



**MINUTES
COMMITTEE OF THE WHOLE
JUNE 5, 2012**

MEMBERS PRESENT

Harriet D. Cornell, Chairwoman
Alden H. Wolfe, Vice Chair
Christopher J. Carey
Edwin J. Day
Toney L. Earl
Michael M. Grant
Jay Hood, Jr.
Douglas J. Jobson
Nancy Low-Hogan
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Frank P. Sparaco
Aron B. Wieder
MEMBER ABSENT
Philip Soskin

OTHERS PRESENT

Laurence O. Toole
Mary Widmer
Ricardo McKay
Chris Seidel
Betsy Saetre
Nicole Doliner
Suzanne Barclay
Damaris Alvarez
Lisa Babcock
Robert Maloney
Sheriff Falco
Sue Rutledge
David Fried
Mary Ann Walsh-Tozer
Jimmy Gangale
Thomas Simeti
R. Allan Beers
Michael Cappabianca
Phyllis Tucker
Anne Marie Kelly
Susan Sherwood
Robert Winzinger
PT Thomas
Sean Mathews
Annmarie Curley
Steve Grogan
Ron Levine
Stephen DeGroat
Paul Brennan
Larry Sparber
Tom Micelli
Carol Barbash
Billy Ricaldo
Media

Chairwoman Harriet D. Cornell called for the Legislature to move into the Committee of the Whole at 7:55 p.m.

Legislator Alden H. Wolfe moved to convene as a Committee of the Whole, which was seconded by Legislator Michael M. Grant and passed unanimously.

The Legislature now resolved itself into a Committee of the Whole, Chaired by Harriet D. Cornell to discuss the following resolutions:

A. COMMITTEE OF THE WHOLE

1. Referral No. 9473 – Continuation Of Discussion/Vote From May 29, 2012 Meeting:

- a. Action To Reduce County Personnel Expenses.

MOTION TO APPROVE

SCHOENBERGER/MURPHY, SPARACO: M.V.

AYES: 14

NAYS: 02 (JOBSON, MORONEY)

ABSENT: 01 (SOSKIN)

Mr. Mathews, Deputy County Executive

Basically there are two positions on the list that we would request be sent back to committee, because we have to do more work on the list. They were put on the list mistakenly. Therefore, I make that request tonight and I believe Legislator Schoenberger knows which positions they are on the list. I am asking that you defer them back to committee, because there was a mistake made. There was funding for one and there is no County tax dollars.

Mr. Schoenberger

Just before this meeting I received a call from Mr. Mathews, Deputy County Executive. I was asked to come to his office and he presented me with these two positions. The first one is in the Human Rights Department, A-HRC, 8040 – Human Rights Specialist position #6719, Discrimination Investigations. Mr. Mathews informed me that the position could and would be funded through HUD funds. As a result of being funded by HUD funds he had asked that it be taken off the list tonight and sent it to committee for a discussion on the funding through HUD. The other is A-LAW, 1420 – County Attorney/Law position# 7221, Principal Assistant County Attorney. Apparently that position is the individual who prosecutes juvenile delinquency. The understanding was that the position would be sent back to committee for discussion as to whether it should be retained. Apparently the Department of Social Services has concerns about that position, I am told, and as well the Deputy County Executive tells me that they expect another vacancy in the near future and that vacancy will replace this vacancy.

For the record Mr. Mathews, have I stated both of these correctly?

Mr. Mathews, Deputy County Executive

Yes you have Budget and Finance Chairman Schoenberger.

Chairwoman Cornell

I will ask Legislator Schoenberger to move this.

Mr. Schoenberger

I am going to move Referral No. 9473a, Action To Reduce County Personnel Expenses. It is commonly known as the "Layoff Resolution." I will move it for discussion. As I move it, the two positions that I just specified, Human Rights Department, A-HRC, 8040 – Human Rights Specialist position #6719, Discrimination Investigations and A-LAW, 1420 – County Attorney/Law position# 7221, Principal Assistant County Attorney, not be included in the list. I will move the resolution, but I hope that we will have some very serious discussion. I am concerned about all that I have heard tonight.

I would especially like clarification on the fifteen Case Management positions and what is happening in the Department of Mental Health particularly when people from that department say there is no local share. We just heard that the Human Rights Specialist should be moved out, because they have no local share. I would like to know about those positions and others as well. So I will move it.

Chairwoman Cornell

Seconded by Legislator Sparaco and Legislator Murphy. Those two positions will now be discussed at a later date in a Budget and Finance Committee meeting.

Mr. Schoenberger

We have received a list of all these positions. It includes Salary, FICA, Pension, Total, State/Federal Aid Reimbursement, and Local Share. On the first page there is a series of them that have a State and Federal Aid reimbursement and on the second page there are none that are listed with State and Federal Aid reimbursement and on the third page there are none, but there are fifteen positions in the Department of Mental Health that are in the Case Management Program that I am told is local share. I am at a loss to understand how there can be no local share if the information says there is no State and Federal Aid reimbursement. I think that we are owed an explanation and the people who are sitting here tonight are owed an explanation on that. I know there are others to address, but with all due respect I think that these fifteen people should be addressed first.

Mr. Murphy

Mr. Murphy made a motion to amend the list to remove A, BOE, Board of Elections, Election Clerk II, position# 7190 and #7191. And remove from list D, CRF, 5010 – Highway-Administration, Land Acquisition Agent, position# 7193.

Mr. Schoenberger

I will not accept that amendment.

Mr. Murphy made a motion to amend the list to remove A, BOE, Board of Elections, Election Clerk II, position# 7190 and #7191. And remove from list D, CRF, 5010 – Highway-Administration, Land Acquisition Agent, position# 7193, which was seconded by Mr. Sparaco and failed.

The vote resulted as follows:

Ayes:	03	(Legislators Carey, Murphy, Sparaco)
Nays:	13	(Legislators Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Paul, Schoenberger, Wieder, Wolfe, Cornell)
Absent:	01	(Legislator Soskin)

Mr. Meyers

Legislator Schoenberger was asking a question about the Case Management positions. How we jumped to Legislator Murphy's amendment I am not really sure. I was really eager to hear about the other positions and then we jumped to a motion to amend. Are motions to amend being given priority over discussions? I don't think so under the Rules of the Legislature.

On the issue at hand, I do not think that we should be removing those positions from the list. The two positions at the Board of Elections are a contribution, willing or unwilling, that the Board of Elections made to the County Executive's call for sharing the pain among different departments. I know from the impact statement from the Board of Elections that they are not very happy about the removal of the positions, because there are mandated things that they have to do, elections cannot be delayed and it is going to be very difficult for the Board of Elections. I think that if you start making an argument for the Board of Elections, which is non-union and mostly political appointees and I am not saying that they don't do their jobs, that this process is going to very quickly breakdown. I do not think that we should be entertaining this tonight. Thank you.

Mr. Schoenberger

You heard the discussion that preceded the making of this motion. You heard the people that work in your Case Management Unit get up and object to the layoffs of their unit and the members of their unit. You heard more than one say, "there is no local share involved." I would like an explanation, if you don't mind. I would like to know why the entire unit has been chosen and is it true that there is no local share and therefore by laying off or abolishing these fifteen positions we won't save any money. Please clarify that for all of us. Please explain to me most of all why the entire unit. I assume this is your recommendation to the County Executive. Please explain your recommendation and the financial impact.

Commissioner Walsh-Tozer

It was my recommendation. I was requested to put together a list of positions for layoffs and it was the most difficult, and continues to be the most difficult, thing I have done in my 38 years in County government. I want that to be clear. As I talk about this from a point of view of responding to a directive that I received and the direction our department has been going in under my watch for close to two decades it is consistent with what we have been doing. I want to be clear to all of you and to the people in the audience, particularly the members of the staff of my department; this did not and does not come easily.

There is a local share to the Case Management Program as has been audited and verified in our 2011 audit report that we sent to the State of New York and to the Federal government. There is about a \$650,000 cost to the County to run the Case Management Program. That is in our CFR so it does run at an operating loss.

Mr. Schoenberger

I don't think the question was answered. I don't understand how people who work in your unit who are here tonight are telling us that there is "no local share" for this and you are saying there is. Is there revenue that comes in? Is there State and Federal aid? I am adding up this total of salaries, which include salary, FICA, pension and the totals I get are about \$1,300,000. Do you have the gross salary for these people? I am getting about \$1,300,000. Is that a close number?

Commissioner Walsh-Tozer

Our expenses for the program are \$1,570,000. Our revenue that is generated by the program is \$684,000. State Aid is \$177,000. The net is about \$650,000 of pure County tax dollars.

Mr. Schoenberger

This is for fifteen employees?

Commissioner Walsh-Tozer

It is for that program, yes.

Mr. Schoenberger

The list includes fifteen Department of Mental Health Case Management positions, the salary, FICA, pension and a total and we established that was close to \$1,300,000 in salaries.

Commissioner Walsh-Tozer

The health insurance does not show here.

Mr. Schoenberger

State/Federal aid reimbursement column is completely blank. You said something about State Aid in the amount of \$177,000 and \$684,000 in revenues. Have we not asked the right questions? Have we not asked how much is State aid and Federal aid, but how much is revenue? The process that we are going through is as difficult for us as it is for you. These are human beings and they have a right to live, they have homes, mortgages, children and they have financial obligations. Many of them have dedicated their professional lives to this County. So it is very difficult for me. It is especially difficult for me, because this Legislature by an overwhelming majority devised a plan to avoid 528 of the County Executive's proposed 568 layoffs for this calendar year.

We asked from the Finance Department to tell us the whole package, including how much Federal aid and State aid is against these positions. We want to know what they really cost as a net. I guess based upon this chart maybe we asked the wrong questions or maybe we didn't ask enough right questions. This is the first I heard of \$684,000 in revenues and \$177,000 in State aid. It doesn't show on our sheets. I guess it makes me wonder are fifteen County employees and their families and the services they provide worth \$650,000 in net tax dollars. Are there other ways to achieve \$650,000 without putting fifteen people out on the street?

Chairwoman Cornell

We are trying to gather information. Please be courteous. Mr. Davitt, you had your opportunity to speak. (Mr. Davitt continues to yell from the audience). If you want to stay here please stay here and be quiet. (Mr. Davitt continues to yell from audience).

