

SUFFOLK COUNTY LEGISLATURE
PUBLIC HEARING
ON THE
JOHN J. FOLEY SKILLED NURSING FACILITY

A Public Hearing on the John J. Foley Skilled Nursing Facility was held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on December 3, 2008, at 10:00 a.m.

LEGISLATORS PRESENT:

Presiding Officer William J. Lindsay
Legislator Kate Browning
Legislator John M. Kennedy

ALSO IN ATTENDANCE:

Barbara Lomoriello - Deputy Clerk of the Legislature
Terry Pearsall - Chief of Staff to Presiding Officer Lindsay
Michael Pitcher - Aide to Presiding Officer Lindsay
Marge Acevedo - Aide to Presiding Officer Lindsay
Leslie Kennedy - Aide to Legislator Kennedy
Craig Freas - Budget Review Office
Cheryl Felice - President/AME
Kathy Malloy - Secretary/AME
Debra Alloncius - Legislative Director/AME
Linda Ogno
Dot Kerrigan
George Kerrigan
Diana Teta, PhD.
Norma Novotny
Deborah Kelly
Charles P. Colombo
Connie Hornick
Michael Gendron, CWA 1108
Nanci Dallaire
Joseph Stasys
All Other Interested

MINUTES TAKEN BY:

Lucia Braaten, Court Stenographer

[THE PUBLIC HEARING WAS CALLED TO ORDER AT 10:08 A.M.]

P.O. LINDSAY:

Good morning, everybody. I apologize for being a few minutes late. We're going to start right away. Could we rise for a salute to the flag?

(*Salutation*)

Okay. I'm going to apologize beforehand. It's a busy time and I'm by myself today. I'm going to be multitasking, so I'm going to call a name and you could come up and testify. I am listening, but, at the same time, I'll be signing tax warrants, which I have a stack of them, so don't feel that I'm not listening to you. And I should ask the Deputy Clerk, has this Public Hearing been properly advertised?

MS. LOMORIELLO:

Yes.

P.O. LINDSAY:

Okay. Okay. And each speaker has five minutes. Diane --

MS. TETA:

Teta.

P.O. LINDSAY:

Teta. Thank you very much for your help.

MS. TETA:

Thank you. I don't really have anything prepared, but recently I sort of got engaged in a conversation with somebody about the Foley Center. And I did work 20 years for the New York State Hospital System in the psychiatric centers, so I know about civil service. I know about bureaucracy, I know about waste, I know about inefficiency, I know about unions, I know about the ineffectiveness of the civil service list, and I know about internal politics. You can't work 20 years in civil service without understanding those things.

So this person started to tell me about the staffing patterns at John J. Foley, starting with the top person all the way down to a charge nurse. I said, "By golly, that's equivalent to the Albany Medical Center," which was a teaching hospital for doctors, big, big medical center. And I said, "Is John J. Foley a medical center? Is it a teaching hospital?" "No, no, no, no, no." What I found interesting, for example, they have a person in charge of grounds outside the building, but they also have a person in charge for inside the building, plus they have someone in charge of housing, three people to do what I think is one job. I found out one of those people is Ed Romaine's wife. Maybe we're keeping the facility open so she has a job. I mean, I think she's Housing. Everybody seems to have a secretary, everybody seems to have an office, and I bet, if I went there, I don't even think it's operating at bed capacity. So my question is, is this consistently a bed-capacity facility? I think there's empty beds now, particularly since there's the news as to whether this would stay open or not.

And I'm kind of concerned, because when I worked for the State, the State, in all its wisdom, decided it couldn't afford to be in the mental health business, it was too expensive, so they started to close the various psychiatric centers and grounds. You must have known some of them; Central Islip, Northport, Gowanda State. They kept closing them. They said, "We can't afford to keep people in these facilities. Let the community assume responsibility." I'm not too sure what purpose this facility serves at this time that cannot be taken over by other available facilities.

That's my comment. I just got upset by what this woman said when she described the staffing patterns. Thank you.

P.O. LINDSAY:

The only thing that I would say -- there were some questions in the middle of that.

MS. TETA:

Right.

P.O. LINDSAY:

I don't think all your facts are anywheres near correct.

MS. TETA:

You don't think there's three people doing grounds outside, inside the building, and Housing?

P.O. LINDSAY:

No, I don't believe there is.

MS. TETA:

Really?

P.O. LINDSAY:

No, I don't believe there is. Okay? So before --

MS. TETA:

Is there an administrative hierarchy chart available somewhere?

P.O. LINDSAY:

I'm sure there is, and I'm sure the Health Department would be happy to supply that to you.

MS. TETA:

Okay, because I'm --

P.O. LINDSAY:

Okay.

MS. TETA:

I'm interested.

P.O. LINDSAY:

And as far as the State, I think probably most of the problems with the locales started when the State starting closing their mental facilities and passing that responsibility down on to local government.

