

In the Matter Of:
HAYMARKET DuPAGE LLC

REPORT OF PROCEEDINGS

April 14, 2021

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1 PRESENT:

2 MR. BRENDAN DALY, Chairman;

3 MR. FRANK CARELLO, Commissioner;

4 MS. LORI DRUMMOND, Commissioner;

5 MR. JEFFREY HOLMES, Commissioner;

6 MS. KRISTA RAY, Commissioner.

7 MR. ANTHONY RUSSO, Commissioner.

8 ALSO PRESENT:

9 MR. MO KHAN, Village Planner;

10 MS. SHANNON MALIK JARMUSZ, Director of
Community Development;

11 MS. AMANDA MELONE, Recording Secretary;

12 MS. YORDANA WYSOCKI, Village Attorney;

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I N D E X

WITNESS

BRUCE MOELLER

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FRANK F. BURKE, JR.

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EXHIBITS:

ITASCA FIRE PROTECTION	ID	RECEIVED
No. 43		142
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1 CHAIRMAN DALY: Welcome to this meeting of
2 the April 14, 2021, Itasca Planning Commission. I
3 call this meeting to order.

4 Will the Secretary please call the
5 roll.

6 RECORDING SECRETARY MALONE: Commissioner
7 Carello?

8 COMMISSIONER CARELLO: Here.

9 RECORDING SECRETARY MALONE: Commissioner
10 Drummond?

11 COMMISSIONER DRUMMOND: Here.

12 RECORDING SECRETARY MALONE: Commissioner
13 Holmes?

14 COMMISSIONER HOLMES: Here.

15 RECORDING SECRETARY MALONE: Commissioner
16 Ray?

17 (No Response.)

18 RECORDING SECRETARY MALONE: Commissioner
19 Russo?

20 COMMISSIONER RUSSO: Here.

21 RECORDING SECRETARY MALONE: Chairman Daly?

22 CHAIRMAN DALY: Here. I declare a quorum
23 present.

24 Good evening everyone. Today is

1 Wednesday, April 14, 2021. The case before the
2 Planning Commission is PC 19-014 continued from
3 April 7th, 2021.

4 The petitioner and owner is
5 Haymarket DuPage, LLC. The location is 860 West
6 Irving Park Road.

7 The procedures for tonight's
8 meeting moving forward are as follows: Tonight we
9 will be begin with the redirect -- the
10 cross-examination of Mr. Bruce Moeller by
11 Ms. O'Keefe. Then we will have Mr. DiNolfo present
12 Chief Burke as his next witness.

13 The Planning Commission has adopted
14 new rules of procedure which are now in effect. We
15 are proceeding remotely due to COVID-19, and the
16 public may watch the proceedings through the
17 Village's YouTube channel. Anyone wishing to make
18 public comment will be able to do so after the
19 presentation of cases. They need to sign up on the
20 Village's website.

21 Anyone wishing to ask questions of
22 the petitioner, the Village staff, or other parties
23 will be able to do so after the presentation of
24 cases. The sign-up form is also on the Village's

1 website.

2 And, finally, remote Village staff
3 is monitoring the video streaming. If the video
4 streaming does not work during the proceedings, we
5 will stop and wait until the video streaming is fixed
6 or reschedule for another date.

7 With that I'd now like to invite
8 Mr. Charles Hervas, our legal counsel, for his
9 opening remarks.

10 RECORDING SECRETARY MALONE: Excuse me,
11 Attorney Hervas. Before you start, I believe
12 Commissioner Ray has joined us, so I'd just like to
13 call her for roll and let it reflect.

14 Commissioner Ray?

15 COMMISSIONER RAY: Yes. Sorry, the Zoom link
16 was wrong. Yep.

17 RECORDING SECRETARY MALONE: Thank you.

18 MR. HERVAS: Thank you, Mr. Chairman.

19 My name is Chuck Hervas and I'm the
20 attorney advising the Plan Commission in this matter.
21 This is a legal proceeding with legal significance.
22 A court reporter is swearing in witnesses and is
23 transcribing the testimony. This is not a trial, but
24 we are developing a record of proceedings before the

1 Plan Commission. This is a legal public hearing on a
2 zoning petition.

3 My job as the attorney is to
4 protect the rights of the petitioner, any objectors,
5 and the public.

6 The Plan Commission will make
7 findings and a recommendation to the Village Board.
8 Please understand that the Plan Commission is a
9 recommending body. The Village Board will make the
10 final decision on the Haymarket zoning petition.

11 Due to the pandemic and the
12 Governor's emergency orders, we are unable to meet in
13 person. A virtual hearing is not the preferred
14 method for hearing this zoning petition; however, the
15 business of government must move forward and the
16 virtual hearing has been approved by state statute
17 and is used by local governments across the state.
18 Everyone is doing the best they can under the
19 circumstances.

20 Procedures used by the Plan
21 Commission for large hearings during the pandemic are
22 available on the Village's website. The website has
23 a lot of information, including a comprehensive
24 step-by-step guide about this hearing. The public

1 will have an opportunity to ask questions and provide
2 public comment at the appropriate time.

3 Witnesses will be presented by the
4 Petitioner and possibly by other interested parties.
5 Cross-examination will be allowed only by the
6 attorneys or anyone who has been legally recognized
7 as an interested party.

8 Finally, this is a slow and
9 deliberate process that creates a record appropriate
10 for a Plan Commission hearing. We ask that you
11 please respect this legal process even if you do not
12 agree with it.

13 That's all I have, Mr. Chairman.

14 CHAIRMAN DALY: Thank you, Mr. Hervas.

15 With that, the business before the
16 Commission this evening is the public hearing on Case
17 No. PC-19-014. The request is for a petition for a
18 planned development by special use with exceptions
19 and Class I Site Plan approval all in order to permit
20 a mixed use residential and healthcare facility and
21 other accessory uses in the B-2 Community Business
22 District at 860 West Irving Park Road.

23 I will now entertain a motion to
24 open this continued public hearing.

1 COMMISSIONER HOLMES: So moved; Commissioner
2 Holmes.

3 COMMISSIONER CARELLO: Second; Commissioner
4 Carello.

5 CHAIRMAN DALY: There being a motion and a
6 second, will the secretary please call the vote.

7 RECORDING SECRETARY MALONE: Commissioner
8 Carello?

9 COMMISSIONER CARELLO: For.

10 RECORDING SECRETARY MALONE: Commissioner
11 Drummond?

12 COMMISSIONER DRUMMOND: For.

13 RECORDING SECRETARY MALONE: Commissioner
14 Holmes?

15 COMMISSIONER HOLMES: For.

16 RECORDING SECRETARY MALONE: Commissioner
17 Ray?

18 COMMISSIONER RAY: For.

19 RECORDING SECRETARY MALONE: Commissioner
20 Russo?

21 COMMISSIONER RUSSO: For.

22 RECORDING SECRETARY MALONE: Chairman Daly?

23 CHAIRMAN DALY: For. The motion carries.

24 The public hearing is now open.

1 At this time I would ask that
2 Mr. Moeller please be sworn in by the court reporter.

3 (Witness sworn.)

4 BRUCE MOELLER

5 recalled as a witness herein, having been first duly
6 sworn, was examined and testified as follows:

7 CHAIRMAN DALY: Thank you. At this time I
8 believe Ms. O'Keefe was wrapping up cross-examination
9 of Mr. Moeller.

10 Ms. O'Keefe, he's your witness.

11 MS. O'KEEFE: Thank you, Mr. Chairman.

12 CROSS-EXAMINATION (Continued)

13 BY MS. O'KEEFE:

14 Q. Hello, Mr. Moeller, how are you?

15 A. Fine, thank you.

16 Q. I don't know if I was wrapping it up,
17 but we're going to try to move as quickly as we can
18 this evening.

19 So since you last testified, have
20 you conducted any additional research or reviewed any
21 additional documentation on this matter?

22 A. Nothing beyond I did review the
23 transcript from the last hearing.

24 Q. So you didn't review any other

1 transcripts other than what you testified to last
2 time?

3 A. That's correct.

4 Q. Okay. Since you last testified, have
5 you verified who the client is in this case because
6 you weren't sure who signed the contract?

7 A. That's correct. I still don't have that
8 information.

9 Q. Okay. In your last testimony you stated
10 that when a private ambulance is used for service
11 there's almost a 50 percent chance that private
12 ambulance won't be available, and I was wondering, is
13 this assertion predicated on review of any particular
14 data in Itasca?

15 A. No.

16 Q. Any other data that you can -- you could
17 turn to that would support that statement?

18 A. It is based on my knowledge and
19 experience in either managing or evaluating high
20 performance PMS systems -- medical systems, and it's
21 based on the desire of those operators to have the
22 units busy or, you know, committed to another call
23 approximately 50 percent of the time.

24 Q. There's no formal study that -- of

1 private ambulances and -- that would support that?

2 A. There is data and studies to support
3 that, not in Itasca.

4 Q. During your -- in your report you
5 testified that the Fire Protection District has to be
6 wary of demands on its MABAS partners, so I'd like to
7 talk a little bit about that.

8 Do you know if the Fire Protection
9 District maintains any reports on mutual aid calls?

10 A. I do not.

11 Q. So you don't know how many times they've
12 either called for assistance or been called upon for
13 assistance?

14 A. I do not.

15 Q. Okay. Given that you asserted that they
16 need to be wary of demands on the MABAS system,
17 weren't you curious as to how often they make use of
18 mutual aid now since --

19 CHAIRMAN DALY: Excuse me. I'm sorry,
20 Ms. O'Keefe. Excuse me. We are having issues with
21 your sound.

22 MS. O'KEEFE: Oh.

23 CHAIRMAN DALY: I don't know if it's an issue
24 with you being too close to the microphone or if it's

1 interrupted audio feed, but -- we're hearing it a
2 little bit here, but also we're hearing from remote
3 sources that it's difficult to hear you.

4 MS. O'KEEFE: Okay. Can you hear me better
5 now? Is it any clearer?

6 MS. WYSOCKI: This is Yordana Wysocki, and
7 you're coming through with a clicking.

8 MS. O'KEEFE: A clicking?

9 CHAIRMAN DALY: There's a crackling static in
10 your feed, Ms. O'Keefe, and I don't know if it's a
11 function of the Zoom connection or if it's a loose
12 connection on your audio.

13 MS. O'KEEFE: Could we log off and we'll just
14 try to log back on? It will just take a moment.

15 CHAIRMAN DALY: Please do.

16 MS. O'KEEFE: Okay, thank you.

17 (Brief recess.)

18 MS. O'KEEFE: Mr. Chairman, we're back. Can
19 you hear us better now?

20 MS. WYSOCKI: Bridget, can you -- this is
21 Yordana again. Can you keep talking and make sure so
22 I can hear you?

23 MS. O'KEEFE: Sure. Can you hear me better
24 now?

1 MS. WYSOCKI: Yeah. The static and clicking
2 is gone on my end.

3 MS. O'KEEFE: Good. Can anyone else hear
4 clicking or are we ready to go?

5 THE REPORTER: Sounds good to me.

6 CHAIRMAN DALY: No. Let's proceed.

7 MS. O'KEEFE: Good. Hey, thank you so much
8 for bringing to our attention. We appreciate it.

9 BY MS. O'KEEFE:

10 Q. So I think we left it with the question,
11 Mr. Moeller, of -- excuse me. Hang on a second.

12 In your report you recommended that
13 the District be wary of its demand on MABAS that
14 might be caused by Haymarket.

15 Aren't you curious, you know, as to
16 what the current calls are for Itasca? Don't you
17 think that's relevant information you should have?

18 A. I don't believe I made a recommendation
19 regarding that in the report. I made a number of
20 major findings and did make a recommendation near the
21 end of the report. I noted simply that excessive use
22 of MABAS resources beyond that which -- to which you
23 reciprocate would likely lead to a, you know, change
24 in the arrangement with your partners.

1 Q. Can you define excessive use? Like what
2 percentage of calls would you think are excessive?

3 A. So those are judgments that would have
4 to be made by the respective chiefs, by the
5 respective communities. So my perspective may be
6 different than Chief Burke's or any other chief
7 within the area.

8 Q. What's the range; five percent,
9 10 percent of calls it's excessive, 50 percent of
10 calls?

11 A. So I will characterize what I have
12 addressed in my community. When it exceeded 15
13 percent on a continuing basis, then I sat there and
14 addressed it with the chief in that community.
15 Again, though, that is a decision policy question for
16 the chief of the departments involved.

17 Q. Okay. Did you make any efforts to reach
18 out to any MABAS partners to determine if they have
19 any concerns about any demand that Haymarket might
20 place on either the District or them?

21 A. I did not. That was not within the
22 scope of what we were asked to look at.

23 Q. Okay. In your prior testimony you
24 stated that "in our work we always look at

1 concurrency," because one of the findings you had was
2 regarding the concern of concurrent calls.

3 In your experience, do fire
4 departments develop concurrency studies as part of
5 their planning efforts?

6 A. It is a common evaluation that we do --
7 the firm Fitch does when we do studies. I know of
8 some departments that I have either consulted with or
9 have, you know, discussed with their chiefs where
10 they have made use of those concurrency studies. I
11 wouldn't say it's a common practice.

12 Q. But if you have a use such as this where
13 there's a concern that you've raised about it
14 being -- there might be concern about concurrent
15 calls, did you recommend to Itasca that they do look
16 at this at this point to see what the current level
17 is, and then judge what the potential level might be
18 if Haymarket were approved in terms of real data as
19 compared to just raising an issue?

20 A. So I'm not sure if I'm following the
21 question. Maybe, could you restate that?

22 Q. Sure. Did you recommend to Itasca that
23 they set a baseline of how many concurrent calls are
24 going on right now in their system?

1 A. We did not. That was not part of our
2 scope. It was to evaluate the Polaris report and the
3 assumptions therein.

4 Q. Did you -- did you ask -- did you ask
5 them if they track concurrent calls?

6 A. I don't recall a specific discussion
7 with the Chief on that.

8 Q. Did you ask them if they have planning
9 studies available to look at potential demands on
10 equipment or staff?

11 A. I believe earlier in the project we had
12 a discussion on that. I don't recall any specific
13 reports related to that.

14 Q. So you didn't ask them if they have any
15 reports that they could provide?

16 A. They did provide some information during
17 the study. They provided, for example, average time
18 on task for medical calls, is the one I particularly
19 remember that is cited within the report.

20 Q. Okay. So you make a claim in your
21 report -- a hypothetical claim in your report that
22 concurrent calls could potentially occur, but there
23 really isn't any data to back up that claim; correct?

24 A. That's not correct. What I indicated is

1 with an increase of about 23 percent of calls there
2 is a greater probability -- mathematically greater
3 probability that there will be conflict, there will
4 be concurrency. That's just --

5 Q. But that 20- -- that 23 percent in calls
6 is hypothetical, too, because that's also only based
7 on one comp and hasn't involved an in-depth study.
8 You didn't look at any -- you only looked at
9 unrelated comps except for Haymarket Chicago.

10 A. So it was based on our analysis of what
11 Haymarket Itasca would arguably likely demand. It's
12 based on the comp of the same provider. So I don't
13 think unlikely I -- I'm highly confident in that
14 analysis based on the methodology we describe in the
15 report.

16 Q. On one comp. Okay.

17 MR. DI NOLFO: I object to her comment.

18 MS. O'KEEFE: I'm sorry?

19 MR. DI NOLFO: Well, I thought you had a
20 question. Was that a question mark at -- with "one
21 comp" or was that just a comment?

22 MS. O'KEEFE: I'll withdraw the comment for
23 the record.

24

1 BY MS. O'KEEFE:

2 Q. So did you -- Mr. Moeller, did you
3 request or receive any call volume information from
4 the District related to fire or EMS --

5 A. We did --

6 Q. -- volumes?

7 A. Yes, we did receive information.

8 Table 4 in the report cites what
9 the call volume was. I'm trying to remember if that
10 may have been derived from the Polaris report. I'd
11 have to go back and look at my notes to see where
12 that was, but Table 4 shows the average call volume
13 of Itasca.

14 Q. Yeah, that came from the Polaris report.

15 So do you recall if Ita- -- if the
16 Fire District gave you anything on call volumes?

17 A. Not that I recall directly.

18 Q. And you didn't ask for any?

19 A. I -- as I used in the report, I used
20 that information that was derived from the Polaris
21 report.

22 Q. Did you request or receive any response
23 data from the District?

24 A. Response data? Can you clarify --

1 Q. Like response times.

2 A. -- what you mean by that?

3 Q. Response times.

4 A. I don't recall if response time was
5 included or not. As I said, we did ask for and
6 receive average time on task for medical calls.