Mr. Schoenberger

I am sorry, Mary Ann. I know this is very difficult for you and I apologize and that makes it even more difficult and I apologize for that.

Commissioner Walsh-Tozer

I am here to answer your questions.

Mr. Schoenberger

I know you are, but no one should be abused in that process and for that I apologize.

Commissioner Walsh-Tozer

I appreciate that, thank you. This is a very difficult issue and I am here to answer your questions.

Mr. Schoenberger

It is not always just numbers even though numbers are important. What does the Case Management do? What will the County not be able to do? What will the County and/or the Department of Mental Health lose if we no longer have the Case Management people?

Commissioner Walsh-Tozer

I will give you my thinking on why I chose this and not anything else. The department has been cutting back services historically over many years. We have done it completely and totally by attrition of positions. We have transferred programs. We have collaborated with community providers, partners and others to transfer programs that we had been operated to other not-for-profit providers. We have been doing this deliberately and thoughtfully for well over a decade. The reason for that is the State took away our deficit funding. They replaced our deficit funding with Medicaid and an outrageously high supplement to our Medicaid rate that was not sustainable and we knew it. In the process year after year they have continued to cut back our State aid despite the fact that we have a mandate to provide services regardless of people's ability to pay for it. No business can operate in the black in that model. Having said that, it became clear that we were not going to be able to keep the very large supplemented Medicaid rate over time, and under my predecessor Stan Goldstein, we began a process of moving services to others and consolidated a number of our clinics and moved staff back in. Under my watch what we have done is we have collaborated with other providers so that we were able to transfer all of the services we could possibly transfer to other providers where they can grow and flourish in a way they could not by us. We did it through attrition and I credit the enormously hard work, of not only the leadership of the department, but also the staff of the department who worked under very trying circumstances with fewer staff for essentially the last twelve years. If we didn't cut programs out of our budget and move them out into the not-for-profits services would have suffered and the people would have suffered. That is the context of this.

This decision on my part was made in that context. We are down to just a small handful of programs. One is our Psych Inpatient Unit and Crisis, which is minimally staffed to be run safely. I can't cut anything from that unit and believe that we can run that unit in a safe way for our patients and our staff. Our Crisis service is our entrance point for all individuals who come into our inpatient unit. Our Pomona Mental Health Clinic; we have consolidated all of our clinics into one clinic that is Pomona. Four months ago it had 1,200 patients in it who are primarily individuals who have serious mental illness, many of whom who are on medication. We have been able to divert a number of admissions and we are down to 950 to 1000 people in that clinic. Those individuals must have the services we provide until we have an alternative and at the moment we are working with community providers who are gearing up to be able to take, perhaps not all, but the bulk of our population in our clinic. I have nobody to spare there. We recently lost a number of people in that clinic and we are very tight.

At one time we had two continuing Day Treatment Programs. We had probably close to 800 people with serious mental illness in those two programs. We have diverted and moved people into Jawonio and to the Mental Health Association into a new program category called PROS. They have taken the people that we have previously been providing services to. We now have 80 people who are in our Day Treatment Program down from 800. We are going to try to bring that down to 50 to 60. Those will be people that if we did keep our CDT Program open would have no option, because they are not suitable for PROS. I have three people working in that program. Bottom-line of this is that I have nowhere and in none of those instances is there a place for those consumers and service to go. The Bottom-line for me and for all of my staff, and I believe I can say this with all credibility, is their absolute dedication and concern for the consumers we provide services to. This is a disenfranchised clientele. These are people who are not individuals who the community takes kindly to. People tend to be frightened, and this staff works incredibly well with this population and they care very deeply for them, as do I.

The only program that the department operates that has the option of transferring within the timeframe of these layoffs is the Case Management Program. There are two providers in our County that currently have Case Management licenses and are able to gear up and take the consumers in our programs into their program and they are the Mental Health Association of Rockland, Inc. and Jawonio. They both currently do this and they do not need to apply for licenses. They can do it now and they can take our consumers on. They have given me their word that they will interview every one of our Case Managers. Any of our Case Managers would be a gift to anybody taking this program on. They will interview, but have the right of decision-making about who they will hire.

Working for a not-for-profit is different than working for the County and I recognize that, however, the prime focus here has to be those consumers and they have to be able to have a place to go for Case Management. That is the primary and real reason for making this change. If the deficit was \$300,000 or \$1,000,000 the reason here is if I cut anything else there would be those without treatment services August 1st. In this situation these agencies will be up and running and hopefully will have, if not the bulk, all of our staff. That is the reason. There are other additional pieces to it, but that is the reason.

Mr. Meyers

Thank you for that explanation, which you also gave to me on the telephone Thursday and Friday and I understood it then as well. I am, like Legislator Schoenberger, disappointed that the chart doesn't seem to reflect the numbers accurately. I am sure that might have nothing to do with you, but I know we have your impact statement, but if you looked on the chart you would think that this amount of money was being saved. I hope that when we talk to Finance and Mr. Mathews that we ask if there is any other place on this chart with a story like that, because I think we do need to know that.

Is there a formula for keeping on some of the Caseworkers with some of their clients in a way that reduces that \$650,000 loss substantially while transferring the other clients to those alternative providers?

Commissioner Walsh-Tozer

The problem with that is that this is a Medicaid revenue driven program with a small amount of State aid. You will not come up with the balance of that. There is really not a way that I can see.

Mr. Meyers

Have the not-for-profits committed to the fact that they would staff up for this program and give priority to the Caseworkers being laid off by the County.

Commissioner Walsh-Tozer

They have said that they would interview and try to give priority. The final decision about hiring would be theirs. They have not said that they would absolutely without question hire everyone, but their interest would be in hiring as many as possible. I believe that they would be foolish not to give priority to our people. The program is transitioning to something called Care Coordination and these individuals know the work, County, consumers and know how to advocate. Both agencies have agreed that hiring our staff would be in their best interest.

Mr. Meyers

We certainly want you to convey that it is hopefully the sense of this Legislature to impress upon these providers who do business with the County in other programs that we really are expecting them to hire from the pool of our Caseworkers. I realize that these are not as good jobs as the County jobs, but we need to convey that to them in the strongest possible terms.

Mrs. Paul

Thank you for giving us the detailed information. Are you going to close the inpatient units of Mental Health?

Commissioner Walsh-Tozer

The inpatient unit will be going to Nyack Hospital at some point. We are still waiting for the CON approvals. Good Samaritan Hospital closed their unit about four years ago. We run the only acute psychiatric beds in Rockland County.

Mr. Day

Anything I say, please don't take as a criticism in any way, but you have to understand that we as Legislators have to really rely on what we get. We don't have the hands-on knowledge that many of our commissioners and department heads have. To be very honest, I don't know why the information wasn't made clearer. The picture we got here is not a true picture. The picture we got as Legislators was there are over \$1,000,000 in salaries and over \$1,250,000 in salary and benefits as a cost savings to the County. Point of fact, it is nowhere near that and we have revenues coming in for these positions. That is the one thing that troubles me, because the net number was really important of what the actual savings would be. I am very troubled by the perception and appearance of what is going on. There may be no fact to it, but the communications we have received is troubling. When we get messages that we have been out front and have been targeted there may be or not be substance to it, but as a Legislator I give pause.

Commissioner Walsh-Tozer

It has been said a lot and I have not been in a position to respond to it. At the budget hearings last fall I talked about what layoffs I would recommend, as asked by the County Executive. I talked about a series of programs and at that moment I spoke about Case Management for the same exact reasons I am talking about it now. That preceded any complaints that I have had any awareness of from any member of staff. The only place I have heard the complaints by the way is here. The complaints came after that recommendation last fall at the budget hearings.

Mr. Day

I am not casing any aspersions or making any assumptions. I am trying to be very careful of my language so that is being conveyed clearly to you. The other issue that I am raising here is something that has been eluded to before is sharing the pain. When I look at any department that still has a Deputy Commissioner in place I have to wonder if that is a critical position. Is the SPOA a mandated piece of what we do?

Commissioner Walsh-Tozer

It is, we are required to do SPOA.

Mr. Day

Fiscal Administrator maybe should be rolled in under the Department of Finance.

Commissioner Walsh-Tozer

They have been. She is still on my payroll, but working in the Finance Department.

Mr. Day

Risk Management/Employee Investigations has a returning retiree, which troubles me when we are looking at laying people off. Utilization Review person supposedly was terminated in May, but the person is still there working.

Commissioner Walsh-Tozer

I can check that for you.

Mr. Day

We are getting a lot of this information relatively last minute. I am glad we have the opportunity to ask some of these questions. I want to give you a sense of what we received, what our responses are and what our assessments are, at least from my perspective.

Commissioner Walsh-Tozer

In the early retirements we lost a lot of our administrators. In 2007 we had seventeen administrators for a department that was well over 300 people. We now have a department of 176 people as of today and we have ten administrators. We have gone from a ratio of CSEA to RAM from 1.62 to 1.69, but we have gone down in our management staff. Keep in mind that we are a hospital. When you run a hospital there are certain things we must have. We must have a Utilization Review Manager, who is a person that reviews charts. We still do paper and pencil charts, we don't have electronic medical records, which makes it even more critical and this person works part-time. This person knows the job and is doing it part time. We are required to have a Risk Manager. She also works part time only two days a week. These retirees are not working full time, but they are tasks we would need to have filled and managed to fill them. These were our \$1.00 positions back in the day. I don't believe that we are in any way over staffed in our management. When we are at a point when our program offerings are fewer than we actually operate we will then be looking at the full range of staff in the department and you will see that will change as well.

Mr. Day

The returning retiree Risk Management, my records from what we got says that her rate of pay is \$80,312. Is that correct? Please check that out.

Commissioner Walsh-Tozer

I will look into that.

Chairwoman Cornell

With regard to Jawonio and the Mental Health Association, what do they get from the State?

Commissioner Walsh-Tozer

They get a license.

Chairwoman Cornell

Are there only a certain number of consumers that they can take under that license? How does that work?

Commissioner Walsh-Tozer

There are categories of Case Management. They each have a certain number of cases that they are expected to carry. Those slots would go with the Case Management positions.

