



Town of Hermon
Public Safety Meeting Room
March 30, 2023
Special Council Meeting
7:00 PM
AGENDA

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom
Council Meetings will be archived online after the meeting has taken place.

ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair Thomas led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: Richard Cyr, Danielle Haggerty, Ronald Murphy, John Snyder III, Steven Thomas, and G. Stephen Watson

Members Absent: Derek Wood

Others Present: Town Manager Joshua Berry, Town Clerk Kristen Cushman, Town Attorney Tim Pease and 36 residents/guests

IV. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, And APPROVAL OF MINUTES:

SIGNATURES. APPROVE:

MINUTES. APPROVE: 03/16/2023, Special Town Meeting 3/16/2023

WARRANTS. SIGN: 03/30/2023

RESOLVES. SIGN:

Councilor Murphy moved to approve the Consent Calendar as presented. Councilor Cyr seconded the motion. Motion passes 6-0.

V. NEWS, PRESENTATIONS AND RECOGNITIONS:



VI. PUBLIC ITEMS OR COMMENTS: *(Items Not Already on Agenda)*

Kim Stewart, Timberview Dr.: Would like to see FOAA requests made public on the website.

VII. EXECUTIVE SESSION:

Enter into Executive Session for the purpose of discussing a legal matter regarding Hermon Volunteer Rescue Squad (HVRS) per 1 M.R.S.A. 405 (6)(E).

Councilor Murphy moved to enter Executive Session to discuss a legal matter regarding Hermon Volunteer Rescue Squad (HVRS) per 1 M.S.R.A. 405 (6)(E). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0. Councilor Watson abstained.

The motion carries. Executive Session started at 7:09 p.m.

Councilors returned and ended executive session at 8:25 p.m.

VIII. ADDITIONAL ITEMS:

Consider taking action, as necessary, for the provision of ambulance service for the Town of Hermon.

Chair Thomas:

Hermon Volunteer Rescue and First Aid Squad Inc, also known as Hermon Rescue, is an independent non-profit organization that operates from its building located at 262 Billings Road in Hermon. Hermon Rescue is not a department of the Town and has served neighboring communities on a contractual basis for over 50 years. The Town of Hermon has a 10-year contract with Hermon Rescue that expires in 2025, if not terminated for cause or unilaterally within the required 90-day notice period. The contract also outlines first responder services to be provided by the Hermon Fire Department. The Town of Hermon pays a stipend for emergency medical services of \$294,000 per year, but there is no financial commitment noted in the contract terms.

Two events over the last few months caused the Council to consider whether Hermon Rescue was still capable of serving the people of Hermon.

First, Josh Berry, interim Town Manager at that time, suggested a meeting with two council members, Ron Murphy and myself, and Chief Roma before he retired in September 2022. During the meeting, Chief Roma spoke about his experience with Hermon Rescue and shared troubling information about recent call history. Chief Roma had an on-going health issue and was so concerned about the level of care



provided by Hermon Rescue, that he had made arrangements to use another responder if any EMS calls were made on his behalf as allowed under EMS guidelines. Please note that Frank Roma approved this public message. Chief Roma also shared information about a possible investigation by the Maine Attorney General into Hermon Rescue and warned that there may be lawsuits filed in the next few months regarding incompetent medical care provided by Hermon Rescue. He closed by mentioning Hermon Rescue has some good responders that want to provide excellent care for Hermon residents but have been prohibited to provide the necessary care by Hermon Rescue Management.

Second, in December, the Hermon Council received a notice of claim indicating a potential lawsuit against the Town of Hermon stemming from an emergency medical call at Towne Centre Apartments September 2021. The notice alleges that an employee of Hermon Rescue acted negligently when providing medical services for a patient who was in cardiac arrest. A complaint was filed with the Maine Emergency Medical Board against the employee related to his care and treatment of the individual September 4, 2021, resulting in a consent agreement and permanent revocation of the employee's Maine Advanced EMT License.

The Hermon Council was alarmed by this information and concerned for the well-being of Hermon residents. With the assistance of the Town's legal counsel, we started a review of not only Hermon Rescue but first responder models around the State.

