

**HUMAN RESOURCES COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Human Resources Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium of the William H. Rogers Building, Veterans Memorial Highway, Smithtown, New York, on **January 23, 2001**.

Members Present:

Legislator Fred Towle - Chairman
Legislator Michael D'Andre - Vice-Chairperson
Legislator Vivian Fisher - Member
Legislator Jon Cooper - Member

Also In Attendance:

Paul Sabatino - Counsel to the Legislature
Suzanne Kappel - Aide to Legislator Towle
Tom Donovan - Aide to Presiding Officer Tonna
Lance Reinheimer - Budget Review Office
Bonnie Godsman - County Executive's Office
Nanette Essel - Aide to Legislator Fisher
Barbara Lo Moriello - Aide to Legislator Cooper
Paul Greenberg - Civil Service
Phil Bauccio - Risk Management
Robert Cabble - Deputy County Attorney's Office
Ted Sklar - County Attorney's Office
Marla Musgnug - Presiding Officer Tonna's Office
All Other Interested Parties

Minutes Taken By:

Patricia Patriss - Court Stenographer

(*The meeting was called to order at 11:38 A.M.*)

CHAIRMAN TOWLE:

Okay. We can get the meeting started. If Legislator D'Andre would lead us in the Pledge of Allegiance.

(Salutation)

Good morning, first and foremost let me apologize for anybody that did

arrive at nine thirty. The meeting is scheduled for eleven thirty, all though, I did speak to Legislator Alden, whose committee meets before us, and we're going to speak pretty consistently to find out when they may be getting done. Obviously, they were done this morning in twenty minutes. So some of the people that were on that committee had to sit around all morning. So, we may try to move the time a little earlier if that's convenient for the members. If it's not, just touch base with my office and we'll try to get a time that's convenient for everybody.

We don't have any public speaker cards this morning, but we do have two resolutions that were assigned to the committee. I believe both of them are prime if I'm not mistaken, Counsel.

MR. SABATINO:
Yes.

Introductory Resolutions

CHAIRMAN TOWLE:

The first one is 2051 - Implementing Day Care Program for County Employees (Towle), which is a resolution I was sponsoring in reference to day care. Little Flower Children Services had put together a proposal to possibly do day care at our County facilities in Hauppauge, Yaphank and Riverhead. It's been a concept that's been kicking around for four or five years.

About a month ago Legislator Fisher had contacted me, I guess, the subject had came up at the last series of committee meetings last year. Despite my surprise, I guess, I did not get a call from Sylvia Diaz, so I took it upon myself to give her a call following Legislator Fisher's courtesy call to me.

Mrs. Diaz informed me that they were hoping to put together and RFP in the next sixty to ninety days, and was very optimistic that she felt that within the next six to eight months that they would have someone in place possibly to move forward with the day care program. Not that I doubt Ms. Diaz, but unfortunately I've heard that story, and song and dance for the last five years. So I am going to make a motion to approve this resolution and move it to the Legislature.

LEG. D'ANDRE:
Mr. Chairman.

CHAIRMAN TOWLE:
Yep, Legislator D'Andre.

LEG. D'ANDRE:
How are we money-wise to support a program like this?

CHAIRMAN TOWLE:
Well, this particular resolution, the individual employees would pay a sliding scale, a fee, a sliding scale fee for whatever services they provided. The only County's contribution would be space, Legislator

D'Andre, whether it's in Hauppauge, Riverhead or Yaphank. Obviously, space that was available to provide for these services. We're not going to go out and build new buildings, but clearly with the buildings that we own I can't believe we can't come up with some square footage to provide day care for some of our twelve thousand employees that I've consistently continued to get calls from, that you know, just have clear problems, you know, with child care in the morning, myself included now I might add.

LEG. D'ANDRE:

Well, you know we have a huge county, and where do you put such a place, or how many do you need?

CHAIRMAN TOWLE:

Well, the resolution calls for Hauppauge, Riverhead and Yaphank, which are the three locations that we have facilities in now. You know, the bottom line is we're running a multi billion dollar corporation and we can't even provide day care for our own employees. How do we expect the private sector to step up to the plate and do the right thing, if we can't even get our own house in order?

LEG. D'ANDRE:

Because the private sector is full of ideas, and there's private entrepreneurs, and they come up with good ideas, that's how Mr. Chairman. The County for the most part usually is not that innovative. Although, I'll say this Legislative body is, and has been. I support your idea.

