

**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 **March 27, 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  
Jim Dobkowski - Aide to Presiding Officer Tonna  
Nanette Essel - Aide to Legislator Fisher  
Barbara LoMoriello - Aide to Legislator Cooper  
Kevin O'Hare - Aide to Legislator Crecca  
Fred Pollert - Budget Review Office  
Lance Reinheimer - Budget Review Office  
Bonnie Godzman - County Executive's Office  
Paul Greenberg - Civil Service  
Robert Donnelly - Information Services  
Phil Bauccio - Risk Management  
Dan Hickey - Commissioner of Social Services  
Paul Kelsch - Client Benefits Division  
John C. Walsh - Director Child Care Bureau  
Bill Maggi - Suffolk County Correction Officers Association  
Bill Ellis - Suffolk County Correction Officers Association  
Vito Dagnello - Suffolk County Correction Officers Association  
Audrey Van Deusen - Child Care Council of Suffolk  
Linda Devin-Sheehan - Child Care Council of Suffolk  
James Portrias - Suffolk County Comptroller's Office  
Ray Gontasz - Suffolk County Information Services  
Linda C. Taylor - Audit & Control  
Janis Bowman - Audit & Control  
Kristine Chayes - Civil Service  
All Other Interested Parties

**Minutes Taken By:**

Patricia Patriss - Court Stenographer

---

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

**CHAIRMAN TOWLE:**

We're going to call the meeting of the Human Services Committee together. If Legislator D'Andre would lead us in the Pledge of Allegiance.

LEG. D'ANDRE:  
My pleasure.

### Salutation

CHAIRMAN TOWLE:

We have a few cards this morning. Before we go to the agenda I'd call up Commissioner of Social Services, Dan Hickey to address us on Resolution 1129, which was inadvertently left off today's agenda by my staff.

COMMISSIONER HICKEY:

Thank you for giving me this opportunity to speak first. As you know, I have another commitment to make in a very short time. I just wanted to address this whole issue of child care. This was a resolution that started out in the committee process of Social Services about nine or ten months ago. It never went through that process. It wound up being adopted as an appropriation in the omnibus resolution and it has never been publicly discussed, and at this point in time, since it is a resolution to put this money on the table and out there in the field it's time for the department to comment on it.

We have sent some issues over to the sponsor's office that we feel are important and that have to be issued, and we would hope that this resolution be tabled until all of these issues are publicly debated.

It is our feeling that County Government, particularly at this time when we are being asked to make cutbacks, should not be going into new initiatives, and this is a five hundred and fifty thousand dollar initiative that will come out of County funds. It is not reimbursed by the State or Federal Government, and it will have the affect of subsidizing wages in the private sector. If wages are subsidized in the private sector, there is a good situation going on or a good indication that employers will not be giving raises because we'll be giving those raises. We pay child care providers for the clients that we send there both on public assistance and none public assistance what the going rate is in the market established by the State.

We feel that it is up to those providers to pay the going rates to their employees. We also took a look at the resolution that was submitted last year and not discussed and determined that the actual money required to give this compensation to the employees that were identified at that time is over two million four hundred thousand dollars. So we feel that this bill as presented now would not really do the job that it's purported to be doing. It would only be a Band-aid.

Third, we are concerned about other positions that need subsidies in Suffolk County like nurses and home care agencies. I don't know where

---

we would begin in terms of priorities.

Fourth, we felt that the study itself as we took a look at it left many issues that were not addressed. Are there in fact really

turnover programs in the child care field? Are there retention issues or are there recruitment issues? We did not see any follow-up studies done with people who left the field to see if these subsidies would in fact have stopped them from leaving, and I think we need to visit that issue before we go forward.

We also recognize there are other programs that could be used to encourage people to go into this field. The State pays teachers or forgives them tuition from their teaching degrees if they go teach in certain Districts and certain areas where there is a lack of teachers. Maybe we should consider something like that if we're going to consider something at all.

We also realize that this bill would circumvent the RFP process and provide monies directly to the agency that did the study that made the determination that these monies should be paid out. We feel that is problematic. And we also would like to say that New York State has a similar program that is providing money to retain people in this field. That program is now available. Applications can be made on the computer. We do have those applications available. They are in the back of this memo that was sent to the sponsor. I will provide each one of you a copy of that memo and I ask you in the future to debate this thoroughly and to consider all of these issues. Thank you.

CHAIRMAN TOWLE:

Thank you, Commissioner. Any questions from members of the Committee? There being none, since the Commissioner has to leave and Legislator Fisher unfortunately is running late, I'm going to make a motion to move 1129 out of order for the purpose of tabling it for our next meeting. 1129-01 - Expediting implementation of enhanced Child Care Program.

LEG. D'ANDRE:

Second.

CHAIRMAN TOWLE:

Second by Legislator D'Andre. Any discussion on that? There being none, all those in favor of tabling 1129? Opposed? Abstentions? There being none 1129 is tabled (Vote: 3-0-0-1 - Not Present: Legislator Fisher).

Thank you, Commissioner.

Our next speaker, William Maggi, the President of the Suffolk County Corrections Officers Unit.

MR. MAGGI:

Good morning Mr. Chairman, and good morning members of the Human Resources Committee.

---

CHAIRMAN TOWLE:

Good morning, Bill.

MR. MAGGI:

For the record my name is Bill Maggi. I'm President of the Suffolk County Correction Officers Association. I'm here to talk about two bills that hopefully will be put on the docket for next week, April 3rd, for approval by the full body. One is IR 1250-01, which is a Worker's Comp, I'm sorry, a three quarters disability for Correction Officers as well as Deputy Sheriffs.

There's also another bill included, it's 1216-01, which is a heart bill that would give Correction Officers and Deputy Sheriffs a chance if they come under the chance -- if they happen to get a heart disease or come up with a heart condition on employment as a Correction Officer, they would be eligible, doesn't mean they would automatically get it, they would be eligible for -- to review and to see if they could get disability payments for the heart bill.

We've given you a table of contents. I can go briefly go through it and you can read it yourself and we'll answer any question during the course of the week and next week. One is a summary from the Executive Board describing why we believe these two bills are important for Correction Officers as well as Deputy Sheriffs, as most elected officials have stated, that our job is a very difficult job. The stress, the chances of incidents with inmates with disabilities due to diseases are very high.

We believe that these two bills if they're passed would enable Correction Officers to be on a level playing field with other law enforcement groups throughout the State and the County. We have fought very hard over the last few years to get Albany to sign these two bills into affect. This is the first bit of Legislation that the Governor has signed last year for County Correction Officers and again, we would ask that you review this.

There's been a lot of controversy all of a sudden about these two bills, especially the heart bill. We believe that the statistics will show that the organizations do enjoy this benefit. There has not been a mad rush for the officers to claim these diseases or ailments.