Findings:

After reviewing several hundred pages of documents in the possession of the Town regarding HVRS over the past few years, there appeared to be a notable uptick of complaints regarding a wide variety of issues beginning in 2020. The complaints are specific, sufficiently reliable, and numerous.

In the three-year period between 2020 and 2022, there are over a dozen distinct complaints from various individuals and entities involving HVRS's failure to meet service expectations. A sampling of those complaints include:

1. Failure to conduct criminal background checks on employees (or act appropriately based upon the findings);
2. Multiple instances of requiring patients to walk to the ambulance;
3. HVRS employees conducting medical tests on patients that are beyond the employee's qualifications;
4. HVRS employees canceling ambulances requested by the authority having jurisdiction;
5. Failure to administer proper medical care, including tests for a patient during a seizure, and not administering oxygen when required;



6. Failure to be available for calls.

This is not an exhaustive list.

The Town of Hermon has experienced tremendous growth over the past decade, with a dynamic business community, sprawling residential subdivisions, and requisite educational system. Our needs have evolved and become more complex. Unfortunately, we have found that Hermon Rescue is not meeting the demands of our community.

Chief Cody Sullivan:

The Town of Hermon will enter a contract with Northern Light Medical Transport for emergency ambulance service serving the town. This contract will provide BLS transport service to the residents of Hermon and ALS services when appropriate and available. Coverage will be provided from the NLMT base on Union St. in Bangor. With the increased FD staffing, the FD EMS first responders will arrive on scene and begin patient assessment, treatment, and stabilization until transport services arrive.

History of staffing at HFD: currently the only full-time staff is a full-time Captain and myself, covering days Monday through Friday. Currently for emergencies on weekends and weeknights, calls are covered by on call FFs, meaning when you call 911 there is not personnel at the station ready to respond. The dispatch center pages the call and members respond from home or wherever they may be at that time if they are available. There is currently no guarantee of coverage and if members are not available there can be significant delays to the response. Proposal to bring the F.D. to full-time 24/7/365 staffing with the addition of 4 fulltime Firefighter/EMS Providers. These 4 new positions will work a 24-hour rotating schedule to accomplish the 24/7/365 coverage for fire protection and EMS first response in the Town of Hermon.

These new fulltime positions will act as a force multiplier for the town of Hermon because they will all be crossed trained firefighter/medical providers. Currently the HFD provides an EMS first response service when available, permitted to the Basic EMT level on Delta and Echo level EMS calls. The new fulltime positions will be hired with preference to Advanced EMTs and Paramedics, which will greatly increase the EMS coverage for the town. With this increased staffing, the HFD will be increasing our license level to the Advanced EMT level and increasing the equipment carried, to provide a higher level of care to the residents. HFD first responders at a higher license level will be simultaneously dispatched with the ambulance to respond to all medical emergencies in the Town of Hermon.



Timeline for implementation of full-time fire dept. staffing and increasing the license level of FD EMS first responder service: If approved at annual town meeting, the town would begin the posting and hiring process of fulltime positions immediately. We anticipate this process to take 3 months to complete with positions being filled in mid-September. Concurrently with the hiring process we will begin procurement of the necessary equipment to increase the EMS service license level to Advanced EMT and we anticipate the process to take between 3 and 6 months which brings us to mid-December to have all equipment in place and in service.

With approval we will begin the hiring process as soon as possible with the intention of having the position filled no later than September 15th, 2023.

1. **Develop job posting**
2. **Post job openings**
3. **Close posting after desired number of applicants is achieved or desired time has elapsed**
4. **Select candidates from applicants to move on**
5. **Conduct Written Exam?**
6. **Conduct Practical EMS Skills Assessment?**
7. **Conduct Physical Test?**
8. **Select candidates to move on**
9. **Conduct Oral Board**
10. **Select final candidates to be given conditional job offers**

Public Comment:

Tim Pease, Town Attorney: As the Chair mentioned in above statement, the Town received a notice of claim in late last year involving Hermon Rescue. I've asked the Council to not address any of the specifics of that complaint.

Terry Hamm-Morris: This will be a Northern Light ambulance but if you want to go to a different hospital, is this possible?

Chief Sullivan: Yes, the ambulance will take you to the hospital of your choice.