7 Q. That doesn't address the response issue,
8 does it, in terms of, like -- you made an assertion
9 that if there are concurrent calls or if there is an
10 increased demand, it may result in increased response
11 times, but you never established what those response
12 times were as a baseline, did you?

13 A. That was beyond the scope of what we
14 were asked to do; however, your question is using
15 time on task, it is exactly relevant to it.

16 If a call comes in and it takes one
17 minute to handle that call, the opportunity for
18 collision for call concurrency is less than if a call
19 comes in and it takes one hour for that call to be
20 handled. If I recall, I think the District's time
21 was about 55, 56 minutes to handle a medical call.

22 So it is relevant because it
23 impacts the availability of the unit for a subsequent
24 call depending on the arrival process of subsequent

1 alarms.

2 Q. Do you know what the average response
3 time is in Itasca?

4 A. I don't recall it and it wasn't in my
5 report. I don't recall if I saw that information or
6 not.

7 Q. So in your report you stated that -- you
8 know, this is something you just mentioned. You
9 stated hypothetically that there could be up to a
10 23 percent increase in call volume created by
11 Haymarket.

12 Are you aware that currently the
13 District provides more mutual aid to -- 20 -- more
14 mutual aid to neighboring communities than the
15 23 percent hypothetical increase that might be caused
16 by Haymarket?

17 A. So I'm not sure if I agree with the
18 characterization of hypothetical.

19 The 379 additional calls was based
20 on calculations derived from the experience of
21 Haymarket Chicago and applying that methodology
22 that's outlined in the report to Haymarket Itasca.

23 I am not aware of the demand that
24 other mutual aid that the Fire District provides to

1 others, nor am I aware of how much they receive from
2 others.

3 Q. During prior testimony you testified
4 that you validated your number -- your 23 percent
5 number through a gut check using comps that weren't
6 substance abuse facilities but were senior facilities
7 and a behavioral health hospital.

8 Both you and Mr. DiNolfo used the
9 term "gut check." What does that mean in terms of
10 validating numbers?

11 A. Well, so I probably should have
12 corrected it, so let me talk about that for a second.

13 There were -- Polaris's methodology
14 looked at other facilities across the Chicagoland
15 area in deriving their analysis of the number of
16 calls that Haymarket Itasca would arguably, you know,
17 demand from the fire department.

18 After we did our analysis and came
19 up with our 379 additional calls, I looked at several
20 other facilities, choosing facilities that have --
21 two of the three, at least, had Elite Ambulance as
22 their provider. And it was to assess the validity of
23 the claim in the Polaris report that by having a
24 private ambulance there would be a diminished demand

1 at Haymarket Itasca.

2 And the ones that I looked at -- I
3 don't recall the names specifically. It is outlined
4 in the report, but based on that, we found similar
5 levels of use of the fire department to those
6 facilities. At least two of the three have arguably
7 or have -- I've been informed have an arrangement
8 with Elite Ambulance.

9 So that is the process for that.
10 It was simply to say we came up with a significantly
11 larger number than the Polaris report did, and to
12 kind of -- as I've used the term "gut check" that, I
13 went and looked at data from other facilities that
14 use Elite Ambulance and the demand that they
15 generate.

16 It was not intended to be comps.
17 It was not intended to be comparable. It was simply
18 here is other medical facilities that use an
19 ambulance service and they still demand a significant
20 number of calls from the local fire service.

21 Q. Did you choose those comps or were they
22 given to you by the District?

23 A. As I recall, I believe Chief Burke
24 provided those.

1 Q. Okay. And so it was his decision to not
2 use comparable substance abuse facilities, but rather
3 to use senior facilities or a hospital?

4 A. I don't know what went into his decision
5 process. Those -- that was the data that I was
6 provided. That was the data I looked at because I
7 wanted to -- again, since there was such a wide
8 variance between what the Polaris report indicated
9 and what our analysis reflected, I wanted to just
10 take a quick look at that.

11 Q. So as you testified before, though, you
12 don't know what the -- you never saw the contracts
13 between Elite and the three comparable entities, so
14 you don't know what the scope of their contractual
15 relationship was; correct?

16 A. I -- I do not have any idea of -- if
17 there is a formal relationship, what that
18 relationship is, or if it's dedicated, nondedicated
19 resources. Those are -- that is the reason that I
20 raised that as a concern.

21 I'm not aware of another facility
22 that uses a private ambulance to handle BLS calls,
23 basic life support calls, lower priority calls, in
24 the manner that is proposed or articulated in the

1 Polaris report.

2 Q. But Forest View in Itasca, which is a
3 nursing home, comparable size, about a hundred beds,
4 it uses Elite and has very small call load. Why
5 didn't you discuss that comp as a -- they have a
6 contract with Elite. It's in the same town.

7 Is it because the numbers weren't
8 sufficiently high to support the gut check?

9 A. No. I used the data that was available,
10 and I also applied my opinion based on what Haymarket
11 does at their Chicago facilities and the difference
12 between that and what is being proposed for Haymarket
13 Itasca.

14 Q. So your report states the national
15 growth rate of EMS calls has been 7.6 percent per
16 year for the past three years, but five percent
17 growth rate over the past decade.

18 Do you know how that corresponds to
19 Itasca and what their growth rate has been?

20 A. So the numbers I cited were the last
21 three decades in -- in the fire service. This is
22 based on reports from the National Fire Protection
23 Association, that 7.6 percent was the last three
24 decades.

1 So the second part of your question
2 was do I know -- I'm sorry.

3 Q. Just a second. That's okay.

4 A. Bottom of page 11.

5 Q. Bottom of page 11. Great. Okay.

6 Okay. So for the past 10 years
7 it's been five percent then? Am I citing that
8 correctly?

9 A. So five percent over the last 10 years.
10 Over the last past three decades the rate of
11 increase --

12 Q. It's been 7.6 percent per year?

13 A. Yes.

14 Q. So what your report says, it's been for
15 the past decade five percent growth per year, and
16 over the last three decades it's been 7.6 percent
17 growth per year?

18 A. Correct. Yeah, it's not exactly linear.

19 Q. Okay, but that's -- that's your report.

20 So do you know what the growth rate
21 has been in Itasca?

22 A. I do not.

23 Q. Did you ask anybody in the Fire
24 Protection District for that information?

1 A. No. We weren't asked to do an
2 evaluation of the Fire Protection District's
3 performance or workload. We were ask to evaluate the
4 Polaris report and then the assumptions and
5 assertions therein.

6 Q. So you were told that -- you know, if
7 you were told that EMS calls in Itasca, they've had
8 their ups and down over the past five years, and, in
9 fact, in the past year it's been an eight percent
10 decline, there's been nowhere near -- there's been no
11 growth in the rate of five percent a year over the
12 past five years, would -- does this affect your
13 conclusions given that they're not following the
14 national trend?

15 So you're anticipating there's
16 going to be this impact based on this growth that
17 hasn't been occurring. Does this affect your
18 opinions at all?

19 A. It does not for a couple of reasons. I
20 mean, for example, your question -- the framing of
21 your question, you gave me one year. One year is not
22 a trend. So I don't know what it's been over five
23 years or 10 years.

24 And, again, that was beyond the

1 scope of what we were asked to do. We were looking
2 at the Polaris report, and I provided data based on
3 national information.

4 Q. So on a national basis, do you know the
5 annual call volume per ambulance on average?

6 A. Excuse me?

7 Q. Do you know average call volume per
8 ambulance in the United States?

9 A. It varies widely throughout the US. I
10 don't know -- I can't give you a specific number. I
11 would suggest an average of that, based on all
12 ambulances across the nation, would be limited in its
13 value because the standard deviation of that average
14 would be very wide.

15 Some communities -- for example, if
16 you look at the City of Chicago itself, downtown
17 you've got units that run literally an excessive
18 number of calls, and you can look out in areas in the
19 City of Chicago Fire Department, there are other
20 units that are less.

21 So it varies widely based on the
22 demands of the community and a number of other
23 factors that influence that.

24 Q. Chicago, they have ambulances that

1 actually can run up to 8,000 calls a year. I think
2 that's a pretty high impact.

3 Are you --

4 MR. DI NOLFO: Is that a question,
5 Mr. Hervas? I object, Mr. Hervas. I'd like to stick
6 to the question and answer format versus commentary.

7 MS. O'KEEFE: Okay.

8 BY MS. O'KEEFE:

9 Q. Are you familiar with EMS World,
10 Mr. Moeller?

11 A. I'm familiar there was a magazine, I
12 believe a website now, called EMS World.

13 Q. Do you read it?

14 A. I have historically. I don't know if
15 I've spent much time looking at it lately. It's a
16 trade publication.

17 Q. Are you familiar with an article where
18 they did a study of 70 different ambulance depart- --
19 or fire departments that averaged about 2,400 calls
20 per year?

21 A. I --

22 Q. It was a more general study.

23 A. Well, I'll question whether it was a
24 study. EMS World is not a peer-reviewed journal

1 article, unless you're talking of a different
2 publication that I'm not aware of.

3 So they may have been reporting
4 some data that was provided to them. They may have
5 been citing another source.

6 So I'm not familiar, though, with
7 that particular article you're talking about.

8 Q. Your report concludes that the District
9 currently has the capacity to handle Haymarket
10 DuPage's calls today even if no supplemental services
11 were to be provided by Elite; correct?

12 A. I'm sorry, say that again. So -- the
13 first part.

14 Q. Your report --

15 A. You qualified that.

16 Q. Your report concludes that the District
17 currently has the capacity to handle any calls
18 generated by Haymarket DuPage today with no
19 supplemental services provided by Elite; correct?

20 A. Again, I'm sorry, it's just -- maybe
21 it's awkwardly worded or I'm just not following. I
22 concluded --

23 Q. Does --

24 A. Go ahead.

1 Q. Let me just read it to you.

2 A. Sure.

3 Q. Page 11, "It is Fitch's assessment that
4 currently the Itasca Fire Protection District has
5 sufficient capacity to absorb the increased demand
6 from the proposed Haymarket DuPage project."

7 That's from your report. That's
8 correct; right?

9 A. That statement is correct, however, the
10 next --

11 Q. You answered the question.

12 So that means that today there is
13 no -- if Haymarket DuPage was open, there would be no
14 new equipment or staff required?

15 A. At this point in time, that's correct.

16 Q. So let's move on to at what point in
17 time it would be required. What's the tipping point?

18 This is a question Mr. Ellenbecker
19 likes to ask. At what point would there become a
20 need to add staff or equipment?

21 A. Okay. So there's a number of factors
22 that can go into that; however, what the re- -- what
23 that statement that you read from the report goes on
24 and says: However, there are two issues that arise

1 from the assessment. The first is the 23 percent
2 increase in call volume that the department -- that
3 the agency would have, and, you know, the increased
4 probability of concurrency or collision of incidents.

5 In other words, you are handling
6 one call. In the scenario we're talking about, that
7 call arguably would be at Haymarket Itasca and
8 another event would come in.

9 The second element is that at some
10 future point the department would need to reinvest in
11 resources in order to handle growth which we are
12 seeing nationally and throughout the country for EMS
13 demand.

14 The point at which that happens is
15 somewhat within the control of the department and the
16 community, depending on how they handle the increased
17 growth.

18 So there's a number of factors. I
19 can't give you a specific time for that.

20 Q. So they didn't ask you to analysis that?
21 They didn't ask you to look at -- or they didn't have
22 any planning studies that looked at what their
23 current capacity is, where they think it's going with
24 Haymarket, without Haymarket, and at what point in

1 time they think this hypothetical possibility may
2 come into play?

3 Because you can't -- you've not
4 given us any definitive data on concurrency, so you
5 haven't studied it. You've based your 23 percent
6 growth rate on one comp.

7 So we're asking you, have you
8 studied when -- and when could this happen?

9 A. The increased call concurrency, the
10 opportunity for collision of simultaneous calls would
11 occur as soon as the call volume increases.

12 Q. Well, you just said, though, that if
13 Haymarket was there today, the growth would increase
14 and they can handle it.

15 A. What I said is they have capacity to
16 handle that additional call volume. Even with that
17 capacity there is still an increased probability --
18 and this is statistical, not hypothetical. It is
19 statistically a greater probability of concurrent
20 calls occurring.

21 Q. Okay. What -- what is the probability?
22 Can you give me something a little more definitive?

23 A. Well, it's beyond the scope of what we
24 were asked to do. We were asked to evaluate the

1 Polaris report and the underlying assumptions, and so
2 our report speaks to that specifically. That's what
3 we were asked to do.

4 I can state with certainty, and we
5 did, that when you add 23 percent more calls to any
6 agency, the mathematical probability of increased
7 collisions, increased call concurrency will occur.

8 Q. And that's assuming you're correct in
9 your assumption of 23 percent growth.

10 So --

11 A. That is based --

12 Q. Is that correct?

13 A. I thought you were asking --

14 Q. No, I couldn't make a comment because I
15 knew Mr. DiNolfo was going to call me on it.

16 MS. O'KEEFE: I'm getting better,
17 Mr. DiNolfo.

18 MR. DI NOLFO: (Inaudible).

19 BY MS. O'KEEFE:

20 Q. Mr. Moeller, are you familiar with unit
21 hour utilization?

22 A. Yes.

23 Q. And what is it?

24 A. Unit hour utilization is a calculation

1 of the time a unit -- or, you know, unit vehicle,
2 ambulance in this case, would be tied up, generally
3 calculated either on monthly or an annual basis. It
4 is the time they are tied up handling actual calls.

5 Q. So what is an acceptable -- I understand
6 that -- I'm not going to claim to be an expert on
7 this, but I understand that fire departments often
8 use that for planning purposes, so they'll be looking
9 at at what point should, you know -- if a certain
10 amount of growth occurs there will be a need to add
11 staff or equipment.

12 So I understand that they -- they
13 base a certain percentage or they look at that from a
14 certain percentage. If they get to a point -- is it
15 a .3? Is that the national average of acceptable
16 unit hour utilization?

17 A. So in -- so it varies. Again, you asked
18 previously about how busy the average ambulance is.
19 So it varies aligned with that and the amount of time
20 to handle a call.

21 The International Association of
22 Firefighters, the labor organization, recommended
23 that you do not exceed .3, or 30 percent of the time,
24 that you're involved on that. That is a number that

1 Fitch has used in its reports.

2 We also recommend, though, when the
3 number gets to .25, or 25 percent, that the agency
4 needs to make plans to either reinvest and add
5 resources or take other actions that would mitigate
6 the demand or workload on that unit.

7 Q. Okay, thank you.

8 So I'd like to go back to the
9 testimony you gave last month regarding risk
10 assessments.

11 You testified that -- you stated so
12 every community should be conducting, you know, the
13 best practice in the industry is what we call a risk
14 assessment. It's when you look at your community and
15 the type of properties you have, business versus
16 commercial versus industrial, residential, et cetera,
17 and each of those will have a demand within the
18 community based on these factors, and it helps you
19 from a planning perspective. Whenever a use comes in
20 you look at it, similar to what we're doing today
21 with Haymarket.

22 So would you consider it best
23 practice for a municipality to conduct a call volume
24 analysis for any major use that's being introduced

1 into their boundaries to review the effect on both,
2 like, the fire district and the police department?

3 A. Can you reframe the question so I just
4 make sure I understand it?

5 Would I consider it a --

6 Q. Best practice.

7 A. Okay.

8 Q. For if a -- if a -- if a major use is
9 coming to a town or a village or a city, would you
10 consider it best practice for the fire department and
11 the police department to assess potential call volume
12 and impact on call volumes presented by that use?

13 A. I would consider it a best practice for
14 a community to look at all the issues of services and
15 the impact a large development would have.

16 It would include --

17 Q. Okay.

18 A. -- not just call volume, though; the
19 demand on police, fire, water supply, transportation,
20 other elements that I'm sure I don't have to outline
21 for the Planning Commission, but those are elements
22 that would normally be considered.

23 Q. So apparently, you know, we're here
24 tonight because the District asked you to present --

1 or produce a risk assessment for Haymarket.