What it does, again, like I said before, it puts the officers, deputies and C.O.'s on even playing field with other law enforcement groups, and quite frankly, these are two bills that if passed, we hope our officers never have to use because there's a negative connotation to it. They're either going to have an injury or an illness, or you may have something to do with a heart disease caused by the nature of the job.

CHAIRMAN TOWLE:

Any questions?

LEG. D'ANDRE:

Mr. Chairman, does Nassau have this?

MR. MAGGI:

When the Legislation was passed it was approved for Nassau. They have to negotiate it with their County. Westchester County is in the process of doing this. The State Correction Officers have this. The City Correction Officers have this. Also we're told that Suffolk County Police Department have attained this over the years. And just for your information, the Police Department who does have this, I think they've had -- I'm talking about the heart bill, they've had one case in ten years, and that's still pending. So the rush to judgment that everybody's going to be clutching their heart or faking an injury and leaving the job, the statistics don't bear that out.

LEG. D'ANDRE

Oh, well, their ego gets in the way. Nobody is going to -- a masculine guy is not going to admit to a heart problem or anything like that.

MR. MAGGI:

And if you look -- just as a point of reference, if you look at the numbers of this thing, especially for Suffolk County Correction Officers, on Page 2 it talks about how the percentage of Correction Officers in Suffolk County out on Worker's Comp has dropped from 1995 to five percent, to just under two percent for each of the last three years.

So the most recent Worker's Compensation averages are well below those of other law enforcement personnel. I believe that over the last twenty-four years it has revealed that only twelve point eight percent of all Correction Officers in Suffolk County ever made it to full retirement. During the same time period one point five percent died in service, five point seven left with a medical disability, and fourteen point nine resigned.

So the numbers indicate, and these are numbers from the Sheriff's Department, that the officers have not taken advantage of any kind of Worker's Comp. We never had the heart before anyway. So I think it speaks well to the people who work in there that if they do contract a disease, get hurt on the job, since it is a very difficult job, and we've been told that over and over again, they should not be left out of protection that other law enforcement groups enjoy.

CHAIRMAN TOWLE:

Mr. Maggi, I appreciate your comments. Obviously I think your packet was very thorough this morning. I'm going to make a motion to move 1215 out of order.

LEG. D'ANDRE:

Second.

CHAIRMAN TOWLE:

Second by Legislator D'Andre. Any discussion on 1215 - Electing to grant performance of duty disability benefit for certain Sheriff's Office employees? If not, I'd make a -- okay, there is -- why don't you join us gentleman. I didn't realize you were speaking on that. I'm sorry. The card didn't say what you were speaking on. I'm sorry. 1215 is before us. Mr. Bauccio, good morning.

MR. BAUCCIO:

Good morning. I'm sorry that we caused a little confusion here.

CHAIRMAN TOWLE:

That's okay. As I said, unfortunately the card didn't say what you were speaking about so I didn't know you were speaking on these resolutions.

MR. BAUCCIO:

Basically, we're not against the three quarter situation in filing to the State on the three quarter situation. I have not seen the statistics or the packet that has been given to the Legislators by Mr. Maggi, and that is not really where the issue we believe is.

In the resolution, the resolution makes a presumption that if the individual has a heart condition, comes down with HIV or any kind of a situation it's automatically presumed or it is presumed that it happened in the line of duty. The issue that we're concerned with is that between the process of them coming down with this situation and the process of it being accepted okay, is if we make the presumption up front that it is in the line of duty, there will be several issues that happen.

First of all, the way we handle it now, almost every heart situation, and I say almost every heart because there have been a couple that have been accepted, and I'm not talking so much Deputy Sheriffs as I am Police Officers, where the incident happened as they were dealing with a particular defendant or you know, criminal or situation -- however, what happens is that when we get an initial report, it's almost always automatically controverted until additional evidence comes forth and until there's a determination as to whether the condition was caused by the incident or whether the condition was a genetic condition, or something that happened over the years of the individual's service.

During that process, okay, the individual is not given his Workers Compensation and/or 207C until it's determined that it did happen in the line of duty. If this piece of Legislation is passed as it's written and as we've interpreted it, it presumes that automatically the individual is a Worker's Comp case and ultimately a 207C Case and the length of time between the time that he is still on the job and not necessarily working because of his condition and accepted by the New York state Retirement System could be substantial.

In the case of a Police Officer if we just use a -- or a Deputy Sheriff, and we just use a round figure of a hundred thousand dollars a year in salary, 207C provides that they get their full salary tax free until such time as the disability ceases or until they're retired. So there could be a length of time -- and in my cases we've got situations where people are on -- where employees are on the 207C Payroll or the Worker's Comp Payroll for an extensive length of time until such time as they determine they want to retire.

So our big concern with this issue is not the three quarters part of it. We think that's fine if the State wants to -- has passed a bill

---

and awards them three quarters based on an in line of duty heart condition or other condition. That part of it is fine. The problem is the presumption of, it's automatic until such time as time as they do retire. That will cost the County many funds, much funds additionally to the tune of maybe about a hundred thousand dollars a year per individual case.

LEG. D'ANDRE:  
Mr. Chairman.

CHAIRMAN TOWLE:  
Legislator D'Andre.

LEG. D'ANDRE:  
What you say is true to a certain extent. First of all, the job is hazardous. Second of all, no one knows in their tree of life where they're going to get a heart problem, but I would suspect that it would be aggravated by this job, not the home life. When you go home you get on the couch, you read a book, you sit down, you see television, but on this job you got to be constantly alert with a lot of bad people in this world.

So I would say, if you're going to have a problem, it's more likely to be on the job than at home sitting on the couch or sitting at a --

MR. BAUCCIO:  
That may be true, and if that is the case, once that's proven --

LEG. D'ANDRE:  
And none of us --

MR. BAUCCIO:  
-- it would be accepted.

LEG. D'ANDRE:  
-- in our tree of life, know where this going to hit us. I got it at a very old age and I was in the horticulture business, and I worked very, very hard. It didn't bother me, but --

LEG. FISHER:  
Mr. Chairman, I have a question.

CHAIRMAN TOWLE:  
As soon as Legislator D'Andre is finished.

LEG. D'ANDRE:  
-- these men who work with these -- some of these people are very bad people. They're not all bad, or that bad. I would give them the benefit of the doubt that it happened on the job.

MR. BAUCCIO:  
One of the issues that constantly comes before the Legislature, and I get asked about is why our Worker's Comp rolls continue to swell, and one of the things that I have mentioned, and doesn't relate to just the sheriffs or to police or whatever --

---

MR. MAGGI:

No, that's wrong. That's a wrong aspersion to cast on us, Phil.

MR. BAUCCIO:

It's not an aspersion on the sheriffs or the Correction Officers. It's strictly a situation that occurs. The more individuals that we put on disability through Worker's Compensation, the more individuals that we will pay two thirds their income to a maximum of four hundred dollars until either the disability ceases or for life. So it's kind of a trade off, and as long as the Legislature is aware that on Worker's Comp someone that retires with Worker's Comp gets that two thirds to a max, four hundred dollars and in the process, since 207C does apply, you will pay full salary tax free until such time as they either retire or the disability ceases. As long as that's known, that's fine.

