't get it deemed complete. It went over the timeline and then all of a sudden now this is the reason because he's going to withdraw his support and he's going to be an interim medical director until we find a replacement.

So, you know, what do we do? We go ahead and do get a new medical director so that, you know, he can no longer be

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overburdened and can go in whatever other direction and we don't have a conflict of interest anymore between two agencies that are now competing for the same area.

So, you know, that whole aspect of the medical director really is all about the fact that he's also a medical director for Glen Oaks and the fact that there's a reason which he would not disclose, you know, that he's getting pressure from that agency that if he doesn't pressure us to withdraw, it's going to be bad for him.

You know, he's been our medical director for 20 years. So we said, hey, you know, we will work and we'll get someone else if this is going to be a problem. So, you know, that's what led to that change.

As far as the postal mailing, we did mail endorsements to all the Volunteer Ambulance Corps. It was done in waves. So I don't know if a certain particular wave of postal receipts didn't make it into the application. That is definitely,

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you know, something that slipped in that file.

Now, as far as the application itself, there are only so many ways to state things. A lot of the data, you know, was in the same area. Our application was done in 2020 and then it got pushed out as we continuously kept getting pushed back and we wound up having to then carry it over into the following year. We had no intent of being this far along and still in the process, and just so everyone knows, you know, when we did file it, it was not instantly deemed complete. It was sent back and it is very -- at the next REMSCO meeting, they literally changed the requirements for filing so that they can deem it incomplete and push us back another month, and this is very concerning because there are a lot of members of REMSCO who have a conflict of interest because they're on Glen Oaks and some of Ambulance Committee as well and it's a conflict and they are really pushing us

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for it.

Glen Oaks states, you know, that they're doing all these vaccination pods and when they did it on the first day, they had no operating authority to be there whatsoever and when that occurs, they are not following -- and they know they are not following they don't have a right to be there in Bayside providing a vaccination pod.

So then REMSCO had to run and try to come up with a way to cover this, and they first issued an application advisory, which said that the REMSCO has the right to expand operating areas for 60 days. What they failed to continue on with was the fact that with the approval of the State Department of Health who actually grants operating certificates.

So right after that was issued, it had to be completely rescinded and then they had to work on finding another way through some sort of mutual aid that they could go ahead and do this, and then the other

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thing to know about is, you know, the vaccination pods and the calls, all they are looking to do is all driven by they are looking for payable work, and that's why they are doing so much of that.

Now, as far as plagiarism, again, to say that you recognize the document is plagiarized without fully knowing our agency and the detail is ridiculous. Dave here says, oh, well, we know it's plagiarized because it mentions that Bay Community has a youth squad, well, guess what? I was a youth squad member. Right? I have a youth squad today.

You know, you pick on the fact that we have, you know, 25 members. Well, they are not all riding members. We have associate members and we don't count the youth squad members, so we have them routinely helping out with administrative stuff, which frees up the others to be working and doing patient care and that's how Bay Community has always worked.

Yes, we are a smaller agency than Glen

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Oaks, but we have a different approach to how we get the work done. New York State Department of Health, you know, deems competent and fitness and the way we get things done with smaller, you know, budget, you know, is that we seek out resources that then can perform the services for us and bring them in onboard as associate members who can then do -- you know, work for us. So we do a tremendous amount of that to keep things going.

So we know how to operate when our call volume has gone down. We lost already a huge military residential community, yet we were able to still continue and go forward and we have always been adapting to do that. You know, as far as the call volume, I will have to look into that, you know, those details. I don't believe that's accurate. I'm not so sure everything is being picked up in the system correctly.

As far as the other things with our

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finances, the way we have it written in the application is over many years, not two to three years. So it is written that way. Now, multiple people did write this document, but some of that stuff is in template and because we get rejected and we have to follow format that won't get rejected, you know, we try to mirror I think as close as possible to something that wouldn't get approved -- that wouldn't get, you know, kicked back. It is a template. You know, there is a template in 06-06. There is a small one in New York City REMSCO's policy, but you know, that's why there's so much that's similar in our application.

Now, as far as being a smaller agency, you know, we are there when we are needed, right. Like Dr. Rotkowitz mentioned, hey, there was a plane crash during a COVID pandemic by the Throgs Neck Bridge. We were that one extra ambulance around that could take that copilot to a level one trauma center. There has been other times

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where there's been surges, such as let's say one summer a guy went around all of Queens shooting at someone who was wearing red. Right? We took a gunshot victim to the hospital, you know, that night.