Chairwoman Cornell

So your expectation is that between the two organizations they will be able to actually provide the services needed in our community that has a lot of needs.

Commissioner Walsh-Tozer

Yes, because we have transferred most of our patients there. They already have the consumers we used to have and they know them and this add on of Case Management would be of great assistance to them. I believe completely that they can do an excellent job and they are both topnotch agencies.

Chairwoman Cornell

I did have the opportunity to meet with a number of people from Case Management going back to last fall and what is so obvious is that they take such great pride in their work and care so deeply about the people they work with that there is certainly concern to give up what they know to be their excellence and their dedication to these organizations I sincerely hope that if it comes to pass that they will all be hired.

There is such a disappointment on the part of the Case Managers, because they felt that they were harmed by the billing system. We have all learned about the difficulties with the information technologies systems that have not really helped your department in terms of the billing. I think that when you have dedicated workers whether they know they are going to stay for a long time or they know they will be transitioned out they really want to leave knowing that they have been appreciated and that they have brought revenues in and I think it has been a very difficult time for these people, because they are so dedicated. I really wanted again to thank them for informing us about some of those issues, which have been certainly picked up in the Toski Report about the information technology issues and the billing.

Commissioner Walsh-Tozer

We are reviewing the concerns that exist with billing. I don't believe that there is an issue, but if you have information you can share with us it is really important for us to know it. It is important for us to know if there is a problem. We have a really fine fiscal person; our policy and procedures are in place and how we do it is very clear. It has been audited and I believe it is accurate, but if it isn't we would very much want to know them. Perhaps I can give your office a call and we could chat about that.

Mrs. Low-Hogan

The two positions that are suggested to be removed from the list please explain what occurred with respect to the Human Rights Discrimination Investigations position? What do you mean there was a mistake?

Mr. Mathews, Deputy County Executive

The Federal funding is to come from Housing and Urban Development. We thought it was local share, but we realized we could get Federal funding for the position. If we could save this we would. There will be no local share to the County.

Mrs. Low-Hogan

So we had not been funding it that way, but now we know we can so we are going to do that. Is it definite?

Mr. Mathews, Deputy County Executive

That is correct and yes it is definite.

Mrs. Low-Hogan

The County Attorney's position, what exactly transpired there?

Mr. Mathews, Deputy County Executive

In talking with the Commissioner of Social Services it came to our attention that it is a vital position and this position handles PINS, Persons In Need of Supervision. There was potentially going to be an opening that would offset that salary decrease in the County Attorney's office that we could use that money that would be coming available so that it would be a wash. There would probably be further savings of money in the County Attorney's office. Therefore that is why it is going back to committee as well, because we can document and show you exactly what is going to transpire.

Mrs. Low-Hogan

Who made the recommendations to eliminate the positions that are this list from that department?

Mr. Mathews, Deputy County Executive

The County Executive.

Mrs. Low-Hogan

He didn't realize that this was going to occur when he made these recommendations?

Mr. Mathews, Deputy County Executive

That is correct. This is like the budget process. We get recommendations from department heads and input from County departments, which we then cobble together a budget. This was a similar process and the ultimate list at the end of the day was the County Executive's list.

Mrs. Low-Hogan

The original recommendation came from whom?

Mr. Mathews, Deputy County Executive

The original recommendation came from the County Attorney's office, but that doesn't mean the County Executive has to accept that recommendation.

Mrs. Low-Hogan

They recommended and now they are changing the recommendation.

Mr. Mathews, Deputy County Executive

No, we are changing the recommendation. It is our mistake.

Mrs. Low-Hogan

The mistake was in the respect that you realized that this was a critically needed position.

Mr. Mathews, Deputy County Executive

That is correct and also that we get funding from a different area in that department.

Mr. Meyers

I heard things differently. First, I am dubious about the non-elimination of this position now. It seems like at first you were saying, and the way it was explained to me, that we found money for the position, because another position might be opening up and we can keep this person. If the goal were to cut payroll then the fact that another position might be opening up that would be an opportunity for further savings. Why are we now saving this particular position with another opening? What does this person actually do? Do they prosecute juvenile delinquents? What makes it so critical since the County Attorney thought he could forgo this position and now the position needs to be saved, because some money was found to save the position? Since the County Executive went to all the departments for cuts now the County Attorney decided he can cut this or has he decided that he found some money so keep it? Why is that money just going by the waste side for the County Attorney's office and there is nobody else being offered? Why is that happening?

Mr. Mathews, Deputy County Executive

It became evident that this position, the attorney who is funded from the Department of Law, but operates in the Department of Social Services was critical. This person represents cases in Family Court. Initially it was felt that the position could go, but after discussion, consultation and things that came to light to our office we decided that the position should not be taken away from Social Services and there is a critical need for that position to be servicing the Family Court and the people who are attended to by that attorney. We looked at another way that we could save the salary. I understand your point that perhaps we should get rid of both, but it shouldn't have been put on the list in the first place.

Mr. Meyers

So then the County Attorney needs to come up with another way of saving money. Why isn't the County Attorney offering up another position?

Mr. Mathews, Deputy County Executive

It will all be outlined in committee and he will be offering another position.

Mr. Meyers

Please let us know at the committee meeting what other position will be cut in the County Attorney's office to replace position #7221 – Principal Asst County Attorney that has been deferred from this list.

Mr. Mathews, Deputy County Executive

There is a position that is open that is funded and will be gone.

Mr. Meyers

What position is that?

Mr. Mathews, Deputy County Executive

I believe it is an Assistant County Attorney.

Mr. Meyers

Is that the Assistant County Attorney spot that is occupied by the person that the County Executive wants to occupy the County Attorney's spot?

Mr. Mathews, Deputy County Executive

I believe so.

Mr. Meyers

I would like to ask the head of the Department of Social Services her views on this position, what the position does for her department and whether she was involved with saving this position. Did the saving of this position come from you or external to your office?

Commissioner Sherwood

I did not know of the possible elimination of this position. I wasn't consulted and when I heard I said it must be saved. This is a mandated critical function. It is the only position we have that has the skills. I brought it to the attention of the County Executive and the County Attorney and I am very pleased they made an accommodation.

Mr. Meyers

Tell us in a little more detail what exactly does this person do.

Commissioner Sherwood

This person has to be based in the County Attorney's office that goes into Family Court and prosecutes the juvenile delinquency cases and the persons in need of supervision cases. Critical, critical position and mandated.

Mr. Meyers

Can it be performed by the District Attorney's office?

Commissioner Sherwood

No.

Chairwoman Cornell

These two positions are going to be discussed in committee. The motion that is on the floor actually was for the action to reduce personnel expenses minus those two positions. They will go to the Budget and Finance Committee for discussion.

Mr. Meyers

I understand, but if she can just answer this question, because I have to vote on whether I am comfortable in moving this back to committee. Less light will be shown, with all due respect, in the committee process then will be here tonight. I want to know why this was singled out to be moved back to committee. Mr. Mathews helped considerably on that, but I would like to hear.

Chairwoman Cornell

I am not sure that I can agree that less light would be shown, but we would like whatever light there is right now.

Ms. Barbash, Director of Legal Services.

The Family Court Act provides the presentment agency for all juvenile delinquency matters must be County Attorney. That is statutory and there is no question about it; the District Attorney can't handle it. There are a small tiny piece of cases that can be handled by the District Attorney's office and those are designed Felony cases and Rockland County has had three of them in the past year, if that. We are talking about 200 juvenile delinquency cases annually plus the PINS cases as well. The law requires that it be done by the County Attorney. The way that one handles juvenile delinquents is very different then the way police handles adult criminals. We have been, with the attorney's expertise, doing ongoing training with the local police departments about how to handle juveniles in order to prosecute them. Without the expertise we can't do that training on an ongoing and regular basis. These children have to be dealt with very differently. It is a unique set of laws that frankly nobody seems to understand except those of us who have lived our lives doing this.

Mr. Meyers

Did the County Attorney believe that he was going to be able to shift those prosecutions to somebody else in the County Attorney's office? The Deputy County Attorney, who is up for becoming County Attorney, thought he could shift it to somebody else, but it turns out he was wrong.

Commissioner Sherwood

I really don't know, because we never had that conversation.

Mr. Mathews, Deputy County Executive

I believe that was the case, but it turned out not to be the case. This individual has unique expertise, she is bilingual and she has been doing it for a very long time. We felt that it would be detrimental to this required service to the County.

Commissioner Sherwood

There is revenue that comes with it too, because DSS is very heavily reimbursed. We do an allocation to the County Attorney's office.

Mr. Moroney

I am going to come from a different angle altogether here tonight, because if you recall last week I requested that we should get some information from our negotiating team from the County Executive's side and the unions involved. I have been looking at this list and there is a lot of confusion with the list with local share or no local share. There are eight positions in the Department of Social Services the savings is not that great a number. This probably does not relate to the people here tonight, but we have to talk about the negotiating that is going on between the unions and the County Executive, which we are not privy to. Here we are in dire straights in the middle of our 2012 and we are asking for layoffs.

Over the past several years we have decreased the Rockland County workforce through early retirements by over 400 people, and that is fine. All this started a year and a half ago when we borrowed \$20,000,000 to balance the budget and that is the time we should have addressed these issues. We complain about the mandated programs from the State of New York, from time to time, and how they are not paying us for those mandated programs. Well, we pay the State of New York for Medicaid and other programs and that has never been addressed. What will they do if we don't pay them? Will they sue us? We don't sue them.

I have very mixed emotions about what is happening here tonight. I have mixed emotions about what is on this list. I remember going back twenty years ago when I had to vote for layoffs before and I swore then I wouldn't do it again, and this is not a grandstanding position I am taking. There are several items here that I am very uncomfortable with. It seems we are back to the same thing again, as usual, that we are going to balance the budget on the backs of our lowest paid employees here in Rockland County. Please hold the applause, because I am not doing it for applause. I am doing it to try to convince my colleagues, and they are all my friends up here, to see if they can change their mind on this particular issue. I have had several discussions with several of my colleagues and I hope your input at the public participation will have some affect.