2 Did it provide --

3 A. That --

4 Q. -- you --

5 A. I'm sorry, that's not correct. That
6 isn't what we were asked to do.

7 Q. Okay.

8 A. We were asked to --

9 Q. What --

10 A. Oh. Go ahead.

11 Q. No, I'm sorry. I just wanted to
12 understand how it's different, so I think you were
13 going to answer that.

14 A. Yeah. So I think you stated that we
15 were asked to do a risk assessment on Haymarket. We
16 were not.

17 We were asked to review the Polaris
18 report which attempted to assess the demand that
19 Haymarket Itasca would have on the community.

20 We reviewed their methodology,
21 their report, identifying a number of items that are
22 outlined in our report, and then assessed by our
23 methodology what the potential demand for services
24 would be based on the Haymarket Chicago --

1 predominantly on the Haymarket Chicago facility.

2 Q. So you're not aware that Itasca --

3 A. It's not -- it's not a risk assessment,
4 yeah.

5 Q. So are you aware if Itasca themselves
6 has prepared a risk assessment on Haymarket?

7 A. The Village or the District?

8 Q. The District.

9 A. I am not.

10 Q. Okay. So when a major -- this is a
11 hyp- -- this is a fact situation. I would like you
12 to assess whether or not a risk assessment should be
13 done for this type of case, okay.

14 So if there's a project that
15 involves a large parcel of land that's close to
16 50 acres in size that is going to hold eventually
17 three-quarters of a million square feet of industrial
18 space and close to 50,000 square feet of commercial
19 space, including a hotel, two restaurants, a gas
20 station, et cetera, is this the type of project if
21 you were in leadership of a municipality, would you
22 recommend a risk assessment be conducted?

23 MR. DI NOLFO: I would just object to the
24 form of the question, incomplete hypothetical, and

1 calls for speculation.

2 MS. O'KEEFE: I'm asking for -- Mr. Hervas,
3 I'm asking for his expert opinion on the extent of
4 due diligence you have to do when you're looking at a
5 major project coming into your village and trying to
6 understand what the best practice would be.

7 So in this case it's actually not a
8 hypothetical. It's a case that was considered by
9 Itasca.

10 BY MS. O'KEEFE:

11 Q. And with the scope of that project, if
12 you were at a fire department or police department,
13 would you conduct a risk assessment on a 50-acre
14 parcel with close to 800,000 square footage of
15 development?

16 MR. HERVAS: So there is a pending objection,
17 and the question that I have is, does the witness
18 understand the question because the question was
19 related to a hypothetical.

20 Mr. Moeller, do you understand
21 Ms. O'Keefe's question?

22 THE WITNESS: I think I'm close, but it's not
23 exactly clear to me, sir.

24 MR. HERVAS: Ms. O'Keefe, if you could re-ask

1 the question in a way that Mr. Moeller can understand
2 it, that would be helpful. Thank you.

3 BY MS. O'KEEFE:

4 Q. Okay. Mr. Moeller, when you were in
5 city management in Florida, if there was a proposal
6 to add an 800,000 square foot development on a
7 50-acre parcel, would you have recommended a risk
8 assessment be conducted?

9 A. When I was a city manager -- and we did
10 have significant projects come in -- we followed the
11 guidance. I didn't ask for something. It was a
12 requirement pursuant to the planning regulations and
13 the planning process that's normally followed.

14 In that -- in that case it was the
15 South Florida Regional Planning Council and that of
16 our planning and development department.

17 So it was the practice, the
18 ordinances, the requirements of the community in how
19 they do that. That's -- that's what determined what
20 analysis was done for each project.

21 Q. So to ask my question again, in that
22 case, would a project of that size been the subject
23 of a risk assessment?

24 A. I can't recall the specific requirements

1 in Sunrise, Florida what triggered that. I recall
2 that we had several large developments that came in
3 that we did do it on, but I can't remember. Based on
4 what you're citing, I don't recall if that triggered
5 a review or not.

6 Q. So, in your experience, though --
7 because you've been in fire departments, in police
8 departments, in city management -- you've seen a lot
9 of projects come through. You've told me yourself --
10 I think you testified earlier that you've conducted a
11 hundred impact analyses.

12 Isn't this the type of project you
13 would conduct an impact analysis on?

14 A. I believe what I testified to is that I
15 said that there were a significant number of projects
16 where I have personally reviewed the potential impact
17 of those projects.

18 There was not for a number of
19 those, as I recall, a specific requirement to conduct
20 a formal analysis, because, again, that's driven by
21 the planning department, you know, not the fire
22 department.

23 But in the cases where it was
24 required, we participated with the planning folks on

1 that. Where it wasn't required, I still evaluated
2 those in order to advise city council management at
3 the time. When I became the city manager I was
4 interested in it.

5 Q. So just to make sure I heard you
6 correctly, you did conduct impact studies on projects
7 of this type, because you said if you were required
8 you did so, or if you weren't required you did so
9 because you wanted to advise the council?

10 A. Depending on the project. I didn't say
11 of this type.

12 So, again, you're asking me to
13 cross-walk the project you described and to say
14 whether or not that would have triggered a review in
15 my community at the time. I just -- I don't recall
16 whether that would have or would not have.

17 Q. So in your testimony when you talked
18 about -- so every community should be conducting, as
19 you know, the best practice in the industry is what
20 we call a risk assessment?

21 A. Uh-huh.

22 Q. That's your testimony from last week?

23 A. Yes.

24 Q. They're generated because they help you

1 appropriately plan for the impact on the community,
2 and they ensure the community can provide the
3 services the project is going to need.

4 Wouldn't you -- wouldn't you agree
5 that any project of a considerable size, which could
6 be anything from -- depending on the use it could be,
7 actually, a small size but an impactful use or it
8 could be a larger size, just because of its size it
9 needs to be looked at, like you said?

10 A. All right. So -- oh.

11 Q. So it's hard for me to believe that you
12 would not have -- please confirm that you would have
13 studied this type of project if it had been presented
14 to you?

15 A. So I need to distinguish something. The
16 section that you read from my testimony last month
17 had to do with a practice imbedded in the
18 accreditation process for fire protection, for fire
19 services. The Commission on Fire Accreditation
20 International, and part of that recommended best
21 practice is the community is required to do a risk
22 assessment. It is a fire-based risk assessment.

23 I see that as compatible with but
24 separate from a planning review that's done, when

1 earlier you asked me if large projects would be
2 reviewed, water, transportation, police, fire. So
3 those are somewhat separate lenses or perspectives.

4 My testimony last month had to do
5 with the Commission on Fire Accreditation and the
6 best practice there to do a risk assessment of the
7 community as a whole.

8 Q. I don't think it was limited to that.

9 A. No. I think --

10 MR. DI NOLFO: (Inaudible).

11 BY MS. O'KEEFE:

12 Q. No. I mean, was your -- you didn't
13 state that in your testimony so I'm unclear why now
14 you're limiting it.

15 And I think the bottom -- I think
16 where -- I think we should probably move on. I think
17 the point I wanted to ask you about was based on your
18 experience when a major project comes to town, it's
19 the best practice to study it?

20 A. It was my practice. I believe it is an
21 appropriate action to take of a fire chief, yes.

22 Q. Okay. So you've never discussed with
23 Itasca any other projects but the Haymarket project;
24 correct? You've never discussed any -- I'm sorry?

1 A. There's a little -- oh, okay.

2 Q. Yeah. Yeah, I'm sorry. I think it was
3 my paper. I'm sorry.

4 A. That's fine.

5 Q. You've never discussed any other
6 developments with the District other than the
7 Haymarket project; correct?

8 A. That's correct.

9 Q. Okay, thank you.

10 Do you know whether or not the Fire
11 Protection District has studied any practices or
12 protocols that could be put into place to accommodate
13 the demand from Haymarket?

14 A. I do not.

15 Q. Do you know if the District has
16 considered any practices or protocols that could be
17 put into place to ensure a coordinated approach with
18 Elite?

19 A. I do not.

20 Q. Did you recommend to the District that
21 they consider any protocols directed to this
22 particular use?

23 A. There is -- I don't recall having
24 anything of that nature in the report. I don't

1 recall having that discussion with the Chief.

2 It's possible there was a passing
3 reference to something of that nature, but I don't
4 recall anything specific.

5 Q. Would there be any possible protocols or
6 procedures that could be put into place that you'd
7 recommend that would help integrate Haymarket into
8 Itasca's Fire Protection District?

9 MR. DI NOLFO: I'm going to object to
10 foundation, beyond the scope.

11 MS. O'KEEFE: Well, in response to the
12 objection, Mr. Moeller is an expert witness who has
13 worked in this field for decades and he has seen and
14 had to respond to many uses that have been proposed
15 for the communities in which he's been responsible.
16 And I have to believe he's creative and has seen --
17 seen a lot of different things, and I'd be curious to
18 see if he could share some of that experience with
19 us. I think it's well within -- within his
20 expertise.

21 MR. DI NOLFO: Perhaps it is, but it's beyond
22 the scope. So he wasn't retained for that. He
23 didn't testify to that. It's beyond the scope,
24 Mr. Hervas.

1 MR. HERVAS: Ms. O'Keefe, the -- asking the
2 question generally with respect to his expertise is
3 fine, but getting into detail with respect to what he
4 might recommend or something of that nature is
5 definitely beyond the scope.

6 So I'm going to let the question
7 stand and we'll move on and see how far we go.

8 Objection overruled.

9 THE WITNESS: I'm sorry, is there --

10 MS. O'KEEFE: So -- yeah, I think,
11 Mr. Moeller, that the question is on the table for
12 you to answer.

13 THE WITNESS: Okay. So can you repeat the
14 question? I'm sorry.

15 BY MS. O'KEEFE:

16 Q. That's okay.

17 In your experience, have -- have
18 you any recommendations that you could offer to
19 assist Haymarket in integrating its services and
20 mitigating any impact on the Fire Protection
21 District?

22 MR. DI NOLFO: Again, I think that's a
23 different question, and it is beyond the scope,
24 Mr. Hervas. That --

1 MS. O'KEEFE: Could we -- could we have the
2 court reporter read the question again? Would that
3 be possible?

4 THE REPORTER: So you would like the question
5 before?

6 MS. O'KEEFE: Yes.

7 (Question read as follows:

8 "Q. Would there be any possible
9 protocols or procedures that
10 could be put into place that
11 you'd recommend that would help
12 integrate Haymarket into Itasca's
13 Fire Protection District?")

14 BY THE WITNESS:

15 A. I have no ability to make any
16 recommendations. I don't have enough details on the
17 relationship or the -- you know, the relationship
18 between the parties, so I don't have anything I can
19 offer.

20 BY MS. O'KEEFE:

21 Q. In your experience, are you aware of
22 municipalities that have responded with a single unit
23 response?

24 A. A single unit response?

1 Q. So they might respond, for example, with
2 a fire truck and -- for example, a fire truck could
3 come if it has ALS capabilities, stabilize a patient,
4 and a private ambulance could come and transport or a
5 public ambulance could transport.

6 So you have -- you could have, you
7 know -- well, let's even -- let's even flip that.
8 Let's even flip that, that if in the case of
9 Haymarket, because they have trained medical staff
10 on-site and they're going to have the equipment that
11 they need on-site to stabilize in the event of an
12 emergency, would it be possible to just have a single
13 ambulance respond without a fire truck which then
14 makes a fire truck available to maximize and address
15 other calls?

16 A. I am aware of that deployment
17 plan/scheme in other communities. I'm aware that
18 Itasca does not currently use such an approach, but I
19 am aware of it elsewhere.

20 Q. Have you ever seen it where a fire truck
21 will come and stabilize and a private ambulance will
22 provide transport?

23 A. Only as part of an integrated 911
24 system, not where I've seen it where the private

1 ambulance is not already an inherent part integrated
2 in the 911 system. I've not seen --

3 Q. Could it be inte- --

4 A. I've not seen it as it's been described
5 for Haymarket Itasca.

6 Q. So each call to Haymarket is going to
7 generate a bill for services; correct?

8 A. Assuming there is a transport, yes. I
9 would assume the private --

10 Q. And --

11 A. -- would do it.

12 Q. And the District will have the right to
13 charge for this; correct?

14 A. So, I'm sorry, who's -- who's the
15 transport provider in this question?

16 Q. The District will have the -- so let me
17 make sure I understand it.

18 So if the District responds and
19 there is no transport, the District cannot charge?

20 A. So under insurance and, you know,
21 Medicare or Medicare regulations, you can only charge
22 for the transport itself. Some communities have
23 tried some other elements, but largely throughout the
24 nation you charge when you transport only.

1 Q. So by having medical staff on-site,
2 they -- and they identify whether or not there is a
3 legitimate call, they won't call -- they'll be less
4 likely to make calls that wouldn't result in
5 transport, wouldn't you think?

6 MR. DI NOLFO: Objection. That calls for
7 speculation.

8 BY MS. O'KEEFE:

9 Q. Okay. So -- so the District will have
10 the right to charge private insurance, Medicare,
11 Medicaid; correct?

12 A. Ambulance providers can charge for
13 transport services, yeah, when they have some sort of
14 insurance or even self-pay, yes. That's the standard
15 practice.

16 Q. Are you aware of the amount of fees
17 charged by the District for transport?

18 A. No, I am not.

19 Q. And -- but these fees that are
20 collected, they can be used to pay for capital costs
21 of the addition of new personnel; correct?

22 A. To partially pay. Within the fire
23 service I've never seen any fire department be able
24 to bill enough to recapture their costs.

1 Q. It's not like Haymarket is going to be
2 provided service for free; correct? I mean, they're
3 going to be paying -- there's going to be a charge to
4 Haymarket for the services they provide if there is
5 an emergent situation; correct? Haymarket is going
6 to pay for the services; right?

7 A. I have no idea. I -- I -- you're
8 asking -- I'm sorry.

9 Q. What I'm saying -- okay, what I'm saying
10 is, Haymarket is going to pay for the services that
11 it obtains from the District. Isn't that your
12 understanding?

13 MR. DI NOLFO: I'm going to object,
14 Mr. Hervas. I think that it -- well, I'll -- I'll
15 withdraw. Mr. Moeller can answer it. That's fine.

16 BY THE WITNESS:

17 A. No, that's not my understanding.

18 BY MS. O'KEEFE:

19 Q. Why would it not be your understanding
20 that Haymarket has to pay for the services like every
21 other user in the District?

22 A. Because it depends on who the user is.
23 If somebody is at the Best Buy and requires medical
24 assistance, it's not Best Buy who pays for that; it's

1 the patients themselves. It's the patient's
2 insurance.

3 So you're asking me who would be
4 the responsible party for a medical emergency and a
5 medical transport. I'm --

6 Q. Okay.

7 A. I'm just -- I'm not aware that there is
8 some premise or relationship where Haymarket will
9 take on that responsibility. I could be wrong.

10 Q. Well, thank you for that -- nope. Thank
11 you for that clarification. I appreciate that.

12 Let's move on to the police because
13 you did reference the police services, also, in your
14 report.

15 Who asked you to analyze the impact
16 on the Itasca Police Department?

17 A. We were asked to review and evaluate the
18 study done by Polaris. Polaris included an
19 assessment of law enforcement responses and the
20 impact on law enforcement, so in our work we also
21 evaluated that to the best of our ability.

22 Q. So you were asked to do this by the Fire
23 Protection District?

24 A. Whoever retained us. As I indicated

1 last time, Dr. Knight, our partner in charge of this
2 area of the fire practice is the one I spoke to. We
3 had discussions. We were asked to review and
4 evaluate the Polaris report. The Polaris report
5 included law enforcement, so we also looked at the
6 law enforcement component.

7 Q. Okay. So you didn't -- you didn't speak
8 to the Itasca police chief?

9 A. That's correct, I did not.

10 Q. And you didn't do any independent
11 research? You just -- you just reviewed the Polaris
12 report and applied your methodology to that
13 information contained in the Polaris report?

14 A. Well, we did our own analysis of the CAD
15 data provided for Chicago, which included both fire
16 department-related activity and also for Chicago
17 Police.

18 Q. But you didn't look at any call volumes
19 that are experienced by the Itasca Police Department?

20 A. We evaluated what our assessment was the
21 call volume would be at Haymarket Itasca but not
22 other call volume, correct.

23 Q. So you didn't establish a baseline.

24 Are you aware that -- and I -- that

1 the police department is a member of a mutual aid
2 agreement?

3 A. I would assume they are but I have no
4 direct knowledge.

5 Q. But you didn't factor that into your
6 opinion at all, either?

7 A. No.

8 Q. So you agree with the Polaris report
9 that, once again, the police department has
10 sufficient capacity to handle any demands created by
11 Haymarket DuPage at this time?

