

In the Matter Of:
HAYMARKET DuPAGE LLC

REPORT OF PROCEEDINGS

August 04, 2021

Grove & Associates Reporting & Video Services
2100 Manchester Road, Suite 964
Wheaton, IL 60187
(630) 462-0060
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1 PRESENT:

2 MR. BRENDAN DALY, Chairman;

3 MR. FRANK CARELLO: Commissioner;

4 MR. JEFFREY HOLMES: Commissioner;

5 MS. LORI DRUMMOND, Commissioner;

6 MS. KRISTA RAY, Commissioner;

7 MR. ANTHONY RUSSO, Commissioner.

8 ALSO PRESENT:

9 MS. YORDANA WYSOCKI, Village Attorney;

10 MR. MO KHAN, Village Planner;

11 HERVAS, CONDON & BERSANI, P.C., by

12 MR. CHARLES E. HERVAS

13 333 Pierce Road, Suite 195

Itasca, Illinois 60143

14 (630) 773-4774

chervas@hcbattorneys.com

Appeared on behalf of City of Itasca;

15 DASPIN & AUMENT, LLP, by

16 MS. BRIDGET M. O'KEEFE

300 South Wacker Drive, Suite 2200

Chicago, Illinois 60606

17 (312) 258-3795

bokeefe@daspinaument.com and

18 BOND, DICKSON & CONWAY, by

19 MS. MARY E. DICKSON

400 South Knoll Street, Unit C

20 Wheaton, Illinois 60187

(630) 681-1000

21 marydickson@bond-dickson.com

Appeared on behalf of Haymarket DuPage LLC;

22 and

23

24

1 ALSO PRESENT: (Cont'd.)

2 FRANCZEK, P.C., by
3 MS. JENNIFER SMITH
4 300 South Wacker Drive, Suite 3400
5 Chicago, Illinois 60606
6 (312) 786-6589
7 jas@franczek.com

8 Appeared on behalf of Itasca School District;

9 JOHNSON & BELL, LTD., by
10 MR. STEPHEN P. ELLENBECKER
11 33 West Monroe Street, Suite 2700
12 Chicago, Illinois 60603
13 (312) 984-0221
14 ellenbeckers@jbltd.com

15 Appeared on behalf of 865 West Irving Park
16 Road, LLC;

17 OTTOSEN, DiNOLFO, HASENBLAG & CASTALDO, LTD., by
18 MR. STEPHEN H. DI NOLFO
19 1804 North Naper Boulevard, Suite 350
20 Naperville, Illinois 60563
21 (630) 682-0085
22 sdinolfo@ottosenlaw.com

23 Appeared on behalf of Itasca Fire Protection
24 District.

25 WITNESSES PRESENT FOR PUBLIC QUESTIONS:

26 CHIEF JAMES BURKE;
27 MR. JAMES DOMINIK;
28 MR. BRUCE MOELLER.

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1 CHAIRMAN DALY: Welcome to this meeting of the
2 August 4th, 2012, Itasca Plan Commission. I call
3 this meeting to order.

4 Good evening. Today is Wednesday
5 August 4th, 2021. The case before the Planning
6 Commission is PC 19-014 continued from last
7 Wednesday, July 28th.

8 The petitioner and owner is
9 Haymarket DuPage, LLC. The location is 860 West
10 Irving Park Road.

11 Will the secretary please call the
12 roll.

13 MR. KHAN: Commissioner Carello?

14 COMMISSIONER CARELLO: Here.

15 MR. KHAN: Commissioner Drummond?

16 COMMISSIONER DRUMMOND: Here.

17 MR. KHAN: Commissioner Holmes?

18 COMMISSIONER HOLMES: Here.

19 MR. KHAN: Commissioner Ray?

20 COMMISSIONER RAY: Here.

21 MR. KHAN: Commissioner Russo?

22 COMMISSIONER RUSSO: Here.

23 MR. KHAN: Chairman Daly?

24 CHAIRMAN DALY: Here. I declare a forum

1 present.

2 The process for this evening, number
3 one, on the Village's website is a step-by-step guide
4 for the public hearing. We are currently on Step 7,
5 public questions.

6 Public questions have been reserved
7 for two more nights with each night covering
8 different experts and witnesses. This evening we
9 have Chief Burke, Mr. James Dominik, and Mr. Bruce
10 Moeller.

11 Next week, August 11th, will be with
12 Director Bob O'Connor of the Itasca Police
13 Department.

14 If you have not previously signed up
15 to ask a question for tonight on the Village's
16 website, you may do so at the sign-up table in the
17 center aisle. Please understand that public comment
18 is not until Step 8 of the step-by-step guide.
19 Public comment will occur after public questions this
20 month. Tonight we will only address questions for
21 tonight's panel of experts.

22 And, finally, please address your
23 questions to the Chair, and I will ask the
24 appropriate expert to respond.

1 With that I'd now like to invite
2 Mr. Chuck Hervas, Village counsel, to go through his
3 opening remarks.

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

5 Good evening everyone. My name is
6 Chuck Hervas and I am the attorney advising the Plan
7 Commission in this matter. This is a legal proceeding
8 with legal significance. A court reporter is
9 swearing in witnesses and transcribing testimony.
10 This is not a trial, but we are developing a record
11 of proceedings before the Plan Commission. This is a
12 legal public hearing on a zoning petition.

13 My job is to protect the rights of
14 the Petitioner, any objectors, and the public.

15 The Plan Commission will make
16 findings and a recommendation to the Village Board.
17 Please understand that the Plan Commission is a
18 recommending body. The Village Board will make the
19 final decision on the Haymarket zoning petition.

20 Although the Plan Commission
21 meetings will still be live streamed through YouTube,
22 we are back to meeting in person, and in-person
23 meetings will continue through the remainder of the
24 hearing.

1 The procedures used by the Plan
2 Commission for large hearings during the Pandemic are
3 available on the Village's website. Also, the
4 website has a lot of information, including a
5 comprehensive step-by-step guide about this hearing.
6 We're doing the best we can to have an orderly
7 process that allows for both public questions and
8 public comment, and I ask that you please abide by
9 the ground rules of the Commission.

