

The Legislature of Rockland County



PHILIP SOSKIN
LEGISLATOR - DISTRICT 7
CHAIR, MULTI-SERVICES COMMITTEE

MINUTES
MULTI-SERVICES COMMITTEE
TUESDAY, JANUARY 29, 2013
6:00 P.M.

MEMBERS PRESENT:

LEG. P. SOSKIN, CHAIR
LEG. T. EARL, 2nd VICE-CHAIR
LEG. A. PAUL
LEG. J. MEYERS
LEG. D. JOBSON

MEMBERS ABSENT:

LEG. J. HOOD, JR., VICE-CHAIR
LEG. P. MORONEY

OTHERS PRESENT:

LEG. M. GRANT LEG. I. SCHOENBERGER
LEG. E. DAY LEG. N. LOW-HOGAN
LEG. A. WOLFE LEG. J. MURPHY
LEG. F. SPARACO HON. L. FALCO
P. SCHREIBNER B. ATKINS
K. SINCERBOX P. BRENNAN
N. DOLINER M. WALSH-TOZER
C. THOMAS B. RICHALDO
P.T. THOMAS L. SPERBER
R. HANSEN J. FELLA
M. MCCARNEY

CHAIR SOSKIN CALLED THE MEETING TO ORDER AT 6:18 PM

ADOPTION OF THE MINUTES OF THE 1/8/13 MEETING.

MOTION TO ADOPT:

JOBSON/MEYERS

UNAN

1. REF. #9489 - APPROVING THE CONSOLIDATION OF THE VITAL REGISTRATION DISTRICTS OF THE VILLAGE OF WEST HAVERSTRAW AND HELEN HAYES HOSPITAL
(HON. M. GRANT, LEGISLATURE)

ADDED CO-SPONSORS: SOSKIN, EARL, PAUL, JOBSON

MOTION TO APPROVE:

SOSKIN/JOBSON

UNAN

Leg. Grant said that it was the same jurisdiction being combined, instead of two locations.

2. REF. #2416 - CONFIRMING THE APPOINTMENT OF KIERA POLLOCK CORNWALL, NEW YORK TO THE ROCKLAND COUNTY COMMUNITY SERVICES BOARD
(S. VANDERHOEF, COUNTY EXECUTIVE, COUNTY EXECUTIVE OFFICE)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

MOTION TO APPROVE:

SOSKIN/EARL

UNAN

K. Sincerbox stated that Kiera Pollock lives in Cornwall, but works in a Rockland County agency that requested her. Commissioner Walsh-Tozer said it is an unpaid position with the advisory board for the Department of Mental Health.

3. REF. #2416 - CONFIRMING THE APPOINTMENT OF DOMINIC FERRO, M.D., NANUET, NEW YORK TO THE ROCKLAND COUNTY COMMUNITY SERVICES BOARD
(S. VANDERHOEF, COUNTY EXECUTIVE, COUNTY EXECUTIVE OFFICE)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/MEYERS, PAUL**

UNAN

4. REF. #2416 - CONFIRMING THE APPOINTMENT OF ARLENE THOMAS-STRAND SPRING VALLEY, NEW YORK TO THE ROCKLAND COUNTY COMMUNITY SERVICES BOARD
(S. VANDERHOEF, COUNTY EXECUTIVE, COUNTY EXECUTIVE OFFICE)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
EARL/JOBSON**

UNAN

5. REF. #8850 - APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF \$65,147 (NCTD) FROM THE NEW YORK STATE ARCHIVES LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013 (PROJECT NO. 0580-13-3921) TO DIGITIZE 414,700 IMAGES OF MORTGAGES COVERING THE PERIOD 1930 THROUGH 1963 AND AUTHORIZING EXECUTION OF THE NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY CLERK] (\$65,147) (**HON. P. PIPERATO, COUNTY CLERK, OFFICE OF THE COUNTY CLERK**)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/EARL, JOBSON**

**TRANSFERRED TO B & F
UNAN**

6. REF. #9121 - APPROVING AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000 WITH CENTER FOR DISEASE DETECTION, LLC. FOR LABORATORY TESTING SERVICES FOR PAP SMEAR AND HPV DNA TESTING FOR THE DEPARTMENT OF HEALTH UNDER RFB-RC-08-151 IN THE ADDITIONAL AMOUNT OF \$35,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$165,000 FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF HEALTH] (\$165,000) (**DR. J. FACELLE, COMMISSIONER, DEPARTMENT OF HEALTH**)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/PAUL**

**TRANSFERRED TO B & F
UNAN**

P. Brennan, Director of Purchasing, stated that this was the last extension on the contract. Chair Soskin asked if it was financed by intradepartment transfer, would it knock other things out of the budget? R. Hansen, Law Department, stated that it was already budgeted mostly by grants. Leg. Paul asked if the funding was yearly and R. Hansen said that it was.