So there is definitely a need for always additional providers. In this EMS system, it truly is a system. It is made up of many providers, municipal, hospital, private and volunteer. There are private ambulance corps that have 200 ambulances, there's private ambulance corps that have 10 or 15. So, you know, it all comes together as part of the system.

The other thing about Bay Community, you know, you want to say about our small size, but we participate with mutual aid with our other ambulance corps like Little Neck Douglaston. So if there's going to be, you know, overflow calls, Little Neck Douglaston is ready there to help us out with that when and if needed.

So that's why we put together and we are working with the other agencies as

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2 well, so that, you know, we can handle
3 what needs to be handled.

4 You know, I have to say when we filed
5 the appeal, we filed it, like I said, for
6 the overlap of the borders, however, as we
7 went to work this through and in my
8 dealings with New York State Department of
9 Health, you know, there was, according to
10 them, a lot of the process not followed,
11 and this has led to many changes in this
12 process, which includes the fact that we
13 asked for some documents from REMSCO that
14 were never provided and they've never been
15 publically posted, and it's led to
16 replacement of the hearing officer for the
17 next few hearings after that. They did
18 not use the same one as before. So it
19 clearly shows that it is not frivolous.
20 Unfortunately, you know, we thought it was
21 a little minor thing, but when the State
22 took a look at it, it seems like there's a
23 long list of things that need to be gone
24 through, such about things being amended
25 at the wrong time, things being done with

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2 changing of borders that shouldn't have
3 been done during the hearing. All of this
4 stuff should occurred before and it
5 didn't.

6 I think it's because our appeal had
7 such a strong, you know, real reason for
8 it that we are getting so much resistance
9 from Glen Oaks and, really, you know, when
10 you follow a process where we are
11 following boundaries and you talk about
12 let's go do a mutual aid agreement for an
13 area you don't have yet before we file in
14 two weeks. There's no realistic way to
15 get that done, to get it approved and put
16 in for an area that you don't even have
17 yet. I mean, that is just ridiculous.

18 The thing is, you know, Henry and I
19 worked together, Jerry and I've worked
20 together. We have worked together 20 plus
21 years. We can sit in the same room. We
22 can talk to each other. We are
23 reasonable, but what happens in two years
24 from now when neither of us are in the
25 agency and everything is with files in the

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black and white on paper and that's really what it's about, you know, the fact that the borders were really at this time being done and defined by the Department of Health and we need that accurate and, unfortunately, the application said one thing, and then it's a public hearing and then it becomes another thing, and then after that a REMSCO vote becomes and we've got even different things, and we have no idea which one is actually going to be issued by the Department of Health. So, you know, that was the whole reason for that.

Now, the other thing is, when there is mutual aid activations, I'm up in Northern Queens at the tip on a peninsula. The only place the fire department will send me is south, which all the time if the fire department needs help, we are going to get sent to Bayside. Unfortunately, it's not going to be Glen Oaks. Right? Glen Oaks shares, like, five blocks of common border with Bayside's whole area.

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My whole entire southern border is with them. So for me sitting up in North Bayside to go down and cover additional blocks in Bayside is extremely reasonable and especially on a day where my crew may not have a call to do, now they can definitely handle one in Bayside.

So there definitely, absolutely is a public need. We do want this, you know, worked out, but you know, we will have to let the Administrative Law Judge and the whole process play out and, you know, properly resolve it following process, and that do process is, you know, something that we're fortunate enough to have.

We look forward. We do not want things to go messy like this. We tried in the beginning to hey -- we tried, sat you down, explained the geopolitical boundaries, you know, the ways you can do it where there's no reason for us to appeal at all, and then that wasn't done and clearly sending us an endorsement letter or solicitation letter with no

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northern boundaries listed whatsoever or a map is definitely -- you are being invasive and completely vague and not truthful to us.

You know, that's what has happened here. You know, we do feel for everyone involved that we wish that this had not gone this way and it had worked out a lot cleaner, but unfortunately, you know, this is where we are at today.