10 Thank you.

11 Mr. Chairman?

12 CHAIRMAN DALY: Thank you, Mr. Hervas.

13 The business before the Commission
14 this evening is the public hearing on case
15 No. PC 19-014. The request is for petition for a
16 planned development by special use with exceptions,
17 and Class 1 Site Plan approval all in order to permit
18 a mixed use residential and health care facility, and
19 other accessory uses in the B-2 Community Business
20 District at 860 West Irving Park Road.

21 I will now entertain a motion to
22 open this continued public hearing.

23 COMMISSIONER RUSSO: So moved, Chairman.

24 COMMISSIONER CARELLO: Second.

1 CHAIRMAN DALY: There's a motion and a second.

2 Mo, will you please call the vote.

3 MR. KHAN: Commissioner Carello?

4 COMMISSIONER CARELLO: For.

5 MR. KHAN: Commissioner Drummond?

6 COMMISSIONER DRUMMOND: For.

7 MR. KHAN: Commissioner Holmes?

8 COMMISSIONER HOLMES: For.

9 MR. KHAN: Commissioner Ray?

10 COMMISSIONER RAY: For.

11 MR. KHAN: Commissioner Russo?

12 COMMISSIONER RUSSO: For.

13 MR. KHAN: Chairman Daly?

14 CHAIRMAN DALY: For.

15 Motion carries. This public hearing
16 is now open.

17 At this time I'd ask the court
18 reporter to please swear in this evening's witnesses.

19 (Witnesses sworn.)

20 CHAIRMAN DALY: At this time do we have any
21 questions or has anyone signed up at the center aisle
22 to ask questions of the witnesses?

23 And, again, when you ask your
24 questions, could you please just state your name for

1 the record.

2 MS. HUMBERT: Hi. I'm Rena Humbert. My first
3 question, Chairman, I believe, is for Chief Burke.

4 In Itasca's Fitch report, on page 9
5 it says Itasca currently takes 1,636 calls per year,
6 and Haymarket would add another 379 calls.

7 The Fitch report states that
8 Haymarket would increase the call volume by 23.2,
9 equalling 15 more days a year. And I apologize if my
10 math is incorrect here, but according to that it
11 basically means that, you know, the calculation, the
12 EMS is currently only being utilized 64.7 days a
13 year. Is that correct?

14 CHAIRMAN DALY: Chief Burke, is that a
15 question you can answer?

16 CHIEF BURKE: I only caught the first part of
17 it. Would you mind just repeating some of the end --
18 some of the end math there. I couldn't --

19 MS. HUMBERT: In the Fitch's report on page 9
20 it reports that there is 1,636 calls per year for
21 Itasca currently, that Haymarket would increase the
22 volume by 23.2 percent, which would equal 15 days.

23 According to that math, I calculated
24 that right now the EMS is only currently being used

1 64.75 days per year. Is that correct?

2 CHIEF BURKE: Yeah, I'm not sure that I agree
3 with your math.

4 I think where we came up with the
5 days was based on the average call time that, you
6 know, our guys are on the street handling a
7 particular call, and if you extrapolate that number
8 out, you know, based on our projection as far as
9 numbers of calls, and multiply that out into a
10 24-hour period, that's where you come up with the
11 days.

12 MS. HUMBERT: And I've done that math, as
13 well, sir, because you did say it was 56 minutes per
14 call. So I did do that math and it comes out to
15 being 64.75 days of what --

16 MR. DI NOLFO: Is there a question?

17 MS. HUMBERT: I'm asking that if what's in the
18 Fitch's report is correct.

19 CHIEF BURKE: I don't recall anything in the
20 Fitch report that talked about 64 days.

21 MS. HUMBERT: But do you -- do you agree?

22 MS. SMITH: Excuse me. I believe that we've
23 established that there's not going to be a
24 questioning or cross-examination, but it's an

1 opportunity to ask questions. So just I would object
2 to this form of exchange.

3 MR. HERVAS: Yeah, you should -- you should
4 direct -- I know that it's easier to --

5 MS. HUMBERT: I know.

6 MR. HERVAS: -- have a conversation, but we're
7 going to limit this to -- the questions to the Chair,
8 and the Chair will then direct it, so please do it
9 that way.

10 MS. HUMBERT: I appreciate that. Thank you.
11 I apologize.

12 Chair, with the numbers that have
13 been reported on the Fitch's report on page 9 -- and
14 I have a copy of it here if you would like it.

15 CHAIRMAN DALY: Can you blow it up, the Fitch
16 report, page 9.

17 MR. KHAN: Is it in the first table?

18 CHAIRMAN DALY: No, scroll down.

19 Ma'am, is this the table you're
20 referring to?

21 MS. HUMBERT: A little bit further down. It's
22 on page 9 right above where it's "the analyst
23 reflects."

24 Right there, yes. Okay. On that

1 page Itasca's average call volume is 1,636. If you
2 divide that by 56 minutes -- or multiple that by 56
3 and then divide that by 60, which is an hour, and
4 then you multiply that by the amount of days in a
5 year, you come up with it being 64.75 days a year.
6 Is that not correct?

7 CHAIRMAN DALY: Ma'am, I would -- the
8 testimony given in the report given the way -- in the
9 form that it is, I don't know that doing math right
10 now is an appropriate understanding of the data as it
11 was originally presented. I guess --

12 MS. HUMBERT: I guess -- you're right, and I
13 guess I was going off -- because on the report it
14 was that approximately Haymarket would increase that
15 service need by 15 days, so that's why I came up with
16 what was currently being utilized.

17 CHAIRMAN DALY: Okay. But when we talk about
18 days and we talk about calls, are you using 24 hours
19 in a day and that is -- because the calls happen
20 throughout the course of the year, correct, and it's
21 going to be a situation where the teams are deployed
22 to come back; there's a gap.

23 So I guess what is the -- what is
24 the root of your question? What are you really

1 trying to understand with this question?

2 MS. HUMBERT: I'm trying to basically
3 understand if that -- on the Fitch's assessment, that
4 currently the Itasca Fire Protection District has
5 sufficient capacity, according to this report, to
6 absorb the increased demand from the proposed
7 Haymarket DuPage project.