12 A. That was not a conclusion we reached.

13 Q. Did you reach any conclusion?

14 A. Only that the Polaris report
15 significantly underestimated the impact on the police
16 based on their current operations in which they
17 respond to all medical calls in the -- in the
18 Village.

19 Q. But like you did with the fire
20 department information, CAD information, you went
21 through and you identified unique calls, and you
22 tried to do that for the police department, and in
23 that case only 38 percent of the records were deemed
24 to be unique calls; is that correct?

1 A. I'm not sure of the 38 percent. Which
2 records are you talking about, police, fire? I'm
3 sorry, I --

4 Q. Police. Police.

5 A. So what are you asking?

6 Q. So basically that you had to reduce the
7 CAD -- you had to reduce the overall numbers of calls
8 in the CAD data by 62 percent to get to the unique
9 calls?

10 A. I don't recall the percentage. We
11 reduced -- we eliminated duplicate calls, which was
12 something that Polaris said existed. We were able to
13 do that. And we also eliminated incidents that the
14 CAD record did not reflect the unit being defined.

15 Q. So you didn't factor -- you didn't --
16 let me take a step back for just a moment.

17 Have you -- so you didn't take any
18 time to analyze the call demand on the Itasca Police
19 if a private ambulance company is used by Haymarket
20 to respond to the BLS calls, because if a BLS call
21 occurs, the fire department won't be called and then
22 the police department won't be called.

23 And that wasn't factored into your
24 review at all; correct?

1 A. Let me answer it this way. Polaris made
2 the assumption that the fire department would not
3 respond to BLS calls, and, therefore, police also
4 would not respond.

5 That's an assumption that we did
6 not accept, felt it was risky, and so we didn't -- we
7 did not analyze it from that perspective.

8 Q. But the police department could amend
9 its protocols to provide that it not respond to every
10 call to Haymarket; correct?

11 A. That would be up to the chief -- the
12 police chief. I'm sorry. The police chief, yeah.

13 MS. O'KEEFE: Okay. I have no further
14 questions. Thank you so much for your time.

15 THE WITNESS: Thank you.

16 CHAIRMAN DALY: Mr. DiNolfo --

17 MS. O'KEEFE: Chairman, do you think we could
18 take a break? Could we take a quick break, do you
19 think?

20 CHAIRMAN DALY: Yeah, that's a good -- sure.
21 We'll take a 10-minute break. We'll reconvene at
22 8:11 PM.

23 (Recess taken.)

24 MS. O'KEEFE: Can we go around the horn and

1 just make sure everybody is back in the meeting.
2 Would the Secretary please just verify that all the
3 Plan Commission is back.

4 I see the attorneys. I see the
5 court reporter.

6 RECORDING SECRETARY MALONE: Okay,
7 Commissioner Carello?

8 COMMISSIONER CARELLO: Here.

9 RECORDING SECRETARY MALONE: Commissioner
10 Drummond?

11 COMMISSIONER DRUMMOND: Here.

12 RECORDING SECRETARY MALONE: Commissioner
13 Holmes?

14 COMMISSIONER HOLMES: I'm here.

15 RECORDING SECRETARY MALONE: Commissioner
16 Ray?

17 COMMISSIONER RAY: Here.

18 RECORDING SECRETARY MALONE: Commissioner
19 Russo?

20 COMMISSIONER RUSSO: Here.

21 RECORDING SECRETARY MALONE: Thank you.

22 CHAIRMAN DALY: Thank you very much.

23 At this time I'd like to turn the
24 witness back over to Mr. DiNolfo for redirect, if you

1 have any questions or further --

2 MR. DI NOLFO: I do. Thank you.

3 REDIRECT EXAMINATION

4 BY MR. DI NOLFO:

5 Q. Are you there, Bruce?

6 A. Yes, I am.

7 Q. All right. I don't have a lot of
8 redirect based on the cross, but I do have a few
9 questions.

10 Let's just kind of make it clear
11 for the record. What were you retained to do in this
12 case or what was Fitch retained to do in this case?

13 A. Yeah. Fitch was retained to review the
14 Polaris report and to basically evaluate, you know,
15 the methodology they used, and then to calculate call
16 volume with which we used the Chicago CAD data.

17 Q. You did those things?

18 A. Yes.

19 Q. All right. I mean, were you hired to do
20 a comparable study?

21 A. No, we were not.

22 Q. Were you hired to do a demand on MABAS
23 study?

24 A. No, we were not.

1 Q. A concurrent Burke study?

2 A. No, we were not.

3 Q. Planning study?

4 A. No.

5 Q. Risk assessment study?

6 A. We were not.

7 Q. If I keep going through all those
8 studies that Ms. O'Keefe asked you about, you're
9 going to tell me you weren't retained for any of
10 those; correct?

11 A. That's correct. Those were all beyond
12 the scope of what we were asked to do.

13 Q. And you received CAD data for Itasca --
14 I'm sorry, for Haymarket Chicago; is that correct?

15 A. That's correct.

16 Q. And from that analysis -- I'm looking at
17 the CAD -- you came to the conclusion that the number
18 of calls would be 379 generated by the proposed
19 facility?

20 A. That's correct.

21 Q. When you were interpreting the Chicago
22 CAD data, were you performing -- and performing your
23 calculations, were you being liberal with that
24 number, moderate, conservative? How would you

1 explain to the Commission you came to that
2 conclusion?

3 A. No. So the demand that we calculated
4 Itasca Haymarket would provide we were conservative.
5 In other words, we gave the benefit of the doubt to
6 the facility. We eliminated duplicate events. We
7 eliminated CAD records that didn't show a call
8 being -- or a unit be assigned to it. We took a
9 conservative estimate.

10 Q. Now, I think one of the questions
11 Ms. O'Keefe asked you was whether you had looked at
12 a -- or done a response time study.

13 Do you remember those questions?

14 A. I remember her asking about response
15 times, yes.

16 Q. Let me ask you, in your years of service
17 as a fire chief, is it common sense and in your
18 experience that when a unit was responding mutual aid
19 from another municipality or entity, it takes longer
20 to get to the scene than the local department would
21 take?

22 A. Yes. Yeah, it would.

23 Q. Do you need a study to figure that out?

24 A. No.

1 Q. Okay. There was some conversation and
2 questions by Ms. O'Keefe about the Carol Stream
3 facilities and the Hoffman Estates facilities.

4 Do you remember those questions?

5 A. I do, yes.

6 Q. And I think you said this. I want to
7 make sure I heard you correctly. Did you reference
8 those as somehow being comparable to what Haymarket
9 was proposing to offer in Itasca?

10 A. No, that isn't what we were doing. We
11 were using it to, use the term "gut check" our
12 assessment since it was so much greater than
13 Polaris's of what a facility that employs -- at least
14 two of the three employed Elite Ambulance, how much
15 they demand from their local fire department.

16 Q. And one of the things, I think, that you
17 were asked questions about on cross and that
18 Haymarket has been touting is that Elite Ambulance is
19 somehow going to eliminate the potential impact on
20 the Itasca Fire Protection District.

21 Do you remember being asked those
22 questions?

23 A. I remember that theme, that thread of
24 questions, yes.

1 Q. From looking at the data that you had
2 from Carol Stream and Hoffman Estates, from your
3 review, I think you said two of those are served by
4 Elite. Do you find that those fire departments are
5 still responding to those facilities hundreds of
6 times a year?

7 A. Yes, they are.

8 Q. And I think Counsel asked you if you had
9 seen the Elite contract for those two Carol Stream
10 facilities and you said you hadn't; true?

11 A. I don't recall that question, but I --
12 it's true that I've never seen the contract they may
13 have with another facility.

14 Q. And I guess, just so we're clear for the
15 record, have you seen the alleged contract that
16 exists between Haymarket and Elite?

17 A. No.

18 Q. Okay. And Counsel went on and asked you
19 a bunch of questions about did you know the number of
20 ambulances that Elite had, asked you about demand on
21 MABAS, concurrent studies, planning studies, but she
22 never really got to the ultimate question.

23 First off, did you need any of that
24 information to formulate your criticisms of the

1 Polaris report?

2 A. No, not at all. The report spoke for
3 itself.

4 Q. Did you need any of that information to
5 analyze the CAD data generated by the City of Chicago
6 for Haymarket Chicago?

7 A. No, we did not.

8 Q. Okay. And I guess the ultimate question
9 was, would having any of that information have
10 changed any of the opinions contained in your report?

11 A. None whatsoever.

12 Q. Based on your years in public service,
13 do you believe -- and, I guess, your time doing
14 analysis across the country privately, do you believe
15 you have a strong understanding of the private
16 ambulance services and how they work?

17 A. Yes, I believe I do.

18 Q. And do you stand by your opinion that
19 the alleged contract Haymarket has with Elite does
20 nothing to change your estimate of the impact on the
21 Itasca Fire Protection District of 379 calls?

22 A. That's correct, nothing changes that
23 opinion.

24 Q. And do you stand by the opinion that

1 it's not prudent for a chief to rely on a contract
2 with a private ambulance service for purposes of
3 planning the impact of a facility?

4 A. I very much continue to believe that.

5 Q. Now, Counsel also brought up, I think,
6 last month when you testified about Pinellas County.

7 Do you remember her asking you some
8 questions about Pinellas County?

9 A. I remember, yeah, part of -- I remember
10 a brief conversation about it.

11 Q. I think she mentioned to you about the
12 fact that Pinellas County had some relationship with
13 a private ambulance service. Do you remember those
14 questions?

15 A. Yes, we did.

16 Q. But why don't you explain to the
17 Commission because it wasn't really flushed out
18 before in that cross-examination -- could you explain
19 the relationship between Pinellas County and this
20 private ambulance service?

21 MS. O'KEEFE: Objection; outside the scope.
22 I did not get into Pinellas County in my questions on
23 cross.

24 MR. DI NOLFO: Hold on. I can cite you to

1 the page. Give me a second.

2 MS. O'KEEFE: Can I have that, Mary?

3 MS. DICKSON: Yes. (Indicating.)

4 MR. DI NOLFO: Page 16- -- 118 of the
5 transcript, on cross-examination you asked: "So you
6 worked in a jurisdiction like Pinellas County. They
7 use private ambulances; correct?"

8 And you went into an answer. And
9 then you went on and asked another question about
10 Pinellas County on page 119.

11 So I think that's in the cross.

12 MS. O'KEEFE: I -- I --

13 MR. DI NOLFO: Page 118.

14 MS. O'KEEFE: The only question I asked is if
15 they were familiar with private ambulances and had
16 his experience involved it, and he said it did.

17 MR. DI NOLFO: Okay, then we agree you asked
18 the question.

19 MR. HERVAS: The objection will be overruled.
20 Please proceed.

21 BY MR. DI NOLFO:

22 Q. So my question was, would you just
23 explain to the Commission what you meant when you
24 answered Ms. O'Keefe's question about having

1 knowledge of private ambulances during your time at
2 Pinellas County?

3 A. So in Pinellas County we ran a modified
4 public utility model where we contracted through a
5 competitive process for a private ambulance to
6 provide the transport component of our EMS system.

7 It was a relationship that had an
8 extensive agreement that had very specific
9 performance requirements which were evaluated
10 monthly. They were part of an integrated 911 system.
11 It's the way the system was designed. And the entire
12 focus was on their number one priority, their
13 commitment both from a performance basis and a
14 financial basis to the 911 system.

15 Q. So when you say you were part of an
16 integrated 911 system, does that mean they were
17 dedicated solely to you and that they were dispatched
18 as part of a 911 call?

19 A. Yes.

20 Q. Is that the type of arrangement you
21 understand to be in existence between Elite and
22 Haymarket?

23 A. I've never seen an agreement or proposed
24 agreement; however, as described in the Polaris

1 report, it's a completely different -- it's apples
2 and green beans. There's no correlation between
3 those two.

4 Q. Did any of the cross-examination of --
5 by Ms. O'Keefe where she inquired about risk
6 assessments and other documents that you may or may
7 not have seen in any way change your opinion that the
8 proposed project will generate at least 379 calls per
9 year for the Itasca Fire Protection District?

10 A. I stand by that number. Nothing
11 would -- nothing that was raised in the cross causes
12 me any pause.

13 MR. DI NOLFO: Mr. Chairman, that's all the
14 questions I have. Thank you.

15 CHAIRMAN DALY: Thank you, Mr. DiNolfo.

16 At this time I would like to ask if
17 any of the Plan Commission has questions for the
18 witness.

19 I'm sorry, at this time I'd ask
20 Ms. O'Keefe if you'd like to follow up with any of
21 Mr. DiNolfo's redirect.

22 MR. ELLENBECKER: Mr. Daly, could I -- this
23 is Mr. Ellenbecker. Could I -- I have two, maybe
24 three questions, if I may.

1 CHAIRMAN DALY: I'm sorry. Please proceed,
2 Mr. Ellenbecker.

3 CROSS-EXAMINATION

4 BY MR. ELLENBECKER:

5 Q. Good evening, Mr. Moeller. How are you?

6 A. Fine, thank you.

7 Q. During Ms. O'Keefe's examination of you
8 specific to impact on Itasca's Fire and EMS, she
9 repeatedly referred to and relied on mutual aid
10 and/or MABAS capabilities or availabilities; correct?

11 A. She made the reference to those, yes.

12 Q. Yeah. Doesn't the reliance on mutual
13 aid, whether it be through MABAS or otherwise,
14 already suggest that there's an incidence of
15 concurrent and/or excess calls?

16 A. Yes.

17 Q. Right. So if Itasca -- if Haymarket
18 comes to Itasca and Itasca Fire, EMS, or Police need
19 to rely on other resources through MABAS, we're
20 suggesting that those are already concurrent calls,
21 right, because -- or too many calls because Itasca
22 services can't accommodate those?

23 A. Yeah, it would indicate either a system
24 that does not have the proper capacity or has

1 concurrent calls, one or the other.

2 Q. Thank you.

3 Therefore, if we wanted to look at
4 concurrency, which was suggested you didn't, we could
5 look at current reliance on mutual aid to see what
6 the level of concurrence already is; right?

7 A. It would be a partial indicator, yes.

8 Q. Right, partial indicator of concurrency
9 and/or excess?

10 A. Yes.

11 MR. ELLENBECKER: Okay. That's all I have.
12 Thank you.

13 CHAIRMAN DALY: Thank you, Mr. Ellenbecker.

14 Ms. Smith, do you have any
15 questions for the witness?

16 MS. SMITH: I do not.

17 CHAIRMAN DALY: Thank you. At this time I
18 would ask if any members of the Plan Commission have
19 questions.

20 Ms. O'Keefe, now it's your turn.
21 I'm sorry.

22 MS. O'KEEFE: I'm sorry, I was going for the
23 click, click. So, thank you.

24 Just a few questions, Mr. Moeller.

1 A. Well, to review, evaluate the Polaris
2 report, its methodology, and then to draw our own
3 assessment based on the data that we had available.

4 Q. And your report discussed the possible
5 operation of a private ambulance and concerns you
6 had; correct?

7 A. We were commenting on the premise
8 outlined in the Polaris report and our concerns with
9 that underlying assumption or premise.

10 Q. But you -- but you never studied the
11 operation -- you never studied Elite and its proposed
12 operations in Itasca to evaluate whether or not it
13 was sufficient? You never read the testimony;
14 correct?

15 A. That's correct. It was beyond the scope
16 of what we were asked to do.

17 Q. So wasn't it difficult to evaluate if
18 Elite could be effective in the role it's been asked
19 to fill if you didn't fully read the testimony or
20 watch it or understand really what Elite was going to
21 be doing?

22 A. No, I don't believe so at all.

23 This evening in response to a
24 question you asked I said I have never seen a private

1 ambulance be used for 911 calls unless it was
2 designed and integrated into the 911 system such as I
3 did in Pinellas County -- or we did in Pinellas
4 County. I didn't do it.

5 To say that a private ambulance
6 will be used to handle some of the calls based on an
7 assessment by staff, to not have any specific
8 performance requirements or any evidence of that
9 relationship, it is not -- I completely stand by that
10 statement. I think it is not something that should
11 be just taken at face value. It raises a number of
12 questions for me from an operational perspective.

13 Q. But you didn't take the time to read the
14 testimony to understand how it's proposed to be
15 operated; correct?

16 MR. DI NOLFO: I'm going to object. It
17 assumes that that information is contained in the
18 record.

19 MS. O'KEEFE: Okay. Let's move on then.

20 BY MS. O'KEEFE:

21 Q. So you also -- you raised in your report
22 possible impacts on mutual aid. You raised questions
23 about possible concurrent calls. You raised
24 questions about potential impact, but you weren't

1 asked to study any of that by the Fire Protection
2 District; correct?