HEARING OFFICER HANNIGAN: Thank you, Mr. Lyons. If I can ask you a follow-up question to your response, your rebuttal time here, I'm asking this solely because it weighs on whether public need exists. Glen Oaks has indicated and reaffirmed today public need exists in the area sought by the application. You, as the applicant, have obviously asserted public need exists. If Glen Oaks were to amend or agree to stipulate that their operating authority from their application from which you've appealed

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2 mirrors the exact same operating
3 authority that is the subject of this
4 application, would you withdraw your
5 appeal and allow them to operate in the
6 same area and for your agency to
7 operate in this area?

8 MR. LYONS: We don't have the exact
9 same boundaries. Realizing that part
10 of Bayside's area was Community Board
11 7. We did a -- you know, we properly
12 approached Community Board 7, we
13 solicited them and got an approval to
14 operate -- well, you know, that they
15 would see a need to have an additional
16 ambulance operate in that part of
17 Community Board 7.

18 I would say, you know, Glen Oaks' big
19 thing is that they only wanted to be in
20 Community Board 11 and that's kind of how
21 they filed their application. You know,
22 they claimed that they had to by the
23 policy. Community Board 11 has, let's
24 say, you know, four boundaries. They only
25 used the northern border. They didn't use

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2 the eastern border, western border, the
3 southern border or anything. They only
4 used that and said that's what we had to
5 use upon my area. If the areas were the
6 same, identical overlap and at this time,
7 I don't think an amendment can be done of
8 what's been done from my understanding,
9 but it's the same area if the overlap or
10 my existing area was removed, we could
11 operate together.

12 And now, I do want to say, that I
13 today operate with another Volunteer
14 Ambulance Corps. I operate in an area
15 that I routinely have (inaudible). So in
16 my existing area, I do have (inaudible)
17 here, but they are at, like, a citywide,
18 you know, operating certificate, not a
19 small little local one like the existing
20 Volunteer Ambulance Corps.

21 So there's definitely a way the
22 Volunteer Ambulance Corps can work
23 together. Volunteer Ambulance Corps are
24 ten digit dial. So unless a patient calls
25 the two providers, that's the only way you

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2 are going to get two ambulances going
3 there. We have it all the time, they'll
4 call 911, they'll call us and we both go
5 and, you know, at the patient's
6 preference, you know, we'll take them to
7 the hospital.

8 A lot of times 911 won't take them to
9 the hospital that they really want to go
10 to and then, you know, that's why we are
11 there, to do that additional, hey, let's
12 take this person to Northwell because they
13 don't want to go to Flushing or something
14 because that's where the ambulance is
15 based. So did I answer your question?

16 HEARING OFFICER HANNIGAN: You did,
17 sir, yes. Is there anything further
18 you would like to add in rebuttal time
19 or are you comments complete at this
20 time?

21 MR. LYONS: I think that's enough
22 for rebuttal.

23 HEARING OFFICER HANNIGAN: Very
24 goods, sir. Thank you. I note that
25 Mr. Meketansky has his hand raised.

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2 Mr. Meketansky, at this point, the
3 rebuttal time is for the sole purpose of
4 comment by the applicant. If you have
5 some question as to procedure or process,
6 you can address that to me, but there can
7 be no further questions to the applicant
8 or any additional information offered on
9 behalf of your agency.

10 MR. MEKETANSKY: It wasn't really a
11 question. That's fine.

12 HEARING OFFICER HANNIGAN: There
13 were several points raised by Mr. Lyons
14 in his statement, his rebuttal
15 statement, relative to The Regional
16 Council. Marie Diglio, are you still
17 on the video?

18 MS. DIGLIO: Yes, I am.

19 HEARING OFFICER HANNIGAN: Marie,
20 would you like to address any of the
21 comments made relative to The Regional
22 Council by Mr. Lyons in his rebuttal
23 statement?

24 MS. DIGLIO: Yes, yes, I would.

25 HEARING OFFICER HANNIGAN: Please,

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go ahead.

MS. DIGLIO: I will do them one at a time and try to do them quickly. The purpose of The Regional Council is to assist ambulance services, not to thwart them and I'm sorry that you think things that we have done were done specifically to negatively affect your agency, but I am going to go through and let you know really what has happened.