There were some contradictions here earlier and some negative remarks. I voted for the energy tax because the County needs the money. We have a Sunset Clause on the Energy Tax and I voted for it, because I think we need it. I thought it might impact the fact that we may not have to layoff people. There is another fallacy out there that we have our own cars and cell phones, which we do not. There was one Legislator that lost an election, because he had a car, going back quite a few years ago. There are a lot of misconceptions that the public has. We provide services and we are very glad to provide them. We are only the go between.

We are not getting all the information that we should have. I am very concerned about what is happening here this evening. I want some more information about what is happening with the bargaining units and what is happening with RAM that we don't here from. There is a lot of management making a lot of big money and we all know that and they all seem to slide under the radar. There are other people that are not on this list that maybe should be on the list. As said by some of my colleagues, there is no management on this list. What are we going to do when we get the 2013 budget? So until we talk to the unions, and I don't know how we are going to do that, because it is not in the Charter as part of our negotiating privileges to be a part of this, but until we hear from the unions and how the negotiations are going I respectfully ask you Madam Chair to suspend this Committee of the Whole and not move forward with these layoffs. I will amend this resolution to put this off until we get some results on these negotiations or at least maybe amend to not proceed with layoffs tonight.

Chairwoman Cornell

I think your motion is to lay on the table. Is that your motion?

Mr. Moroney

I don't want to move to table, because then there will be no room for more discussion and I certainly want this to have a chance to pass. I don't want to stifle anybody's comments. The motion I have would be to postpone or prolong it. Some of these departments are getting riddled. Nobody has mentioned the Highway Department. We have cut the Highway Department over the years and it is just not fare. I am asking you Madam Chair or Counsel for help here to draft a resolution or amendment to postpone these layoffs for thirty days and continue with Committee of the Whole meetings until we resolve the negotiations with the unions and everything else so we can have a clearer picture of what dire straights we are in. Then we make one tough decision for everybody.

Chairwoman Cornell

There is management, union and labor in the room, is there anyone who wants to speak and give us some kind of an update as to whether we are close.

Mr. Sparber, CSEA, Labor Relations Specialist

I have been standing here listening to all the concerns and questions of both the Legislators and the members who are here tonight. It seems quite clear from listening to various members of the Legislature that there are much more questions than there are answers here. There are real concerns. Several months ago I discussed quite clearly what the impact of layoffs would be. Then we were talking about nearly 600 and tonight we are talking about 80. It doesn't matter, it could be one, people have value and what we are finding here and listening to and what you are discovering here is that the outcome of these layoffs are clearly designated to impact the lowest paid employees in this County. They are also the ones who deliver, produce and who are valuable and who are the faces of Rockland County not the administrators. How many administrators have been out in the field? How many administrators have gotten upgrades in the past two to three years? We are facing zeros for the second year. People have mortgages; homes, shopping, expenses, finances and people have to eat. What is not happening here is a clear understanding of how to resolve the issues.

The unions, CSEA, have been in contact and negotiations with the County Executive's office. We had a negotiation session today. We believe that we have presented a proposal to the County that would start the ball rolling. We think we can present programs that could save this County \$7,000,000. We are prepared to discuss that, but at the same time we are not prepared to throw 25 years of contract down the sewer, it is not happening. The rights, the protections and the benefits that we have negotiated, these people have lived under for 25 years that I have been handling the contracts here in Rockland County, are clearly being threatened.

The whole union movement here in this County is being threatened all because political motivations and political agendas have overtaken the reality of how to govern. We are talking and we do have proposals on the table. We have made legitimate offers on the table. We have another negotiation session scheduled for next Tuesday and hopefully we will be moving along. We have narrowed the issues down. All I can say is that I would suggest that Legislator Moroney's amendment be seriously considered and seriously passed.

Mr. Gangale

I am Jimmy Gangale from United Public Service Employees Union. We represent the Highway Department and thank you for recognizing them. We have not had a negotiation session in probably six months. I heard the County Executive on the radio asking all of the unions to have discussions and that is not the case. We have not been asked to have a discussion. At least sit down and have some dialog here about where these negotiations are going to end up. I understand we only represent the Highway Department and CSEA has the bigger group here, respectfully, but we have people on the layoff list as well. We should at least be asked what we could do collectively to try to save some of these jobs. I would support Honorable Moroney to try and table this until there is some dialog, because quite frankly there hasn't been some dialog. Maybe they should consider having their own attorney do the negotiating to save money rather than paying for an attorney who doesn't work for the County. Thank you.

Mr. Mathews, Deputy County Executive

We did have a meeting today. Certainly we are not going to negotiate in public and in this forum, because I believe that is inappropriate. I heard the unions concerns. We are at the table with them and we will continue to be at the table with them, because we do want to get something done and we recognize the importance that it means to the County for this year and for going forward. Unfortunately we are in a climate where the State is changing the way it governs and pushing it down to the way we govern and it affects the towns and villages as well. I understand what has been in the past, but things are changing faster than we can react to it. We have to address that moving forward. So there are a lot of issues and concerns as you well know, but we are working with them and will continue to work with them. We need to get this done posthaste and that is the administrations position.

Mr. Day

I also had heard some of the commentary about the County Executive talking positively about discussions. It is also in the letter that was given to us at the last meeting that there are fruitful discussions going on with the union leadership of the CSEA, but not so much over here. A \$7,000,000 savings was mentioned and I am going to offer something at this point, in the budget there is about \$18,00,000 that speaks to concessions and it is being counted upon. Six months has gone by and mathematically we already have a problem even if the \$7,000,000 is realized, because we are not going to realize an \$18,000,000 savings as projected for this year.

I hear what Legislator Moroney is saying and the more it goes around in my head the more it makes sense, because there is a lot of talk going on about negotiations and coming to some sort of understanding as to where we have to go going forward with our workforce. Some of you were here during the last budget session when former Legislator Jackson said, "the clock is ticking." I think that is where we are right now. The time for talk is over and there really needs to be an agreement for everybody. Half the year is gone. We are going to be back here at the end of this year and we are going to have another disaster on our hands. We are going to have the same problems again. We are going to be facing layoffs and serious cuts, because there is not an agreement amongst all of the parties to get this done.

I am not pointing a finger at the administration or the unions at this point, but there has to be an understanding at negotiations that this has to get done. Legislator Jackson was 100% right in December and the words are echoing tonight that this is not going to get better until there is a decision made negotiation jointly going forward understanding the inherent risks to our workers, to our taxpayers and to our citizens. I really think that this Legislature needs to put a lockbox on negotiations and maybe take a more active part in this and say that we expect certain things to happen by a certain date. Maybe everybody has to come to the table and we have to be more involved. Thank you.

Mr. Jobson

This is another evening of us spinning our wheels. I want to second Mr. Moroney, because I think we are spinning our wheels here. We have to go back to Budget and Finance and stop the nonsense, get all our bargaining units in the same room, the County Executive and everybody at the table and it is time to talk turkey and stop doing this rigmarole. We keep going around in circles here with one foot nailed to the wall and we are not making any progress. I don't want to micromanage or put one person under the microscope. I don't want to cherry pick positions from this line and that line to save, because they are a friend or buddy of someone. Everybody in County government, all the CSEA members, you are all a cog in this wheel of government. Everybody is equal. Nobody is better than anybody else. No one's job is more important than anyone else's. You have to break a few eggs to make an omelet. Every egg here is a life, job, a family and it is a breadwinner for the family. They care first and foremost for their own. We are all in this together. We can go back and forth, but I think we should not sit here until midnight again tonight and send this back to committee, because we are not going to accomplish anything here at all.

A couple of these departments will be decimated and then others don't get touched at all. How many RAM positions are on the list? How many of the fat cats get cut? Times are tough and I know it, because I see it in my other life. We can hire a number of management people, but people who actually have a shovel in hand or laborer are fewer and further between. The fat cats get taken care of primarily and the little guys in labor usually pay the tab for that. You see it when times are their worst. I will tell you that the biggest joke is that it is at all levels.

Whoever the svengali is who got Cuomo and the guys in Albany in the same room and said that 2% is the magic number and that is what we are going to trickle down to all the counties is the biggest crock that has been ever sold in the State's government. There are school districts being bankrupted as we speak. There are municipalities being bankrupted as we speak, because these hypocrites in Albany, 75% of the mandates that come down on us are from them and then they have the chutzpah+--+ to turn around and say to us, "we are not going to let you have the right to raise any taxes or raise any revenue to pay for all of the programs we mandated to you." Where is the money supposed to come from? Out of thin air. We have to get revenue from somewhere.

It is very frustrating. County government is always caught in the middle, as Harriet alluded to in one of our other meetings. We make the towns and villages whole and then the State and the Feds push it down on us. County government is the middle of the Oreo and we get stuck in the middle all the time and holding the bag making the tough decisions. I don't know what the easy answer is either folks, but you have to sit down and get going in the right direction here. There are too many good people and I don't want to vote to lay anyone off for any reason whatsoever, ever. There has got to be a middle of the road solution we can find to keep our employees on the payroll and keep this County government lumbering forward.

Mr. Micelli, RAM President

I am still President of RAM even though I am retired. I just want to clarify a few things, because it is not clear on the documents you have received. First Mr. Moroney, there are ten names out of RAM that are on the list before you so it is not that there aren't any names. Those ten names on the list represent a little less than 5% of the membership of RAM. In today's inbox I had asked, and the Clerk Larry Toole, gratuitously met with my request, to put a document in there that I had forwarded to the Chair of the Legislature, the County Executive and the Chair of Budget and Finance Committee Mr. Schoenberger in January. There is a perception out there by a number of Legislators that RAM is not hit as compared to CSEA. In the years 2007 to the year 2011 RAM's numbers declined 21% and CSEA declined 13% and there are reasons for that. Secondly, I have to point out to you that everybody has the perception that the people in RAM are just someone sitting in an office somewhere. There are people that manage a program, because of their higher level of expertise or the higher level of training like Greg Price whose position before you is on the list who is a licensed professional engineer demands a higher salary to have somebody with expertise in the County. The attorney's in RAM demand a higher salary than some of the rank and file and everybody has to understand that. We are down to 210 out of a workforce of 2100 in CSEA and then the rest of the unions added to that. RAM is the seconded largest union in the County. We provide certain services to.