MS. TETA:

True, they felt they shouldn't be in that --

P.O. LINDSAY:

Well, I think --

MS. TETA:

-- business.

P.O. LINDSAY:

I think they were wrong.

MS. TETA:

Well, I don't think they were wrong as much as they didn't do enough initial planning, so it appeared

to be a--

P.O. LINDSAY:

They didn't do any planning, they dumped everybody on the streets and left it up to local communities to deal with the problem.

AUDIENCE MEMBER:

That's right.

MS. TETA:

So, do you think if you close the Foley Center there isn't a place for these people to go?

P.O. LINDSAY:

No. The Foley Center isn't a mental hospital.

MS. TETA:

No, but it's a facility that's run by the County, right?

P.O. LINDSAY:

It's a facility that's run for the -- by the County for people that have particular needs. You know, we have an AIDS Unit there, we have a number of people that are really sick, quadriplegics, some MS people, people that the normal nursing homes -- it isn't a geriatric nursing home that would be quite happy to take -- some of them would be probably passed over. But I thank you for coming down --

MS. TETA:

Yep.

P.O. LINDSAY:

-- and commenting. Dot Kerrigan.

MS. KERRIGAN:

Good morning, Honorable Presiding Officer Lindsay and Honorable Legislator Kate Browning. It's nice to see you. I don't have anything prepared today, but I would like to say that, in light of everything that has been happening with the economy, I'm sure we're all paying close attention to nationwide how this may all play out, and listening to all the experts and gaining our own opinion, reassessing our personal situations. And everybody has been very, I think, very inactive. We don't want to spend money, we don't want to change jobs, we don't want to invest, we don't want to not invest. You know, not a lot of people know what to do, we need leadership.

I listened to an expert the other day who's an Economic Nobel Laureate who will be receiving an award in Oslo shortly. His name is Paul Krugman, and he said, like most of the experts, the job of the leaders right now is to create jobs in the United States of America, not to let people go, to create jobs, to keep people working, and that it was the job of government to do so, starting at the top and at the state and local level.

The Governors just had a conference and this is what they said to the President-Elect: "Please, we want to put our people to work." We need Public Works programs, we need to keep the economy going. We need to put money into this economy, and that's money that goes to people at our level.

We're -- at John J. Foley, we're taxpayers, we work and serve Suffolk County. We have a resident base that are also taxpayers that now find themselves disabled, in need, they're sick. Some of them have very debilitating diseases. We do have a population of mentally ill or behavioral problems, as you might call them, that will not be placed in other facilities. We have been in an existence, as most everyone knows, at serving the County for over 100 years. No one at this time, I think, in a leadership position would want to close the facility. There are no alternatives right now. We are the only Suffolk County nursing home to take care of our own, and there has to be a way for -- and we

do appreciate the Legislators all supporting us in this -- for our leader, Steve Levy, to actually manage the County without cutting, cutting, cutting. We need to keep people in jobs and keep the taxpayer base, and people will be able to stay in their homes, spend money, support our local stores and businesses. That's how it all happens. So, at the core, it's not going to trickle down at this time, we have to trickle up, spending money.

So I really appreciate everybody here who has actually supported the Foley Center. Eighty-five percent, approximately, of the people there are women. A lot of them are head of households. We have a strong minority base. A lot of the communities in our surrounding area, they're not wealthy communities. There will be some more foreclosures with -- and, also, what I do want to say is our County Executive has always -- you know, do more with less. Well, when I started at the facility about, approximately, five years ago, the SCINs for that facility were, I believe, 376. We're now down to 280, approximately, perhaps a little bit less at the employee level. Everybody is working, as far as I can see now, within the last couple of weeks, in position, as you might say. So everyone is working and accounted for. It's much more efficient. I don't know if the -- it's been recalculated, actually see how much is going to employees as far as the, you know salaries, because a lot of the SCINs are still there. Are they calculating? When I say "they", you know, were they using the old figures for the salary, because some of those positions are open, they haven't been filled and they're not going to be filled.

So, you know, I'm just questioning the formula right now, because if you want to do more for less, we're down a good 25% over the last five years, and I think that's significant. We're doing our part to save money for Suffolk County and we're still taking care of the residents with the quality that we've always done.

And if you look -- to address the woman who came up before me, I appreciate everything that she said, and it actually is true, we do have bed occupancy now, we don't have bed hold, but that is in large amount to do with what the County Executive has done in the negative press. If you look at the statistics on line, and I'll make this brief, because we've always been above State level in our occupancy.

P.O. LINDSAY:

Dot, you're out of time.

MS. KERRIGAN:

Thank you. Thank you very much.

P.O. LINDSAY:

You're welcome.

(Applause)

George Kerrigan.

MR. KERRIGAN:

Hello, Honorable Presiding Officer Lindsay and Honorable --

LEG. BROWNING:

That's okay.

MR. KERRIGAN:

I'm sorry. Kate Browning. Forgive me.

P.O. LINDSAY:

I should have started off by saying that we've been -- Kate Browning is the Chair of the Health Committee and has joined me this morning for this hearing.