CHAIRMAN TOWLE:

And I appreciate it because obviously you were one of the key architects that helped put day care in our community college, and there's no reason that we've taken so long. I remember talking about day care when I first got here in 1996, and I'm still talking about it five years later.

LEG. D'ANDRE:

Well, I think it deserves a shot.

LEG. FISHER:

Mr. Chairman.

CHAIRMAN TOWLE:

Legislator Fisher.

LEG. FISHER:

I have just a question to ask of counsel. Has the RFP been posted by the County Executive's Office?

MR. SABATINO:

Well, I don't know if that has actually taken place. I do know that we had the discussion at the last committee, last two committee sessions last year, and they're mutually exclusive ideas. If the RFP process is going to go forward, you know, then this would be an entity

that could be part of that RFP process. I thought that's the way it was left at the last committee session, which was that that's what was going to take place, which was that the Human Services Division within the County Executive's Office was to going to incorporate this group as part of that list. If this bill passes, then you can't do the RFP process though. It's -- there are two different approaches to dealing with the same issue.

LEG. FISHER:

And they are mutually exclusive. That's certainly obvious.

MR. SABATINO:

Also, just to answer Legislator D'Andre's question, we did put -- Legislator Levy was the prime sponsor, and I think Legislator Towle and D'Andre co-sponsored a half a million dollars in the Capital Budget about a year and a half ago to try to accommodate that local law in terms doing the facility construction. So I think that aspect of it is covered from a financial standpoint. The only issue is how you want to do the contracting.

LEG. FISHER:

As a follow-up to that we did have Sylvia Diaz speak before the Social Services Committee. At this point it's about three months ago, it's almost three months ago at this point, and if they have yet completed the RFP and they haven't advertised it, then I have to agree with Legislator Towle that we've been dragging our feet on this.

Legislator D'Andre, I think you're correct, we have to as a government be a model. As leaders of the community we should be a model in day care. Employees should be able to find suitable, safe, child care for their children, and we are a large employer and we certainly should be providing that for our employees.

So that being said, Legislator Towle, I will second your motion to approve.

CHAIRMAN TOWLE:

I appreciate that Legislator Fisher. Just as an aside, as you probably recollect, we get copies from the Clerk's Office of any and all RFPs that go out, and I anxiously open those pieces of mail myself each and every day waiting to see if the RFP had gone out. Over the last month it hadn't, and as I said, if I wouldn't have taken the initiative to call them, we'd still be wondering what's going on. So I appreciate your second.

Legislator Cooper.

LEG. COOPER:

Mr. Chairman, I have a question for Counsel. Have we ever received a clarification regarding the eligibility criteria for this? I'm just trying to get a handle as to the number of employees that might be

able to participate in this program.

CHAIRMAN TOWLE:

Would you suffer an interruption? I know you asked Counsel, but since I spoke to the -- they sent out survey to our employees, and asked our employees to return that survey, you know, indicating whether or not you know, day care was a viable option, something you'd use, etcetera, etcetera, etcetera. We still haven't even gotten the results of the survey. They have them, but I have not been able to get a copy of them, and I've asked for a copy of them, and that's now been a month.

The fact of the matter is I've just received an enormous number of calls over the last five years, and comments from employees, having been a County employee for thirteen years, about the need for day care. It's just such a basic -- this isn't brain surgery. I mean, Little Flower, a private agency, who already has contracts with the County of Suffolk, who is licensed to do day care, who does day care at a hundred and ten different home sites throughout the County of Suffolk, is willing to step up to the plate, extend the contract that they already have with us to put day care, you know, providers and licensed people in three of our facilities or up to three of our facilities, and our only contribution is to give to them access to our employee base that may or may not want this, and to give them space, you know, obviously heat and electric and lights I would imagine too, but you know, space for this. And I can't imagine that in today's day and age that we can't provide such a simple and basic service for our employees.

It's just, you know, I don't know why this has become so -- not that it's complicated here, but I don't know why it's become so complicated over the last five years.

LEG. D'ANDRE:

Mr. Chairman, the only problem may be the cost of space. We can get space, but it's the cost, and day care has to be very safe.

CHAIRMAN TOWLE:

Right.

LEG. D'ANDRE:

And modern, you know.

CHAIRMAN TOWLE:

Agreed.

