



Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Thursday, November 30, 2023, 5:00 p.m.

TOWN HALL, 8 PARK STREET, ADAMS, MA 01220
1st Floor, Board of Selectmen Meeting Room

CALL TO ORDER: On the above date, the Board of Selectmen held a meeting at 5:00 PM at the Adams Town Hall. Board Chair Christine Hoyt opened the meeting. Present: Chairman Christine Hoyt, Vice-chairman Howard Rosenberg, and Members Rick Blanchard, John Duval, and Joe Nowak. Also present were Jay Green, Town Administrator; Bri Hantman, Recording Secretary; Bill Schrade, Adams Housing Authority Director; Jay Meczywor, Adams Finance Committee Vice-chair; John Meaney Chief of Northern Berkshire EMS; Adam O'neil and Amanda Tobin, Deputy Chiefs of Northern Berkshire EMS; Griffin Willette, Chief of the Adams Forest Wardens Department; Ryan Biros, Assistant Chief of the Adams Forest Wardens Department; David Lennon, Member of the Adams Finance Committee; Scott Kelley, Chief of the Adams Police Department; Haley Meczywor, Town Clerk; Tammy Daniels, iBerkshires Reporter; Employees of the Adams Ambulance Service; Employees of Northern Berkshire EMS; Bruce Shepley of the Northern Berkshire Regional Emergency Planning Committee; Residents of the Town of Adams

DISCUSSION REGARDING CURRENT STATUS OF ADAMS AMBULANCE SERVICE INC.

Christine Hoyt, Board chair called the meeting to order at 5:00pm. Chairman Hoyt stated that there have been some updates that have happened since the public hearing in Cheshire on November 20th.

Chairman Hoyt stated that Northern Berkshire Community Television (NBCTC) is authorized to record. Tammy Daniels of iBerkshires indicated that she would be recording as well.

Member Duval stated that he would be recusing himself based on the Massachusetts conflict of interest law as he has an immediate family member who is employed by the Adams Ambulance Service. Member Duval exited the building.

Town Administrator Green stated that Adams Ambulance Service Inc (AAS). is not owned by, managed by, or subsidized by the Town of Adams in any way. It is the obligation of the EMS provider to follow the rules and regulation of the State of Massachusetts to provide a service Zone Plan. The Town of Adams has no legal contract, no Memorandum of Agreement, no Memorandum of Understanding, with Adams Ambulance Service to provide emergency medical services to the Town of Adams. Under the law it is the Town's obligation to ensure that its coverage is licensed. We cannot do that at this time.

Since AAS announced in September that it is in a state of financial disrepair, the focus of the staff at the Town of Adams has been focused on how to provide for continuity of services. At a meeting last Monday, there was a very comprehensive overview of the timeline of events regarding AAS and their communication or lack thereof.

The general manager was asked what the budget was. He could not tell the Town. At the same time, they were asking for a subsidy. Again tonight, I do not see the general Manager of Adams Ambulance Service. He did not appear at last week's meeting. It is the obligation of the Board of Directors and Manager to fix these problems that AAS is facing.

On November 6th some leaders from the Towns of Cheshire, Adams, Savor meet with Gen manager and Board of AAS. General consensus reached that they were in financial straits. General consensus was reached that they needed to begin working on a transition plan. An agreement was reached by all parties to meet with NBEMS the following week to begin discussing a transition plan. That is normal when an EMS provider is going to cease service.

On roughly November 10th, we begin receiving indirect communication stating that AAS would be going out of business on December 31st. That is not professional. We did not receive any formal notice until Friday November 17th at 4:30pm that the Town was ceasing service. That was a whole week when the Town worked with absolute silence from Adams Ambulance Service.

The Department of Public Health (DPH) and Office of Emergency Medical Services (OEMS) regulates EMS calls in the state of Mass. The public safety leaders in Adams should be proud of themselves for putting together a plan when Adams Ambulance Service (AAS) announced their intent to close. We put together a transition plan, by November 19th.