MR. MAGGI:

I want to rebut that.

CHAIRMAN TOWLE:

Go ahead, Mr. Maggi.

MR. MAGGI:

First of all, just for the facts that you should know, we have around seven hundred and twelve Correction Officers and over two hundred Deputy Sheriffs currently on the rolls right now for Correction Officers and I think the Deps are even much lower than that.

We have twelve Correction Officers receiving Worker's Comp. We have eleven more receiving modified duty. Out of that there's probably about three Correction Officers that have been on Worker's Comp for a few years. The rest have been only on for a short time. So out of seven hundred people, we have twelve people on Worker's Comp. And by the way, it is important to know that assaults on Correction Officers are up eleven point two five percent since 1995. So they're knocking us out more and we still have less amount of people on the rolls. I think that speaks volumes for the people who work in that department.

And in regard to this health thing, to the heart bill, it's a rebuttable, a rebuttable, and you can read it in our package, it's a rebuttable presumption meaning you have to go through a number of steps before you're going to be presumed that you had the heart disease caused by the job. You just don't clutch your heart and walk out the door.

And in regards to Worker's Comp, and Phil can answer this, the majority of the delay of the Worker's Comp is not by the officer or the employee, it's by Worker's Comp and the Comp Board hearing their cases, Phil, and you know that's true. We have a system -- as a matter of fact, our system for when an officer gets hurt and he or she has to go to an independent doctor, it is now used as a model by Westchester County Corrections. They come all the way down here to use a model that Suffolk County designed with the County to have their offices checked out.

I think we have proven beyond, that we do come to work, we don't use

---

this lightly and that the officers do a very difficult job and don't go running home when they get hurt. It just doesn't happen. And the numbers bear that out. And you can get the numbers from his office on the amount of people out on Worker's Comp in our department.

MR. BAUCCIO:

This is not an issue of whether or not, from my perspective, of whether or not his people are doing a good job. I believe they are, okay. It's the point of if you pass the resolution it's written, the presumption is there that you have to buy the issue, okay. And the presumption is going to be costly depending on the number of cases that come in. If there's one case, it could be a hundred thousand dollar case. If there's three cases in a year, it could be an extra three hundred thousand dollars.

I don't dispute the fact that the Correction Officers and the Deputy Sheriffs and the Sheriffs Department do an outstanding job. That is not the issue. The issue is the resolution as written and what the ultimate affect of that resolution will be.

LEG. D'ANDRE:

Phil, would you admit to the fact -- Mr. Chairman.

CHAIRMAN TOWLE:

Legislator D'andre, I was going to recognize Legislator Fisher, she had a question, but if you --

LEG. D'ANDRE:

I'm sorry.

LEG. FISHER:

He's following up.

CHAIRMAN TOWLE:

Go right ahead.

LEG. D'ANDRE:

Okay. Would you admit that the job is hazardous?

MR. BAUCCIO:

Absolutely. There's no issue as far as that goes. I just want everybody to be aware that there's a cost factor that goes with this.

CHAIRMAN TOWLE:

Legislator Fisher.

LEG. FISHER:

Hi, good morning, and pardon my lateness. Somebody stopped at my office with something at the last second, sorry. I had a question Phil, about the second whereas in the resolution.

MR. BAUCCIO:

Yes.

LEG. FISHER:

I'll read it if you don't have the text. I understand the comments

---

that you made regarding presumption.

MR. BAUCCIO:

Um-hmm.

LEG. FISHER:

And I see it in the third line here, "hepatitis, are presumed to have contracted the disease while in the line of duty," but is the County protected with the net, through the next line which says unless the contrary is proved by competent evidence?

MR. BAUCCIO:

It depends how that presumption is interpreted, okay. When we first read the resolution the presumption seems to indicate that if you suffer the condition and you are a Deputy Sheriff and/or Correction Officer, that it's almost automatic. In that process the way we work things currently is we would controvert a case like this, okay. The case would be controverted until the evidence is submitted. Once the board makes a decision or the authorities make a decision that it is an acceptable case, then we buy the case. We provide the retro monies that are provided, and the case is accepted and dealt with accordingly.

That process, while it's not the best in the world, at least it gives the County a chance to get a say into the situation. As I read the resolution, I think the presumption is based on the way it's worded, is that it's acceptable because it was a Deputy Sheriff and/or Correction Officer, and I don't think we could make a fight based on this resolution.

LEG. FISHER:

So you wouldn't be able to controvert based on the language that I just read, which is, "unless the contrary is proved by competent evidence. You don't feel that that's strong enough?

MR. BAUCCIO:

I don't feel that that's strong enough.

LEG. FISHER:

What language would be necessary for you to have a level of comfort?

MR. BAUCCIO:

I think the -- if the resolution were written with language that says that the County has the ability to do the processing and process the claim as it would normally process it, and once the case is adjudicated as in the line of duty, then the presumption is that the payments will be made. Then everything follows suit. I don't think we have that ability as a County in this resolution.

LEG. FISHER:

Bill, may I ask you the same question?

MR. MAGGI:

I disagree with Phil because you have to ask Phil what's the difference between this and Worker's Comp? There's a degree of protection that each municipality has when it comes to when an officer

---

files a Worker's Comp Claim. Whether it's 207C, which is for law enforcement officers, which gives us a higher degree of protection, and Workers's Comp, we still have to go to the doctors, we still have to go through all the exams. We still have to go to a third party intervention. I don't believe there's any difference.

You know, the County has a lot of protections. I mean, they can send us to as many doctors as they want. These doctors will examine the individual's health history, whether or not there's a heart disease in the family. I mean there's a whole list of criteria that they would have to go through. I don't believe it's going to be an automatic buy as soon as the officer gets hurt.

LEG. FISHER:

Legislative Counsel, my understanding of the second whereas was that there is some protection through the County based on the last line which is, "unless the contrary is proved by competent evidence." I thought that would give us an opportunity to controvert.

MR. SABATINO:

That's correct. The way the State Legislation is worded is it creates what lawyers call the rebuttable presumption. It just shifts the burden. When you have a statutory presumption for whatever it is, in this case for the injury being in the line of duty, it means that you start off from a statutory standpoint with the burden shifting to the other party to contradict what the presumption is. So here the presumption will be that the condition was caused by the job, which means that --

LEG. FISHER:

Unless they were controverted.

MR. SABATINO:

-- the employer, which is the County, then has to go in and rebut that presumption and try to contradict it. That's the converse of what the current situation would be, which is that --

MR. BAUCCIO:

And that's very often.

MR. SABATINO:

-- the burden would be on the employee to come in and establish the evidence.

MR. BAUCCIO:

And that's a very difficult --

LEG. FISHER:

Under this resolution the burden is then on the County, on the employer.