Everett Buzzell, Newburgh Rd:

- **Dislikes Northern Light as a hospital – worked there for over 20 years.**
- **Hermon should keep Hermon Volunteer Rescue Squad (HVRS)**

Kim Stewart, Timberview Dr.: Chief Sullivan, what does it mean for Northern Light to provide ALS when available?



Chief Sullivan: Ties back into the whole area. So, if there are times where there are limited ambulances available, we reach out for resources as far as level of care will be available. There will be other ALS trucks available if needed and we can request them.

Kim Stewart, Timberview Dr.: You stated quicker care, what is the time difference estimate?

Chief Sullivan: Currently HVRS and fire department are not necessarily staffed 24/7/365 with folks in the buildings ready to respond. With this model we will be pushing for a firefighter, EMS provider here and ready to respond within one to two minutes after a call.

Tony Smen, Corinth ME: Would like the council to do more homework on this subject.

Kevin Byers, Fuller Rd.: Forty-year member of HVRS. Ambulance could be 30 minutes before responding if coming from Ellsworth or Lucerne. Encourage you to do more research before deciding. What is the budget difference from what we are paying HVRS and what the fire department is requesting?

Josh Berry, Town Manager: The increase would be \$215,000. Total funding would be approximately \$515,000.

Christopher Gray, Fuller Rd.: Will the new EMT/firefighters be housed inhouse?

Chief Sullivan: Yes

Councilor Ronald Murphy: Mr. Murphy stated the Council has done their homework on HVRS and has not taken this decision lightly. We are looking at the future of this town for the better of the citizens.



Action taken:

Be it resolved by the Hermon Town Council in Town Council assembled to instruct the Town Manager to provide notice to HVRS that the Town is unilaterally terminating the agreement with HVRS, effective at the end of the fiscal year, and instruct the Town Manager to execute an agreement with Northern Light to provide transport services.

Councilor Murphy moved to approve R22-23-32. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5 yes.

Kristen Cushman, Clerk: After the vote was called, I realized I did not call a vote for Councilor Watson. Conferred with the Tim Pease, Town Attorney, regarding the vote. Vote passed with 5 yes votes.

IX. PUBLIC HEARINGS:

X. COMMITTEE REPORTS:

XI. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

XII. APPOINTMENTS:

XIII. MANAGER STATUS REPORT:

Next council meeting is April 13, 2023 where the budget will be presented.

Comprehensive survey is due by April 7, 2023.

XIV. FINAL PUBLIC ITEMS OR COMMENT: (*Items Not Already on Agenda*)

Please see the complete video at [Town Council Meetings | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all public comments.



XV. COUNCIL ITEMS:

Danielle Haggerty: Survey was mailed out today and came in under the \$6,000 amount.

School budget meetings: Thank you for Micah Grant allowing the council to be involved in the meetings. The State miscalculated some numbers for State EPS and local required appropriations. The school district is requesting an additional \$6,365,219.46 from local tax funded revenue source. This is approximately a 10.5% increase to taxpayers.

Paying for sending student out of district: This is a high-cost area with 6 figures. I have asked that they consider placing the money they know about for sending students out of the district, along with a substantial buffer along with moving this money into a reserve account. So the money is there year after year and replenished if it is used and help take care of the kids and not upset the operational budget.

Ronald Murphy: April 4, 2023, from 9:00 am to 11:00 am at the council chambers we will have Coffee and Conversation with a Councilor.

Haily Keezer, Orchard Dr.: The upcoming School Board meeting on 4/3/2023 has a motion to approve a network engineer. I remember Micah Grant said they were not going to have that position. Has this been discussed with either Danielle or John at the meetings?

Danielle Haggerty/John Snyder: No, mainly just talk numbers.

Haily Keezer, Orchard Dr.: Just wondering where the money is coming from to pay this position in the current budget, and it would be reoccurring in the next budget.

XVI. ADJOURNMENT:

Councilor Murphy made a motion to end the council meeting at 9:25 pm. Councilor Cyr seconded. With no objection the council meeting was adjourned at 9:25 pm.

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.
Explanatory Note #2: In the interest of effect decision-making: At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.
Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.