

**MT LAKES REGIONAL EMS COUNCIL**  
**Application for an EMS Operating Certificate**  
**Public Hearing Report**

**TO:** Vicky Campbell, Chair  
Storm Treanor, Treasurer  
Mt Lakes Regional EMS Council

**FROM:** Lee Burns, Hearing Officer

**DATE:** February 6, 2026

Applicant: Fort Ann Rescue Squad, Inc.

The Public Hearing was held at the Fort William Henry Hotel and Conference Center, 48 Canada St, Lake George, NY 12845 and commenced at 10:02 hours on February 3, 2026. The public hearing is, as a part of the Application for an Ambulance Service Operating Certificate process, is required by Article 30 of the NYS Public Health Law. Based on the Department of Health (DOH), Bureau of EMS Policy Statement 06-06, "...the purpose of the hearing is to provide a technical review and objective evaluation of the applicant's statement of need as well as any other testimony presented." Additionally, at the public hearing, the REMSCO "...may hear witnesses, receive written statements, ask questions and accept testimony in any form that will lend credibility to the hearing and the ultimate determination."

For the purposes of evaluating need for an additional ambulance service, the New York State EMS Council and the Department of Health has defined public need 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.*

This hearing was held to consider the second application for an expansion of ambulance operating authority submitted by the Fort Ann Rescue Squad, Inc. 11287 NYS Route 149, Fort Ann, NY 12827. This application indicates that the proposed expansion of primary operating territory seeks to add "All of the territory within 100 Park Street, Glens Falls, NY 12801" A/K/A the Glen Falls Hospital as illustrated by the map included in the approved application to the REMSCO. The Fort Ann Rescue Squad, Inc. wishes to expand the ambulance operating authority to be able to "continue to provide a reliable non-emergency transporting ambulance service to Glens Falls Hospital to permit the timely discharge and/or transfer of the Hospital's patients, and specifically to transport patients out of Glens Falls Hospital to their homes, to other hospitals, to nursing homes and other treatment and diagnostic facilities."

## **Synopsis of the Public Hearing<sup>1</sup>:**

The public hearing opened at 10:02am with a brief statement from the hearing officer explaining the intent of the hearing, the definition of public need and stating the publication and availability of the application for public inspection. The hearing was recorded as well as memorialized with stenographic minutes. The recording and minutes will be/are available at the Mt Lakes Regional EMS Council's offices and their website.

The hearing was well attended by the local EMS community. The hearing opened with a brief presentation by the applicant represented by Thomas Noble, Chief of the Fort Ann Rescue Squad. He stated that the purpose of the Fort Ann Rescue Squad's application is to be able to continue to provide interfacility and discharge transportation out of the Glens Falls Hospital. He stated that in the last five (5) months, since the last public hearing, Fort Ann Rescue Squad "continues to be the only agency heavily depended upon as mutual aid when the primary CON holders are not available." He further stated that the Fort Ann Rescue Squad seeks to be an additional resource for moving patients in and out of the Glens Falls Hospital.

The floor was then opened for anyone wishing to speak in favor of the application. None of the those in attendance came forward.

The attendees were again asked if there was anyone wishing to speak in opposition of the application (3 times). No one came forward. The attendees then were asked if anyone would like to speak in opposition of the application. The following individuals came forward:

Cory Ouellette, Chief of Warrensburg EMS – Mr. Ouellette said that Warrensburg EMS started doing transports out of Glens Falls Hospital in 2022. They added a dedicated ambulance crew, and the numbers of transports grew. However, since Ft Ann has increased their resources, Warrensburg EMS has seen an approximate 50% decrease in transports. Mr. Ouellette stated that he feels that Ft Ann Rescue Squad has negatively impacted his agency financially. He also stated that if the REMSCO approved Ft Ann Rescue Squad's application, it will also need to approve other applicants.

Samuel Hall, Supervisor of Town of Fort Ann – Mr. Hall quoted Public Health Law and expressed concern that the Ft Ann Rescue Squad is operating illegally and billing the Centers for Medicare Services (CMS) illegally. He said that the Town of Fort Ann gives the ambulance \$145K annually. He also stated that the Town doesn't know where taxpayer money is going. He said he has been told that it is going toward personnel costs. He stated that he has received concerns from town residents regarding the ambulance service. He also stated that he voted against supporting the application by the Washington County Board of Supervisors, but it the Board voted to approve supporting the Ft Ann Rescue Squad's CON application. Mr. Hall said that he wants the squad to abide by its by-laws, and they are not doing so currently.

Steve Van Guilder, Executive Director - Moreau Emergency Squad, Inc.– Mr. Van Guilder stood at the podium and stated that he opposes the application.

---

<sup>1</sup> It should be noted that the short descriptions of what each individual discussed while at the podium is not a complete representation of what was said during the hearing. For complete statements, please refer to the stenographic minutes.