Town Administrator Green stated that the forest Wardens, two leaders of which were present in the room, should be thanked because they immediately moved their units to make room for NBEMS in the Forest Wardens building without pushback or without asking for public recognition.

On November 27th, the Towns of Adams and Cheshire received a letter stating that AAS wishes to continue to service. There was no plan for finances. No explanation. No mention of finances. When AAS sent notice out regarding their closure, it immediately involved DPH.

AAS is currently under a corrective order notice. Town Administrator Green read the Corrective Order that AAS Received. Notice must be sent to the service zone in which the company operates. Notice must be given at least 90 days in advance.

It is imperative that the public understands why we must have this conversation tonight. DPH must review the continuity plan. AAS must comply with the corrective action.

The Town of Cheshire voted on Tuesday evening to have all emergency calls go through NBEMS effective January 1, 2024.

It is our understanding that DPH has stated that the Town of Adams cannot move forward with an assumption that the AAS will continue to be licensed. We are talking about public health and public safety. The public does not care what color stripe is on the Ambulance or what the uniforms look like. No matter the vote that is taken by the Town of Adams, it does not change the corporate structure of AAS, it does not close the doors of AAS.

It is obvious that the staff is trying to keep AAS going, and the Town of Adams commends them on that. It is clear that the staff are dedicated and passionate and have been great servants to the community.

At the public meeting last week, the Towns of Adams, Cheshire, and Savoy decided not to take a vote regarding transition to NBEMS out of respect for the staff. Additionally, the false narrative regarding a 20 minute for NBEMS response time to calls in Adams needs to stop.

Chairman Hoyt: The renewal for the Adams Ambulance Service License would need to begin in January. The department of Public Health has stated that it may be challenging at this time

Member Nowak stated that he is very cognitive of what is going on. The captain of the ship has not been around and that is bothersome. It does not exude confidence. This isn't anything against the staff. The staff are great members of the community. But with leadership, the timeline has been elusive. All of a sudden, they were thrown into a panic mode. Member Nowak asked if there is a treasurer in the Board of Directors. It was answered that yes, there is. Member Nowak stated that everything about the plan to keep AAS open is all conjecture.

Member Blanchard stated that the plan that was presented to the board shortly before the meeting. These steps should have been taken years ago.

Vice-chair Rosenberg likened the situation with the Adams Ambulance Service to bringing an individual to the Hospital and being unable state what the vitals of the patient are.

Town Administrator Green stated that when you ask for taxpayer dollars and you engage municipalities. The Towns of Adams, Cheshire, Savoy, and Hawley were put in a terrible place when asked for money. All municipalities are governed by Proposition 2 1/2 . What that means is that the Town of Adams cannot grow its budget more than 2.5% from a previous year. When we asked the general manager and Board of directors for the financial information, we were hoping that they would provide information. We cannot provide a blank check. We would need to seek a proposition 2 ½ override, being approved by Town Meeting. We would have no management over those dollars. It is not a sound fiscal policy for the Town of Adams.

UPDATE ON EMS CONTINUITY PLAN

We have a continuity plan in place, thanks to Northern Berkshire EMS which will take over primary EMS coverage for the Town of Adams. They are now the primary EMS provider for the Town of Cheshire. Cheshire is working on an MOU with NBEMS.

Effective January 1st, NBEMS will take over. Berkshire County Sherriff's Office will take over dispatch. It is no different than the way the Adams Ambulance Service will be garaged in the Town of Adams. That garaging location had to be inspected by the Department of Public Health. That location has passed the inspection. The department of Public Health has been involved with this continuity plan and this transition plan and they have agreed that this plan is sufficient and will provide adequate coverage to the communities of Cheshire and Adams.

Chairman Hoyt asked Chief John Meaney to come before the board. Chief Meaney stated that when this announcement was made, they were just as concerned with everyone else in the room. NBEMS has mutual aid agreements with other agencies. If AAS closed tomorrow, we would be bound to respond regardless. We would rather be proactive than reactive. We would like to make sure that there is a plan in place. We want to make sure that residents in Adams are serviced appropriately. The NBEMS fleet is 8 ambulances. We have the ability to do that in order to cut down response time. We also have the ability to have two additional trucks on the road during peak times. The problem is that you cannot always plan for busy days. It is not fiscally responsible to be staffed at maximum capacity 24/7/365.