8 CHAIRMAN DALY: Okay. And I believe we've
9 heard testimony that there is the issue of
10 concurrency, which has been testified to, I believe,
11 by both Chiefs Burke and Mr. Moeller, so --

12 MS. HUMBERT: Has there been -- again, it's
13 very confusing because I've heard about concerns that
14 having concurrent calls a possibility, but that there
15 hasn't been considering -- considered that to have
16 happened.

17 CHAIRMAN DALY: Mr. Moeller, are you prepared
18 to weigh in on this question and the way it's been
19 asked?

20 MR. MOELLER: I think I've heard a couple
21 different questions. I am happy to try and answer it
22 but if I make sure I want to understand the question
23 that's being asked, sir.

24 MR. DI NOLFO: Are we on the capacity question

1 now and concurrence?

2 CHAIRMAN DALY: Well, that's what I was about
3 to ask.

4 So the very first question she
5 asked, what can you offer as an answer to that
6 question?

7 MS. O'KEEFE: Well, can we clarify what the
8 question is just for the record, what we think the
9 question is?

10 CHAIRMAN DALY: Okay. Ma'am, could you please
11 repeat your first question?

12 MR. DI NOLFO: Perhaps before we get that far,
13 I don't think anybody here is expected to do math, so
14 I would have a problem if we have to sit there and
15 calculate data. That isn't the purpose of public
16 questions, do calculations.

17 CHAIRMAN DALY: Okay. So then let me -- let
18 me, Miss, if I can ask you to rephrase your question
19 that takes the math out of the question, and just
20 ask, does the Fire Protection District have the
21 capacity, based on the information in this report.
22 Can we start there?

23 MS. HUMBERT: Of course.

24 MS. O'KEEFE: Can we also clarify, is the

1 question -- I thought she asked the question of Chief
2 Burke. Is that who you're questioning?

3 MS. HUMBERT: I was trying to, yes --

4 MS. O'KEEFE: Okay.

5 MS. HUMBERT: -- because this was his --

6 MS. O'KEEFE: So I'm just trying to clarify
7 who the question is to.

8 CHAIRMAN DALY: Right. And when she started
9 it was to Chief Burke, but since Mr. Moeller wrote
10 the report, I would ask Mr. Moeller -- since Chief
11 Burke already took a swing at it, let's let
12 Mr. Moeller offer some information on that and we'll
13 see what we can do from there; all right?

14 MS. HUMBERT: Okay, thank you.

15 CHAIRMAN DALY: All right. So the question
16 that I rephrased to you is fine for Mr. Moeller?

17 MS. HUMBERT: I believe so, yes, assuming that
18 these numbers are correct and they were given by
19 Chief Burke for this report.

20 CHAIRMAN DALY: Okay.

21 Mr. Moeller?

22 MR. MOELLER: So I apologize, Mr. Chairman.
23 Am I asking -- am I attempting to answer the question
24 on the question that was asked about the math or the

1 concurrency issue?

2 CHAIRMAN DALY: About the math. Forget about
3 concurrency.

4 MR. MOELLER: Okay. So regarding the math,
5 no, you can't make that assumption. That table that
6 is on the screen right now uses an average of the
7 time taken for an EMS call resulting in a transport.
8 That's what was looked at with regard to the
9 applicant's property.

10 The fire department runs a number of
11 other different types of calls with various time on
12 task that we used for that. So to attempt to take
13 simply the EMS transport and apply it to all incident
14 types to which the fire department runs, you would
15 not be able to do that. You would have to actually
16 go look at all of those calls and calculate the total
17 time on task for the year.

18 CHAIRMAN DALY: Okay. So, ma'am, does that
19 answer your first question?

20 MS. HUMBERT: I think so. Again, these graphs
21 are very difficult. It took me a while to get
22 through them.

23 But with the report, on page 12 -- I
24 believe it was 11 or 12, the Fitch's assessment is

1 that currently the Itasca Fire Protection District
2 has sufficient capacity to absorb the increased
3 demand from the proposed Haymarket DuPage project.

4 CHAIRMAN DALY: So is your question about the
5 validity of what's on the page?

6 MS. HUMBERT: I'm asking if that is
7 what they -- you know, that's true that they -- with
8 what is on the page.

9 MR. ELLENBECKER: Who is that to?

10 MS. O'KEEFE: Yeah, who is the question
11 directed to?

12 MS. HUMBERT: Well, I believe it is still to
13 Chief Burke because I'm assuming that this
14 information that was given is correct.

15 CHIEF BURKE: So I'll take a swing that. So I
16 think we talked about this. I testified to this.
17 Capacity is one thing; impact is another thing. They
18 go hand in hand, okay.

19 Increased capacity without the
20 impact of the facility itself means nothing. So the
21 impact of a single facility in our community that
22 puts that kind of demand on a single resource, in
23 this case one paramedic unit, I think is problematic.

24 MS. HUMBERT: I guess I would have to go back

1 to what the chart data is that it's utilized 64.7
2 days a year.

3 CHAIRMAN DALY: Ma'am, the questions are to
4 me, please --

5 MS. HUMBERT: I'm sorry.

6 CHAIRMAN DALY: -- and --

7 MS. HUMBERT: I apologize.

8 CHAIRMAN DALY: -- and --

9 MS. HUMBERT: I'm so sorry.

10 CHAIRMAN DALY: That's fine. I get it. This
11 is a little bit what -- nobody is used to doing this,
12 but I would ask, then, if he answered your question,
13 do you have another -- I mean, the follow-up
14 questioning and a discussion, we don't want to be
15 going there.

16 MS. HUMBERT: Yes. So referencing the same
17 report and testimony as before, I'd like to ask if
18 Mr. Dominik -- Mr. Chairman, if Mr. Dominik, if he
19 thinks Itasca's EMS has the capacity to handle
20 Haymarket calls.

21 CHAIRMAN DALY: Mr. Dominik?

22 MR. DOMINIK: Yes. So this has been very
23 confusing with all the numbers. So I think let me
24 just start off, you know, I'm three generations into

1 this. I've been doing this a long time. I would not
2 compromise my integrity. I still believe in my
3 original research which was a very conservative
4 approach.

5 It was very important to evaluate
6 the services of similar facilities that offered the
7 same services, the same level of services, and when
8 you look at all the calls, ALS, BLS, Mr. Moeller
9 touched on a process called unit hour utilization.