We are sick of the layoffs of the staff. As you know the County workforce has decreases greatly, as you pointed out, in the last couple of years. There are less people and I believe they are all working hard. We have good employees here. I just wanted to point that out to you that when you say there are none on that list that is not true. When you say that we haven't been hit as compared to the general numbers that is not correct either.

Mr. Moroney

Thank you for enlightening me. It wasn't specified on the list who were members of RAM. You will have to excuse my ignorance with that fact. You can't compare RAM to CSEA, because originally CSEA had 3000 members and they are now down to 2100 or 2200 members

Mr. Micelli, RAM President

Originally RAM had 270.

Mr. Moroney

When you talk about percentages there are reasons for those percentages. I am not going to argue about the percentages. The last several years your union, and others, has continued to get steps along the way on a yearly basis.

Mr. Micelli, RAM President

That is if the employee is due steps.

Mr. Moroney

That is correct and that is what I am alluding to. How much money are we talking about with these steps? Not just your union, but also every other union. Don't forget that I am a union man and I have been all my life. The fact is that these are some of the things I want to address, like the steps and the givebacks, the co-pay. These are some of the things that we should be addressing.

Mr. Micelli, RAM President

I absolutely agree with you.

Mr. Moroney

Are you negotiating with the County Executive?

Mr. Micelli, RAM President

We had negotiation sessions in the past, but it is my understanding that because of the numbers in CSEA as compared to the numbers in the other unions for the savings to go through CSEA would have to agree also. There have been discussions about furloughs, pharmacy privileges and a number of other things.

Mr. Moroney

Do you think, in your opinion that the unions can come to some agreement with the County Executive in your negotiations that could give us some of these monetary values back to the County government where we can move forward and everybody can live happily ever after?

Mr. Micelli, RAM President

I think what we have to do is what you suggested, which is getting everybody in the same room.

Mr. Moroney

Thank you, that is what I have been suggesting for the last six months or maybe even longer than that.

Mr. Micelli, RAM President

Just like at home, nobody listens to me either.

Mr. Moroney

I continue to pay the bills so I get listened to at least once a month. Thank you for your information, I do appreciate it.

Chairwoman Cornell

I do think that from the standpoint of the Legislature, which has no role in negotiations, as you all obviously know, it has been frustrating not just this year and last year, but probably for the past sixteen years. Many of us do remember when there was an in-house negotiator from the Personnel Department and an in-house negotiator as part of the team from the County Attorney's office. I think that made a difference. They were people that understood our workforce and what we needed to have happen. Thank you for being here, Tom, I appreciate that.

There is a resolution on the floor that has been moved and seconded. Mr. Moroney, what is your motion? Most of the discussion has taken place and you said that you didn't want to interrupt that so if you have a motion to make this would be the time to do it.

Mr. Moroney

Madam Chair, before I make the motion, and I am going try to be as brief as possible, even if we voted for layoffs here tonight this would not go into effect until the end of July. Everything is in the budget until the end of July. So I am going to try to amend the resolution to put off voting for this for at least two weeks until we see if we could come up with some dialog from the negotiating teams on both the County Executive and the unions that are involved. I will make a motion that we amend the resolution to put this off for at least two weeks to see if we can get some more information and not to vote on layoffs tonight.

Chairwoman Cornell

No, you don't want us to vote on the resolution that is on the floor you want to delay this. So consequently I think your motion is to lay on the table.

Mr. Grant

Are we laying on the table in the Committee of the Whole or referring to the Budget and Finance Committee for further review?

Chairwoman Cornell

We are in the Committee of the Whole. This is not the Full Legislature.

Mr. Moroney

I will clarify that by making a motion to table as a Committee of the Whole so that we can continue to meet from time to time and from week to week if it has to be so that we can resolve this at some point soon and before the end of July. We are funded through the end of July so I don't see any reason why we couldn't table this until we meet again as a Committee of the Whole.

Mr. Schoenberger

I am so torn up by this I don't know how to express it in words. I can't tell you how many sleepless nights I have had over the prospect of these layoffs. In my heart I understand Pat Moroney very well. We had lunch yesterday and we discussed a lot of what he is talking about today. My friend Doug Jobson, who rarely says anything, but when he speaks he speaks most eloquently. I have to say this, the eyes of the rating companies, Moody's and Standard & Poors, are watching us. They are watching us to see what we will do to solve this County's problem.

When we adopted the 2012 budget the County Executive proposed a layoff of 568 people. We reduced it to 528 human beings. We did that by proposing a deficit bond and a 3/8th of 1% sales tax increase. An increase that would have raised 3 ½ cents per hundred dollars for everybody who shops in Rockland County, be that local residents or people who come from outside the County. They have the ability to vote, in a sense, if they think our sales tax is too high they can go somewhere else so it wasn't a mandatory tax upon them it was a voluntary tax. We were going to us the 3/8th of 1% to fund our County operations for this year and starting in 2013 to pay down the deficit bond to avoid the layoffs, to keep the Narcotics Task Force and the Intelligence Unit, the BCI and to keep a series of programs. We passed this Home Rule request for a deficit bond in January. I went to Albany. Chair Cornell went to Albany and I think other Legislators went to Albany. Legislator Wieder joined us once to Albany. We met with the Assembly Finance Committee staff and we explained our whole proposal to them. We made another trip to Albany and met with the Senate Finance Committee staff and explained the whole proposal to them. We met with representatives of the Governor's office and explained our whole proposal to them. Our State Assembly people, Assemblywoman Jaffee and Assemblywoman Rabbitt bipartisanly put in a bill in support of our Home Rule request so we could get these funds and keep this County afloat. We passed this on January 19th. 8:15 in the morning on May 4th I received a phone call at home from Senator Carlucci who said to me, "I have good news and I have bad news." For those of you who heard this before I apologize be patient with me. He said, "The good news is I am going to put your bill in. The bad news is it might not be able to get it passed." I thanked him and I said, "I think you are doing the right thing. Everybody understands that putting a bill in and getting it passed are two different things. You are a junior Senator and there are people above you. You don't have the power that our predecessor had, but you are doing the right things. At least you are moving the discussion forward and at least we can continue to go forward." 3:30 in the afternoon he called me and he said, "I am not putting the bill in." The next day it was in the newspaper that he was not supporting our Home Rule request and the world fell apart in Rockland County.

Moody's dropped our bond rating three levels to one step above junk. Moody's is watching us tonight. Our County Executive has told Moody's that this County has the ability to control its own fate. Moody's is watching us. There is a meeting with Moody's and two other rating agencies on June 14th in Manhattan. We had on resolutions last week, we voted for taxes that none of us wanted to vote for, and we voted for chargebacks that none of us wanted to vote for, because we had to show the financial markets that this County is solid financially, is not going to go bankrupt and is not going to fall apart. The County Executive made a series of representations to Moody's. Among those were layoffs, all the taxes we raised and the chargebacks we made. He made a representation to Moody's and the financial markets that we would entertain layoffs and cuts to contract agencies. Thus far this Legislature has reluctantly met and fulfilled the commitments the County Executive has made, because if we don't, we authorized a RAN last Tuesday night for \$35,000,000, and if we can't go to the market with that Note by the beginning of July this County will collapse. There won't be enough money to make payroll. There won't be enough money to pay the people who work in this County and a disaster will strike us.

Now, I believe that if Senator Carlucci had on the first day got up and told us honestly face-to-face, "I won't carry this bill. I am against it," we would have had three and a half months to fashion another bill that he could have supported and others could have supported. We told all our State representatives that if you can't do this bill please tell us what you can do and we will work with you. The first time I heard that Senator Carlucci would not support this bill is when I read it in the newspaper the day after he called me to say that he would support it and then changed his mind.

Right now our bond rating is one level above junk. We are going down; today is the 5th, nine days from now to meet with the rating agencies. I respect my good friends Legislator Moroney and Legislator Jobson and I share the same concerns that they have, but I am afraid that if we put this off we are putting the final nail in our coffin as a County government. I hate to say it, but I am afraid. This is a difficult and heartbreaking discussion. If we had the 3 ½ cents per \$100.00 in sales tax that Senator Carlucci refused to introduce after leading us on for three and a half months, and if he didn't want to introduce the bill I wish he would have just said so in the beginning and not dragged us on for three and a half months until almost the end of the session. We are on the precipice of not being able to do anything. If we had the 3 ½ cents and he introduced the bill we wouldn't be dealing with this issue today.

We have over \$150,000,000, your tax dollars that are spent every year on State mandates and we raise, even with the 30% property tax increase, \$80,000,000 in real property tax. If you won't help us raise the money to pay your mandates then either cut your mandates, New York State, or pay for them yourselves. We are not alone. There are approximately a dozen counties and cities altogether in the same situation we are in. We are not alone. When we met with the Governor's office and the State Senate Finance Committee and the Assembly Finance Committee they told us they were looking to fashion a remedy that would affect all the counties and all the cities, about a dozen, the same way. At any given time as we sit here today we are owed from the State of New York about \$40,000,000, money for programs that we are mandated to perform that they partially fund, but they don't pay us when we voucher them, but they pay us months later. We share our sales tax to the tune of \$11,000,000 with the towns and villages. Why? So they do not have to raise taxes. So we raise property tax and give them money so they don't have to raise property tax; it is the world in which we live.

I do not want to vote for layoffs. I do not want to vote to cut the contract agencies. I didn't want to vote last week to set a public hearing for a tax on motor vehicles registration of \$5.00 a car. I didn't want to vote to charge our sales tax to home energy usage. I didn't want to vote to chargeback the towns for election costs. I didn't want to vote to chargeback the towns for our RCC costs. I didn't want to vote to increase the property tax 30%. But I did it all, because I believe that if I did otherwise this County would financially collapse and we would have a Control Board. Our union representatives who have lived this stuff in other counties will tell you that your contracts, CSEA, RAM and others, won't be worth the paper they are written on, because a Financial Control Board can come in and abrogate those contracts.