We created a regional service when we merged with Village Ambulance. We move trucks around based on call volume. Our ambulances take route 8 all day long in order to get to Berkshire medical center. We have been very vocal about hiring. Every ems service across the nation is struggling with recruitment and retention. There currently have been no applications for employment submitted by Adams Ambulance Employment. We have two EMT training coming up in January and February. In the long term, in order to make this work, we will need more staff.

The average response time for our 10 communities is 7 minutes and 37 seconds. Over the last month responding to Mutual aid here in Adams (15 calls) is 7 minutes, 58 seconds. And that is a response from North Adams. Having a unit stationed in Adams will certainly make the response time well within that.

Member Nowak asked how it is that NBEMS stays above the sinking point. Chief Meaney stated that All EMS have financial pinch points. Chief Meaney stated that there two divisions in his company, EMS and Chair-van transport. There is education in training, a robust grant program, foundations that donate. Coming to a municipality in crisis mode is not the way to operate. Financial plans need to be well thought out and supported with data. Member Nowak also asked what the financial ask is for the Town of Adams. Chief Meaney stated that as of right now they do not ask for a subsidy from any of the 10 communities that they serve. Should there be a point where that is necessary, that would be long process with significant Town involvement.

Vice-chair Rosenberg asked what the total annual budget is and what percentage is from reimbursement. Chief

Meaney stated that roughly 5 million dollars is the budget and 80% is from reimbursement. Vice-chair Rosenberg asked if the Board of Directors has been involved and what their thoughts are. Chief Meaney stated that there are 13 members of the Board and they have been incredibly supportive and involved.

Chairman Hoyt Stated that on November 17th, Adams Ambulance Service stated that they would not be able to make payroll the following week unless they received funds. It was stated that there would not be Ambulances rolling the week of Thanksgiving. Fred Balawender, Board president of the Adams Ambulance Service asked who said that. *Chairman Hoyt* stated that it was in fact himself, Fred Balawender who made that statement and said that he was seeking a loan of \$25,000 from a separate grant body. At the public safety meeting (Cheshire) it was stated that they would in fact be able to make payroll because they were beginning to chase the 800K in outstanding and unbilled receivables.

We received a written plan today at 4:56 from staff members. This is the first written plan than we have seen but it still does not include any financial information. This plan was not shared at the Membership meeting that was held on Tuesday. Chairman Hoyt stated that it is her personal feeling that the Board needs to stop this rollercoaster.

Fred Balawender, president of the Adams Ambulance Service approached the board. He stated that they approached the Board of Selectmen and asked for help 2 years ago. They paid cash for two new ambulances and that was probably not a great move. Mr. Balawender also stated that COVID impacted them quite a bit. Mr. Balawender also stated that last year they did 507 calls that they didn't get paid for. Fred also stated that there have been another 380 this year that they will not get paid for. Mr. Balawender asked who is going to pay for those calls. The municipalities should have to pay for it. Fred also stated that the building is worth over \$400,000 according to the records. There is about \$80,000 left on the mortgage which would allow for over \$300,000 to pay off existing bills. Mr. Balawender stated that it is cruel to wipe out a business that has been operating for over 50 years. He stated that he doesn't understand what the rush is to transition away from Adams Ambulance. Mr. Balawender also stated that they are finally digging into getting reimbursed for \$800,000 of outstanding receivables.

Town Administrator Green asked how much money Adams Ambulance Service has received from grants in the last three years. Mr. Balawender stated no money was received as no grants had been applied for. Town Administrator Green asked the same question of Chief John Meaney who stated that they (NBEMS) received roughly \$750,000 in grant money. Mr. Balawender stated that it is because of the grant writer that NBEMS has. Town Administrator Green asked if a request of that individual was ever made to help with grants. Mr. Balawender stated no, that wasn't made. Town Administrator Green asked if Mr. Balawender recalled an offer that was made by the Town of Adams to have the AAS Ambulances serviced at the Department of Public Works Garage. Mr. Balawender acknowledged that that offer was made.