10 So as you heard from Chief Burke and
11 Mr. Moeller, the 2.55 ambulance calls that the Itasca
12 ambulance would go on per a 24-hour period would turn
13 into unit hour utilization in the fire service world
14 something that, you know, Mr. Moeller had talk about.

15 You take that at 56 minutes, it
16 roughly -- per simple math, that's two-and-a-half
17 hours a day or 930 calls, you know, on an annual
18 basis. That's going to give you like a .1 unit hour
19 utilization for that vehicle, for that crew.

20 Industry standard as, you know, set
21 by the fire service organizations is .3. So roughly
22 that would mean that you'd have to triple the amount
23 of calls for that ambulance before it would get to a
24 point where it's concerning to its reliability and

1 availability to the residents. So you'd have to
2 bring those numbers up.

3 So I guess to boil all of that down,
4 even if you look at the 379 number that Mr. Moeller
5 brought forward, that would give you .15, so you'd
6 still have to double it from that.

7 I still believe in my original
8 research because we did it on a bed count. I looked
9 at the beds, the facilities, the types of facilities,
10 made sure they provided the same services.

11 You'd also have Elite here that
12 Haymarket is willing to work with and establish a BLS
13 relationship with, which I think is done, you know,
14 many places throughout the country, and I think it
15 would work very well here. I've evaluated Elite.

16 So to summarize all of this, I
17 believe that they certainly have the capacity to do
18 this because the call volumes would have to triple
19 before it even got of concern to where that ambulance
20 would not be available.

21 They are also part of a very robust
22 mutual aid network with other communities in this
23 area. They work with them quite a bit, and currently
24 they're giving aid more -- 50 to 60 percent more than

1 they're receiving aid. They're dispatched through a
2 mutual aid, you know, dispatch center that's the
3 same. So the capacity is there. The mutual aid
4 partners are there to help.

5 If there was a concurrent call
6 issue, you also have multiple vehicles in Itasca.
7 You have an engine that's ALS equipped that can
8 provide the same level of care. You have trained
9 personnel at Haymarket DuPage that would provide
10 care, as well.

11 So I think the capacity issue, in my
12 eyes, is not a question and I still stand by my
13 original research.

14 CHAIRMAN DALY: So, ma'am, does that answer
15 your question?

16 MS. HUMBERT: Yes, sir.

17 CHAIRMAN DALY: Okay. Do you have another
18 question?

19 MS. HUMBERT: No. Thank you for your time.

20 MR. KHAN: Well, thanks for being here.

21 MS. HUMBERT: Thanks.

22 CHAIRMAN DALY: No one else has signed up for
23 questions.

24 Are there any members of the

1 audience who would like to come up and ask a question
2 at this time? Please see Deanne. She's going to
3 hold up the sign-up sheet.

4 MR. HEARN: Hello.

5 CHAIRMAN DALY: Hello.

6 MR. HEARN: How are you?

7 I have a series of questions for
8 Chief Burke. Do you want me to ask him every time?

9 CHAIRMAN DALY: Yeah, but can we get your name
10 for the record, please, before.

11 MR. HEARN: Sure, yeah. Sorry. It's Vince
12 Hearn, Itasca resident.

13 CHAIRMAN DALY: Okay.

14 MR. HEARN: This is a question for Chief
15 Burke.

16 CHAIRMAN DALY: Okay.

17 MR. HEARN: I heard testimony about overdoses
18 in Itasca. How many have occurred in the last year?

19 CHAIRMAN DALY: Is that a question you can
20 answer?

21 CHIEF BURKE: Yeah, I don't have that number
22 in front of me, no.

23 MR. HEARN: The amended Elite contract was
24 provided as an exhibit. Have you looked at it, and

1 if so, what do you think about it?

2 CHIEF BURKE: I did look at it after it was
3 presented as an exhibit. The thing I find a little
4 odd about the whole Elite topic in general is the
5 fact that they -- they didn't come here for any kind
6 of testimony. They didn't come here and offer to let
7 anybody ask any questions of them.

8 You know, ironically, the only place
9 we have in town here, Forest View uses them, and,
10 again, I've never seen that contract. So I don't
11 know if they're using them for anything other than
12 their interfacility transports; however, seeing you
13 asked, I can tell you that last night our guys were
14 over there assisting an Elite ambulance that was a
15 BLS rig on an ALS call because their ALS rig was 90
16 minutes away.

17 So these are some of the things that
18 concern me.

19 MR. HEARN: Next question for Chief Burke.
20 There have been a lot of talk about private
21 ambulance, and I guess you kind of answered this on
22 the last question, but based on your experience, does
23 the Elite contract mean much to you as fire chief?

24 CHIEF BURKE: Again, my experience with

1 private ambulance services -- and probably many of my
2 colleagues would agree -- is that it is -- they serve
3 a purpose. This is not -- I'm not out to slam Elite
4 as far as what they do and who they are as a company.
5 They do serve a purpose.

6 I do think that from a 911
7 perspective that obviously they are not tied into the
8 911 system. There's got to be a call placed by
9 somebody within the facility, in this case Haymarket,
10 to their dispatch -- their dispatch center, not the
11 911 center if they need an ambulance from -- from
12 Elite.

13 So, you know, again, part of the
14 problem with a private ambulance service is that they
15 are not tied into 911.

16 MR. HEARN: Okay. Next question for Chief
17 Burke. Haymarket introduced a copy of your current
18 billing ordinance. Can you explain how the cost was
19 determined, and do you get all of that money?

20 CHIEF BURKE: So that's a great question.

21 So one of the things that we have
22 recently done is we changed our billing fee
23 structure. And this is a reflexion on federal moneys
24 that have been recently made available to fire

1 departments -- not just fire departments but also
2 private ambulance services.

3 It is called GEMT money or Ground
4 Emergency Medical Transport moneys. In order to
5 qualify for this there's a rather lengthy process
6 that you have to go through to be evaluated at the
7 federal level, and then they will come back to you
8 with what they feel is your allowable billing rate.

9 And in order for you to collect that
10 federal money, you have to assign or through
11 ordinance assign that particular fee structure to all
12 of your ambulance calls. You can't just do it -- the
13 federal monies are Medicaid funds that we typically
14 over the years didn't get much money for. So these
15 are Medicaid funds -- additional funds that we can
16 collect through the federal government.