We go to Albany and they ask what we have cut and I look them in the eye and say, "We are 400 employees less than this County was in 1983." They look at me and say, "So, what did you cut?" It is the God's honest truth. I said that we cut contract agencies and we cut services. So they say, "So, what did you cut?" This goes on and on and on. We think we stepped up to the plate as a Legislative body. We think we made the hard choices. I don't like these layoffs. It is another hard choice we face. My heart goes out to every one of these employees and their families. I believe I bent over backwards to save these positions last December along with the majority of this Legislature, which was then approved by the County Executive.

I think tonight the worst mistake we could do is not vote on this. It is the worst mistake we could do, because Moody's and all the financial agencies and the State of New York are watching. By the way, I am going to Albany tomorrow with Chair Cornell and Vice Chair Wolfe. We have a new deficit bond that we voted on. We asked them for a deficit bond and we said, "You guys don't want to allow us to raise 3 ½ cents per \$100.00 in sales tax. We will do it all ourselves. We will do all the heavy lifting. Give us a deficit bond." That is what we asked for last week and we are going up tomorrow to discuss it with them. We have an appointment with the Senate Finance Committee and before that with the Assembly Finance Committee. We are trying to save this County from economic and financial collapse and the devastation that will affect everybody in this whole County. We are going up tomorrow to do that. When I get there tomorrow I expect someone is going to say, "What happened with your layoff resolution last night? What happened with your cuts to the contract agencies last night?" They are watching us just as the rating agencies are. The worst thing to do would be to say that we deferred it. Either vote it up or vote it down and face the music, but please don't defer it, it is a mistake. Thank you.

Mr. Moroney

I know Mr. Schoenberger's heart and sole is in what he just said. For the most part I agree with it, but I am always the optimist and I hope the message was heard loud and clear by the County Executive and the unions. Give us seven days, Mr. Schoenberger. You can go to Albany tomorrow.

Mr. Schoenberger

Come with me Pat.

Mr. Moroney

I will if I have to.

Mr. Schoenberger

Please, we will be meeting here at 8:00 am. Thank you.

Mr. Moroney

I will. I just want to make sure we are not leaving something on the table. I understand where you are coming from with Moody's. I understand where we are at with all of this and everything you said. I know you are sincere in your remarks, because we talked privately about this situation and we have talked many of times. We don't meet with Moody's until June 14th we hopefully can have another meeting of the Committee of the Whole and if nothing can be resolved then it is the last resort and have to vote on the layoffs. If the unions and management can't get together in seven days then I will support this resolution. I will not support it tonight. Where there is life there is hope. I am asking the unions, begging the unions and County Executive, to stay with this and try to resolve this and save these people. I respect you so much Ian, because you are the leader of the Budget and Finance Committee and I know you are talking from you heart and it bothers you just like it bothers me. I am asking you and my colleagues for one week if we can somehow resolve this.

If we can't then I will vote with you next Tuesday night, because the responsibility now shifts a little bit from us to the negotiating teams and all unions. I will vote for the layoffs next Tuesday night if nothing is resolved, but I will not vote for the layoffs tonight. As passionate as you are about saving this County I am as passionate about saving these jobs.

Mr. Schoenberger

I would like our Deputy County Executive and our Commissioner of Finance to tell us if we have a week or if we don't. I think that is something we need to know before we consider this.

Mr. Mathews, Deputy County Executive

I heard the question, but I don't know how to answer it. We proposed something to you. We are going to Albany tomorrow. We have the rating agencies meeting on June 14th. I don't know if we have a week, but certainly within the week. I am being honest, because I am not the rating agency. It would seem to me that if we went to them and action was taken up or down that would be fine. I guess that is a roundabout way to answer your question. Do we have a week? Possibly, but I can't give you a definitive answer of yes, because we don't know what is going to happen tomorrow in Albany. I am talking from a standpoint of our meeting tomorrow and our meeting next Thursday with the rating agencies those are two critical breakpoints in where we need to be.

Acting Commissioner DeGroat

The issue here is making a decision tonight is going to create a reaction or response and it is very difficult to predict whether it is going to be a negative or is just going to stay its course for a period of time. We don't know how Albany is going to react tomorrow. We don't know how the rating agencies are going to act tomorrow. It is very difficult to predict that. We are right on the line now so I don't know how we can really say how that outcome is going to be.

Chairwoman Cornell

Are you referring to if there is no decision tonight? If there was a decision opposed to layoffs you are not sure what their response would be?

Acting Commissioner DeGroat

Yes. My concern is more about no decision as to any decision. A decision is fine. We will have to deal with that, but if we don't make a decision I get concerned, because the rating agencies reaction will be that we are not addressing the issues and we can't make the decisions we need to make pro or con.

Mr. Mathews, Deputy County Executive

I am not advocating one way or another. We have appointments with all three rating agencies and this body has passed the items Legislator Schoenberger has mentioned, which were not passed when they downgraded us a couple of weeks ago. We have now taken decisive action. We put in the energy tax. We put in the motor vehicle fee. We put in the County chargeback's. We have done almost everything on the County Executive's plan that you have joined with us to put in place. I can't speak for the rating agencies, but I cannot see how they would ubiquitously downgrade us to junk without hearing us go down and tell our story. But, I can't control them. My opinion is that I think at least they would give us until Thursday to make our case, because we have taken action.

Chairwoman Cornell

We have taken action. The question is, how much more action do they need to see before the 14th. In the meantime Mr. DeGroat has a Revenue Anticipation Note that is important to us so that we can pay our bills. We don't know how investors are regarding us.

Acting Commissioner DeGroat

Unfortunately, the investors right now are holding off until that meeting on the 14th. What hasn't been mentioned here is not that we are the lowest form of non-investment grade, which is the Baa3, but we are the lowest form of non-investment grade with a Negative Watch. Within 30 to 60 days the rating agencies have two responses they can make, which is junk bonds or they take the Negative Watch off. The only way we can get that Negative Watch removed and stay in the investment category is we need to give them things like this residential energy tax and a lot of the issues you addressed so they don't have to make that decision.

Mr. Moroney

If we put this off until next Tuesday night, and we don't go before the rating agencies until two days after that meeting, I would hope that the unions and management can get together and resolve this.

Chairwoman Cornell

I just want to say that the week before, the week before that and the week before that and the week before that all in the past I have been in touch with the labor unions and County Executive and I have begged them all to please try to resolve this. Is it going to happen in another week? It would be wonderful, but I have to tell you Mr. Moroney you are not the first person that has been doing this. It is a very desperate time. There is a motion to table on the floor.

Mr. Moroney made a motion to table for one week, which was seconded by Mr. Jobson and failed:

The vote resulted as follows:

Ayes:	02	(Legislators Jobson, Moroney)
Nays:	14	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Low-Hogan, Meyers, Murphy, Paul, Schoenberger, Sparaco, Wieder, Wolfe, Cornell)
Absent:	01	(Legislator Soskin)

Mr. Hood, Jr.

It has been hard to listen to all of this tonight. The hurt that the families are going to feel, and they are going to feel the brunt of the layoffs that I think is coming in a few moments is really hard to hear. I got calls at my office all week and I feel for everybody. I can't say it enough that way, but it is also hard on the political front of this to listen to some of the Legislators here who on one hand voted against the budget, which had a 30% increase that saved jobs so they weren't willing to raise the revenues that were needed where I was. I tried to do everything in my power since I have been here, because this didn't start yesterday, to try to save the jobs, whatever we had to do. We increased taxes, made cuts along the way and early retirements, I mean everything. It just has come to a point where there is just nothing left to do. There is no other way around it. To be honest, I think if the unions gave concessions and we raised taxes we would still have to do layoffs, because the hole is that deep. It is that deep. I am sorry that it has come to this, but to not vote for the budget, to not vote for the heat tax, which some of the Legislators on the bottom row, here the Republican side, wouldn't vote for, so they won't raise the taxes and the revenues, but now they want to table the layoffs or maybe even vote against the layoffs, because they are not for it. You can't have it both ways and that is what they are trying to do and I just have a big problem with that. I feel like I am doing what I have to do here over the years to save the jobs, but now we have run out of options.

I am glad that Sean Mathews is here tonight. He always speaks well for the County Executive, but I really wish that Scott Vanderhoef were here tonight. He needs to here these things and he needs to be with us in this. Sure, he made up the list and that is a tough job, with his department heads. He needs to hear the people and I am just disappointed that he is not here. If I were County Executive or if I were to have my role model as a County Executive they would be here today.

I hear that RAM has taken reductions over the years, 21%. I really have a problem with the Social Services cuts. Those are the lowest paying jobs, they are funded by other sources and it totals \$159,000 for eight jobs in local share. That is probably one high paying RAM job and with that one job you can get eight saved. There has to be a way to do that. Like it has been said before, we don't have the department-to-department information about what jobs are truly necessary and which ones are not. I get a few calls here and there saying that this is top heavy and that is top heavy. I don't really get enough information from the workers to help me make a decision about which jobs could go or what really is needed. So that is why I have to take this list and unfortunately accept it for what it is. I have to accept it from the department heads that made these decisions. That is the bottom-line and it is seriously not pleasant at all. This list is not fair either. There are departments that have not been touch. I want to mention Sheriff Falco who went out of his way to make the cuts that he had to do and they weren't pleasant for him. He is losing manpower, but he did what he had to do and other departments didn't. I think that is going to come up later on if we have to go through this again. Sheriff, I appreciate your efforts and you have helped the situation.

I thought the budget season was tough at the end of last year. This has been very tough, but we are elected to do a job and I have to make the best decision I can tonight. Thank you.

Mr. Wolfe

I think it is pretty much safe to say that this is my most difficult night in all of my time in public service. I don't have any mixed emotions tonight I pretty much feel one thing – I feel sick – I really do. For most of us here this was not our plan. I think Legislator Schoenberger said everything that I could possibly say much more eloquently than I could. I really don't want to rehash that, but I just want make it very clear that this is not our plan, this is not our vision for Rockland County and this is not what most of us wanted. Some of us voted against the plan and continued to oppose what we originally had wanted here as to the alternative to this. What makes this particularly difficult is that I have friends on this list; these are people that I am close with, people that I know outside of government and people that I socialize with. It makes this particularly difficult, because I know the human element, I know these are just not lines on a piece of paper and I know these are people and families.