Mr. Balawender stated that the current manager submitted his letter of resignation. Chairman Hoyt asked when that was submitted as Sean Sanderson was introduced as the general Manager at the membership meeting that happened on Monday, November 27th, just three days before this meeting. Mr. Balawender stated that it was submitted yesterday.

Mr. Balawender stated that a meeting that happened back in September they requested help and it was refused. Chairman Hoyt stated that at the meeting in September Mr. Sanderson was asked what their budget is, they couldn't answer. They were asked what subsidy was being requested, they did not answer. They were asked for a service zone plan. Mr. Sanderson stated he was not interested providing one. AAS was asked if they had spoken with NBEMS regarding shared services, they said no.

Mr. Balawender stated that they will need a subsidy from the Town of Adams in the amount of \$20 per person in the Town of Adams, but then stated that if they can get their collections in order, they would not actually need one this year.

Mr. Bill Schrade stated that as the Director of the Adams Housing Authority, he wished to voice his support of transitioning to NBEMS.

Skippy Hines, Resident of the Town of Adams approached the board. She stated recently needed an ambulance and the AAS staff was wonderful. Skippy stated that she is all in favor of keeping a squad in Adams, however she never saw anything online or in the paper from Adams Ambulance Service looking for help with grants or board members. Skippy stated that she thinks that the AAS can come back better than ever, but maybe not right now. They have a lot of things to get in order and they can come back strong. They need to look to the future and be realistic about where they are at right now. Skippy Hines stated that Becket has 24/7 staffing on the rigs. It isn't a medic at all times. Skippy asked if NBEMS would have someone staffed at all times in the Adams building. Chief Meaney answered yes.

Vice-chair Rosenberg exited the room at 6:25pm

Tracy Cameron stated that she is an Employee of the Adams Ambulance Service. She stated the Mr. Balawender has poured every ounce of his energy into saving the Adams Ambulance. Ms. Cameron stated that finances were discussed because it was mentioned that they did state that they needed at least \$200,000 and that they have over \$800,000 owed to them, so that constituted a discussion of finances.

Ms. Cameron stated that the Town needs a little more time for the sale of the building. She stated that she is hopeful that December 16th will be the date of the sale of the building. Tracey stated that she is aware that the spaghetti dinner that she is organizing will not save the Adams Ambulance Service. Ms. Cameron stated that is being done in order to show that Adams Ambulance is trying to make things right. Ms. Cameron asked who is going to drive the rigs, who is going to take care of the patients if they don't have staff.

Deputy Chief Adams O'neil of NBEMS offered to answer questions regarding training. He stated that they have a class in session that is due to end December 15th. They also have an accelerated course that is ending in January. Deputy Chief O'neil stated that at the time of course completion, it is not 100% how many staff members will come out of those classes. Deputy Chief O'neil stated that they are constantly monitoring their data, they are able to upstaff and down staff based on peak times and lulls. They also stated that they utilize fleet tracking on all of their units.

Ms. Cameron asked when the Cheshire Board of Selectmen met, who on the board voted in favor of transitioning to NBEMS. Chairman Hoyt stated that while she was not present at that meeting, it was her understanding that the vote was unanimous.

Donald Sommer, resident of Adams approached the board. He stated that the only information he had before this evening was talk on the street. Mr. Sommer asked, if AAS was able to get the act together in the next month, would be board be able to put off their vote to move to NBEMS. There was certainly enough information here that shows that there has been mismanagement with AAS.

Chairman Hoyt stated that AAS is under corrective order under the Department of Public Health. They have a December 20th deadline. DPH could pull the license from AAS on December 21st. There are a lot of big "ifs" in this room right now. There are essentially 20 days left to comply with the Department of Public Health's order, and she is not comfortable gambling with the public health of the community.