17 The second part of your question was
18 do we keep all of that money or collect all of that
19 money? No. The State of Illinois takes 50 percent
20 of whatever we collect from that federal program.

21 MR. HEARN: Okay. That's helpful because my
22 next question is what is GEMT funding and I think you
23 answered that.

24 So the next question I had is does

1 the district have the resources with the new
2 ordinance to add employees and equipment to cover all
3 of the calls generated by Haymarket?

4 CHIEF BURKE: No. If we -- if we went --

5 MS. O'KEEFE: Mr. Chairman?

6 CHAIRMAN DALY: Hold on.

7 MS. O'KEEFE: Can I object? I'm not sure that
8 this is within the context of the information that
9 was provided. I'm not sure where this is going.
10 This is outside the scope of the exhibit that was
11 introduced, and I'm not sure that this is allowable.

12 MR. DI NOLFO: Can I respond to that?

13 CHAIRMAN DALY: Please.

14 MR. DI NOLFO: I don't know what the scope --
15 I don't even know why they admitted the exhibit. All
16 they did was admit it.

17 My position would be if you make it
18 an exhibit, it's subject to questioning by any
19 attorney and/or the public. I think if you,
20 Haymarket, chose to enter it as an exhibit, I think
21 it's fair game for questioning if the public has
22 questions.

23 MS. O'KEEFE: We introduced -- I'm sorry,
24 could I reply?

1 CHAIRMAN DALY: (Indicating.)

2 MS. O'KEEFE: We introduced this into an
3 exhibit as evidence about the current fee structure
4 for Itasca Fire Protection District. It didn't
5 involve an entire discussion of the program, and
6 federal funding, and how much goes to the State.

7 It was basically introduced for the
8 purpose of saying this is how much the Fire
9 Production District is going to charge for a call.
10 This is a law today.

11 MR. DI NOLFO: That's the whole point of the
12 public question is they're trying to create that
13 inference from it without eliciting any testimony for
14 explanation.

15 If this gentleman has a question
16 about it, it's part of the record, I think it's a
17 valid question for the Chief to answer.

18 CHAIRMAN DALY: At this time I'm going to
19 overrule the objection, and I would ask Chief Burke,
20 if you can answer that question, please do.

21 CHIEF BURKE: Can I just ask you to repeat it?

22 MR. HEARN: Sure. Does the District have the
23 resources with the new ordinance to add employees and
24 equipment to cover all the calls generated by

1 Haymarket?

2 CHIEF BURKE: No. Even if we --

3 CHAIRMAN DALY: Wait, hold on. Hold on.

4 Before we go into that, when we talk about calls
5 generated by Haymarket, we've got numbers, and we've
6 got numbers. And which numbers are you specifically
7 referring to because while we're allowing you to ask
8 the question about the billing and all of that, we
9 cannot make assumptions about the numbers.

10 So can you be more specific on
11 pointing to prior testimony to say the number is an
12 additional 379 calls per year or something of that
13 nature, Mr. Hearn?

14 MR. HEARN: I don't know if I can point to the
15 exact number, but I could tell you I was basing it
16 off of the report that Bruce Moeller did.

17 CHAIRMAN DALY: Okay. So could you please
18 reask the question referencing that report.

19 MR. HEARN: I think so. Bear with me. Let me
20 read this again.

21 Based on the numbers provided by
22 Bruce Moeller, does the District have the resources
23 with the new ordinance to add employees and equipment
24 to cover all the calls generated by Haymarket?

1 CHAIRMAN DALY: Can you answer that, please?

2 CHIEF BURKE: Yeah, I can give it a shot.

3 So the short answer is no. So even
4 if we went with the 379 number that Mr. Moeller came
5 up with in his report, again, we're making an
6 assumption here that the payer mix would be, you
7 know, 100 percent Medicaid funds which I'm sure it is
8 not.

9 So I don't know what the payer mix
10 would be, but even if we had a portion of that --
11 again, keep in mind that my earlier testimony stated
12 that we needed a million dollars if we were to -- on
13 an initial upstart if we were going to put in service
14 a second ambulance in this community. I need another
15 ambulance to do that and I need six additional staff
16 to staff that vehicle.

17 So that total initial upstart would
18 be a million dollars, and then probably close to
19 700,000 in subsequent years following the purchase of
20 a new ambulance.

21 MR. HEARN: Okay, next question: Is MABAS
22 used to -- is MABAS used to handling a large increase
23 in additional EMS calls for a community?

24 CHAIRMAN DALY: Is that question for Chief

1 Burke?

2 MR. HEARN: It is -- I'm sorry -- yeah, a
3 question for Chief Burke.

4 CHAIRMAN DALY: If you can answer that, please
5 do.

6 CHIEF BURKE: Yeah, so --

7 MS. O'KEEFE: Mr. Chairman, can I make an
8 objection for the record? There's an assumption that
9 there would be a large increase, and that has not
10 been established in fact, so I would object to the
11 use of the language.

12 CHAIRMAN DALY: Okay. So, Mr. Hearn, again, I
13 would ask if you include a number that has been
14 prior -- you know, previously submitted as a basis.

15 MR. HEARN: Okay, I'll reference the report
16 provided by Mr. Moeller again.

17 Given those numbers provided, is
18 MABAS used -- are they used to handling a large -- I
19 shouldn't say that.

20 Is MABAS used -- would they be used
21 to handling an increase comparable to the numbers
22 that Mr. Moeller prepared in his number for
23 additional EMS calls in the community?

24 MS. O'KEEFE: Mr. Chairman, I'd like to just

1 make one further objection. We're relying -- these
2 questions are relying on the 379 number that is used
3 in the Fitch report which doesn't incorporate any
4 coverage by Elite. So that number is really
5 speculative given that Elite will provide secondary
6 ambulance services.

7 So when you continue to point to
8 that 379 number, we want to make a point for the
9 record that that number does not off- -- is not
10 offset by the coverage that's going to be provided by
11 Elite Ambulance.