3 A. We were not -- well, I'm not sure who
4 engaged us, so we -- I had answered that question
5 previously.

6 It was not a discussion I had with
7 the Fire Protection District.

8 There were questions raised that
9 when you increase the call volume on a service you
10 will have problems with concurrency, you will have
11 problems with potential collision, and the system has
12 to contemplate how you adapt to that.

13 We were not asked to study that.
14 That was beyond our scope. We were raising a point,
15 a concern, that the community, either the Village
16 and/or the District, should evaluate.

17 Q. Do you know if the District evaluated
18 any of those points?

19 A. Since we delivered our report, I am not.
20 I don't --

21 Q. During your discussions with the
22 District, with the fire chief, who I think is the
23 only party you've talked with, do you -- did you get
24 any indication from him that he studied any of those

1 points?

2 A. No. We didn't have that discussion. I
3 don't know whether he did or didn't. We did not have
4 that discussion.

5 Q. Who communicated the scope of the
6 contract to you?

7 A. Initially broadly Dr. Knight, who, as I
8 indicated, is the partner over the fire practice with
9 Fitch & Associates, and then in subsequent
10 conversations we had with Mr. DiNolfo and Chief
11 Burke.

12 Q. But you never saw the written
13 contract --

14 A. That's correct.

15 Q. -- or scope of work?

16 A. That's correct.

17 Q. So there could have been deliberate
18 limitation on the scope of work you were asked to
19 perform so as not to get to these other issues, isn't
20 that true, because these are valid issues you raised
21 in your report and they were never addressed with any
22 definitiveness, unless I missed it?

23 Did you -- did you get into any of
24 these issues in your report?

1 A. I raised them as issues that should be
2 evaluated subsequent should the Village or District
3 need to evaluate those. But, no, as I indicated, I
4 didn't see the report -- I mean, I didn't see the
5 contract, so.

6 MS. O'KEEFE: I have no further questions.
7 Thank you, sir.

8 CHAIRMAN DALY: Are there any other
9 additional questions from any of the attorneys at
10 this time?

11 MR. DI NOLFO: Nothing from me, Mr. Chairman;
12 Steve DiNolfo.

13 MR. ELLENBECKER: None for me; Steve
14 Ellenbecker.

15 MS. SMITH: None for me; Jennifer Smith.

16 CHAIRMAN DALY: Thank you.

17 At this time I would ask if any of
18 the members of the Plan Commission have any questions
19 for Mr. Moeller.

20 COMMISSIONER HOLMES: This is Commissioner
21 Holmes. I don't have any questions.

22 COMMISSIONER RAY: This is Commissioner Ray.
23 I don't have any questions.

24 COMMISSIONER DRUMMOND: Commissioner

1 Drummond; I have none.

2 COMMISSIONER CARELLO: Commissioner Carello;
3 I'm good.

4 COMMISSIONER RUSSO: Commissioner Russo; I
5 don't have any questions.

6 CHAIRMAN DALY: Okay, thank you.

7 Mr. Moeller, this is Chairman Daly.
8 I do have a few questions for you.

9 THE WITNESS: Yes, sir.

10 CHAIRMAN DALY: The first question I have, in
11 your report -- I believe it was Table 11 -- and just
12 to describe it, it was -- it was the curve for the
13 number of calls per hour. It looked like somewhat of
14 a normal distribution curve for the Haymarket Chicago
15 site.

16 Do you recall that table? I'm
17 pulling it up right now on my --

18 THE WITNESS: Yes, sir.

19 CHAIRMAN DALY: That would -- figure -- I
20 believe Figure 1 on page 8.

21 THE WITNESS: Yes, I have it.

22 CHAIRMAN DALY: Okay, thank you.

23 So calls by hour of day -- page 7
24 for the record -- so this is the EMS calls for

1 Haymarket Chicago. Does this graph generally
2 correlate with EMS calls at large in all of society
3 just based on the time people sleep during the
4 evening and peak hours of traffic during the day? Is
5 this -- is it representative of more than just
6 Haymarket Chicago?

7 THE WITNESS: So the pattern -- if you were
8 to put a trend line on this -- or not a trend line,
9 but if you were to put a line on this, it would be a
10 pattern that you would see pretty much in every
11 community across the nation. This one's got a little
12 bit more variance because the sample size is smaller,
13 but it follows --

14 CHAIRMAN DALY: Okay.

15 THE WITNESS: -- the pattern you see.

16 CHAIRMAN DALY: Okay. So thank you.

17 My follow-up to that is, then, when
18 we talk about the risk of concurrency -- increase in
19 number of calls per day -- just because the
20 population has gotten bigger, I know statistically
21 that that makes sense to me that there's a
22 100 percent chance that there will be an increase of
23 some magnitude for concurrency.

24 So my question then is, given the

1 shape of this curve, if you will, is there a
2 compression factor where you're shoving that
3 concurrency into maybe 18 hours per day instead of 24
4 just because in the twilight hours there's -- there's
5 less going on?

6 THE WITNESS: The short answer is yes. I
7 think you've got a good understanding of the math
8 involved.

9 The likelihood of collision, the
10 likelihood of concurrency will be greater and more
11 likely to occur during the busy hours, which, you
12 know, from 9:00, 10:00 in the morning through about
13 6:00, 7:00 in the evening. It would be greater
14 during the daytime hours.

15 CHAIRMAN DALY: Okay, thank you for that.

16 My next question, Ms. O'Keefe this
17 evening during cross-examination was talking about
18 mixed use comparisons and risk assessments, and I
19 guess just to -- to ask a follow-up on that or -- the
20 way I -- the way I saw that question kind of unfold
21 is, you know, when we talk about bigger developments,
22 and bigger floor space, and more -- more potential
23 people in a development, would it not also have the
24 same sort of increase of concurrency.

1 And my question to you is, doesn't
2 the use have a big factor in an answer like that,
3 being that this is a medical facility being proposed
4 versus manufacturing or commercial spaces in the
5 hypothetical comparison whereby they're only occupied
6 maybe eight to 10 hours per day.

7 THE WITNESS: So there's a difference -- so
8 demand is driven by a couple elements, but one of
9 them is the use, the property use. So a medical
10 facility such as proposed here would generally have a
11 higher demand than that you would see in a general
12 Class A office.

13 A property that is only utilized
14 eight, 10 hours a day would not have as great of a
15 use or demand on the community as a property that is
16 occupied by whatever population 24 hours a day. So
17 both the type of use and the number of hours are the
18 two main drivers of demand.

19 CHAIRMAN DALY: Okay, thank you.

20 This is one of my last questions.
21 Is it possible that ALS and BLS cases, when they
22 first present themselves, could be mischaracterized
23 whereby someone sees an ALS case in front of them and
24 might assess it as a BLS or vice versa?

1 THE WITNESS: Yes. So there is -- there's
2 two things that can happen. Either the assessment is
3 not sufficient, either because of the patient's
4 symptoms or the clinician's skills so that the
5 initial assessment is different from what is found
6 subsequently.

7 The second component is a patient
8 conditions changes. So a patient that initially
9 presents as BLS and is properly assessed based on the
10 signs and symptoms at that time, that patient
11 condition could change. The patient could
12 deteriorate to ALS, as an example.

13 CHAIRMAN DALY: Okay. So the follow-up to
14 that is, is it more likely that a BLS case is
15 initially diagnosed as ALS but it's BLS or is it the
16 other way around?

17 THE WITNESS: So the way I'll answer it is
18 this way. Depends on who's doing the assessing and
19 how they are doing it.

20 Within 911 systems it's not unusual
21 to use a framework to help assess whether it's a
22 serious call or less serious ALS or BLS.

23 In that case the system is designed
24 to intentionally over-triage to assume the acuity is

1 greater so that you don't underestimate.

2 If you're talking about somebody
3 being on-site, somebody in direct contact with a
4 patient, a healthcare practitioner, it would depend
5 on their skill set, their level of training, and
6 their experiencing -- their experience evaluating
7 patients in a prehospital setting.

8 CHAIRMAN DALY: Okay, so --

9 THE WITNESS: So I'm not aware of any
10 published data that would say it would either be
11 over-triaged or under-triaged beyond that within the
12 911 center.

13 CHAIRMAN DALY: Okay. So if I understand the
14 situation correctly, though, at Haymarket on-site
15 staff, if a case presents itself, they will assess
16 the situation and categorize BLS or ALS. If on-site
17 they categorize as BLS, they will call Elite. If
18 it's ALS, it will be a 911 call.

19 And I guess my question, then, is,
20 is it more likely that on-site -- based on your
21 experience -- I don't want to say within the
22 Haymarket walls, but would it be possible that there
23 would be more overestimated ALS calls than -- or I
24 should -- I guess where I'm going with this is there

1 could be a 50/50 split between BLS as ALS calls;
2 however, because of the training of the on-site
3 staff, is it possible that they will characterize
4 more calls as be ALS, and then put a call into 911
5 and then further tax the public ambulance service, in
6 this case the Itasca Fire Protection District or the
7 MABAS, the mutual aid?

8 THE WITNESS: It is possible. It would
9 depend on the level of training that that individual
10 has, and the protocols, policies that they are
11 following, but without having that information, it
12 would be difficult to be more specific. It's
13 possible but it would depend on those factors.

14 CHAIRMAN DALY: Okay. I have no further
15 questions at this time. Thank you very much.

16 Mr. DiNolfo, do you have any other
17 follow-up questions for your witness?

18 MR. DI NOLFO: I do not, Chairman Daly.
19 Thank you.

20 CHAIRMAN DALY: All right. Thank you,
21 Mr. Moeller, for your time. I appreciate it.

22 THE WITNESS: Thank you very much,
23 Mr. Chairman.

24 CHAIRMAN DALY: At this time, Mr. DiNolfo, I

1 would ask if you would call your next witness,
2 please.

3 MR. DI NOLFO: Sure. We'll be calling Fire
4 Chief Jim Burke. Just let me move the camera a
5 little bit and get him on here. Give me one second.

6 CHAIRMAN DALY: And at this time I would ask
7 if the court reporter please swear in Chief Burke.

8 (Witness sworn.)

9 CHAIRMAN DALY: Mr. DiNolfo, please proceed.

10 JAMES F. BURKE, JR.

11 called as a witness herein, having been first duly
12 sworn, was examined and testified as follows:

13 DIRECT EXAMINATION

14 BY MR. DI NOLFO:

15 Q. I'm going to start off with a tough
16 question. Could you introduce yourself to the
17 Commission and spell your last name for the record.

18 A. Sure. My name is James F. Burke, Jr.,
19 B-U-R-K-E.

20 Q. What is your current occupation?

21 A. I am a fire chief for the Itasca Fire
22 Protection District.

23 Q. How long have you been the fire chief of
24 the Itasca Fire Protection District?

1 A. A little over 10 years now.

2 Q. And before you became chief for the
3 Itasca Fire Protection District, where did you work?

4 A. I worked -- I started my career in
5 Wood Dale as a part-time firefighter, and then was
6 hired full time in Addison and worked there for 30
7 years before coming over to Itasca.

8 Q. So in your time at Itasca Fire District,
9 where did you start out?

10 A. I started out at the bottom of the totem
11 pole as a firefighter/paramedic, and then over the
12 years -- over the 30 years worked my way through the
13 ranks and attained the position of deputy chief
14 before I left to come over to Itasca.

15 Q. And you mentioned that you started as a
16 firefighter/paramedic. How long were you a paramedic
17 for?

18 A. Almost 30 years.

19 Q. So if I were to ask you, without aging
20 you too much, how many years have you been in the
21 fire service?

22 A. 41.

23 Q. Have all 41 years you spent in the fire
24 service been with departments in DuPage County?

1 A. Yes.

2 Q. And that would be from starting as the
3 low man firefighter/paramedic all the way up to where
4 you are now as chief?

5 A. Correct.

6 Q. Would it be fair to say, Chief, that you
7 have -- you're familiar with the fire and EMS systems
8 in DuPage County?

9 A. I think that would be a fair statement.

10 Q. All right. So let me see if we can get
11 a couple things out of the way before we get into the
12 details here.

13 You've sat through all of the
14 hearings. You've heard a lot of testimony about the
15 opioid epidemic, and as a 30-year paramedic with 41
16 years of service in the fire service, do you believe
17 that there's an epidemic occurring?

18 A. Absolutely there is.

19 Q. And just so we're clear, are you against
20 treatment facilities to help those struggling with
21 addiction?

22 A. I'm absolutely not against that.

23 Q. So in the simplest terms, can you
24 explain to the Commission what your concern is about

1 the proposed facility?

2 A. Sure. Coming over from Addison to
3 Itasca, which is a much smaller department with much
4 less resources, predominantly just one paramedic unit
5 and one engine that's staffed on any given day, my
6 concern, quite frankly, is the impact that
7 Haymarket -- the proposed Haymarket DuPage facility
8 is going to have on our ability to provide fire and
9 EMS services, not just to Haymarket but then to the
10 rest of the community.

11 Q. So let's talk a little bit about the
12 Fire Protection District. How many ambulances does
13 the Fire Protection District have on the street each
14 day?

15 A. One.

16 Q. And is that an ALS, advanced life
17 support, ambulance?

18 A. Yes, it is.

19 Q. All right. And I think you mentioned
20 that there is also an engine on the street?

21 A. Correct.

22 Q. And is that as ALS engine?

23 A. That is also an ALS engine.

24 Q. Now, just so we're clear -- and I know

1 this is an obvious question -- does an engine
2 transport patients?

3 A. It does not.

4 Q. And does the ambulance have equipment on
5 it that an engine does not carry?

6 A. Yes, it does.

7 Q. How would you describe the financial
8 status of the Itasca Fire Protection District?

9 A. I would describe it as -- right here
10 right now as stable. We were fortunate enough to
11 have our taxpayers approve a referendum in 2018 which
12 was very much needed, and so I would describe us as
13 being stable now. We're certainly not ripe with
14 funds but we're stable.

15 Q. Now, you mentioned the referendum being
16 passed in 2018. Can you explain what the purpose of
17 that referendum was?

18 A. Sure. The purpose of the referendum, as
19 a fire district we are -- our sole source of income
20 comes from property tax. The referendum was really
21 just a question to the taxpayers to approve some
22 additional moneys to keep things pretty much status
23 quo.

24 We wanted to keep our staffing

1 level the same as it's been for 20 years. We needed
2 to replace some of our aging equipment and make some
3 long overdue repairs to our 50-year-old fire station.

4 Q. Was the referendum about being -- the
5 district being able to add services?

6 A. It was not.

7 Q. And with the passage of this referendum,
8 have you been able to keep the status quo?

9 A. We have.

10 Q. And just so we're clear, when you talk
11 about the status quo, what is the status quo as it
12 pertains to services out on the street?

13 A. Again, one paramedic unit, one fire
14 engine staffed. And, again, the same staffing levels
15 that we've had since 2002, I believe is when the
16 current staffing level was established.

17 Q. Now, has the Itasca Fire Protection
18 District ever met with any representatives from
19 Haymarket?

20 A. We had one initial meeting. I believe
21 it was on May 28th of 2019, I believe it was, with
22 five members of The Haymarket Group.

23 I don't remember everybody's name
24 off the top of my head, but I do know that Dr. Lustig

1 was there along with Ms. Kissel.

2 Q. Can you explain to the Commission what
3 that meeting entailed?

4 A. Sure. The meeting really was a bit of a
5 meet and greet. I was contacted by Lori Anderson
6 who -- my understanding of Ms. Anderson's position
7 was she was in the -- part of the PR firm
8 representing Haymarket. She was the one that
9 originally reached out to me and asked for the
10 meeting.

11 And, again, we didn't really know
12 what the meeting was -- or what Haymarket was about.
13 We wanted to have a bit of a sit-down with The
14 Haymarket Group just to figure out what they were
15 thinking about bringing in to the proposed Holiday
16 Inn site.

17 Q. And as part of that meeting was there a
18 discussion about what Haymarket was about?

19 A. There was. They gave us a brief
20 presentation on who they were, and what they did, and
21 what they were looking to do at the Holiday Inn.