LEG. D'ANDRE:

And if they renovate that old building in --

CHAIRMAN TOWLE:

Yaphank.

LEG. D'ANDRE:

Yaphank, that's one spot, but that can't take care of the whole County. So you know, and these are all exploration, but certainly, every survey I've seen or heard of, everyone is looking for day care. All workers are looking for day care, and safe day care.

CHAIRMAN TOWLE:

I think the other thing, Legislator D'Andre, is this bill will stop the prolonged issue of this debate. They'll have ninety days to put together a plan based on this law, if it's passed and signed by the County Executive.

LEG. D'ANDRE:

Yeah, but you don't have to qualify it. The need is there. The people want it. They need it. The time has come when day care has come into its own. So you're going to head with it. That's the right way to go, and all the problems will fall by the wayside because people have to be assured that their children are well taken care of while they go to work, and it has to be fairly reasonable, but people are willing to pay for that for day care.

CHAIRMAN TOWLE:

Thank you.

LEG. D'ANDRE:

People are very willing to pay to know their kids are safe.

CHAIRMAN TOWLE:

Mr. Cooper, did you want to follow up on anything?

LEG. COOPER:

No. My only concern again, was the cost to the County, and more importantly whether we had the facility space for this, but if it's just requesting that they put together the proposal and take this to the next level, then I support it.

LEG. FISHER:

I have a question, Mr. Chairman.

CHAIRMAN TOWLE:

Legislator Fisher.

LEG. FISHER:

Because it's simply a line that I had not looked at carefully enough before this. The three sites listed at the H. Lee Dennison Building, and Sylvia Diaz spoke about that, that the renovation is beginning or it will begin --

CHAIRMAN TOWLE:

She didn't mention that to me in conversation.

LEG. FISHER:

Well, she did in committee. The second is the former infirmary in Yaphank and the third is a site to be chosen in Riverhead. Do you have anything in mind?

CHAIRMAN TOWLE:

Probably the County Center, and I think the only reason that Counsel and I didn't affirm that particular building is because there is some thought of renovations going on there too, from my recollection of the conversation when we first filed the bill.

MR. SABATINO:

Also, just -- maybe it's important to look at the history too. The original -- Legislator Towle is tracking the Legislation. The original bill was adopted, believe it or not, in 1988. Legislator D'Andre was the original sponsor. The idea was to get a program in two sites. It was supposed to be west end, east end. Nothing happened for a substantial period of time. Then in 1995 there was an extension of that period of time and then there was the addition of the third site, which was to have something in the middle, something in the west, something in the east.

So this Legislation is tracking that. Then in 1996 there was yet another, you know, piece of Legislation to extend the time again. These were all local laws. Then there was the actual funding by Legislator Levy about a year and a half ago. So it's not as though it just popped up yesterday, and those sites reflect the best thinking of three or four local laws over a period of twelve years.

CHAIRMAN TOWLE:

Any other discussion? There being none, all those in favor? All those opposed? 2051 passes 4-0 (Vote: 4-0-0-0).

2325 - To grant quarterly open transfer period for health insurance (Alden).

Just an explanation on that, Counsel.

MR. SABATINO:

This is Legislator Alden's bill to basically modify our law right now and say that transfer periods for people to move in and out of the health insurance program would be on a quarterly basis rather than the once per calendar year, which occurs right now. It would be prospective in nature. It would start September 1st of the year 2001. Right now there's one open in Roman period, which I think is like October, November, if I remember correctly, but what Legislator Alden is proposing is that employees and retirees have the opportunity to do it on a quarterly basis, which would be four times as many times as we currently do it.

LEG. FISHER:

I have some questions to ask of --

CHAIRMAN TOWLE:

Yeah. Mr. Bauccio, if you would join us for a second. Legislator has a couple of questions about this.

LEG. FISHER:

Okay. Hi. I had a couple of questions. My assumption is that there is a defined period in which you opted to, for one or another --

MR. BAUCCIO:

Right. The way our program currently works, we have an open enrollment period in --

LEG. FISHER:
That wasn't the end of my question.

MR. BAUCCIO:
-- in November --

LEG. FISHER:
Can I just finish my question? Okay. My question -- because I know how it works. I had assumed that the rationale behind that was financial, being able to know who's at which plan, and what costs would be.

MR. BAUCCIO:
That's one obvious reason.