MR. SABATINO:  
Yes.

MR. BAUCCIO:  
That becomes very difficult from a proof standpoint because if you

---

don't have -- if we don't have the evidence, there's nothing we can bring up.

MR. SABATINO:  
Yeah, from a legal standpoint it's a significant shift. I mean, it's -- the person that carries the burden has a, you know, a higher threshold.

MR. MAGGI:  
Again, I'd just like to go on record, I believe the numbers bear out that the Correction Officers and Deputy Sheriffs have proven over the years that this is not an area that they abuse. If a person -- let's face it, we have a high threshold of chances of injury. TB, tuberculosis, when somebody is throwing urine and feces at you there's a good chance that you may contract some type of disease. But I defy somebody to sit here and tell us that that's a normal part of their job.

We face a high risk, but still, with the high risk that we face, the numbers bear out that the Correction Officers and Deputy Sheriffs don't abuse this situation. Twelve people out of nine hundred, I don't think that's -- and again, if it's passed, I don't think there's going to be a mad rush to run out the door with a heart ailment. It's just not going to happen.

MR. BAUCCIO:  
By the way I don't disagree with what Bill just said. That part of it is not an issue from our standpoint. It's just the understanding that the presumption is changing and that is significant in terms of the way we can handle the situation.

CHAIRMAN TOWLE:  
Legislator Fisher, are you finished?

LEG. FISHER:  
I just had one more question.

CHAIRMAN TOWLE:  
Okay.

LEG. FISHER:  
It was for Budget Review. What would you foresee -- I know that you're really having to extrapolate in order to come up with a figure, but what kind of fiscal impact would there be?

MR. POLLERT:

The Budget Review Office contacted the State of New York Retirement system who provided us data based upon what their actuaries have come up with, what they project the cost to Suffolk County to be. On resolution 1215 there would be a past service cost of approximately seven hundred and thirty-two thousand dollars, and they are forecasting that based upon the current salaries. The annual cost going forward is approximately one hundred and eighty-three thousand dollars. We have contacted them a number of times because a number seemed to be high to us, but based upon their actuary findings those would be the charges to the County. The County would have the option

---

of paying it out over a number of years with respect to the past due credit, but there would be an associated interest charge if we decided to do that.

LEG. FISHER:

Why is there that high past cost? I don't know where that comes from. Can you explain that to me, that seven hundred thirty-two thousand dollars? This is -- bear with me. I don't know a lot about disability and this part of the law, and I'm very confused by this.

MR. REINHEIMER:

New York State didn't go over with us how they arrived at that figure. That's a figure that they --

LEG. FISHER:

Well, that's good to hear. You don't know either then.

CHAIRMAN TOWLE:

But hey, let's use a number anyway. We don't have the back up, we don't know how we came to that number. You got a coin? Let's flip one.

MR. BAUCCIO:

Can I just --

MR. REINHEIMER:

Well, --

LEG. FISHER:

Let him answer, okay.

MR. REINHEIMER:

Let me -- if I can continue, that's a number that came from a letter directed to us from New York State, from the actuary of New York State, saying that based on Suffolk and their payroll and the number of members, that is the past service cost. That they try --

CHAIRMAN TOWLE:

That the bill --

MR. REINHEIMER:

They try to base that on experience with other locals. New York, the State of New York, has, I think, similar type provisions for their Correction Officers. That's based on their experience whether, you

know, we argue whether that's a good number or a bad number, that's the number that they've given us.

LEG. FISHER:

Actually, my question wasn't about the number, but about what it meant.

MR. REINHEIMER:

Oh, okay.

LEG. FISHER:

Does that mean we owe somebody seven hundred thirty-two thousand?

---

MR. REINHEIMER:

In other words --

LEG. FISHER:

To whom do we owe it and why do we owe it? Is this retroactive in other words?

MR. REINHEIMER:

Yes. What this is, it's where -- anytime we have an enhanced retirement benefit, generally there's an associated past service cost because we're going forward with that benefit from today forward for members that have been in the system for many years, and so that they, you know, rather than having higher rates for the past years because we didn't have this benefit, they're saying well now that you're affording this benefit to these members starting today, there is an associated cost with members retiring tomorrow that you haven't paid for that enhanced benefit in the past. So it's a catch up is what it is. Catch up for --

MR. BAUCCIO:

Can I just make one comment on that?

CHAIRMAN TOWLE:

Before you do that, Phil, before you do that, obviously that number though shouldn't be a guesstimate or based on other localities. It should be based on our actual employees who would be eligible for this benefit for whatever period of time, and I can't imagine that they were able to whip that number up like that.

MR. POLLERT

there are a number of municipalities such as Westchester, which have also decided to opt into this enhanced type of benefit. That's what the chargeback is. The chargeback is not based upon actual experience. It is much like a health insurance chargeback.

We establish one rate for all health insurance, either individual or family, we charge that rate to all the individuals under COBRA whether or not they avail themselves of those health benefits or not. So there is one unified rate. It's not a guesstimate from the State of New York. Now what has happened in the past when they have given us an estimate because of the good earnings of the retirement system,

some of those charges have either been reduced or waived. That is unlikely at this point in time, whether it be with the recent performance of the stock market, as well as the announcement from the State Comptroller's Office that, more or less, that the retirement cupboard is bare. Those will be the charges that will actually be made to the County.

CHAIRMAN TOWLE:

And what about the fact that Mr. Maggi pointed out that in comparison to Westchester a number of people that have had, you know, these types of illnesses is obviously significant less -- you know, significantly less than any place else.

---

MR. POLLERT:

That would not really make any difference. That is part of the reason that the County opted out of the Empire Plan with the health insurance because we felt that with the one unified rate being charged to the County we were being overcharged. There is no other game in town. They're just going to charge us one unified rate. Based upon the number of employees that we have that charge will be prorated. If any other County like Nassau County decides to opt into this, their charge will be similar as well.

LEG. FISHER:

So their actuarial tables don't take into account the low rate at which it's used here, this fund, this occurrence, that happens in Suffolk County? That doesn't come into play?

MR. POLLERT:

Right, what the actuarial rate is based on is their previous experience with the State of New York and with other municipalities that have this benefit. They can adjust it in future years, but based upon what the impact has been from other municipalities that is the rate that they establish for the County.

LEG. FISHER:

Would they then return any of that seven hundred thirty-two thousand?

MR. POLLERT:

No.

LEG. FISHER:

No.

MR. MAGGI:

Fred, may I make a statement?

CHAIRMAN TOWLE:

Yes, Mr. Maggi.

MR. MAGGI:

I believe the question should be asked how long the County has to pay that monies out. I've been told ten years in the past. So if it's

six hundred and forty thousand dollars and we have ten years to do this, that comes out to sixty-four thousand dollars a year for seven hundred and twelve Correction Officers and two hundred and something Deputy Sheriffs.