22 Q. And did you have any questions for
23 Haymarket?

24 A. Well, I did. I was there with my fire

1 prevention director Mike Lesik. I wanted him present
2 because he is the one that interfaces with the
3 Village on many of these proposed facilities coming
4 in. And we wanted to know, much like any fire chief
5 would want to know, what their current facility in
6 the West Loop generated for call volume to Chicago
7 Fire Department.

8 Those questions were asked during
9 that meeting. They did not -- the group there did
10 not have those meetings for us. We stated at the
11 time we would need those in order to determine what
12 type of impact this may have on our ability to
13 provide services.

14 Q. Did Haymarket ever send you that
15 information?

16 A. It never was received.

17 Q. Now, are you aware that Haymarket made
18 an offer to meet with the Fire Protection District to
19 discuss this project sometime after Mr. Baldwin's
20 testimony?

21 A. I am aware of that.

22 Q. And was that brought to the Board's
23 attention?

24 A. It was brought to the Board. The

1 Board's thinking and my -- along with my line of
2 thinking, was that The Haymarket Group had several
3 months to reach out to us and did not do so.

4 We asked for numbers at the initial
5 meeting. Those were never provided. Once the
6 meeting started and the testimony had begun, my board
7 of trustees felt it wouldn't be appropriate to have a
8 meeting with Haymarket officials at that time because
9 there was already a discrepancy as far as the data
10 that was chosen to be used or not used by Mr. Baldwin
11 as it related to numbers of calls at the proposed
12 Haymarket facility.

13 Q. Now, have you heard in some recent
14 testimony Dr. Lustig testifying about hoping that
15 there could be a productive meeting between Haymarket
16 and the District?

17 A. I did hear that testimony.

18 Q. What's your take on that?

19 A. My take on that is it's similar to the
20 answer to my last question. In order for there to be
21 a productive meeting there needs to be some
22 transparency on the data that's being evaluated.

23 In my estimation the data that
24 comes from the Haymarket West Loop facility would be

1 the most appropriate to avail- -- to evaluate the
2 impact in Itasca, and we weren't -- we weren't in
3 agreement that that was the data that was being used.

4 Q. From what you've heard in the testimony
5 to date, has Haymarket through its witnesses been
6 willing to acknowledge the CAD data from the City of
7 Chicago as being a reflexion of its impact on the
8 Chicago Fire Department?

9 A. No. I think they are -- they are
10 categorizing -- The Haymarket Group is categorizing
11 the CAD data from the City as flawed, much like came
12 through in Mr. Dominik's report. So it was not --
13 not used as any type of tool that measured the impact
14 to CFD.

15 Q. Now, you've heard a lot of testimony
16 here in this case about the Fire Protection
17 District's capacity, that the District has capacity
18 to handle more calls.

19 Do you remember that testimony?

20 A. I do.

21 Q. What's your thoughts on that?

22 A. So in my mind this isn't about capacity;
23 it's about impact.

24 When you bring a facility in -- a

1 large facility such as what's being proposed and you
2 attach hundreds -- potentially hundreds of calls to
3 that facility, you run into many many problems, many
4 of which Mr. Moeller just described in his testimony;
5 our inability to provide service to the rest of the
6 community if we're tied up there due to excessive
7 calls, having one ambulance available in town to
8 accommodate this, burdening our neighbors through the
9 mutual aid system, which is not what this system is
10 designed for.

11 Q. All right. Now, Haymarket has presented
12 multiple witnesses to talk about the call volume they
13 believe that would be generated by the proposed
14 facility, I think the most recent being Mr. Dominik
15 from Pilaris.

16 Did you read his report?

17 A. I did.

18 Q. All right. You heard his testimony?

19 A. I did.

20 Q. Do you take issue with his testimony?

21 A. I do.

22 Q. In what ways?

23 A. Well, I think there's a couple of things
24 here that I don't agree with Mr. Dominik's report on.

1 One is the characterization of what MABAS is and how
2 it's used. That's -- that's one item.

3 The other one is the total call
4 volume. To somehow suggest that we're going to run
5 there 19 to 26 times annually, to me, is absurd.

6 The third item that I have an issue
7 with is the use of a private ambulance service that
8 is somehow going to relieve the burden off of us as
9 the 911 provider.

10 And fourth is the total number of
11 calls, period, that I believe we're going to be
12 running to this proposed facility.

13 Q. Okay. Let's talk about that first point
14 about MABAS. What division is Itasca in in BABAS?

15 A. Itasca is in BABAS Division 12.

16 Q. Are you familiar with BABAS Division 12?

17 A. Very.

18 Q. Have you ever held an office in the
19 Division 12?

20 A. All three of them.

21 Q. What are all three of those?

22 A. President, treasurer, and secretary.

23 Q. Now, Mr. Dominik, do you know what
24 department he was employed by?

1 A. Wilmette, I believe.

2 Q. Is Wilmette Fire Department part of
3 Division 12?

4 A. They are not.

5 Q. All right. So without getting too far
6 into the weeds here, can you explain to the
7 Commission what the purpose of MABAS is and
8 specifically Division 12 of MABAS?

9 A. MABAS stands for Mutual Aid Box Alarm
10 System. That's an acronym, obviously, that -- MABAS
11 was -- was originally developed in the late '60s, and
12 the intent with MABAS was for fire departments to be
13 able to sort of rely on each other when they had some
14 sort of a major or large-scale incident happen.

15 There's no department out there
16 that can handle everything that's thrown at them, you
17 know, every day of the year. Every -- you know,
18 every so often you get a large-scale incident,
19 whether it's a fire or some sort of large-scale
20 HASMAT or potentially a weather incident that comes
21 along where you're going to need help from your
22 neighbors.

23 And the idea behind it is that we
24 respond as needed on agreed upon responses, what we

1 call Box Cards. We respond in to each other. It's
2 sort of an agreement that we have. It is a voluntary
3 agreement that we respond in to each other if we're
4 available to come in and help them mitigate those
5 large-scale incidents.

6 Q. So you mentioned it's voluntary. So is
7 the obligation to respond on a MABAS call voluntary
8 or mandated by any type of law or contract?

9 A. No. There's a -- there's an agreement
10 that all the MABAS division members sign. Again, the
11 agreement is -- is not binding in the sense that if
12 you aren't available to go because you're tied up on
13 calls or perhaps the same weather event is going on
14 in your community that's going on in your MABAS
15 community, or potentially you're out of service for
16 some reason, there's no enforcement arm of MABAS
17 that -- that, you know, comes after you or what have
18 you. It's purely voluntary and it's purely based on
19 availability.

20 Q. Can a member of the MABAS division
21 refuse to respond on a call-out?

22 A. They can.

23 Q. Some -- if a department believes that
24 their services are being abused by a neighbor, can a

1 MABAS participant refuse to respond?

2 A. They can. And I believe that that
3 would, you know, be a discussion between the two
4 chiefs before it ever got to that point.

5 But, yes, I mean, absolutely they
6 could do that.

7 Q. And when you say there'd be a
8 discussion, when would those types of discussions
9 arise?

10 A. When the abuse, if you will, or
11 excessive use of mutual aid calls became uneven or
12 lopsided. Mutual aid is designed to be just that,
13 mutual.

14 The calls, the responses back in
15 and out of each agency should be fairly even. When
16 one agency starts putting more demand on another
17 agency or other agencies in general, that becomes a
18 problem.

19 Q. And as -- strike that.

20 Are you aware of concerns being
21 raised by any departments concerning mutually given
22 versus received?

23 A. Well, ironically there's a -- there's an
24 article that was just published in the Patch out of

1 Elmhurst about some dis- -- I don't know if it's
2 risen to the level of dispute with the departments,
3 necessarily, but it was -- it was published in the
4 paper. There was some disparity between some
5 departments there, specifically Elmhurst and
6 Northlake.

7 MR. DI NOLFO: Would it be possible to pull
8 up Exhibit 42 -- Itasca Fire Protection District
9 Exhibit 42.

10 RECORDING SECRETARY MALONE: One moment.

11 MR. DI NOLFO: I think it's up there, I
12 think. No, I don't see it.

13 RECORDING SECRETARY MALONE: (Indicating.)

14 MR. DI NOLFO: Thank you.

15 BY MR. DI NOLFO:

16 Q. Is that the article you were referring
17 to, Chief?

18 A. Yes.

19 Q. And I don't need you to read it to the
20 Commission; they can look at it as part of the
21 exhibits.

22 What was the general purpose of
23 this article as you read it?

24 A. I think the article centered around

1 Elmhurst Fire Department in particular and how often
2 they sent their ambulances out of town to their
3 immediate neighbors surrounding them.

4 Q. And immediate neighbors being like
5 Northlake and Villa Park and Bensenville, I think
6 were the three that they quoted, if I'm not mistaken.

7 And as it pertains to the Northlake
8 Fire Protection District that they referenced, was
9 there a specific facility they referenced in the
10 article?

11 A. Yeah. I believe they referenced The
12 Concord Center, which I believe is a senior assisted
13 living center, if I'm not mistaken, in Northlake
14 there.

15 And I believe that the disparity
16 comes in where you -- at least according to the
17 article, you've got Elmhurst Fire that has sent their
18 ambulance into Northlake -- I believe the number was
19 88 times -- to where Northlake has come back into
20 Elmhurst to help, I believe it was, 10 times during
21 the same time frame.

22 Q. Would that be the type of disparity if
23 that was occurring to you as chief that you would
24 have a sit-down with the neighboring chief and kind

1 of talk about it?

2 A. Yeah, I think you'd have to because it
3 that -- if that trend continues, you are -- you are
4 taking a resource that is designed to be in your
5 community protecting your taxpayers and you're
6 sending it out of town an inordinate amount of times
7 and not getting the same, you know, return that
8 your -- you're giving, if you will.

9 Q. And are there situations, for instance,
10 if there's a road closure or a bridge being repaired
11 where in advance you could work out some of those
12 terms so it doesn't appear that you're abusing it?

13 A. Yeah, so those things happen once in a
14 while, especially during things like that, road
15 constructions or road closures, railroad crossing
16 work.

17 If we have a problem trying to get
18 from one part of our district to another, it's not
19 uncommon to reach out to your neighbors and say, can
20 you for the next month or however long the
21 construction is going on, respond in with us or in
22 place of us. Those types of agreements we do often.

23 Q. Taking that scenario, though, where like
24 a bridge is closed or a road is closed and you can't

1 get to a portion of your district, taking that out of
2 the equation, is MABAS designed to do your day-to-day
3 work?

4 A. No, it is not.

5 Q. Is it designed to -- to cover you
6 because you don't have the resources to fund another
7 ambulance or another engine?

8 A. No, that is not the intent of MABAS.

9 Q. What's the intent of MABAS?

10 A. Again, as I stated earlier, the intent
11 of MABAS is to provide additional resources for those
12 large-scale incidents that go beyond the capabilities
13 of the respective departments, and that -- and by
14 "beyond the capabilities," I'm not including running
15 ambulance calls, okay.

16 I'm not -- I'm talking about
17 large-scale fires or incidents or weather events or
18 things along that line.

19 Q. Is MABAS designed to cover for a
20 district if a new project comes into town that
21 generates a large number of calls?

22 A. No. That's on the authority having
23 jurisdiction.

24 Q. Now, there was some testimony from

1 Mr. Dominik concerning MABAS and the fact that you
2 have this MABAS relationship, that will somehow
3 assist with the impact the proposed project would
4 have on the Fire Protection District.

5 Do you agree with that?

6 A. I do not.

7 Q. Why not?

8 A. Well, there's two problems I have with
9 that. I think Mr. Dominik's numbers that he quoted
10 as far as our annual call volume there are the first
11 problem because if you -- if you were to go with
12 those numbers there, the -- the 19 to 26 calls, I
13 believe it was that he quoted in his report, the
14 chances of us calling in mutual aid would be minimal;
15 however, if you go with 379 calls, as Mr. Moeller
16 quoted in his report, that number balloons
17 potentially quite dramatically.

18 Q. And when you have a ballooning like that
19 of calls, whose obligation is it to deal with it?

20 A. Well, again our -- you know, the problem
21 that the agency has, it's the host agency or the
22 authority having jurisdiction. So if -- if the
23 proposed facility was to wind up in Itasca, it would
24 be up to us as the fire district to secure whatever

1 kind of resources we need to be able to handle the
2 call load for that particular facility.

3 Q. Do you have the finances to do that?

4 A. We do not.

5 Q. Do you have the ability to put another
6 ambulance on the road that's staffed by paramedics?

7 A. We do not.

8 Q. As a fire chief and somebody with the
9 fire service for 41 years, using the -- well, what
10 would it cost to spin up an ambulance to start with?

11 A. So we've been talking this number really
12 since the Haymarket proposal was brought up.

13 The initial start-up would be
14 approximately a million dollars. That would be for
15 six additional firefighter/paramedics, and another
16 ambulance to provide service.

17 Firefighters work 24/48 hour
18 shifts. There's three shifts. I would need two
19 additional medics per shift, plus an ambulance to do
20 this.

21 The ongoing costs beyond year one
22 would be somewhere in the area of \$700,000 to support
23 the cost of those additional staff numbers.

24 Q. Now, as a chief, can you plan your

1 day-to-day operations of your department factoring in
2 MABAS assistance as part of your operational plan?

3 A. No, there's no way you can plan for
4 MABAS as part of your operational plan. You -- you
5 have no idea what availability is going to be with
6 your neighbors at any given time.

7 As I said earlier, you could have
8 an event that spans across multiple jurisdictions; a
9 tornado or some other type of weather or wind event,
10 a flooding event, that would make all of those -- all
11 of your neighbors that you would routinely, perhaps,
12 call for help unavailable because they'd be dealing
13 with the same situation in their own community.

14 Q. And as Chief, understanding how a fire
15 district works, are you -- are you limited on your
16 avenues of resources -- or of money, I should say?

17 A. Yeah. So as a fire district, as I said
18 a little earlier, our primary source of income comes
19 from the taxpayers. 95 percent of our budget,
20 thereabouts, comes from the taxpayers. When we talk
21 about perhaps putting another ambulance into service,
22 the cost of that ambulance and the additional
23 staffing falls squarely in the lap of the taxpayers
24 in Itasca.

1 Q. If you had to try to spin up another
2 ambulance and staff it, what would you have to do to
3 try to accomplish that?

4 A. Once again, see, we -- we were lucky
5 enough to have our taxpayers support us in 2018 with
6 a referendum that was about a million dollars. We
7 would look to have to go off a referendum on this
8 again.

9 And, again, this is something that
10 I think is -- is problematic certainly for us to
11 think about approaching our taxpayers to -- to fund
12 an ambulance for a facility that is going to be
13 servicing the entire county -- in fact
14 six-collar-county area.

15 Q. Now, Chief, one of the other areas that
16 you had a disagreement with Mr. Dominik's position
17 dealt with CAD data and its usefulness.

18 Can you explain to the Commission
19 based on your 41 years of experience CAD and how it's
20 used?

21 A. Sure. So CAD data is the data that we
22 use when we start to plan for operations. It's
23 forward looking, unlike NFIRS data, which is
24 backwards looking.

1 So just so people are clear on
2 this, NFIRS data -- NFIRS reporting is what is the
3 National Fire Incident Reporting System. These are
4 reports that are done at the end of the call, at the
5 end of the call. CAD data is the data that is
6 received at the 911 center.

7 I think Mr. Moeller illustrated
8 this the best when he gave the analogy that when
9 somebody calls 911 and says there's a fire alarm at
10 Washington School, we send equipment as if there is a
11 fire potentially going on in that school.

12 We don't send a guy over in a car,
13 but I can also tell you that probably 98 percent of
14 the time the alarms are false alarms, but the analogy
15 is a factual one. You are sending and dispatching
16 people, staff apparatus based on what the 911 caller
17 is telling you.

18 I think Mr. Moeller also did a nice
19 job with explaining that there are distinctive checks
20 and balances within the CAD, the PCAP world, which is
21 the dispatch center, to rule out or help catch
22 duplicate calls and those types of things.

23 The other part of this is medical
24 dispatch or EMD as it's called. Emergency medical

1 dispatch -- excuse me -- is something that is done by
2 almost all the dispatch centers I know of, certainly
3 in the Chicago Metro area, where when a 911 call is
4 placed, the dispatcher walks the caller through a
5 certain set of questions based on the information
6 being given to the -- to the dispatcher.

7 And so the chances of having calls
8 that are, let's just say, miscategorized is lessened
9 even further.

10 Q. Now, as part of your own analysis into
11 the Haymarket proposed facility, did you obtain CAD
12 data from Haymarket West Loop?