12 MR. DI NOLFO: Can I respond to that?

13 CHAIRMAN DALY: Please do.

14 MR. DI NOLFO: I think what's speculative
15 since Elite didn't testify as what Elite is actually
16 going to do. So the only information and testimony
17 we've had is the reports of Mr. Dominik and
18 Mr. Moeller.

19 This gentleman obviously is focusing
20 on Mr. Moeller. I believe his question is
21 appropriate. So I don't think we need to qualify it
22 or it's speculative. I think it's what's in the
23 record. It's two sets of numbers and he's
24 questioning on the larger of those sets.

1 MS. O'KEEFE: Mr. Daly, can I reply to that?

2 There's been considerable testimony
3 provided by Mr. Dominik when he was testifying
4 regarding Elite and their ability to handle the
5 calls, and that's -- that testimony is not being
6 factored into this discussion.

7 It's not just a question of this
8 number or that. Mr. Dominik spent considerable time
9 evaluating Elite and their ability to handle these
10 calls. So I think it's unfair to say that there's
11 been no evidence introduced about the ability of
12 Elite to make this contribution here.

13 MR. HERVAS: Let me jump in here.

14 The question seems to be more
15 directed at the effect of MABAS and the explanation
16 of that whether -- I don't think that we're going to
17 get anywhere arguing over the number of calls from
18 the Dominik report or the Fitch report.

19 The public needs to -- gets to ask
20 their questions, and if he wants to say based on the
21 Fitch report, that seems -- that was entered into
22 evidence, and I think that the thrust of the
23 question, though, goes to how does MABAS play into
24 that.

1 And so I think the question should
2 be allowed and that the Chief can answer it. Please
3 do.

4 CHIEF BURKE: Okay. So is MABAS set up to
5 handle additional calls in the community based on
6 lack of resource?

7 The answer to that is no. That's
8 not what MABAS is set up for, and this is where I
9 think Mr. Dominik and I disagree a little bit on what
10 MABAS is or isn't.

11 MABAS isn't to be used because
12 Itasca can't or won't -- or any community for that
13 matter won't put in additional resources into play.

14 If you think about MABAS -- the
15 minute I start leaning on my neighbors too heavily,
16 I'm creating the same situation in their community
17 that I have in my own, meaning I'm pulling -- I'm
18 pulling resources out of other communities at a rate
19 that is, you know, probably not equal or close to
20 being equal, which is the measuring stick that we try
21 to -- we try to stick to.

22 So MABAS is not designed to do that.
23 MABAS is designed for when you get a large
24 incident -- those of you in town here know we had a

1 windstorm here a few years here. We had mutual aid
2 partners in here for hours helping us. That's what
3 MABAS is set up for. A large factory fire. There's
4 always things that are thrown at us, that, you know,
5 we can't handle on our own. So that's what MABAS is
6 designed for. It's not to -- it's not to take the
7 place or be your second ambulance because you choose
8 not to address your resource needs.

9 MR. HEARN: Okay. One last question for Chief
10 Burke.

11 I've heard a lot about capacity for
12 the District, and is that the sole factor you as fire
13 chief look at?

14 CHIEF BURKE: No. And I think I said that a
15 little earlier, and I even said that in my testimony
16 several weeks ago, that it's the impact of their
17 facility. As I stated earlier, this is not about
18 Haymarket, who they are, what they do, okay.

19 It's the impact of their facility
20 coming into town on a small fire district here with a
21 single ambulance and single, you know, ALS engine.
22 And as Mr. Dominik stated, you know, that call --
23 that engine could be used for EMS calls. That's
24 absolutely true and that's why it's set up that way.

1 But you've got to keep in mind, too,
2 that vehicle is also the only fire vehicle I have in
3 town. That's the only vehicle I have available to
4 respond to any kind of fire needs within the
5 community.

6 MR. HEARN: That's all I've got. Thank you.

7 CHAIRMAN DALY: Thank you.

8 MR. PRESTA: Hello. Rudy Presta, Itasca
9 resident. My question is for Chief Burke.

10 You were able to review the Elite
11 contract and you saw that there's a 45-day kickout
12 that can be invoked by either party. Did anybody
13 from Haymarket, Dr. Lustig or anybody there, give you
14 a plan B or plan C if that contract were to
15 terminate?

16 CHIEF BURKE: I've had no direct contact with
17 Dr. Lustig or anybody from Haymarket regarding the
18 Elite contract at all.

19 MR. PRESTA: Okay. So the same thing, if the
20 contract was terminated, is there any way for the
21 fire district to enforce them to -- require them to
22 have a private ambulance service?

23 CHIEF BURKE: From a fire district
24 perspective, no. We have no statutory authority to

1 enforce that.

2 MR. PRESTA: Okay. In their reports with the
3 number of calls, were any of -- were those just calls
4 that were directed -- directly made by Haymarket to
5 the 911? Would any of the patients who decide to
6 dial 911 on their own because they have a cell phone,
7 they may feel threatened, they just dial 911 to get
8 the ambulance there -- are those numbers been
9 incorporated into the numbers that we've been
10 watching on all of these testimonies?

11 CHAIRMAN DALY: Okay. Before -- Chief, please
12 don't answer that question.

13 Sir, first of all, which report are
14 you speaking of?

15 MR. PRESTA: Well, the Moeller and the --

16 CHAIRMAN DALY: Okay. So you're referring to
17 the reports?

18 MR. PRESTA: Just to the reports, yeah, if he
19 has any knowledge if that includes calls that are
20 made not by Haymarket staff, by patients of Haymarket
21 who pick up their cell phone, feel the need, and they
22 dial 911.

23 CHAIRMAN DALY: Okay. So I don't know that
24 there's any way Chief Burke would know what's

1 happening with --

2 MR. PRESTA: Okay. I just was asking a
3 question. I don't know who --

4 CHAIRMAN DALY: No, I understand, but it's got
5 to be somewhat tied to what's been previously
6 testified to or discussed in the exhibits, and
7 you're -- from my perspective it sounds like you're
8 asking him to make an assumption or a guess.

9 MR. PRESTA: No, I'm just asking a question to
10 get an answer. So if it needs to be directed to the
11 other gentlemen, if those numbers were included in
12 their reports, that's all I want to know.