It was a leap of faith last week to adopt new revenue sources without voting on the cuts. We did the time over the last week to look at this in more detail and the point was well made that there are departments that have not participated in this process. Tonight is not the last that we are going to be discussing this, because there are many of us who feel that those departments should be part of this process. We always talk about sharing the pain. Believe me there is enough pain to go around. You are the ones that are feeling it more than any one.

I do have to say that, without pointing fingers and assigning any blame at all, I cannot make it clear enough how important it is for the County negotiators and the union negotiators to get together and do something. This is not news. These contracts ended at the end of 2010. It is so important that there be an immediate breakthrough with the negotiations, because that is the only thing that is going to stop more layoffs. We keep saying Moody's is watching. Well you know it is not just Moody's that is watching. Everybody is watching. I know that morale is low. I know that people are concerned, but the fact is that this is a process that was set in motion, not by our choice, it just is what it is and we have to see it through and put the various pieces together. There is a revenue side and there is a cut side. We have to put all the pieces together and move through the process to ensure the very integrity of County government. I really can't say anything else other than that.

I really feel like crap. This is terrible. This is awful. My heart goes out to everybody.

Mr. Wieder

There are times when it is best not to say anything and tonight might just be one of those occasions. I will be remiss not to share a thought or two I have on the issue at hand. To every employee of the County that is here tonight and to those who couldn't make it here tonight let me say that I want to thank you for your hard work and dedication to this County. For those who might get laid off tonight my heart goes out to you and I apologize. I truly apologize for your hardship.

The County is about to go bankrupt. We are trying to save the Titanic. The issues in front of us are tough and getting tougher. I want to commend all of my colleagues for trying desperately to do right for the people of Rockland County. I have seen them agonize, struggle and then make tough decisions, all of us. Rockland County will weather these tumultuous storms and be whole again. May God bless and protect the good people of Rockland County and its employees. Thank you.

Mr. Meyers

I often don't vote with the Majority on the Legislature. I have in the last two weeks, because I really feel that at long last, maybe during the eleventh hour, we are beginning to address our fiscal problems. I think that this needs to be said, aside from the rhetoric, it might give some of the people in the audience some comfort that government is not a perfect instrument and government failed you on this occasion. I think government failed you, but not necessarily for bad reasons. We have known about our fiscal problems for four years, three years, two years, one year and we didn't do enough about it when we should have. I am not sure of all the reasons for that, I have tried to figure that out. I think a lot of my colleagues were hoping the recession would be more short lived than it was, that the sales tax revenue would return, that there wouldn't be any need to lay anybody off or to increase taxes faster and that is the indication of the compassion for people who work at County government was there. I happen to have disagreed with that all along, to be frank with you, because I felt that if you pay as you go and if you don't have enough money to meet your expenses you can create a less dire situation by cutting programs and laying off some people sooner rather than waiting until you have \$150,000,000 deficit and you are at death's door. That was my view, but I think that the view shared by many was that they did not want to make those decisions that would dismantle programs that people worked so hard to create and really felt that they did something for Rockland County. I think that those decisions brought us to a bad place at a bad time where we don't have flexibility now. We have to worry what the rating agencies think about what we do on a given day at a given hour that is how bad things are. I think that they were done in most cases for compassionate reasons to keep the wheels of government moving in the County.

Mr. Thomas gave a speech a couple of years ago and there was a continuing phrase that "CSEA makes Rockland County happen" and that is true. The people who are being laid off all do good work. It is not a punishment. It is a decision that is being made, not because anybody did anything wrong, but because government was little bit more dysfunctional than it should have been and should have acted sooner. That is my view. I think that we do need to do this tonight. I will be voting for this. Thank you.

Mr. Day

I really tonight feel that I am just in a box not of my own making and I know there are sixteen others up here who feel the exact same way. It is frustrating to hear Ann Marie Curley speak and actually school us on what priorities should be when it comes to funding pharmacy and social organizations. It is frustrating not to see a long range plan from the administration as opposed to reacting, which is what we have been doing for the past couple of years. It is frustrating to see a number of departments that are untouched, which was alluded to more than a few times this evening. It is frustrating to see a lack of urgency by the administration at a table of negotiation that neither I, nor anybody up here can sit at and that is truly very frustrating. It is frustrating to see protected positions of over \$100,000 a year, such as the former head of the defunct Tourism Department, still protected. This is what we are left with.

I am going tonight to take heed in what Legislator Schoenberger said that we must realize that the collapse of our County is going to be much less desirable than my frustrations tonight. It is unfortunately where we are. I just hope that we can prevent this from being more than just a beginning of even a worse financial crisis going forward.

My apologies to everybody tonight.

Mr. Jobson

Regardless of how we vote tonight we still have a week. I will see you at 8:00 am to go to Albany.

Mr. Moroney

I am not going to vote for layoffs tonight. My dear friend and colleague Mr. Hood alluded that I didn't vote for the budget, but that was Mr. Hood's budget. It wasn't my budget. It wasn't the County Executive's budget. The County Executive's budget was probably more draconian than the one we passed. I didn't vote for it, because I didn't think we were going to accomplish what the budget pointed out. When the budget came over to us we changed the budget and that is why I voted against the budget. I am not going to contradict anybody. I have no problems saying I voted against the budget. I understand the predicament the County is in. I really don't want to vote for layoffs, but if I know that there is no other choice than I would and I have to if I want to be sincere and take my job serious. I did that 20 years ago and I was sorry about that. I want to try to exhaust every possible outlet we had to try to save this. We have an opportunity when we go to Albany tomorrow. We have an opportunity to see if the two sides can get together. The Chairwoman and I have been talking about this for months. I wish the unions; the County Executive and the negotiating team would resolve their problems, because we are going to be back here if they don't, we really are, we have to go forward together. I am talking from my heart. I know we will be back here again, because we built a hole for ourselves that we can't dig out of.

It is terrible tonight that these people being laid off have to suffer the consequences. I am not going to be a part of it and I will sleep okay tonight by voting no. There is still a chance that we could save this and that is the reason. It is not an easy vote, yes or no. I understand the consequences. I understand everything. I have been here a long time, 22 years. I was also in business for myself and if you didn't have the money you had to do something about it for payroll and everything else and I understand all of that, for 40 years I had it. There are reasons I voted no on budgets and there are reasons that I am voting no tonight and I think I have explained myself. I am sorry if I disappointed some people, but I am willing to take on the responsibility and I even said it here tonight that next Tuesday night I would vote to layoff if we couldn't resolve this. This is a very emotional night for me, because I have seen probably all of the people at work at one time or another. I have seen what they do and the services they provide over the years. I really have and I mean that sincerely.

All my colleagues have to vote their conscience and I am voting mine. I don't need a lecture either on how I vote. We are all individuals and we vote our conscience and we vote what we like. So tonight I am voting no on the layoffs. Thank you.

Chairwoman Cornell

I haven't actually slept for months. I am sure I am not going to sleep tonight; it is going to be another sleepless night. Yesterday's Wall Street Journal front-page headlines, "*Suburbs cut public workers. Governments pinched by recession. Pension cost turn to layoffs after exhausting other options.*" Rockland is not in this article. Suffolk and Yonkers are in it. New Jersey cities, towns and counties are in it. New York City has also resorted to layoffs. There is no one reason; there is no one person who is responsible for where we are today. We have to understand this. We were in a recession and we probably still are.

All of our property taxes have gone to pay just one mandated program – Medicaid. The County has to pick up all of the delinquent taxes for the towns, the villages and the school districts – millions of dollars. We don't get our State aid on time. We have this constant struggle to keep afloat and to keep the paychecks going to employees and to keep the contract payments going to the people who are also doing mandated services out in the community for Early Intervention and other kinds of things. There is no one person. There is no one reason. We are trying so hard to do our best. Everyone has said this that it is an agonizing decision, agonizing.

One thing I want to do, because we have spent a lot of time tonight talking about the one or two departments, I really have to talk about some of the other departments and programs that are going to be lost with layoffs. It is important for people to know. Anybody who comes to the Legislature knows how I always talk about the dedicated County employees, because I know how dedicated and how hard you work and how much you do for the people of our County. I think I have to say this again, since 2002 County parkland increased by 1,200 acres for a total of 3,170 acres. Our park staff works 365 days a year from 6:00 in the morning until after sundown every night every single day. They provide maintenance, security and stewardship for 28 parks, 3 farms, and several open space areas. Staff over these years have been reduced to 16 people, 3 of those are on the layoff list, which will represent with the others who have left the department a staggering 45% in personnel reduction since 2008. We honored the Planning Department in this Legislature just a month or two ago for all the work they have done over the years. We worked with them on the Comprehensive Plan, on the Census, on the redistricting, and the work that was required after Hurricane Irene, the work they do on tax delinquent properties, and the 911 systems, which relies on the geographic systems (GIS) and the vital demographic data, which is kept current. One of the mandated responsibilities of that department is the maintenance of tax maps for the County and towns, which must be certified and sent annually to the State that enables proper assessment of properties for counties, towns and villages. So the two layoffs in that department; we know they are not going to be able to do some of their mandated work on time or at least not completed on time. But also in the Land Planning Division the loss of one person will impact the work that is done on land use and the SEQUA we use and delay General Municipal Law reviews.

We have people who come into the Legislature all the time concerned about land use and concerned about environmental things. Layoffs in the Department of Health in the Environmental Health Division will, as we heard earlier, likely cause loss of the major program that protects the water in Rockland County by responding to oil spills and monitoring leaks of underground and aboveground tanks. It acts as an arm of the DEC enforcing compliance. There are only two people in that division and it is their expertise and experience that counts. Without that residence may wait for years and years for the State DEC to comedown and check on complaints that people make for environmental spills affecting our water sources. Air pollution, Mr. Micelli knows the years I worked on trying to get an air quality monitor for Rockland County, and how important the air pollution is to the Department of Health.