13 A. We did.

14 Q. And just for the record, that was
15 previously introduced as Itasca Fire Protection
16 District, I think, Exhibits 23 through 38.

17 Did you find the CAD data useful to
18 you?

19 A. I did.

20 Q. How so?

21 A. Well, much like Mr. Moeller outlined in
22 his report, the CAD data had some -- some issues with
23 duplicate numbers as was noted -- as was noted in the
24 Pilaris report.

1 There were some lines within the --
2 contained within the CAD data that had no an
3 apparatus assigned, and I think Mr. Moeller explained
4 the logic behind why some of those things could have
5 happened or did happen.

6 Ironically, when it was all said
7 and done, it wasn't that difficult to filter the data
8 down to the extent that it was usable. To suggest
9 somehow that it wasn't useable I think is -- is -- is
10 not correct.

11 Q. All right. Now, the CAD data that you
12 obtained for Chicago West Loop -- or Haymarket West
13 Loop, I should say, in your mind is that the best
14 comparable to use when looking at the proposed
15 project in Itasca?

16 A. I think it's the only comparable to use
17 and I'll tell you why, because there is no other
18 facility that is comparable to what they are looking
19 to do -- "they" being Haymarket -- other than their
20 current facility at the West Loop.

21 The comparables that Mr. Dominik
22 quoted there, I understand the -- the logic behind
23 what he was trying to do there. Many of these
24 facilities are small, single family residences,

1 recovery homes. These are not large, multiple, you
2 know, 240-bed facilities.

3 The Haymarket Chicago West Loop
4 facility is the largest facility in the City of
5 Chicago.

6 Obviously the Itasca -- proposed
7 Itasca site is -- is smaller to some degree. Much of
8 the stuff they are doing in the City they are going
9 to do out here. I understand that it's not all of
10 it, but there is no other apples to apples closer, in
11 my mind, than this facility.

12 Q. And when you analyzed it, did you
13 believe that it was, as fire chief, the most
14 appropriate data for you to use when looking at the
15 potential impact?

16 A. Yeah, absolutely.

17 Q. All right. Now, let me just get this
18 clear. Did you do a formal impact study?

19 A. On?

20 Q. On the Haymarket CAD data.

21 A. No.

22 Q. Did you use your years of experience and
23 knowledge of CAD to glean the gist of what it was
24 going to be?

1 A. Yeah, absolutely.

2 Q. And did we turn it over to Mr. Moeller
3 then to do the math?

4 A. Yes.

5 Q. Neither one of us are math majors?

6 A. Correct.

7 Q. All right. In your 40 years in the fire
8 service, what have you used CAD data for day in and
9 day out to do?

10 A. Well, CAD data is used to, you know,
11 plan operationally for where we are today, where we
12 could perhaps go in the future.

13 It is used for -- as an assessment
14 tool at times to -- for, you know, other purposes as
15 far as, you know, calls that we might have issues
16 with as far as by call nature and things along that
17 line. It's a planning tool.

18 Q. And from reviewing the CAD data, the
19 report prepared by Mr. Moeller, do you feel confident
20 that the CAD data from the City of Chicago on the
21 Haymarket West Loop is an accurate predictor of what
22 to expect in Itasca?

23 A. I do.

24 Q. Now, one of your other criticisms I

1 think that came out as part of the Pilaris testimony
2 was that 911 calls don't always give accurate
3 information to a call taker.

4 Do you expect that to be accurate
5 for a facility like Haymarket West Loop?

6 A. No, I don't -- I don't think that this
7 is, you know, necessarily going to hold true with
8 what we're talking about, the proposed site in
9 Itasca.

10 911 calls, although some of them,
11 as was noted, I believe, in other testimony, could
12 come from outside the building in the peripheral
13 areas, parking lots, sidewalks, things like that, the
14 lion's share of these calls are going to come from
15 inside the facility and are going to be made by,
16 generally speaking, one individual that has some
17 background or some medical training in order to make
18 the call.

19 By their own admission they are
20 going to have people that are going to try and triage
21 these calls and make the appropriate call, but I
22 don't believe that these calls should be
23 mischaracterized to any great degree because most of
24 them are going to be coming from inside the facility

1 from a trained medical person.

2 Q. And you then brought up the sidewalk
3 issue. If somebody is on the sidewalk out in front
4 of an address --

5 A. It gets -- the call goes to that
6 address.

7 Q. Is that where the equipment is going, to
8 that address?

9 A. That's where everything is going.

10 Q. All right. In your years of experience
11 is NFIRS or NFIRS -- or however it's been pronounced
12 six different ways -- as accurate as CAD for
13 determining the operational needs of a department?

14 A. No, because as I said earlier, in my
15 estimations it is -- it is -- again, it is backward
16 looking. It is not forward looking.

17 It may tell you -- you know, NFIRS
18 reporting can tell you that maybe we have an issue
19 with, you know, a certain toaster that's catching
20 fire because, you know, we're reporting these things
21 on an NFIRS report with serial numbers and the
22 manufacturers' names and so on and so forth, but that
23 very same call would come in as, and most likely
24 would come in as a fire in the building or smoke in a

1 building or a structure fire response, and it very
2 well could, you know, be that when we show up there.

3 So the -- the -- again, the NFIRS
4 reporting is done after the fact. It is not -- it is
5 not done in a forward-thinking manner, meaning based
6 on what the 911 caller is giving to us as far as
7 information.

8 Q. Is it prudent for a fire chief to rely
9 on backward-looking data for purposes of its
10 responses?

11 A. No, I don't believe it is.

12 Q. Now, is NFIRS data accurate or
13 appropriate, in your mind, to use for trying to
14 determine the potential impact that could be caused
15 by a new project or business or facility in your
16 district?

17 A. No.

18 Q. In your own mind, what is the better,
19 more accurate information to use to help determine
20 impact of a facility?

21 A. Well, again, I think the CAD data is the
22 data that I would choose. And, again, I think
23 Mr. Moeller outlined that pretty well in his report.

24 Q. So in the role of fire and EMS, what

1 dictates your response, 911 information or CAD data
2 or historic NFIRS data?

3 A. No. It's the 911 data, I'm sure.

4 Q. Now, you shared with the Commission that
5 you've looked at the CAD data and did some analysis
6 of it yourself. And I assume you heard Mr. Moeller's
7 conclusion on the number of calls that he anticipates
8 based on the West Loop CAD data to be 379 calls.

9 Did you hear that testimony?

10 A. I did.

11 Q. All right. What's your take on that
12 number based on your experience of 41 years in the
13 area?

14 A. Well, after looking at the CAD number --
15 the CAD data myself and doing some of the very things
16 that Mr. Moeller did, I think his number is
17 conservative, truthfully.

18 I know that, ironically, you know,
19 Mr. Moeller took the CAD data, filtered it down, and
20 then applied it to the ratio numbers that were
21 provided through the Pilaris report and came up with
22 the 379 number.

23 So this wasn't some ratio that he
24 came up with that was different from what Mr. Dominik

1 came up with. All he did was filter that data down
2 from the West Loop facility and plug it into the
3 ratios that, you know, Mr. -- Mr. Dominik had
4 provided and that's where the number came up, but I
5 do think it's -- I personally think it's a little
6 conservative.

7 Q. Based on your review of the data, do you
8 expect the number to perhaps be a little higher?

9 A. I do.

10 Q. So we've had some conversations
11 throughout both Mr. Moeller's testifying and
12 Mr. Dominik's testimony about the average time an
13 ambulance is on the service on a transport of a
14 patient.

15 What is the Itasca's average of it
16 being out of service when a patient is transported to
17 the hospital?

18 A. So if you take both ALS, advanced life
19 support, and BLS, basic life support, transports, and
20 the total time from dispatch to back in service time
21 and combine both of those, you come up with an
22 average of 67 minutes per call from start to finish.

23 Q. And you mentioned ALS and BLS. We heard
24 some testimony about 25/75 split, and I think I may

1 be a little off; 40/60.

2 Have you looked at your data at the
3 Itasca Fire Protection District to see what the
4 breakdown is of ALS versus BLS for the Itasca Fire
5 Protection District?

6 A. Yes, I have.

7 Q. What did you find?

8 A. It's -- it's closer to 40, 45 percent as
9 far as ALS versus, you know, 55 -- 55 to 60,
10 depending on what you're looking at for BLS.

11 So it's higher than what the
12 average was that I believe Mr. Dominik was quoting a
13 national average.

14 Q. And I guess I just want to make
15 something -- I guess it kind of came up in
16 Mr. Moeller's questions. There was some question
17 about who pays for your services when you go out on a
18 call and you actually transport somebody.

19 What is the Itasca Fire Protection
20 District's practice of who gets billed for your
21 services?

22 A. It's the -- it's the patient that gets
23 billed. It is not the -- the -- I think
24 Mr. Moeller's analogy was -- was -- was a good one.

1 So any -- any transports that we
2 might do from Haymarket would be -- you know, would
3 be billable to -- potentially billable to the
4 patient, not -- not Haymarket or the facility itself.

5 Q. And there was discussion briefly about
6 ambulance fees. Are the ambulance fees that are
7 generated annually by the -- or collected annually by
8 the Itasca Fire Protection District sufficient to
9 support a second ambulance with six medics?

10 A. They are not.

11 Q. All right. Just circling back now to
12 the conversation about the time the ambulance is out
13 of service, if we take the number 67 minutes, or I
14 think Mr. Moeller said 60, but somewhere in that
15 range, based upon his estimate of 379 calls, in your
16 own analysis what concerns you about that volume of
17 calls?

18 A. Well, a couple of things. Number one, I
19 think that the percentage that Mr. Moeller put in his
20 report reflects a, you know, 23, 24 percent increase
21 in EMS calls, you know, immediately. So that, to me,
22 is problematic.

23 So the 379 number, if we just use
24 that for the sake of the discussion also means

1 that -- again, the concurrency thing that was brought
2 up means that, again, my chances of being tied up at
3 Haymarket is -- is much greater based on that
4 number -- and, again, meaning that I would have to
5 call in -- potentially call in an outside agency or a
6 neighbor to handle any other potential calls that
7 might come in, you know, to my district.

8 Q. So using that 379 calls in the roughly
9 hour you are out of service, can you equate that to
10 days --

11 A. Yeah.

12 Q. -- that an ambulance would be tied up at
13 Haymarket?

14 A. Yeah, and so if you -- if you
15 extrapolate that number out where you take the 375,
16 and let's just take the 60 minutes, you come up
17 with -- you come up with about 16 days, full 24-hour
18 days, a year, that the ambulance theoretically is
19 tied up on calls that are specifically Haymarket.

20 Q. Now, as chief of the Itasca Fire
21 Protection District, does it cause you a concern for
22 one entity to tie up an ambulance for 16,
23 24-hour-period days a year?

24 A. Yes, absolutely does.

1 Q. Now, I just want to ask you another
2 question. Is that position based on because of the
3 services that the proposed facility is going to be
4 offering?

5 A. No. And let's be clear on this. This
6 has got nothing to do with who Haymarket is or what
7 they do. This is the impact of a facility coming in
8 to town. This could be an amusement park coming into
9 town. If the numbers were the same and the impact
10 was the same, we'd be having the same discussion.

11 MR. DI NOLFO: Mr. Chairman, would it be a
12 good time to take a quick break? We've been going
13 about an hour and 20 minutes.

14 CHAIRMAN DALY: Yes. Why don't we convene at
15 9:30 sharp.

16 MR. DI NOLFO: Thank you, sir.

17 (Recess taken.)

18 COMMISSIONER HOLMES: Commissioner Holmes is
19 here.

20 COMMISSIONER RAY: Commissioner Ray is here.

21 COMMISSIONER CARELLO: Commissioner Carello
22 is here.

23 COMMISSIONER DRUMMOND: Commissioner Drummond
24 is here.

1 COMMISSIONER RUSSO: Commissioner Russo is
2 here.

3 CHAIRMAN DALY: Thank you. And I see the
4 screen for Ms. O'Keefe. I see Mr. DiNolfo's screen.

5 Ms. Smith, are you still with us?

6 MS. SMITH: (Indicating.)

7 CHAIRMAN DALY: Okay. At this time I would
8 ask Mr. DiNolfo if you would continue your Chief
9 Burke's testimony, please.

10 MR. DI NOLFO: Yes. And thank you for that
11 quick break.

12 BY MR. DI NOLFO:

13 Q. Chief, I think we kind of have finished
14 up on the issue of the Cad data on that. Let's move
15 on to kind of the next topic here. Your next concern
16 that you shared with the Commission involved Elite
17 Ambulance.

18 There's been some testimony that
19 Elite Ambulance is somehow going to help minimize,
20 reduce, the impact on the Fire Protection District.

21 Do you agree with that?

22 A. I do not.

23 Q. Why not?

24 A. Well, I think there's -- in many of the

1 facilities that were quoted -- actually, in
2 Haymarket's PowerPoint that was presented, Elite is
3 determined to be -- be the provider for several
4 facilities in our immediate neighborhood. And those,
5 again, were quoted in the Haymarket PowerPoint that
6 was given probably a year or so ago, a year and a
7 half, maybe.

8 And so what we did was we did a
9 little research on just looking at some of those
10 facilities that Elite services in order to try and
11 get a feel for is the fact that Elite services those
12 particular facilities really making any difference to
13 the fire departments that service them.

14 Q. Besides looking at the facilities that
15 are listed on the PowerPoint that Elite services, did
16 you obtain any other information from any other
17 nearby fire departments?

18 A. Yeah. We looked at the -- the facility
19 in -- the AMITA Health facility in Hoffman Estates.
20 We looked at a few of them, too, that were listed on
21 the PowerPoint presentation located in Bloomingdale.

22 Q. All right, so let's take a step back.

23 You shared with us that you got
24 some data from facilities listed in -- were any of

1 those from Carol Stream?

2 A. Yes.

3 Q. What facilities did you obtain data from
4 on those?

5 A. I believe they are Windsor Park and
6 Belmont Manor, I believe are the two.

7 Q. Just for the record, those are the
8 previously admitted Exhibits 40 and 41.

9 And I think you shared with us you
10 got some information from Hoffman Estates. What
11 facility was that?

12 A. That was the AMITA mental health
13 facility on Moon Lake drive.

14 Q. And just for the record, that was
15 Exhibit 19 previously admitted.

16 We've heard mention about
17 Forest View. What is Forest View?

18 A. Forest View is a nursing home located in
19 Itasca -- nursing and rehabilitation center located
20 in Itasca.

21 Q. And are you aware that Elite Ambulance
22 apparently provides services there?

23 A. Yes, I am.

24 Q. All right. Why don't you explain to the

1 Commission -- we've heard some testimony about 110
2 calls, or to that effect, that Elite is dealing with
3 at Forest View.

4 From your perspective as chief at
5 Itasca, why don't you explain to the Commission your
6 take on that.

7 A. Well, I think that my big concern here
8 is that to simply throw out a number that Elite
9 serviced Forest View 110 times or averages 110 times
10 really doesn't tell me anything.

11 What's being proposed here is that
12 Elite is going to take many, or if not all, of the
13 BLS runs off of the hands of the fire district, along
14 with some of the ALS runs, as Mr. Dominik had
15 testified to.

16 The 110 number that's being thrown
17 out there as far as calls coming in to Forest View, I
18 have no data that supports that those are, in fact,
19 what would have been 911, BLS, or, slash, ALS calls.

20 For all I know, 110 calls coming --
21 that Elite is servicing at Forest View could be
22 inter-facility transports.

23 Q. And based on your experience having
24 dealt with Forest View in the past, and perhaps other

1 similar facilities in your other jobs, what has been
2 your experience of the primary function of a private
3 ambulance at facilities like Forest View?

4 A. It's inter-facility transports.

5 Q. Does the Itasca Fire Protection District
6 do inter-facility transports?

7 A. We do not.

8 Q. Have there been times where Itasca Fire
9 Protection District paramedics have responded to
10 Forest View and had to wait for an Elite Ambulance to
11 show up?

12 A. Yeah, there's been -- there's been many
13 occasions in the 10 years I've been there where our
14 medics had to go to the scene and wait for a private
15 ambulance to show up to transport the patient.

16 Q. So why don't you explain to the
17 Commission how that 911 call comes in asking for your
18 help from Forest View turns into you having to wait
19 for Elite to show up.

20 A. So the way the system works is that a
21 call is placed to the 911 center. Obviously the
22 dispatcher takes the call and determines what the
23 nature is and dispatches us as the fire district
24 accordingly. Upon our arrival our crews would assess

1 the patient, of course.