Now, if there's not enough respect for what we do for that, then I might as well just pack up and I'll tell everybody to go home because I don't believe that the people in this County, especially this body, don't have the utmost respect for the job we do. And although it cost sixty-four thousand dollars I don't believe anybody sitting here would not think that's a fair amount to protect the people who watch the worst in the County. Nobody can rebut that to me, nobody in a sane argument anyway.

MR. BAUCCIO:  
I just want to make --

---

CHAIRMAN TOWLE:  
Bauccio.

MR. BAUCCIO:  
-- one comment, Fred. The piece that we're talking about has nothing to do with the State's sixty-four thousand dollars or six hundred and forty thousand dollars. What our concern is, is the time frame from the point that the heart condition or the pneumonia or the HIV is discovered to the point of which retirement occurs. That's the part which will -- you know, the individual is still entitled to either Worker's Compensation or in this case Worker's Compensation 207C, and he's entitled to his full pay and allowances until the disability ceases or he retires. And we also would be responsible for all the medical bills from that point until the point he's well again.

CHAIRMAN TOWLE:  
Mr. Bauccio, have you spoken or has Mr. Greenberg spoken to Legislator Caracciolo the sponsor of these bills?

MR. BAUCCIO:  
I have spoken to Legislator Caracciolo, and he had said he had tabled his or he had tabled it in his committee.

CHAIRMAN TOWLE:  
Okay.

MR. SABATINO:  
Mr. Chairman, Legislator Caracciolo asked me yesterday to report to the committee that as a sponsor of 1216 he wanted 12 -- he was requesting that 1216 be tabled. 1215 you know, he didn't make that request for.

CHAIRMAN TOWLE:  
Okay. He's never shared that to me so, I'm going to -- as I said, I had a motion to move 1215 out or order. Second by Legislator D'Andre.

LEG. COOPER:

Mr. Chairman.

CHAIRMAN TOWLE:  
Legislator Cooper.

LEG. COOPER:  
I just had one question regarding 1215.

CHAIRMAN TOWLE:  
Go right ahead.

LEG. COOPER:  
Is it possible for us, assuming that the Legislature wanted to put the onus on the employee, to prove the cause of the HIV infection or some other disability? Not that I'm saying that that is the case, but assuming that that was the situation, is it possible for us to do that under New York State law?

---

MR. MAGGI:  
You'd probably have to go back Jonathan and change the whole Legislation from the State and this thing took about ten years just to get it --

LEG. COOPER:  
Paul, this may be addressed to you as well.

MR. SABATINO:  
No, the way it works is this is pursuant to enabling State Legislation. You either opt in or you opt out. You can't modify --

LEG. COOPER:  
So we can't fine tune on our own?

MR. SABATINO:  
No, you can't. Not unilaterally, no.

LEG. COOPER:  
It really becomes moot.

MR. SABATINO:  
You're in or you're out.

CHAIRMAN TOWLE:  
Okay. I will, between now and Tuesday, speak to Legislator Caracciolo, Phil, to see what his intentions are. As I said, I had a motion to move 1215 out of order and a second. Any discussion? There being none. All those in favor? All those opposed? 1215 is before us. Motion to approve, myself; second, Legislator D'Andre. Any discussion? There being none. All those in favor? All those opposed? Any abstentions? 1215 is approved (Vote: 4-0-0-0).

MR. MAGGI:  
Thank you very much.

CHAIRMAN TOWLE:

1216 - Electing to grant disability benefits to the County Sheriff, Undersheriffs, Deputy Sheriffs and County Correction Officers. Motion to move out of order as well. Second by Legislator Fisher. Any discussion? There being none, all those in favor? All those opposed? 1216 is before us.

LEG. FISHER:

On the motion.

CHAIRMAN TOWLE:

Motion to approve. Second by Legislator Fisher. On the motion.

LEG. FISHER:

I'd like to ask Counsel why the sponsor of this resolution tabled it in the other committee.

MR. SABATINO:

He had asked that it be -- well, it was tabled in the secondary committee. He asked that it be tabled in the primary committee

---

because he is trying to get more information with regard to the costs. Apparently the analysis of the costs on the second bill is less specific and less detailed than it is on the 1215, and I think also he was going to -- he was trying to check something with what the status is for police officers if I remember correctly. But it was generally to get more information. He just asked that I convey that to the prime committee.

LEG. FISHER:

Well, then Mr. Chair, in deference to the sponsor of the bill, I'll withdraw my second and I'll make a motion to table until he's satisfied with the information that he has.

CHAIRMAN TOWLE:

It would have been my intention, Legislator Fisher, just to move the resolution to the floor. If he wanted to table it there, I would obviously respect his request. Obviously we've had an opportunity to hear numbers here this morning and I'm assuming he's digesting that.

LEG. FISHER:

Are these the same numbers Legislative Review, Budget Review rather?

MR. POLLERT:

The Resolution 1216 can only be adopted if 1215 is adopted. The cost for the retroactive payment is two hundred and forty-four thousand dollars for 1216 with an annual cost of approximately fifty-one thousand dollars per year thereafter.

LEG. FISHER:

So are we talking about that past money --

MR. POLLERT:

Right, the past due credit is two hundred and forty-four thousand dollars and the annual cost is fifty-one thousand.

LEG. FISHER:

So between the two of them it's --

CHAIRMAN TOWLE:

About a million dollars.

MR. POLLERT:

Between the two of them it's about a million dollars. I would just note for the record that even though the State or New York will allow you to pay that over ten years they do charge you approximately eight to nine percent interest. To do that it has been cheaper in the past for the County to go out to issue a bond because we can borrow less expensively than what the State of New York is charging us as a cost of capital.

LEG. FISHER:

And do you recall what the issues were that were raised by Legislator Caracciolo that were unavailable?

MR. POLLERT:

He has requested that we prepare a matrix of what benefits are

---

available to the different bargaining units with respect to the different types of disabilities. We're in the process of doing that. We have completed the data for, I believe, the Deputy Sheriffs and we're working on the Police Officers.

MR. MAGGI:

Vivian.

LEG. FISHER:

Yes, Bill.

MR. MAGGI:

This is a point of reference. When I spoke to Mike about this he wanted information based on New York City Police Department and State Correction Officers. New York City Police Department has over forty thousand officers. The State Corrections is about twenty-three thousand officers. That's like comparing the Swiss Army to the Chinese Army. I mean, no matter what numbers they come up with, we're not going to be able to even come near that. I have seven hundred and ten officers not forty thousand and twenty-two thousand. So I mean, that's an unfair comparison to us.

LEG. FISHER:

Well, Budget Review is saying that he also wants to review among the County --

MR. POLLERT:

Yes, that is correct.

LEG. FISHER:

-- groups.

CHAIRMAN TOWLE:

When do you think Fred, that you'll have that information completed?

MR. POLLERT:

We're working on it at the moment. We hope to have it completed before Tuesday.

