

SPECIAL TOWN BOARD MEETING, TOWN OF LIVONIA

September 17, 2025

A meeting of the Town Board of the Town of Livonia, County of Livingston and the State of New York was held at Livonia Town Hall, 35 Commercial St Livonia NY 14487

PRESENT: Eric Gott, Supervisor
Joseph Breu, Councilmember
Peter Dougherty, absent
Andy English, Councilmember
Matt Gascon, Councilmember
Hayley Woodruff, Clerk
Jim Campbell, Attorney, Town of Livonia

OTHERS PRESENT: EMS staff and residents, Attorney Pinsky, and Attorney Steven Cohen

The Town Board meeting was called to order by Supervisor Gott at 6:00 PM.

DISCUSSION:

Attorney Pinsky advised that as presented before, the Certificate of Need is currently held by the Town of Livonia. His suggestion has been and continues to be that the Ambulance should develop a not-for-profit 501c3 corporation. This would allow the ambulance to have autonomy and permit the same people who currently serve as Commissioners to be in control. The Town would then transfer the Certificate of Need to the new entity and would contract with the Ambulance for service. The people who currently serve as Commissioners would become the members of the Board of Directors for the entity. Negotiations then would take place with other towns for services as well (like the Town of Conesus), and grant dollars could be accessed to offset budget constraints for the ambulance. Once the corporation is formed and the Board of Directors is determined, the responsibility of all aspects of providing ambulance service would be on the Board of Directors, and the Town would simply write a check based on the contract as negotiated.

Five directors would be appointed by the Town Board, with their respective terms being staggered so that all position terms do not expire at the same time. The determinations of staff compensation would be the decision of the new corporation. Attorney Pinsky opined that the compensation for Volunteers vs. Paid employees is vastly different. The current Stipend pay plan would not likely be possible under the new corporation as you cannot use not-for-profit corporate money for the benefit of members.

Attorney Cohen spoke and stated he is not opposed to the formation of the incorporation but wants to put in safeguards, and to not dissolve the current program without safeguards in place. The first step would be to start putting documents together so they can be reviewed with transparency. He would not expect this to be done in the next three months as hoped. He would like to have a 5-year contract from the Town. Attorney Pinsky advised he believes it could only be a 2-year contract, or when the majority of the board of directors turns over but will confirm

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that and is not opposed to a longer contract if legally possible, subject to the Town Board's agreement.

The Town Board has given this considerable thought, and the Town Board is able to commit to \$200,000 for the 2026 contract with the ambulance, assuming the new system is able to be in place by the beginning of the year. The current Ambulance District commissioners expressed concern of \$200,000 not being enough annual funding from the Town. Attorney Cohen wants to leave tonight's meeting with a benchmark date to have the initial documents and then a date that he will have it back to Attorney Pinsky. Attorney Pinsky says he will have the draft Certificate of Incorporation to Attorney Cohen tonight and then they will go from there. Attorney Pinsky also stated he will send Attorney Cohen a checklist of what additional information the Town needs in order to proceed as discussed. Attorney Campbell expressed the significance of addressing the financial aspect of this plan. He stated that if the money the Livonia Town Board is willing to designate to the Ambulance is not going to work, then the Town should not continue to spend money on the option of forming the Ambulance Corporation or obtaining the 501c3 approval. He did advise the option of DASNY funds, to which both other attorneys agree was a great option. The Ambulance district members stated they have applied for grants in the past and have not had much luck being approved for anything of significance, and that there is never a guarantee to receive large grant amounts.

Attorney Pinsky will get the documents drafted and to Attorney Cohen within 7 days and then Attorney Cohen stated he will "redline" the documents and get them back to Attorney Pinsky by the 1st week of October.

The next meeting has been scheduled for October 27, 2025, at 6pm at the Livonia Town Hall, 35 Commercial St. Livonia NY 14487

With no further business, on the motion of Councilmember Gascon seconded by Councilmember English the meeting was adjourned at 6:46 PM. Carried unanimously.

Respectfully Submitted,

Hayley Woodruff
Town Clerk