7. REF. #9481 - APPROVING EXECUTION OF AGREEMENTS WITH VARIOUS LICENSED DAY CARE AGENCIES BY THE COUNTY EXECUTIVE FOR TOTAL EXPENDITURES NOT TO EXCEED THE APPROPRIATED 2013 BUDGET FOR DAY CARE SERVICES [DEPARTMENT OF SOCIAL SERVICES]
(S. SHERWOOD, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
JOBSON/EARL**

**TRANSFERRED TO B & F
UNAN**

ACTION: Leg. Meyers asked for DSS to provide the status of the complaint that Emelia White made at a previous Public Safety Committee meeting regarding being dropped as a daycare provider.

J. Fella, DSS, stated that the amount was the same as last year and is budgeted by federal and state block grants for daycare providers not in homes. The money is distributed to counties and given for low-income individuals that are below the poverty level and are now employed.

8. REF. #9019 - APPROVING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$190,000 [NCTD] FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE (OTDA) TO REIMBURSE THE COUNTY FOR ELIGIBLE COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE 2012 SUMMER YOUTH EMPLOYMENT PROGRAM (SYEP) FOR THE PERIOD MAY 1, 2012 THROUGH SEPTEMBER 30, 2012 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY DOCUMENTS [YOUTH BUREAU] (\$190,000) (**D. FARRISON, EXECUTIVE DIRECTOR, YOUTH BUREAU**)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/PAUL**

**TRANSFERRED TO B & F
UNAN**

M. McCarney stated that the money is used to serve about 119 young people, hire trainers, and to reimburse employers.

9. REF. #9019 - APPROVING THE ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF \$142,392 FROM THE NYS COMMISSION ON NATIONAL AND COMMUNITY SERVICE FOR THE COUNTY'S AMERICORPS PROGRAM AND APPROPRIATING ANTICIPATED REVENUE IN THE AMOUNT OF \$65,000 FROM VARIOUS AMERICORPS PROGRAM HOST SITES WHICH WILL BE USED TO PARTIALLY COVER REMAINING NON-GRANT FUNDED AMERICORPS PROGRAM COSTS WHICH GRANT WILL REQUIRE A LOCAL SHARE IN THE AMOUNT OF \$60,000 FOR THE PERIOD OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY GRANT DOCUMENTS [YOUTH BUREAU] (\$142,392) (**D. FARRISON, EXECUTIVE DIRECTOR, YOUTH BUREAU**)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/PAUL**

**TRANSFERRED TO B & F
UNAN**

10. REF. #6704 - APPROVING AMENDMENT TO INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND IN THE NEW YORK CITY CHIEF MEDICAL EXAMINERS OFFICE WITH AN ADDITIONAL AMOUNT OF \$986.00 THE TOTAL AMOUNT NOT TO EXCEED \$3,486.00 FOR FORENSIC DNA LABORATORY SERVICES FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 AND AUTHORIZING EXECUTION OF THE AGREEMENTS BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY) (\$3,486.00) (**THOMAS ZUGIBE, DISTRICT ATTORNEY**)

ADDED SPONSORS: SOSKIN, EARL, PAUL, JOBSON

**MOTION TO APPROVE:
SOSKIN/JOBSON**

**TRANSFERRED TO B & F
UNAN**

ACTION: Clerk is to contact the Office of the District Attorney to verify the dates of the agreement.

11. REF. #8973 - DISCUSSION ITEM - CLOSURE OF MED WORLD EMPLOYEE PHARMACY IN POMONA (**HON. P. SOSKIN, HON. D. JOBSON, HON. J. MURPHY LEGISLATURE**)

DISCUSSED

Chair Soskin said he was asked why this discussion was brought forward if the closure was imminent. He said it was for informational purposes, as the Legislature has not gotten any answers from the Administration on why it was being closed. The pharmacy was unfunded in the Budget this year and last, so nobody did anything, assuming it would continue. County employees received a letter of notice of closure dated January 4, 2013. He wanted to discuss this with the unions and the public to see what could be done about it and he hoped to expedite something being done. The only commitment by the County Executive's Office was to say that there wasn't enough money. He was told that commissioners were advised not to