CHAIRMAN TOWLE:

Okay. As I said, I'm going to leave my motion in place. If there's a second to Legislator Fisher's motion, I guess we'll vote on that. There being none, that motion fails. There was a motion by myself to approve and I'll add Legislator D'Andre as a second Legislator Fisher, or do you want to second that?

LEG. FISHER:

Let Legislator D'Andre.

CHAIRMAN TOWLE:

D'Andre to second. Any discussion? There being none. All those in favor of 1216? Opposed? Abstentions? 1216 is approved (Vote: 4-0-0-0).

MR. MAGGI:

Thank you very much.

---

CHAIRMAN TOWLE:

Thank you, gentleman. We're going to go back --

LEG. FISHER:

All though we've approved them may I ask just one more question of Mr. Bauccio?

CHAIRMAN TOWLE:

Go right ahead, yes. Go right ahead.

LEG. FISHER:

Because I am concerned with your concern regarding having the onus placed -- and it's not, Bill, any kind of reflection on the officers, but simply that we have a fiduciary responsibility and I really want to look close -- we're not going to change the language here because the language is already set by State Legislation, but I think that we have to look carefully at a way that the County can protect itself because whether or not we want to point any fingers at anyone in any employer/employee relationship, we have to be -- we have to ensure that we're not setting fertile ground for abuse, and I think that that's something that we as a County have to look very carefully to, that we protect ourselves.

And I understand your position, Bill, you're protecting your men and the people you represent, but we also need to protect the County because there have been abuses whether it's in your labor group or in other groups throughout the County where there are abuses in this because we're talking about a lot of money.

MR. MAGGI:

You have to understand, Vivian, that if you shoot this down, we lose them both then. It's taken ten years for the --

LEG. FISHER:

Well, it hasn't been shot down, okay. Don't --

MR. MAGGI:

But I'm saying --

LEG. FISHER:

Don't take my words and make them something else, Bill. I'm saying we haven't shot this down, but we have to look at a way, working within this resolution, to protect the County's fiscal integrity. We have seen, and sometimes newspapers have sensationalized the stories, but not particularly in your union, but in other areas in the County, where there have been abuses of disability benefits and we have to just make sure that since the onus will now be upon us that there is a process in place for us to protect ourselves and that it's not something that would drag its feet.

From the point of view of the worker we know a worker who just very recently had an on the job injury which resulted in his death and his family has suffered because the onus was upon him, and his widow and children are suffering the consequences and he's, his family is experiencing difficulty. On the other hand there are abuses on the

---

other side and we want to make sure that there's a clear process in place. And I'm assuming that you will work toward that end in streamlining. Is there a way to streamline it? I don't know compensation cases well enough.

MR. BAUCCIO:

One of the most -- if I could just mention that one of the most difficult things to define is it's easy when somebody slips and falls and comes to you with a bad back or a broken ankle or something. Those are cases that are very easy to take a look at and adjudicate. When you're dealing with anything that's disease related it's so difficult to make a determination that it is or it isn't, and that's why our concern is really -- was really the presumption. Possibly in the passing of the situation or if the bill does pass, maybe an established policy could be -- or a policy can be established that maybe would get memorialized by a resolution which would actually say these are the steps that you'll take in the process. We haven't thought of it that way, but you know, maybe that's a way to look at it.

LEG. D'ANDRE:

Mr. Chairman, I still see this is a terrible job that those men do.

CHAIRMAN TOWLE:

And women.

MR. MAGGI:

And women.

LEG. D'ANDRE:  
And women.

LEG. FISHER:  
And women.

LEG. D'ANDRE:  
And we have now an Undersheriff, a woman. But nonetheless, let's say this, we've had come before us when I was on Ways and Means, a guy falls down on a boat and he get's a huge settlement. A big husky galoot. Now these guys guarding these prisoners are not out for that kind of nonsense. They're out to do a job which is not pleasant, and if you're going to determine where they got this heart attack, on the job or at home, I'd say on the job, because it's a tough job, mentally and physically.

MR. BAUCCIO:  
But if we --

LEG. D'ANDRE:  
You have to be on guard all the time, you have to take insults, you have to take debris thrown at you. If you want to change places with that guy God bless you. You go and do it, let me tell you. For me, my sympathy goes for that guard or the prison watcher, whatever his name is. In the Army we would call them --

---

CHAIRMAN TOWLE:  
Correction Officers.

LEG. D'ANDRE:  
Correction Officer. Let me tell you --

MR. BAUCCIO:  
I don't think there's any dispute on our part with what you're saying Legislator D'Andre.

LEG. D'ANDRE:  
Let me tell you, that's a rough job.

LEG. FISHER:  
We all agree.

MR. BAUCCIO:  
I think our concern is strictly in purifying the situation so that the abuses --

LEG. D'ANDRE:  
How cruel can you get? The guy is hurt. The guy goes onto the job everyday hopefully, and he comes home, hopefully that he's well, but if he gets sick, I'm going to give the benefit to that man that it happened on that type of a tough job, Phil, let me tell you.

CHAIRMAN TOWLE:  
True american.

LEG. FISHER:  
That's why we voted to approve this.

CHAIRMAN TOWLE:  
Exactly.

LEG. D'ANDRE:  
And I realized your position in trying to get fairness, but you can't be that fair with everything, Phil. You got to take the guy --

CHAIRMAN TOWLE:  
We got to be fair to our employees, they're also residents, they're also taxpayers, and their doing a very difficult job.

MR. MAGGI:  
I just want to state for the record that I hope that none of my members have to avail themselves to this, Vivian, never have to use this --

CHAIRMAN TOWLE:  
So do we.

LEG. FISHER:  
So do we, absolutely.

MR. MAGGI:  
-- there's a negative impact on this. This is not a happy bill.

---

CHAIRMAN TOWLE:  
Gentleman, thank you.

LEG. FISHER:  
That's understood and the importance of it is -- that's why it passed.

LEG. D'ANDRE:  
But Phil made some good points.

CHAIRMAN TOWLE:  
We have a couple of other speakers this morning and I do want to try to move on through the agenda. Linda Devin-Sheehan in reference to enhanced child care. Legislator Fisher, before you got here that was tabled. Commissioner Hickey had spoke on it and he had to leave to another meeting and you weren't here and I wasn't sure what was going on.

LEG. FISHER:  
I would like to make a motion to reconsider.

CHAIRMAN TOWLE:  
Okay. He did -- I'll recognize your motion, but if you'd hold on one second, let me just finish what he had said. He had said that he sent you a letter with some concerns. I received a copy of his memo and a

note from the Deputy Commissioner I guess, expressing some concerns and I -- not that I don't have a problem voting on the resolution, but I would much prefer to do that when he was here to obviously argue his point and you could address those. I have the responses to those. But there was a motion to reconsider. Is there a second?

LEG. COOPER:  
Second.

CHAIRMAN TOWLE:  
Second by Legislator Cooper. All those in favor of reconsidering?