13 MR. DI NOLFO: I don't know if there is any
14 way we would know from the data. It doesn't indicate
15 who called, usually, other than where the call is
16 being dispatched to. I mean, I would defer to
17 Bridget, as well. I don't think we disagree on that.
18 There's no data --

19 MS. O'KEEFE: I think that this is an
20 assumption. I agree, it's speculative.

21 CHAIRMAN DALY: Okay. So I'm going to ask
22 that you move on to your next question.

23 MR. PRESTA: All right. In the event that
24 this would get approved and the fire district would

1 have to get another ambulance, how would that be
2 funded and what would it take to get that funded?

3 CHAIRMAN DALY: Okay, Chief Burke, that is a
4 question I believe you previously testified to.
5 Could you please answer that question.

6 CHIEF BURKE: Yeah. So the way it stands
7 now -- and, again, I testified to this again in my
8 original testimony, but the taxpayers in the
9 community were kind enough to grant us a referendum a
10 few years back, and that was really just to keep our
11 current staffing levels status quo, replace some of
12 the rigs that were -- you know, needed to be
13 replacing, and make some repairs to the station.

14 For us to move on and actually put
15 into play another paramedic unit, like I mentioned a
16 little earlier, I would need six staff members to do
17 that. We work a 24/48 shift here, so I need two
18 paramedics each day to staff that vehicle, and then
19 I'd need another vehicle -- physical vehicle in order
20 to put them in to do that.

21 So, you know, that cost is roughly a
22 million dollars for the first year, and then 700,000
23 or so in subsequent years beyond that, and right now
24 do we have the funds? No.

1 MR. PRESTA: So how would the funds be raised?
2 Would that be through a referendum or how would they
3 get the funds?

4 CHIEF BURKE: Yeah, that, unfortunately, would
5 probably be the course. If that wound up being the
6 case, we'd probably have to look at something like,
7 yeah, another referendum.

8 MR. PRESTA: And what if the residents turn
9 the referendum down?

10 CHIEF BURKE: Well, then that creates a whole
11 different set of circumstances here with how we
12 deploy our existing staff members.

13 MR. PRESTA: Okay, that's it. I appreciate
14 your time. Thank you.

15 CHAIRMAN DALY: Thank you very much,
16 Mr. Presta.

17 MS. CAPONE: Hi. I didn't come with any
18 questions in mind, but I have -- my name is Mary Jo
19 Capone, I'm from Itasca, and they saved my son's life
20 four times.

21 What I have to say is when the first
22 lady came up here asking questions about the
23 300-and-something calls you guys might get from
24 Haymarket, can I ask you a question? Have you --

1 have they -- have you guys increased -- since the
2 opioid and the Fentanyl has been killing people at a
3 drastic rate, have you -- did you -- I'm sorry.

4 My son died a year ago from Fentanyl
5 overdose, and we were at Haymarket three times and he
6 did overdose there, and the firemen were there right
7 away to save his life because it was Chicago Fire
8 Department. But since we live in Itasca in a small
9 town, I feel if there was a Haymarket that's been
10 there, maybe my son wouldn't have been saved the four
11 times they came to my house if there was pressure
12 from the -- what I'm trying -- I know, I'm sorry.

13 What I'm trying to ask is the
14 number -- the 367 number, is that -- how old is that
15 number? How old is that number, the calls you think
16 you're getting from Haymarket?

17 CHAIRMAN DALY: Okay. So the question,
18 ma'am --

19 MS. CAPONE: Yeah.

20 CHAIRMAN DALY: -- and our condolences to you
21 for the loss of your son, first of all.

22 MS. CAPONE: Thank you.

23 CHAIRMAN DALY: So I would ask Mr. Moeller,
24 can you answer the question on the age of the data in

1 your report?

2 MR. MOELLER: So the modeling is -- so the
3 data that was used was from, if I recall correctly,
4 2019. It's in the report, but I believe it was 2019.

5 MS. CAPONE: Okay. So you know that Illinois
6 has had an increase between 35 and 50 percent of
7 overdose deaths, so that number is going to be sky
8 high from Haymarket, I feel.

9 CHAIRMAN DALY: Okay, ma'am. I appreciate
10 that this is very important to you.

11 MS. CAPONE: Yeah.

12 CHAIRMAN DALY: And I'm going to just gently
13 remind you --

14 MS. CAPONE: Absolutely.

15 CHAIRMAN DALY: -- that this is -- this is the
16 public question piece.

17 MS. CAPONE: Yeah, so the pub- -- yeah, so --

18 CHAIRMAN DALY: So real quick, if I may --

19 MS. CAPONE: Yes.

20 CHAIRMAN DALY: -- right now what you're doing
21 is you're basically testifying, and you're offering
22 into the record information that none of us can
23 substantiate right now.

24 So here's what I'm going to ask you

1 to do.

2 MS. CAPONE: Yes.

3 CHAIRMAN DALY: If you have specific questions
4 of any of the three witnesses related to the prior
5 testimony or the reports, stay there tonight.

6 Now, when we get to the public
7 comment portion of this process, that would be a more
8 appropriate time for you to --

9 MS. CAPONE: Okay.

10 CHAIRMAN DALY: -- say some of the other
11 things I think we've already heard.

12 So, again, if you have some specific
13 questions?

14 MS. CAPONE: My only question was -- and I may
15 still be wrong -- the number that she was going
16 on was -- you know what I'm saying? Is that number
17 accurate because it was 2019? I think so much has
18 changed. I think we all expect that number to
19 skyrocket.

20 CHAIRMAN DALY: Okay. But as it relates to --
21 so there's a couple things here. One is when the
22 testimony and the evidence was presented into the
23 record, that is stuck in time. We already -- because
24 we started this process two years ago; right?

1 MS. CAPONE: Okay.

2 CHAIRMAN DALY: So -- and imagine -- and
3 Mr. Moeller, maybe you can answer just from a general
4 data standpoint. I imagine these are lagging
5 indicators and it takes time to catch up with prior
6 data when you do a report like this. Can you --

7 MR. MOELLER: I think perhaps the best way to
8 answer that is within the report and in my testimony,
9 I also included estimates of growth --

10 MS. CAPONE: Okay.

11 MR. MOELLER: -- in call volume --

12 MS. CAPONE: Perfect.

13 MR. MOELLER: -- that occur on an annualized
14 basis.

15 MS. CAPONE: Perfect.

16 MR. MOELLER: So it was clear that the most
17 recent data available, the 2019, was used, and, yes,
18 there is growth. And so that was one of the comments
19 to which is both in the report, Mr. Chairman, and
20 also in my testimony prior.