attend this meeting, based on a potential lawsuit. He would like to know why this year is different than last. He has been receiving calls from employees and retirees, and you can imagine how seniors feel. The issue is the copay as agreed to in the union contract for maintenance medications, not for emergency need, as the benefit isn't available, due to a waiting period. Most retirees do not make a lot, so it is important to get benefits. People got government jobs for stability and settled for a lower wage, so he is concerned for these people. Leg. Meyers said he wasn't under the impression that it was unfunded during the budget process or discussed. Chair Soskin said we knew and it was discussed, so why is it different this year? Leg. Meyers said that the CSEA union's contract agreement with the county that the Legislature approved didn't mention the pharmacy closing, so they relied on it. Leg. Jobson said he thought it was funded until the end of February and he wanted fact-finding. People are being forced to spend money on a copay. Promises were made to retirees and some worked for the government for their lifetime. Just when people need their benefits the most is when companies and governments cut and run and take them away. Larry Sparber, CSEA Union, stated that the pharmacy was an item of negotiations since 1985 and the county negotiated it with every contract. The CSEA proposed contributing \$25 per head for a usage fee, but the county withdrew the proposal, even though they knew the union would contribute. A 1985 resolution created the pharmacy for employees and retirees, waiving any copay, and the closure could only occur through negotiations and the consent of employees. A local law in 2003 stated that active employees and retirees maintain the benefit of the pharmacy. This is a countywide employee issue for CSEA, RAM, the Sheriff's Department, and thousands of retirees. The majority of them make 30-40 thousand a year, are on set and fixed incomes, or are single parents. The pharmacy closure could cause irreparable harm or injury, because people will have to make the decision between getting medication and paying the mortgage. The pharmacy was unfunded for the end of 2010, all of 2011 and 2012 in the budget, yet maintained. The union contracts were negotiated in good faith. A commitment was entered into with the county for 25 years and they don't intend to see it broken. Leg. Meyers asked if during negotiations the proposal was taken off the table because they were trading for something else? L. Sparber said absolutely not and that the contributions were a part of the negotiations. He said the County Executive had been adamant that contributions were needed for six months and then they were pulled by them, without explanation. Contributions had always been on the table during past negotiations and were always pulled by the County Executive, so the union had no reason to believe it would be different now. B. Ricaldo, CSEA, stated that employees and retirees are due this pharmacy and that CSEA would fight its elimination through litigation to protect its members. Leg. Meyers said he was in favor of cost saving measures and closing the pharmacy, but only through negotiations with the union. He suggested the Legislature draft a resolution requiring the contract for the pharmacy be extended. He said with Brega, we stepped right in the middle, so we do have that option. P. Brennan, member of RAM, stated they were reviewing the decision to close the pharmacy and would take an official position soon. Leg. Jobson said he hoped for an agreement before the union does this, because the little people get the bad end of this again and again, and the people are watching. Chair Soskin asked if the union could sit down with the County Executive before filing a lawsuit. L. Sparber stated that he has a responsibility to the CSEA members. They had months of discussions and would sit down, but they can't waive the rights of the members. He read and submitted a copy of Resolutions #647 of 1985 and #545 of 2003. Leg. Schoenberger stated that the plan was done by the Legislature, because there was no County Executive in 1985, in order to move employees towards a self-insurance plan, due to very high insurance costs. In 1989, there was another resolution with different copays of \$4 for certain prescriptions and \$1 for other types. In a 2003 Court of Appeals case, because some counties cut benefits to retirees, they made sure that retirees were treated the same as active employees. In 1985, the copay was \$2 and nobody envisioned the copays of today. L. Sparber said that some copays are \$50 or \$60 or over and some cancer drugs are over \$100. Leg. Day stated this was an indictment of a process that the legislature isn't privy to. He wondered if taxpayer dollars would go towards legal action. He said the Legislature doesn't have decision-making power over negotiations. Leg. Schoenberger said that in the 2013 budget, they faced abolished positions that they believed were prohibited by contract. If a judge rules a violation, what is the measure of damages? He feared the measure would be to reimburse all employees and a future County Executive may have to find money to pay those damages on top of legal fees. He said this should have been negotiated at the table. The copay could have been negotiated, even if smaller, so it would not be so repugnant to the public, because it is free. Leg. Murphy said that he was part of the original agreements, so he knows what the spirit of that decision was. He said he went to the doctor today and the doctor wouldn't send the prescription to the county pharmacy, because it was closing. He said his doctor knew more about the closing than he did, the closing was badly handled, and his prescriptions were very expensive. He stated it was foolish, if the union's intent was to go to court, to do anything now and that they should leave the pharmacy operating until the lawsuit is settled. We made an agreement with the union. We can't break it out of a sense of morality. The negotiations were made in good faith. The county can't eliminate the pharmacy in bad faith. Chair Soskin thanked the unions for coming to the meeting and said he was with them.

MOTION TO ADJOURN: (7:35 PM)
EARL/JOBSON

UNAN