2 There are a couple of things here
3 that could come into play. It could be that the
4 patient needs transport to a further facility that we
5 don't transport to. It could be that there is no
6 availability of the private ambulance to come in and
7 handle that call immediately.

8 But in several of these cases over
9 the years that I've been there, our crews have been
10 there and they cannot leave the patient. They either
11 have to transport the patient or wait for the private
12 ambulance to show in order to transfer -- legally
13 transfer the patient care from one provider to the
14 next. And that timeline can be -- it can be -- I've
15 seen it -- I've seen it go over an hour on several
16 occasions since I've been the Chief at Itasca.

17 Q. Just so we're clear, if it's an ALS call
18 and someone needs immediate care, you don't wait for
19 Elite?

20 A. No, correct. Yeah, just to be clear on
21 that, we -- you know, we would treat and transport
22 anything that would be considered certainly
23 life-threatening or ALS in nature.

24 Q. And just so I'm clear, based on your

1 understanding of the relationship, Elite isn't
2 dispatched when Forest View calls 911, are they?

3 A. They are not.

4 Q. And to your knowledge, as you sit here
5 today, Elite does nothing to reduce your call volume
6 to Forest View?

7 A. I have nothing that shows me that.
8 Elite does not have to provide anything. Forest View
9 does not have to provide any kind of data to us.

10 Haymarket seems to suggest that the
11 current Elite/Forest View agreement somehow reduces
12 the burden on us, but yet I have no way of validating
13 the 110 average calls that go there as anything more
14 than inter-facility transports.

15 Q. And just so we're clear, do you have the
16 ability to ask Forest View for their contract with
17 Elite?

18 A. I don't believe I have -- I don't
19 believe it's within my purview to request that and
20 I'm not sure they would share it with me.

21 Q. So let's talk about some of the other
22 facilities. I think one of them you shared with was
23 Hoffman Estates. What was the purpose of getting
24 that information?

1 A. The same as it was for getting the Carol
2 Stream information. We were trying to look at some
3 larger facilities that utilized a private ambulance
4 service for the purposes of taking the burden off of
5 local fire EMS.

6 Q. And when you looked at Exhibit 19, which
7 is the CAD data, were you able to determine on
8 average how often Hoffman Estates is going to the
9 1650 Moon Lake?

10 A. Yeah. In fact, we -- we came up with an
11 average of -- it was -- it was hundreds and hundreds
12 of calls that Hoffman Estates was going to -- to this
13 particular 141-bed facility, and this wasn't an
14 anomaly over just one year.

15 We had three or four years worth of
16 solid CAD data that we looked at, and the averages
17 were, you know, right around 300 to 375 a year every
18 year for the time period we looked at where Hoffman
19 was -- was pulled into facilities -- or this
20 facility.

21 I also spoke to the Chief, Chief
22 Fortunato, who is the fire chief at Hoffman, about
23 the facility, and he echoed that it was not uncommon
24 for them to have two calls going on in that facility

1 simultaneously.

2 Now, Hoffman, again, is a much
3 bigger department than we are. I believe they have
4 four ambulances at their disposal.

5 So in as far as the capacity issue
6 there, even though they were supposed to have a
7 private ambulance help relieve the burden on them,
8 they were able to -- to kind of absorb that -- that
9 impact or capacity based on the size of their agency.

10 Q. Now, is it your position that the
11 Hoffman Estates facility is -- is being used as some
12 type of comparable to Haymarket either West Loop or
13 the proposed facility in Itasca?

14 A. No, it wasn't -- the -- the facility
15 there in Hoffman was purely looked at, as Mr. Moeller
16 said, to look at how many calls the local fire
17 department was still going to while getting or
18 supposed to be getting relief from a private
19 ambulance service into that facility.

20 Q. And just out of curiosity, how many beds
21 are there at this Moon Lake facility?

22 A. 141, I believe is the number.

23 Q. You also said you pulled from -- some
24 data from Carol Stream, and I think you said Belmont

1 Village and Windsor Estates. Who services those
2 facilities on the private ambulance side?

3 A. Well, according to, again, the
4 PowerPoint that was part of the record from
5 Haymarket, that's an Elite facility, both of those.

6 Q. Have you ever seen the contract between
7 Elite and Belmont Village?

8 A. No, I have not.

9 Q. Have you ever seen the contract between
10 Windsor Estates and Elite?

11 A. No, I have not.

12 Q. Do you have the power to get that, that
13 you're aware of?

14 A. No.

15 Q. So when you got the CAD data on those
16 facilities -- well, what -- strike that.

17 I should say, what data did you get
18 on those facilities?

19 A. The CAD data from Carol Stream.

20 Q. And when you looked at Exhibit 40 and
21 41, which is the CAD data from those facilities, were
22 you able to determine whether Carol Stream was
23 responding to those facilities?

24 A. Yes, for sure.

1 Q. All right. How many times -- however
2 you want to do it, by either Windsor or Belmont or
3 combined, whatever way you are most -- tell the
4 Commission what you gleaned from that CAD data.

5 A. It was fairly eye-opening that the Carol
6 Stream Fire Department was going to each of those
7 facilities. And I don't remember the exact number,
8 but I want to say it was somewhere between 390 times
9 to the one facility and 400-and-some-odd times to the
10 second facility, and this was on an annual basis, so
11 well over 700 calls to these two facilities annually
12 that Elite is supposed to be servicing.

13 And, now, again, Carol Stream is a
14 bigger agency with -- I believe they have three
15 ambulances.

16 I don't know of the arrangement
17 that Carol Stream has with -- you know, with either
18 of these facilities or, I should say, what Elite has
19 with either of these facilities. It goes to your
20 point of not seeing the contract.

21 Q. Did you get any other additional
22 information of entities served by Elite that was
23 contained on the PowerPoint?

24 A. Yes. Those are the ones that were

1 listed that were located in Bloomingdale.

2 Q. And for the record, those are Exhibits
3 43, 44, and 45. I can pull them up, but, Chief, did
4 you -- before we got started today did you look at
5 Exhibits 43, 44, and 45?

6 A. I did.

7 Q. Is that the CAD data that you retrieved
8 from the Bloomingdale Fire Protection District
9 concerning those facilities being serviced by Elite?

10 A. Yes.

11 Q. But when you looked at that data --
12 again, just to keep things moving along -- I don't
13 want to beat this drum too much -- what did you take
14 away from the data that you saw from Bloomingdale
15 Fire District?

16 A. Well, it was concerning. The three --
17 the three that are listed in the exhibits are the --
18 the -- probably the largest number. There was
19 actually five total there.

20 The -- the numbers that -- now,
21 this is -- if you took the three that are listed in
22 the exhibits and then the two others that are on the
23 Haymarket PowerPoint, which, again, are listed as
24 Elite facilities located -- all located in

1 Bloomingdale, Bloomingdale ran 731 calls to five
2 facilities over 22 months.

3 If you do that math, that number
4 comes down to just under 400 calls a year that
5 Bloomingdale is taking in between -- for all five
6 facilities that Elite is supposed to be servicing for
7 them, again, with the same intent, to take the --
8 relieve the pressure off them.

9 Q. All right. Now, what is your position
10 as fire chief for Itasca Fire Protection District
11 about Mr. Dominik's conclusion that the Haymarket
12 facility proposed in Itasca will only generate 18 to
13 25 EMS calls by Itasca Fire Protection District?

14 A. I think it's a bit absurd.

15 Q. Why is that?

16 A. Well, I think we've kind of talked
17 enough about this. The -- the -- the idea that the
18 CAD data from the City of Chicago on the West Loop
19 facility is somehow non-usable I think is the first
20 problem.

21 The -- the facility, as was stated
22 earlier, is the only true measuring stick that I
23 think applies to what Haymarket is looking to do in
24 Itasca.

1 A. I have not.

2 Q. But did you hear the testimony about the
3 ability of the contract to be cancelled?

4 A. I did.

5 Q. Did that cause you any concern as the
6 chief of the Itasca Fire Protection District?

7 A. Well, sure. You know, the ability to
8 cancel the contract, we have no statutory authority
9 or any local authority that would allow us to mandate
10 that something stays in existence or that that
11 particular facility maintains that in place. That's
12 certainly not something we would be able to enforce.

13 And, quite frankly, if the contract
14 was to be cancelled or negated, then, once again, the
15 sole burden of response falls back to the fire
16 district.

17 Q. So as you sit here today with your years
18 of experience in the fire service, you're not aware
19 of any authority possessed by the Fire Protection
20 District to mandate a facility to keep a contract in
21 place with a private ambulance service?

22 A. I'm not aware of any of that.

23 Q. Well, how about do you have the ability
24 as the Chief or does the Fire Protection District

1 have the ability to force a facility to enter into a
2 contract with a private ambulance service?

3 A. No, absolutely not.

4 Q. Let me ask you this question. If the
5 proposed facility gets approved and starts operating
6 in Itasca and they call 911, do you have the option
7 of telling them call Elite?

8 A. No, absolutely not. If we're called, we
9 have to go.

10 Q. I want to circle back one more time --
11 and I'm just about done here, Chief -- to MABAS.

12 We've heard testimony about the
13 collision of calls, which in simple terms is you're
14 tied up doing one thing so you need somebody else to
15 cover one of your calls. Is that your understanding?

16 A. Yes.

17 Q. All right. Based on your years of
18 experience, do you have a concern if you are
19 receiving 379 new calls a year that there may be
20 problems with your MABAS partners?

21 A. Absolutely. Absolutely. I think the --
22 you know, the article that was quoted earlier that,
23 you know, was in the Patch I think illustrates that.

24 When you start getting a

1 disproportionate requests coming from one agency,
2 you're putting an undue burden on the next agency,
3 and, quite frankly, you're creating the same issue
4 for that -- potentially for that agency that exists
5 in your own community.

6 Q. And based on your experience, generally
7 speaking, is the travel time longer for a MABAS
8 response unit versus a response from the Itasca Fire
9 District?

10 A. Oh, absolutely it is.

11 Q. And, Chief, I guess I'm just going to
12 finish up with this question. You started off by
13 saying that this is not about a capacity issue. Can
14 you sum up for the Commission what it's really about
15 and the concerns you have as a fire chief?

16 A. Sure. So my first comment would be to
17 echo what Mr. DiNolfo just said. The issue for me is
18 not about the type of facility that's coming in here.
19 It's not about what Haymarket is or what they do.

20 It's purely about the impact of the
21 facility coming in to Itasca and my ability as the
22 fire chief to provide service to my community -- my
23 tax-paying community, with an influx of potentially
24 23 to 25 percent of additional ambulance calls.

1 It is my feeling that that increase
2 is going to create some very distinct issues with my
3 ability to continue to provide that service, and it's
4 going to put a much much bigger burden on my
5 neighbors coming in, as I mentioned just a few
6 minutes ago, to assist us.

7 It's also going to lengthen the
8 response times for our residents to get help to
9 them -- 911 calls and response to them in the
10 appropriate time frame that I'm comfortable with. So
11 those are the biggest concerns I have.

12 The other and probably final
13 concern is the -- is the Elite -- use of Elite as the
14 mechanism to somehow take the burden off of us. I'm
15 very concerned about the data that we found in these
16 other facilities, many of which are serviced by
17 Elite, a few that are not, but the end result seems
18 to be the same, that the fire departments there, the
19 authorities having jurisdiction, continue to run to
20 these facilities not just a handful of times. This
21 is hundreds of calls that are being dispatched to the
22 local fire and EMS departments in those communities
23 when a private ambulance is supposed to be taking
24 that burden off of them. So those are the real

1 issues that I have here.

2 And, finally, the cost of, you
3 know, any additional resources to mitigate this
4 potential issue, if you will, is going to be borne
5 solely by the taxpayers of Itasca, and this is just
6 unacceptable to me.

7 There has been no talk of any kind
8 of long-term funding. Dr. Lustig talked about
9 grants, but the grants are not a long-term funding
10 solution.

11 This is being touted as a DuPage
12 County site. I have heard no talk and been presented
13 with no kind of financial -- comprehensive financial
14 package issue, proposal or otherwise. In fact, I've
15 received no -- no any kind of -- I've received no
16 official notification from Haymarket in any way,
17 shape or form since the initial meeting other than
18 FOIA requests.

19 So those are the concerns I have.
20 Again, it's not about the capacity issue. It's about
21 the impact of the facility as it stands.

22 MR. DI NOLFO: Chairman Daly, that is all the
23 questions I have. And I obviously would just move
24 for, as a technical purpose, admission of my exhibits

1 43, 44, and 45.

2 CHAIRMAN DALY: Okay, we'll accept those
3 exhibits. Thank you.

4 (Itasca Fire Protection District
5 Exhibit No. 43 admitted.)

6 (Itasca Fire Protection District
7 Exhibit No. 44 admitted.)

8 (Itasca Fire Protection District
9 Exhibit No. 45 admitted.)

10 CHAIRMAN DALY: At this time, given the hour,
11 I would ask that we get a motion to continue this
12 meeting until April 28th. Could I please get a
13 motion from one of my commissioners?

14 COMMISSIONER HOLMES: So moved; Commissioner
15 Holmes.

16 COMMISSIONER RAY: Second; Commissioner Ray.

17 CHAIRMAN DALY: Would the Secretary please
18 call the vote.

19 RECORDING SECRETARY MALONE: Commissioner
20 Carello?

21 COMMISSIONER CARELLO: For.

22 RECORDING SECRETARY MALONE: Commissioner
23 Drummond?

24 COMMISSIONER DRUMMOND: For.

1 RECORDING SECRETARY MALONE: Commissioner

2 Holmes?

3 COMMISSIONER HOLMES: For.

4 RECORDING SECRETARY MALONE: Commissioner

5 Ray?

6 COMMISSIONER RAY: For.

7 RECORDING SECRETARY MALONE: Commissioner

8 Russo?

9 COMMISSIONER RUSSO: For.

10 RECORDING SECRETARY MALONE: Chairman Daly?

11 CHAIRMAN DALY: For. The motion carries.

12 At this point I would ask for a
13 motion to adjourn this evening's meeting.

14 COMMISSIONER HOLMES: So moved; Commissioner
15 Holmes.

16 COMMISSIONER RAY: Second; Ray.

17 CHAIRMAN DALY: Secretary, please call the
18 vote.

19 RECORDING SECRETARY MALONE: Commissioner
20 Carello?

21 COMMISSIONER CARELLO: For.

22 RECORDING SECRETARY MALONE: Commissioner

23 Drummond?

24 COMMISSIONER DRUMMOND: For.

1 RECORDING SECRETARY MALONE: Commissioner
2 Holmes?

3 COMMISSIONER HOLMES: For.

4 RECORDING SECRETARY MALONE: Commissioner
5 Ray?

6 COMMISSIONER RAY: For.

7 RECORDING SECRETARY MALONE: Commissioner
8 Russo?

9 COMMISSIONER RUSSO: For.

10 RECORDING SECRETARY MALONE: And Chairman
11 Daly?

12 CHAIRMAN DALY: For. The motion carries.

13 At this point I would ask that
14 everybody have a good and safe evening. Good night.

15 (Whereupon the proceedings
16 concluded at 9:54 p.m.)

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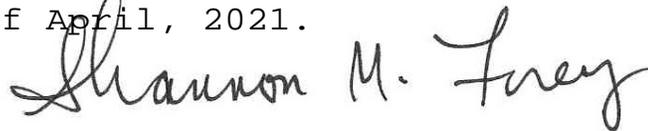
1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF DU PAGE)

3 I, Shannon M. Frey, CSR. No. 84-002277, RMR,
4 CRR, do hereby certify that I reported in shorthand
5 the proceedings had at the Hearing in the
6 above-entitled cause and that the foregoing Report of
7 Proceedings, Pages 5 through 144, inclusive, is a
8 true, correct, and complete transcript of my
9 shorthand notes taken at the time and place aforesaid
10 heard via remote videoconferencing.

11 I further certify that I am not counsel for
12 nor in any way related to any of the parties to this
13 suit, nor am I in any way, directly or indirectly
14 interested in the outcome thereof.

15 This certification applies only to those
16 transcripts, original and copies, produced under my
17 direction and control; and I assume no responsibility
18 for the accuracy of any copies which are not so
19 produced.

20 IN WITNESS WHEREOF I have hereunto set my
21 hand this 19th day of April, 2021.

22 

23 Certified Shorthand Reporter
24

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