The Pre-Natal Clinic is another thing very dear to my heart. How sad it was that I had to find out from an email from Mary, who spoke tonight who sent me an email, telling me that the Pre-Natal Clinic was going to close at the end of December. Over the years I have talked with Dr. Facelle and I knew that there were plans that she was seeking others that might be able to run it given the financial problems that we have, but no one ever told me or any member of the Legislature that I am aware of that the wonderful Pre-Natal Clinic was going to close at the end of the year. If it was going to close at the end of the year how sad that the two positions that make up part of that team are on that layoff list. The Spanish-speaking translator is so important since three-quarters of the women who attend the Pre-Natal Clinic are Spanish speaking. The Phlebotomist, as anyone knows who has ever been pregnant, is a very important specialty for that.

I could go on. I am not touching on all of the departments on the list, but I think everybody needs to understand how appreciative we are of all of this and how painful. I am close to tears about all of this. But for the reasons that you heard in terms of what we are trying to do to put ourselves in a financial situation that can keep the County going so that we can try to pull ourselves up and continue going, because those of us who work in County government know how valuable the services are. Many of the people out in the community do not know. I picked up a newsletter that comes to my house every month basically from a Civic Association absolutely misunderstanding totally what County government does and talking about non-mandated programs. Well, many of these things I talked about are non-mandated. It is not mandated to have parks. It is not mandated to have these air pollution monitors. It is not mandated to have soil and water things. It is not mandated to have geographic information services that help the towns and the villages and the planners. So these are the things that we are faced with.

Nobody is more torn up inside than I am. We are faced with this situation. We received the list from the County Executive. We have tried to analyze it. It was going to be last Tuesday, Legislator Moroney will remember that we got the list too late that day for the meeting so we set it for this Tuesday. We just can't keep going on Tuesday after Tuesday. We have to deal with this. We can't predict the end result. The list we approve may not even be the people who are actually laid off, because of the bumping process. These layoffs are the unkindest cut of all. I just hope that they result in the savings that the County Executive predicts. I deeply regret this night. I will call the vote.

The vote resulted as follows:

Ayes: 14 (Legislators Carey, Day, Earl, Grant, Hood, Jr. Low-Hogan, Meyers, Murphy, Paul, Schoenberger, Sparaco, Wieder, Wolfe, Cornell)
Nays: 02 (Legislators Jobson, Moroney)
Absent: 01 (Legislator Soskin)

ACTIONS

Sean Mathews requested that position #7221, Principal Asst. County Attorney and position #6719, Human Rights Specialist be taken off the Positions To Be Abolished list and deferred for further review to the Budget and Finance Committee. Legislator Schoenberger and Chairwoman Cornell agreed.

Legislator Meyers:

- ✓ **Are there any other positions on the list that do not show State & Federal reimbursement?**
- ✓ **What other position will be cut in the County Attorney's office to replace position #7221 – Principal Asst County Attorney that has been deferred from this list?**

Legislator Day:

- ✓ **Provide actual salary for retiree rehired as a temp: Supervisor – Utilization Manager in the Department of Mental Health/Administration and Overhead**

b. Amendment To The 2012 Budget Regarding Contract Agencies.

**MOTION TO APPROVE
SCHOENBERGER/SPARACO: M.V.**

AYES: 15
Nay: 01 (JOBSON)
ABSENT: 01 (SOSKIN)

Mr. Schoenberger

These are the cuts to the contract agencies that were revised by Legislative Staff, our Financial Analyst Nicole Doliner. It is a 10% cut on the contract agencies. The schedule provided by the County Executive had two different groupings of contract agencies to be cut - those that had not as of the end of April signed contracts and had a check cut, because the County pays twice, half of the money at the end of April and half the money at the end of October this year. Those agencies that did not have a contract signed and a check cut by the end of April the administrations position was that they should be cut a full 10%. Those agencies that did have a contract signed and a check cut, because the money was allocated by check even though they have not been paid as of yet, they cut 10% on the remainder. This schedule presented to us tonight, before we came out, cuts 10% from every contract agency, but only on the second half of the year. If they had a contract signed or not a contract signed, we have allocated money that they are entitled to and they have spent money in belief of receiving the money the first half of the year the feeling was that if some were not going to be they should all be treated the same and no one should be cut. So it is a 10% cut, but only on the remaining amount for the second half of the year and the total comes to \$220,106 in contract agency cuts.

Chairwoman Cornell

There are no cuts before us for contract agencies that received their money through their departments where their contracts are assigned directly through the departments. These are what are called traditional contract agencies.

Mr. Schoenberger

No, that is wrong. There is a list of cuts on the last page, which is called "Internal", which come through departments. I think the correct statement would be that any agency that is funded through the State through a department has not been cut, because in essence what you would be cutting is State aid. These are only local shares whether they are through departments or not through departments. These are 100% local share contracts.

Chairwoman Cornell

Then I misunderstood and I misspoke. Are there any questions?

Mr. Meyers

I am glad that everybody is being cut equally, because in various conversations I was opposed to the idea that agencies that didn't have their paperwork in would be treated differently than agencies that did have their paperwork in. What I am less happy about though is I thought we were managing to a \$300,000 amount, which was the County Executive's target and was presented to us by Mr. DeGroat. That was an artificial number that was just a number that was going to be the contract agencies contribution to this process. We didn't meet that number and the numbers keep slipping. I think that we should have more discipline and meet the numbers. If a chart was presented to us a week ago saying \$300,000 from contract agencies we should have managed to the \$300,000 and the \$80,000 should have been distributed between all of them.

I am very chagrined that we are not meeting our goals. Every number is slipping. The amount realized from the layoffs is slipping. I just learned tonight from a colleague that Orange & Rockland Utilities couldn't implement the energy tax until October. That is not in our control, but nevertheless it is a slipping of millions of dollars for us. All of these things keep slipping and it is just not getting us to our goal. I think this body knows that the \$21,000,000 we were going to save in various ways for the balance of the year was not going to keep our deficit growing by tens of millions of dollars any way. Every time you slip it makes it worse.

Chairwoman Cornell

I think I can explain. You raised the issue the other day about the unfairness of the list that had come to us from the County Executive. I really agreed with you. I asked Nicole to contact Commissioner DeGroat today and to try to work out a way and I even called Deputy County Executive Sean Mathews to be sure that it was done. We tried very hard. Our Legislative Fiscal Analyst came up with a way to do the 10% in this way so that it would be as fair as possible. It just couldn't come out to the \$300,000, which was a number that the County Executive had put together. I think that Nicole did an excellent job. We just couldn't do everything. Either we were unfair and treated people unfairly, because they either didn't do the paperwork, which actually most of them had they were just not processed yet. Nevertheless, this was a good faith effort to come up with as much as possible. I would say this is fair. It didn't quite make the goal, but maybe we will make it up.

This is not everything we are doing. We have a Budget and Finance Committee meeting that Mr. Meyers has resolutions on and other Legislators will have other kinds of resolutions to find ways for revenues and cuts.

This is the best effort to come up with an equitable amount that wasn't penalizing contract agencies for something that may have been beyond their control, which is the fact that their insurance paper hadn't come or the County Finance Department hadn't processed it or the auditor that they had hired for year-end reports had not come in with the final audit. So I think this is a good resolution.

Mr. Carey

Is this list longer and more inclusive than last weeks list?

Ms. Doliner, Legislative Fiscal Analyst

It is the same.

Mr. Carey

I thought when we spoke last week that there were agencies missing from the list or weren't represented. I thought the action item was to add those to the list and if they got hit by 10% in addition to the \$300,000 we had targeted that number should have been higher than the \$300,000. I might have misunderstood and that is why I am asking that question.

Ms. Doliner, Legislative Fiscal Analyst

There was an action item last week in the Committee of the Whole in which you asked the administration to provide a list, not only with what they call the traditional contract agencies, but a list of all not-for-profits who had contracts with departments to provide services. In addition, you also asked how much, if any, Federal and State funding is tied to those contracts. You received that today. The administration came down with those charts today and that is included in what you had. So the discussion that took place was when you first thought there were agencies left off of the first list the reason why they are now not on this list again is because they have funding from State and Federal government tied to them and if we start deducting local share portions it could change the match from the State and Federal government.

Mr. Carey

So what we thought was an omission in error it was an omission by design. So I am asking if they shouldn't have been on in the first place?

Mr. Schoenberger

You and I discussed this last week and I didn't update you on what I had learned. When we had the Committee of the Whole meeting last week and we talked about contract agencies I asked questions about certain contract agencies. I asked the Commissioner of Finance at that time, if Meals on Wheels was \$1,600,000 or \$1,800,000 of County share and he said \$1,700,000 and I said to the Commissioner, "Is that \$1,700,000 County taxpayer money" and he said, "Yes." I questioned why it wasn't on the list for cuts. Since then with further investigation we have learned that it is not County taxpayer money. Meals on Wheels through the Office of the Aging has seven Federal programs, I think, and five State programs and the money comes from the Federal and State government through the Office of the Aging and then through to Meals on Wheels. Of the money they receive they raise about 25% through fundraising, they raise about 25% through State aid directly to them and the rest of the money basically is a pass through from the Office of the Aging.

You and I had talked at that time and you said to me, "Well, Meals on Wheels is \$1,700,000 and if we cut 10% it is \$170,000 are we going to deduct that from the \$300,000?" I said to you, "No, we add it on." Either the Commissioner of Finance either misunderstood my question or misspoke and since that time has been corrected. We have looked at every agency to determine what their share of State and Federal money is, what the pass through is and in some cases our local share is a match, which is a multiplier to receive State aid or Federal Aid. Those agencies have not been cut. The ones that are proposed to be cut are the ones that are County taxpayer funds.

I apologize and I probably should have spoken to you earlier.

Mr. Carey

I can appreciate that. So everything on the list is being equally treated.

The vote resulted as follows:

Ayes:	15	(Legislators Carey, Day, Earl, Grant, Hood, Jr. Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Sparaco, Wieder, Wolfe, Cornell)
Nays:	01	(Legislators Jobson)
Absent:	01	(Legislator Soskin)

Chairwoman Harriet D. Cornell called to adjourn the Committee of the Whole and report back to the full Legislature at 10:50 p.m., which was moved by Legislator Alden H. Wolfe and seconded by Legislator Frank P. Sparaco and passed.

The vote resulted as follows:

Ayes:	15
U.A. Nay:	01 (Wieder)
Absent:	01 (Soskin)

Respectfully Submitted,

Darcy M. Greenberg, Proceedings Clerk