LEG. D'ANDRE:  
No, Mr. Chairman.

CHAIRMAN TOWLE:  
Opposed? No. I'm going to be with Legislator D'Andre out of respect to the Commissioner to give him an opportunity to discuss this.

LEG. FISHER:  
Could we get him back here?

CHAIRMAN TOWLE:  
He had a meeting to go to. He did ask to speak first this morning. He had called yesterday.

LEG. FISHER:  
Okay, so we're two and two.

CHAIRMAN TOWLE:  
Two and two. So the bill is still tabled. But as I said, Mrs. --

---

LEG. FISHER:  
Okay, on the motion. On the tabling motion this particular program was in place in our operating budget. The people who have anticipated benefiting from this program, who have called my office and have called the Child Care Council, have now been waiting three months for us to implement this program.

It is certainly unfair to the people of Suffolk County to offer up to them a program that would help them and not implement the program once we have voted as a Legislature, and the budget was signed by the County Executive and this is in our budget. It is certainly unfortunate not to provide them something which we have represented as an offering. Didn't you get this?

CHAIRMAN TOWLE:  
I need another copy, Legislator Fisher. Thank you.

LEG. FISHER:  
So I would ask the committee to take another look at this and to be willing to at least discharge it without recommendation, ask Sylvia Diaz and Dan Hickey to come to Tuesday's meeting, so that we can give the people of Suffolk County a program which we promised them. The child care community is very much aware of this program. Providers

have called my office, have called Child Care Council and it's really unfair to continue a protracted debate over something on which we agreed in November.

So I'd like to make a motion to discharge without recommendation, Mr. Chairman, with all due respect.

CHAIRMAN TOWLE:

I don't know if we can do that since it was tabled and the motion to reconsider failed. I'd ask Counsel, but --

LEG. FISHER:

The motion to reconsider passed.

CHAIRMAN TOWLE:

No, it didn't. It was 2-2.

LEG. FISHER:

Oh, I thought it was your tabling motion that --

CHAIRMAN TOWLE:

No, no. It was tabled earlier as I said, out of respect to the Commissioner. He had some questions. You were not here to debate him and he had to leave to go to a meeting. I'd have no problem considering this on Tuesday so that between now and Tuesday he you and Mrs. Diaz can at least, you know, discuss what everybody's differences are and if some of those things can be resolved, great. If they can't then they can present their argument, you can present yours and --

LEG. FISHER:

Well, can I make another motion to reconsider?

---

CHAIRMAN TOWLE:

Well, you can, but I don't know that the vote's going to change. I'll let Counsel address that.

MR. SABATINO:

It would have to be a motion to reconsider the reconsideration motion.

CHAIRMAN TOWLE:

Legislator Fisher, all I'm saying is between now and Tuesday you've got an opportunity to argue the points with them and if you're still both on the opposite ends of the spectrum we can obviously consider it at the meeting to discharge the bill from the committee.

LEG. FISHER:

Well, I was hoping to discharge without recommendation so that we could have it on the agenda on Tuesday.

CHAIRMAN TOWLE:

Well, you -- as I said, you'd still have the opportunity. I would not oppose considering discharging it at Tuesday's meeting because as I said, the Commissioner left here with the thought that it was tabled, you know, and I just think that is improper to --

LEG. FISHER:

Is it possible to get Sylvia Diaz?

CHAIRMAN TOWLE:

The County Executive's representative is coming up to the mike. We'll eventually get to you Mrs. Devin-Sheehan. I'm sorry about this.

MS. GODSMAN:

Bonnie Godsman, County Executive's Office. Just to let you know, the reason why Commissioner Hickey had to leave is that Sylvia is being sworn in as we speak right now. So I don't believe it would be possible for her to come to the meeting, just to let you know. She was extremely concerned -- I know she had sent a letter to Legislator Fisher, and as I spoke with her Monday and as of Monday she had not received word back from your office in response, and she, I believe she spoke with one of your aides that told her that you would have some responses ready for her at the meeting, which is why she sent Commissioner Hickey to come. Unfortunately --

LEG. FISHER:

Precisely, yes, and Linda Devin-Sheehan from the Child Care Council --

MS. GODSMAN:

It's unfortunate though that --

LEG. FISHER:

-- is here to respond as well.

MS. GODSMAN:

Right.

CHAIRMAN TOWLE:

Yeah, as I said, I'm not opposed to having this debate at the meeting

---

on Tuesday, but we did table the resolution earlier. He's not here now to defend that. So it was a 2-2 vote. I don't know if there's any other motions you want to consider. If not, I'm going to allow Mrs. Devin-Sheehan to speak.

LEG. FISHER:

Well, certainly.

CHAIRMAN TOWLE:

Ma'am, good morning.

MS. DEVIN-SHEEHAN:

I think that a lot of the things that -- good morning. I think a lot of the things that I would say I will hold until Tuesday because that's when the proposal is going to be discussed. The one thing I would like to say at this time for the record is that I really don't understand why the Commissioner is saying that this has never been publicly discussed. In fact, it has repeatedly come before the full Legislature and committees of the Legislature and in addition, there

have been a lot of meetings with former Commissioner John Wingate, and with his deputy and with representatives from the County Executive's Office.

So there's been a lot of discussion and a lot of these points that he raised this morning have already been, we felt --

LEG. FISHER:  
Addressed.

MS. DEVIN-SHEEHAN:  
-- resolved, addressed, and satisfactorily answered. So since there isn't anything -- since this is going to be discussed next Tuesday I'll wait until then to present the points that I would if made today.

CHAIRMAN TOWLE:  
Bonnie, if you'd alert the Commissioner that he should plan on attending Tuesday's Legislature to discuss this, that would be appreciated. And maybe between now and then he could call Legislator Fisher and the two of them could at least discuss this issue.

LEG. FISHER:  
And I do have to express on the record my dismay that during the beginning of the meeting when I wasn't here that my piece of legislation was tabled without my being here, and that it is not being reconsidered at my request.

CHAIRMAN TOWLE:  
I could express my dismay Legislator Fisher, that I could have voted against the resolution, but out of respect to you since you were not here and the Commissioner had to leave, the resolution was tabled. I apologize for that. I can't help that he had to leave.

LEG. FISHER:  
The Commissioner and I have discussed this at length, as Ms. Devin-Sheehan has mentioned. This was discussed at length at the Budget Committee of last year. I was told at the time that this program function would be during the discussions of the Operating Budget. It had been discussed in the Omnibus Committee, it had been discussed in Budget Committees. So certainly I had not heard that particular comment, but it's unfortunate that he made the comment that this has not been discussed. It certainly has been discussed.

CHAIRMAN TOWLE:  
He actually made that comment and he also brought up some questions and concerns, I guess some of which are similar to Mrs. Diaz' memo, which I've seen for the first time this morning, and apparently --

LEG. FISHER:  
And what I handed out to the members --

CHAIRMAN TOWLE:  
-- was a response to that.