Town Administrator Green stated the Department of Public Health has instructed the Town to act as if that December 20th deadline will not be met. Town Administrator Green stated that this board does not stop them from answering mutual aid calls. It will not stop them from taking transports. It will not stop them from being the primary response in Hawley and Savoy. In fact, this will allow them to potentially take more transfer calls, which they have admitted are more lucrative.

Cathy Foster approached the Board. She stated that state allows for 6 reasons to revoke primary ambulance service. Ms. Foster stated that she does not believe that any of the six reasons have been met. Ms. Foster stated that the Town of Adams has a Community Development Department that is great at writing grants. Why isn't the Community Development Department taking on the Adams Ambulance Service as a project to help them. Ms. Foster stated that it is within the power of the Town to help them.

Town Administrator Greens stated that legal guidance refers to the reason that the Department of Public Health is revoking a regional emergency board. Neither of those are what is being discussed this evening. Town Administrator Green and Chairman Hoyt also stated that the Department of Public Health has advised that they proceed as if AAS will not be able to meet their upcoming deadline for compliance with the corrective action.

Mr. Dominic Singh of the Western Massachusetts Office of Emergency Medical Services, stated the community has to put a service zone plan in place with its primary EMS provider. MGL 11C, OEMS, Administrative Regulations. Town Administrator Green welcomed Ms. Foster to speak with Mr. Singh. Ms. Foster asked why a service zone plan has not been reached yet as it is the law. Chairman Hoyt stated that AAS refused the request to start one. Ms. Foster asked why the Town of Adams didn't begin transitioning away from AAS at that point in time. It was clarified that part of the conversation this evening is happening because the Board is attempting to reach a state of compliance.

Member Nowak interjected to state that he doesn't like "gotcha" type of conversations. They are not productive. We are gathered here tonight to speak about the health and safety of our community. *Member Nowak* asked that the conversation be more civil.

Ms. Foster asked what the Adams Ambulance can do in order to stave off this decision. Ms. Foster stated that it is patronizing to state they can still exist.

Member Blanchard stated that at this time, for him personally, there really isn't anything that they can do. Sentimentally speaking it would be great if they stayed open and we hoped that they worked everything out, but decisions of life and death can't be made based on hope. Ms. Foster asked how we can get past hope. *Member Blanchard* stated that they need to actually produce something and they still have not been able to do it.

Member Nowak stated that they have poor leadership. The leader still hasn't been able to meet with the board and it should have happened well before we got to the situation that we are in now. *Member Nowak* stated that there are people involved in the organization, like Mr. Balawender who is smart and must have known that something was going on. I don't want to sit here and be blamed for the poor management on part of the AAS. The Town takes hits from the public all the time and takes the blame for a lot. It is not okay for the Town to act like the Board of Selectmen and the Town Administrator should be taking the brunt of the force in this scenario when it is really the poor leadership at this private entity. It is great that they are making changes now, but these should have happened a long time ago.

Mr. Balawender stated that they met with Rep. Barrett and he said that AAS should solicit the local businesses. Out of 280 businesses that were asked for funds, roughly 25 of them responded.

Member Nowak stated that he needs to be a realist. He needs to ensure that there will be a solid ambulance service in Town, and AAS has become lax.

Ms. Foster re-approached the podium. She stated that she understands that they have been in a place where they were going to close suddenly. If they provided Town Administrator Green with their finances, would that change something? Ms. Foster asked if that is something that could be discussed before the vote.

Member Nowak stated that he does not feel that there is any viable discussion to come from giving them more time. The AAS has the ability to gather themselves and react accordingly.

Josh Koch, EMT Basic at Adams Ambulance and soon-to-be co-general manager/ Director with David Norcross. Currently, Sean Sanderson has announced his resignation as general manager of Adams Ambulance. December 4th will be his last day as General Manager. He inherited a lot of problems and issues. It has been determined that the job is too much for one person, which is why it's going to be two people. Mr. Koch stated that a lot of the issues that have been happening have been essentially inexcusable. Mr. Koch stated that the AAS is looking to appoint a specific communication liaison to work with the communities with AAS. That is one of the biggest issues at AAS and they are looking for ways to rectify that issue. AAS stated that their doors will not close tonight regardless of

what the vote is.