LEG. FISHER:
So the question that I have is, if there are other enrollment periods then will that affect the projections that we have in Suffolk County as to the cost of our health insurance throughout the County?

MR. BAUCCIO:
Well, let me explain with the fact that when we went self-funded in health insurance, which was in 1992, we adopted what the state regulations were. The State, at the time had the once a year annual open enrollment primarily for the reason you just indicated so that you keep track of your financial implications on all situations. Plus, if you just let it open up to everybody whenever they want, it becomes a chaotic situation.

When you are in an insured program, you need to have certain guidelines to keep people in certain insured categories so they don't move from X to Y on a consistent basis. Since we are self-funded, and I'm going to give you both ends of the spectrum here, since we are self-funded we could pretty much do something like this, okay. The one thing I noticed at the Legislation is that it says that once you do make a move, you've got to stay in that move for twelve months. So we can adopt some something like this or something like this can be done I should say.

The reason that it's been maintained as a November situation is because that's something that's just been habit forming and whatever. To go to --

LEG. FISHER:
It's no longer based on financial necessity?

MR. BAUCCIO:
The financial necessity, most individuals, almost ninety, I would say probably ninety-six percent of our employees/retirees are all in Employee Medical Health Plan of Suffolk County. About five hundred or five hundred and fifty people are sitting in HMOs of various sorts, okay. The cost of the HMO is probably in some cases a little bit higher, and in some cases a little bit lower, but certainly they mirror each other in some -- the financial implications would not be that great.

The one thing I do want to say is that this has always been something that has been maintained in the labor management, Employee Medical Health Committee. It's not something that's ever been Legislated before. So I don't believe there's any law that currently keeps us in this November to December time frame. I think it's just something that's been past practice that was adopted when we first self-funded health insurance.

LEG. FISHER:

So then you don't see any reason why this Legislation shouldn't go forward?

LEG. FISHER:

I'm sorry? Lance had whispered something in my ear.

LEG. FISHER:

You don't see any reason why this Legislation --

MR. BAUCCIO:

The only one is the one that Lance just whispered in my ear, and that's the -- the one issue that could be complicated or could cause a problem, is if you bring somebody into the Employee Medical Health Plan in a mid year situation, what do you do with the normal deductible situations? Because our deductibles are based on annual situations.

For example, if you stay in network, it's a ten dollar co-pay. You just go to your doctor and life is good, but if you go out of network, you've got a two hundred and fifty dollar deductible, and then you're subject to the eighty percent, to a maximum number, I think it's two or three thousand dollars now.

My point is, if you move people in in mid year they would either be picking up more of a deductible in one year or less of a deductible depending on how you did it. That would have to be looked at.

LEG. FISHER:

Mr. Chairman.

LEG. FISHER:

I would like to make a motion to table this so that we can further explore the ramifications.

CHAIRMAN TOWLE:

And I'll second your motion to table. Mr. Bauccio, between now and the next meeting, if you'd speak to Legislator Alden to work out that difficulty so that at the next meeting you can give us an update of whether we can or can't work it out.

MR. BAUCCIO:

I'll discuss it with him.

CHAIRMAN TOWLE:

Okay. Any further discussion? There being none, all those in favor of tabling 2325?

LEG. FISHER:

I don't think anyone seconded it.

CHAIRMAN TOWLE:

Yeah, I seconded it. There being no discussion, all those in favor? All those opposed? Any abstentions? 2325 is tabled (Vote: 4-0-0-0).

I have no other resolutions before us. Did anybody else wish to address the committee? If not, we're going to go into Executive Session. The Executive Session would include representatives from the County Executive's Office, the County Attorney's Office, Mr. Bauccio and representatives of his office, our Counsel, and Legislative Aides, and Budget Review. I make a motion on that by myself. Second by Legislator Fisher to go into Executive Session to discuss pending litigation against the County. Any discussion? There being none, all those in favor? All those opposed? We're in Executive Session now.

(Executive Session: 11:55 A.M. to 12:24 P.M.)

CHAIRMAN TOWLE:

We're going to reconvene the committee meeting at twelve twenty-four. Motion by Legislator Fisher, second by Legislator Cooper to adjourn the committee meeting. All in favor? All opposed? We stand adjourned at twelve twenty-five.

(*The meeting was adjourned at 12:25 P.M.*)

Legislator Fred Towle, Chairman
Human Resources Committee