Shane Irwin, Chief of Queensbury EMS – Mr. Irwin expressed concern that he had not received notification of the CON application in a timely manner in advance of the hearing. He also discussed that the Ft Ann Rescue Squad was listed as the second call ambulance service for transfers on the hospital floors. He also alleged that the Ft Ann Reescue Squad has been transporting critical care patients with BLS crews. He said he was concerned that Ft Ann Rescue Squad will push out other ambulance providers.

Issachar (Izzy) Modert, Chief of Glens Falls Fire Department (GFFD) – Chief Modert stated that there are currently three (3) certificate holders for Glens Falls Hospital, including the GFFD. He stated that there is no need for an additional ambulance service within the City of Glens Falls. Chief Modert questioned Chief Noble regarding the CON application. Stated that Glens Falls has no need for mutual aid from Ft Ann Rescue Squad. He stated that Ft Ann Rescue Squad presented itself as providing mutual aid. Said the hospital has contracted with Mohawk and Ambulnz and is paying for ambulance transports. He also said that the hospital incorrectly seems to think that Ft Ann Rescue Squad has operating authority.

The attendees were again asked if there was anyone wishing to speak in opposition of the application (3 times). No one further came forward.

#### Closing Remarks:

As required by NYS DOH Policy Statement 06-06, the applicant's representative was offered an opportunity to make a closing statement. Chief Noble reiterated that it was Fort Ann Rescue Squad's intention to continue to work in partnership with the EMS community and the hospital. He stated that the transport call volume is high and there is more than enough work to go around. He stated that the Fort Ann Rescue Squad, Inc. has built a business plan to be able to do transfers from Glens Falls Hospital. He further stated that the hospital is very aware that the Ft Ann Rescue Squad does not have operating territory for the hospital. He said that he has been informed by NYS EMS (Don Trzepacz, Unit Chief) and has been advised that Ft Ann Rescue Squad is operating legally. He understands that Mohawk Ambulance Service has operating authority but is not under contract. He also stated that Ambulnz is under contract with the hospital. They continue to seek this expansion to be able to continue to provide ambulance transport services to Glens Falls Hospital in compliance with state and federal regulations.

The Hearing and Record were closed at 10:53am.

## **Findings of Fact:**

After a review of the application and attachments submitted to the REMSCO by the Fort Ann Rescue Squad, Inc. as well as testimony and documentation provided at the hearing, the following facts have been established:

- The Fort Ann Rescue Squad, Inc. has applied for an expansion of its ambulance operating certificate for a second time, and it was determined to be complete by the Mt Lakes Regional EMS Council.
- The Fort Ann Rescue Squad, Inc. application requests to add the following geographic territory “All of the territory within 100 Park Street, Glens Falls, NY 12801” A/K/A The Glen Falls Hospital to the existing ambulance operating certificate, which currently states – The Village and Town of Fort Ann.
- Based on the information and data provided in the application and articulated during the hearing, while at least three (3) ambulance services are currently authorized to provide ambulance transport services to the Glens Falls Hospital, the need to move patients in and out of the facility exceeds current capacity.

## **Conclusion:**

The Fort Ann Rescue Squad, Inc. seeks to provide transport services to improve ambulance availability and lower the time it takes to transport patients from the Glens Falls Hospital in the City of Glens Falls to facilities that can appropriately provide patient care, or to residences. The data provided and the testimony (both in favor and opposed) seems to indicate that adding an additional ambulance service with the specific intention to provide interfacility transports may provide relief to the hospital and the currently overburdened EMS system.

It should be noted that adding operating authority to the Fort Ann Rescue Squad’s operating certificate does not actually change the EMS current system but rather places them in compliance with existing state and federal statutes and regulations. As stated in the September 2, 2025, hearing report and recommendation, every one of the ambulance services in the affected EMS catchment that continues to perform interfacility transport service to the hospital and/or with the capacity to provide interfacility transport services, should seek to expand their operating certificates as well. By all accounts, there are plenty of ambulance transports to go around. This could be done in a coordinated effort with the participation and assistance of the Glens Falls Hospital. The hospital should be made aware that the EMS community is dedicated to patient care and has extended itself to better service its community AND the hospital. The hospital should be a partner in this effort, not just a user of the ambulance services.

The applicant, based on its application to the REMSCO, has proven ‘Need’ as defined in DOH Policy Statement 06-06. Specifically, there is a “...*demonstrated absence, reduced availability or an inadequate level of care in ambulance... which is not readily correctable through the reallocation or improvement of existing resources.*” Therefore, it continues to be the hearing officer’s opinion that the applicant has demonstrated ‘Need’ for expanding its operating authority to include the Glens Falls Hospital. Further the REMSCO should encourage the affected EMS providers to also consider expanding their operating authority. Regarding this application and hearing, it is my recommendation to the Mt Lakes REMSCO that the Fort Ann Rescue Squad, Inc. be granted the expansion of ambulance operating authority in accordance with the New York State Public Health Law, Article 30.

Respectfully Submitted by:  
Lee Burns