The primary focus of AAS is dealing with OEMS. They know what they are doing and confident that they will be able to meet the December 20th deadline. Mr. Koch stated that they would like to reopen the conversation with the BOS in Cheshire.

AAS is only receiving 22% of what they bill for. The national standard is 54%. If they are able to double the revenue, they would be profitable. They have someone who has been sent to grant writing class and have hired another person who is going to write grants. Mr. Koch asked how long ago it was that they had a joint grant with NBEMS. Deputy Chief O'neil stated that it was 2016 or 2017. Mr. Koch also stated that he attended the Cheshire Board of Selectmen Meeting on Tuesday and their vote included a provision that the board could rescind that decision by December 31st should they decide. Mr. Koch thanked the Board President Fred Balawender for attending. Mr. Koch also thanked all the folks that spoke and asked questions.

POTENTIAL VOTE TO TRANSITION TO NORTHERN BERKSHIRE EMS AS PRIMARY EMS PROVIDER IN ORDER TO ENSURE CONTINUITY OF SERVICES EDDECTIVE JANUARY 1, 2024

If the Board moved to transition, there would be a Memorandum of Understanding with NBEMS that could be contingent on if the Board receives other guidance from DPH. If the Board voted to move to NBEMS tonight, that would contractually begin on January 31st. Member Nowak asked if the contract that will be adopted would have similar lengths.

Ms. Cameron approached the Board and asked if it is possible to delay this vote until the 17th of December to see if the Adams Ambulance Service has come into compliance with DPH since there is a December 20th deadline by DPH.

Vice-chair Rosenberg made a motion that the Town of Adams move into an agreement with NBEMS as primary EMS provider effective January 1,2024 with a contingency that the board may vote again before that deadline should the DPH recommendation change based on the corrective deficiency and financial situation. Vice-chair Rosenberg further moved that the Board grant the Town Administrator the authority to negotiate and enter the contract with NBEMS.

Member Nowak and Member Blanchard asked for clarification regarding the timeline and second vote. There was no second of the motion. The motion did not move forward.

Member Nowak stated that he does not feel that the Adams Ambulance Service will be able correct their deficiencies in such a short period of time. If we had six months, he may be willing to accept that motion and second it.

A motion was made that the Town of Adams enter an agreement with NBEMS effective January 1, 2024 to establish NBEMS as the primary EMS provider for the Town of Adams and further moved that the Board grant the Town Administrator the authority to negotiate and enter the contract with NBEMS. The motion was seconded by Member Nowak. The motion passed unanimously.

Chairman Hoyt stated that our next meeting is next Wednesday, December 6th. Please join us. There are no other points of business.

Member Nowak stated that he wishes AAS all the best and he hopes they can come back and show the Board that they can make a comeback.

Town Administrator Green stated that his door is open for the new leadership to come and speak with him whenever they please.


ADJOURNMENT

Member Blanchard made a motion to adjourn. The motion was seconded by Member Nowak. The meeting was adjourned at 7:33.

List of Materials Referenced:

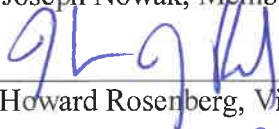
- **Corrective Order issued to AAS from DPH**

Respectfully Submitted by Bri Hantman, Recording Secretary.

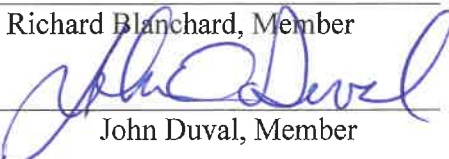


Joseph Nowak, Member

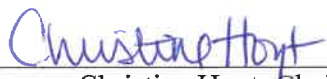
Richard Blanchard, Member



Howard Rosenberg, Vice Chairman



John Duval, Member



Christine Hoyt, Chairman