LEG. FISHER:  
-- of the committee are the responses to each of those. And we have such statements from Ms. Diaz as why would we spend County money for child care workers when we need people in health care, and just absurd and specious arguments, which have been answered, I believe satisfactorily. So I will be seeking a discharge petition for this particular legislation.

CHAIRMAN TOWLE:

I'll ask the Clerk to include both her memo and your response to it, to the record, since he obviously had an opportunity to speak this morning and brought up some concerns. And I'll repeat what I said earlier, that I'm not opposed to, between now and Tuesday, you obviously attempting to speak to them to try to work out some of these issues, if we can. If we can't, then clearly, you'll both be at the meeting on Tuesday and I would entertain --

LEG. FISHER:  
Absolutely.

CHAIRMAN TOWLE:  
-- you know, discharging the resolution at that point to give everybody an opportunity to air their opinions and let it pass or fail on its merits. But as I said it's just unfortunate that the debate couldn't take place this morning.

Our next guest speaker is Robert Donnelly, and two folks from MIS in reference to resolution 1192 - Appropriating funds in connection with the purchase of an integrated human resources/payroll system (CP 1740), which was also inadvertently left off the agenda this morning. A copy of it has been distributed to the members of the committee. Good morning, Mr. Donnelly. How are you?

MR. DONNELLY:  
Good morning. Am I on?

CHAIRMAN TOWLE:  
Yes.

MR. DONNELLY:  
Good morning. I'm Robert Donnelly, Acting Director of Information Services, and I'm here this morning to speak with you about Introductory Resolution 1192.

MR. PORTRIAS:  
James Portrias, I'm with the Suffolk County Comptroller's Office and I'm also here to speak about 1192.

MR. GONTASZ:  
And I'm Ray Gontasz also with Suffolk County Information Services.

MR. DONNELLY:  
I think it's important to note right up front that the title of the resolution, "an integrated system for Human Resources and payroll" is really the key issue. I'm sure your all aware that we do indeed have a payroll system in place that has performed admirably for the has fifteen years, however, it is fifteen years old.

Modern government and modern business in general certainly need its financial and payroll systems to perform functions that the existing system really doesn't do at all. For instance, there is no link between the payroll system and the budgetary system itself, no link to the general ledger. Essentially, that means that we write checks and are not really sure that we have money in the bank to cover that check. Now that doesn't happen necessarily, but the fact is it could because there is no link between the two systems.

Secondly, time and accruals, the County is responsible to deliver a set of financial statements annually. In order the determine for instance the County's liabilities, we need to know whether or not we owe people vacation time or sick time and there is no way within the

existing system that we can gather those numbers. Literally what we do is reach out once a year to individual departments, ask them to collect the latest set of time sheets, go to the bottom and add up the numbers manually and send them in to us.

Thirdly, the functions that we try to cobble together now are handled by three systems. The existing payroll system runs on the mainframe benefits. Benefits and disabilities handled out of Phil Bauccio and Paul Greenberg's shop literally are {outsourced}. At this point, the County pays for those services through a third party. The third system is literally just an access data base system that we run through the Civil Service system to try and keep track of people who have applied for positions and what their position is on the list, etcetera.

Fourthly, and perhaps most importantly, the indirect cost allocation, which really comes right back home to us in terms of the reimbursements that we get for DSS and health. That's another service that we pay someone outside the County to come in and calculate for us on an annual basis. The existing payroll system has no mechanism to do that seamlessly.

Furthermore, the proposed system is endorsed by information services, Civil Service, Audit and Control, the County Exec's Budget Office and I had hoped that Phyllis Garbarino would be here today to also endorse it. I'm hoping that she did indeed contact the Chairman about this issue. I believe that --

CHAIRMAN TOWLE:  
She did.

MR. DONNELLY:  
-- concerns that the union have had in the past are now allay that they understand that this is literally a way that we're going to enhance the way we provide information to the County rather than look at this as some way to control costs, or more importantly, reduce jobs.

If there are any questions, I believe we have the appropriate people here this morning that we should be able to answer them, or at least be able to get back to you with anything that comes up.

CHAIRMAN TOWLE:  
Bob, just a couple of things. First of all, one group that you didn't mention was the Treasurer's Office. I just want to -- are they on board with this as well or --

MR. GONTASZ:  
Yes, they were part of the committee that helped develop the requirements document.

CHAIRMAN TOWLE:  
So they're supportive of this appropriation?

MR. GONTASZ:  
Yes, they are.

CHAIRMAN TOWLE:  
And just refreshing my memory, I spoke to Counsel this morning and I'll ask him to just update the committee on this bill's past history and its current history today before we consider it.

Sorry, we're sharing mikes here.

MR. SABATINO:

Just from a technical standpoint so you can make an informed decision, because the appropriation for this particular project was previously defeated the last time it came it up, what happened was when other Legislators were looking for offsets in the Capital Budget and Program to fund other initiatives this one point one million dollars was an available project to take an offset from. So there's a variety of bills that are floating around, filed in various stages of Legislative consideration and deliberation.

So if you pass this bill, it has the perhaps unintended consequence of defeating other initiatives because in fairness to those Legislators, when they filed their bills they were dealing with a program that had previously been defeated by an overwhelming vote of the Legislature. So you have to keep that in mind before you vote on this bill.

CHAIRMAN TOWLE:

I'd ask Budget Review between now and Tuesday to see if you could put together a listing of the other conflicts regarding this offset. I'm going to make a motion to table 1192 today --

LEG. D'ANDRE:

Second.

CHAIRMAN TOWLE:

-- until we get that information. Second by Legislator D'Andre. Any discussion? There being none, all those in favor? All those opposed? 1192 is tabled (Vote: 4-0-0-0).

We have no other speaking cards. I'm going to move on to the rest of the agenda.

#### Tabled Resolutions

2325 - To grant quarterly open transfer period for health insurance. Mr. Bauccio left already. Okay. Motion to approve this. Second by Legislator D'Andre. Any discussion? There being none, all those in favor? All those opposed? 2325 is approved (Vote: 4-0-0-0).

#### Introductory Resolutions

1254 - Creating Suffolk County "E-Government Task Force." Legislator Cooper, your pleasure?

LEG. COOPER:

I'd like to make a motion to approve.

CHAIRMAN TOWLE:

Motion to approve by Legislator Cooper. Seconded by myself. Any discussion? There being none, all those in favor? All those opposed? 1254 is approved (Vote: 4-0-0-0).

I have no other resolutions including those that have been left off the agenda. There's no one else to speak before the committee. Motion by Legislator D'Andre to adjourn at twelve-forty. Seconded by Legislator Cooper. All those in favor? All those opposed? We stand adjourned.

(\*The meeting was adjourned at 12:40 P.M.\*)

Legislator Fred Towle, Chairman  
Human Resources Committee

{ } - Denotes spelled phonetically