21 CHAIRMAN DALY: Thank you, Mr. Moeller.

22 MS. CAPONE: Exactly. Thank you so much.
23 Thank you.

24 CHAIRMAN DALY: Thank you.

1 Do we have anyone else who would
2 like to ask questions of the three witnesses here
3 tonight?

4 And just for the record, we had no
5 written questions entered on the Village website; is
6 that correct Mo and Deanne?

7 MR. KHAN: Correct.

8 CHAIRMAN DALY: Okay. So seeing no one else
9 rising to ask a question, I would just like to remind
10 everyone that next week Director Bob O'Connor will be
11 our witness. And it is my understanding that next
12 week's meeting will be at Village Hall not here,
13 okay. So Village Hall next week, Director Bob
14 O'Connor.

15 Before we make a motion to continue,
16 do the attorneys have anything that needs to be
17 raised at this point in time?

18 MS. O'KEEFE: (Indicating.)

19 CHAIRMAN DALY: Yes, Ms. O'Keefe?

20 MS. O'KEEFE: I have two questions regarding
21 next week.

22 CHAIRMAN DALY: Okay.

23 MS. O'KEEFE: First, I just wanted to
24 confirm -- Mr. Hervas's correspondence indicated that

1 if the public has any questions of the interested
2 parties, they could be directed towards
3 Mr. Ellenbecker at the next week's hearing. I just
4 wanted to confirm that that would be made available
5 on the website.

6 MR. HERVAS: The Village is including in its
7 website that if anyone has a particular question for
8 the interested parties they should be submitted in
9 writing, and then they would be posed to
10 Mr. Ellenbecker for response at the next hearing.

11 MS. O'KEEFE: Okay.

12 MR. HERVAS: So that should be -- Deanne, is
13 that live on the Village --

14 MS. CURELO: (Indicating.)

15 MR. HERVAS: So it is now live on the
16 Village's website.

17 MS. O'KEEFE: So he would reply in person on
18 the 11th?

19 MR. HERVAS: I'm sorry, what?

20 MS. O'KEEFE: I'm sorry. Mr. Ellenbecker
21 would reply in person on the 11th?

22 MR. HERVAS: He would be given the questions
23 and given an opportunity to respond at the next
24 hearing.

1 MS. O'KEEFE: Okay. And then if -- if the
2 evening goes short like tonight, would we move
3 directly into the next stage in the hearing with
4 public comment at that time?

5 MR. HERVAS: I'm not -- you know, at this
6 point it is -- it is the -- the answer is yes. I
7 wanted to make sure from village staff that that
8 was -- that that was included in the -- on the
9 website.

10 So, yes, the opportunity for public
11 comment would begin immediately after the completion
12 of the questions by the public. So that is part of
13 next week's hearing.

14 MS. O'KEEFE: I just have one follow-up
15 question. Is it anticipated there will be two
16 nights, at a minimum, available for public comment;
17 the 11th and the 25th?

18 MR. HERVAS: That -- I'm sorry, that would --

19 MS. O'KEEFE: Is it anticipated there will be
20 two nights available for public comment; August 11th
21 and August 25th?

22 MR. HERVAS: Yes.

23 MS. O'KEEFE: Okay. Thank you, sir.

24 CHAIRMAN DALY: Anything else?

1 (No response.)

2 CHAIRMAN DALY: Okay. So at this time I would
3 entertain a motion to continue this hearing until
4 next Wednesday, August 11th at Village Hall.

5 COMMISSIONER RUSSO: So moved.

6 COMMISSIONER CARELLO: Second.

7 CHAIRMAN DALY: There is a motion and a
8 second.

9 Will the secretary please call the
10 vote.

11 MR. KHAN: Commissioner Carello?

12 COMMISSIONER CARELLO: For.

13 MR. KHAN: Commissioner Drummond?

14 COMMISSIONER DRUMMOND: For.

15 MR. KHAN: Commissioner Holmes?

16 COMMISSIONER HOLMES: For.

17 MR. KHAN: Commissioner Ray?

18 COMMISSIONER RAY: For.

19 MR. KHAN: Commissioner Russo?

20 COMMISSIONER RUSSO: For.

21 MR. KHAN: Chairman Daly?

22 CHAIRMAN DALY: For. The motion carries.

23 I will now entertain a motion to
24 adjourn this meeting.

1 MR. RUSSO: So moved.

2 COMMISSIONER CARELLO: Second.

3 CHAIRMAN DALY: Mo, would you please call the
4 vote.

5 MR. KHAN: Commissioner Carello?

6 COMMISSIONER CARELLO: For.

7 MR. KHAN: Commissioner Drummond?

8 COMMISSIONER DRUMMOND: For.

9 MR. KHAN: Commissioner Holmes?

10 COMMISSIONER HOLMES: For.

11 MR. KHAN: Commissioner Ray?

12 COMMISSIONER RAY: For.

13 MR. KHAN: Commissioner Russo?

14 COMMISSIONER RUSSO: For.

15 MR. KHAN: Chairman Daly?

16 CHAIRMAN DALY: For, and the motion carries.

17 This meeting is adjourned. Thank you very much.

18 (Whereupon the public hearing was

19 continued to 08-11-21 at 7:00 p.m.)

20

21

22

23

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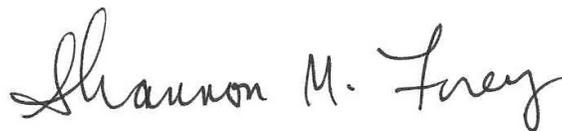
1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF DU PAGE)

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 Public Hearing of the
6 above-entitled cause and that the foregoing Report of
7 Proceedings, Pages 1 through 48, inclusive, is a
8 true, correct, and complete transcript of my
9 shorthand notes taken at the time and place
10 aforesaid.

11 I further certify that I am not counsel for
12 nor in any way related to any of the parties to this
13 matter, 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 hand
21 this 9th day of August, 2021.

22 
23

24 Certified Shorthand Reporter

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