Our change in hearing officer was planned years ago. Our committees had asked for a change in hearing officer. We used the same really good hearing officer for a number of years, but because applications have become more complicated and because of what goes up at the State level, we decided that we needed a hearing officer like Mr. Hannigan who is well versed in Article 30 and different types of dealing with these applications and, unfortunately, once we got into the real world of having, you know, attorneys that

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are specific to Article 30, before we had a hearing officer that he was a part-time attorney and he only wanted an honorarium. Now we have to pay a lawyer like every other region in the state. If you look at all the applications from Albany down to Nassau, the applications, I mean our application is 10,000 now. There are applications that require 15,000 and it's all to pay for the hearing cost, which is not just the hearing officer. It's also stenography costs have gone up. All the costs have gone up and before your application came in, we had known we were going to raise the price on the application. I'm sorry we had to do it that night. We actually had a discussion about it, should we hold it, should we not, but you would have had to pay before or after so we just decided to implement our change before your application came in. That was before it was complete. So that's that.

With the extension of operating

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territory, we did not do that to the benefit of specific ambulance services. We did that to address COVID in New York City. We have been working with the New York City Department of Health to staff 35 of their centers and provide ambulance coverage. We got to a point where our privates and hospitals just could not do it anymore and we could not use -- the volunteers were having them limited to one space.

It started with one location in Queens, so we asked the Department of Health for Glen Oaks because we work with them. They are very active, they are ALS and they're available quite often. So I put in a request to the Department of Health, can we -- we want to expand their territory for COVID and after speaking to the Department of Health, they told us that the Article 30 expansion is only good for 60 days. So if we want to do this right way, we really need to get a regional mutual aid. So we went to work

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with OEM and they gave us a regional mutual aid that covered all the volunteers because at this point, the COVID response was really escalating and that's what we had to do. It's worked out really well. We are trying to get as many volunteers into the system as possible and, you know, people -- units that have availability.

The last thing is with regards to your Medical Director Dr. Crupi. We held -- I up the application for a few days because I wasn't sure what to do with no medical director. So I did speak to Dana Jonas in the Department of Health and I said, should we hold up this application? And he said no. And that's when I presented it to the Ambulance Committee and we went forward because otherwise this application could have been held until you had formally adopted a new medical director, and I didn't want to hold you up since you already waited so long.

I think that pretty much answers your questions. We really don't want to be

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your enemy. We want to treat everybody the same, but we have processes that we have to adhere to, and if we didn't do things the way we do them, you may be able to get passed the public hearing here, but there are a lot of pitfalls between here and the State EMS Council where the final approval comes from. So we are trying to make it work for you here. I don't see this as being an easy voyage for you at this point and, you know, all we can do is make sure the process here at least gets you to the next step. That's the end of my statement.

HEARING OFFICER HANNIGAN: Thank you, Marie.

I will note that Exhibit 4 to this hearing is the timeline of events prepared by Council Executive Director Marie Diglio. That indicated that the original application from the applicant was received on March 21, 2021 and was deemed complete on April 23, 2021, so just about a month later, and that any delay with

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2 respect to the notification by the medical
3 director, Dr. Crupi on 4/13/2021 was,
4 again, remedied and deemed complete ten
5 days later by 4/23/2021 when the
6 application was deemed complete, and those
7 dates and the account of events are
8 contained within Exhibit 4 to this
9 proceeding.

10 The time is now 8:28 p.m. The record
11 is now closed. There will be a transcript
12 made of this proceeding and I will prepare
13 my report and submit it to the Ambulance
14 Committee. The committee will meet and
15 then make a recommendation to the REMSCO
16 as to whether the application for
17 expansion should be approved.

18 There being no further business before
19 the Council, I adjourn the hearing. For
20 the applicant's knowledge, the date of the
21 next Council and the Ambulance Committee
22 meeting is June 29, 2021. That's
23 available for attendance by Zoom webinar.
24 Information for your purposes for
25 attending that, those meetings is

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2 available at the Council's website,
3 nycremsco.org.

4 There being no further business, I
5 conclude the hearing. I thank you all for
6 accommodating me with my technical
7 difficulties this evening and I appreciate
8 the decorum that Council members and the
9 various speakers showed in making their
10 presentations. Thank you very much.

11 (Time noted: 8:28 p.m.)
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C E R T I F I C A T E

I, CHARISSA HROMADKA, a shorthand reporter
and Notary Public within and for the State of
New York, do hereby certify:

That the foregoing transcript is a true and
accurate transcript of the original stenographic
notes.

IN WITNESS WHEREOF, I have hereunto set my
hand this 26th day of May 2021.



CHARISSA HROMADKA

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