MR. KERRIGAN:

Thank you for being here. I've read and heard a lot on local news that the employees of John J. Foley are trying to save their jobs. The workers at John J. Foley are very special people. They're like angels sent from heaven. Their typical day is unlike any other type of working day. Saving lives, comforting the sick and their families, and tending to their medical needs. Most people would not be able to work in this field. Nurses don't do it for the money, they do it because they are special people, the people we count on during our most difficult times.

The employees at John J. Foley are Suffolk County residents and pay our taxes. They buy cars, gas, food and homes. We cannot afford to lose them as consumers and taxpayers during this financial crisis. We cannot have anymore foreclosures or unemployment. All the Chief Economists in Washington are saying that job creation is the only thing that will turn our economy around. Why does Steve Levy not agree with them? Thank you very much.

(Applause)

LEG. BROWNING:

Thank you.

P.O. LINDSAY:

Thank you, George. Norma Novotny. Did I pronounce your name right, Norma?

MS. NOVOTNY:

Yes. I'm here as a family member. My son was transferred to John J. Foley after six weeks in Stony Brook Hospital with AIDS-related meningitis, and his Infectious Disease doctor said that John J. Foley was pretty much the only place that he would be able to go to, and they have been excellent there. They really recovered. He'd done remarkably well. And the nurses, the aides, and all the residents and all different kinds of handicaps, they are all family there. They treat each other as family, and they rely on each other, they help one another. I see them help pushing one another in wheelchairs and assisting them. And it would just be terrible to not have a place like this available for these kind of people. My son's 47 and he will not ever be able to be back in the job market again.

P.O. LINDSAY:

Thank you very much, Ms. Novotny.

LEG. BROWNING:

How long has your son been there? You didn't say.

MS. NOVOTNY:

He's been there one year, almost exactly one year.

LEG. BROWNING:

Thank you.

(Applause)

P.O. LINDSAY:

Kathy Malloy.

MS. MALLOY:

Good morning, Presiding Officer Lindsay and Kate Browning. The County Executive, in essence, is continually putting the cart before the horse, the cart, of course, being the John J. Foley Skilled Nursing and Rehabilitation Facility. If County Executive Levy had fully complied with the Suffolk County Mary Hibberd Law, he could not have defunded the John J. Foley Skilled Nursing Facility by

simply wiping out three-quarters of the 2009 budget for the facility, because he never adhered to the 17 conditions that must be met before a sale or a closure can be voted on.

I'd like to go on record asking you to please provide me with a copy of the specific written plan or proposal that has been submitted to the County Legislature or the County Executive to provide the services of the John J. Foley Skilled Nursing Facility through entities other than Suffolk County Government and/or the County Department of Health Services, using employees other than Suffolk County employees, and to please provide me with a copy of all written documentation, including State approvals and Budget Review Office certifications, as required by Section 9.6 of the Suffolk County Administrative Code.

Now, when I was at one of the meetings that the County Executive was hosting by his Assistant, Mr. Ben Zwirn, I was given, when I asked for that question, I was given a copy of the John J. Foley Skilled Nursing Operational Study Report by Horan, Martello, Morrone, dated June 5th, 2008, when it was presented to the Legislature, and I've read through that report. This Horan report is not a proposal, nor is it a plan, it is just a report with data, charts, numbers and statistics. It made no recommendations as to the disposition of the facility. It conducted an operational study for the purpose of making short-term recommendations for improving efficiency and cost-effectiveness of John J. Foley operations, and to perhaps provide a long-term prognosis.

I was asking to please identify the pages on which the State approvals are contained, and which page might contain the Budget Review Office certification, and which page lists the entity that will be providing the services under this plan. I had asked, "Could you provide the pages with the evaluation of the specific costs of the private entity to provide the services? And could you provide the page with the evaluation and analysis of the quality of services to be provided by the specific private party?" I was also interested in the pages identifying the precise level of services to be provided by the private entity, and along with the pages with the comparison of the level of services between the plan and the level of services provided by the County. I also asked to be provided with a list of the names of the vendors who have been meeting with County Executive Steve Levy to provide the assurances he has publicly stated with respect to how the vendors will deal with the patients and the employees, and were these vendors selected via a Request for Proposal? And since I had believed they were not, will they be precluded from bidding on any future RFPs, if legally permissible RFPs regarding the John J. Foley Facility are ever issued. And I had asked if I could be provided with the following information, and I have been told each time I could not.

So, since it cannot be -- the proposals that I'm asking for and the paperwork are not listed in the HMM report, I certainly hereby request that the Public Hearing, this one included, be recessed until such time as the Suffolk County Local Law 9.6, also known as the Mary Hibberd Law, has been complied with, because you can only hold a hearing on an actual State-approved Budget Review Office certified specific plan for some non-County entity.

And I have one last item of importance. My home was burglarized last night. I'm still shook up over this. It's a wreck. They ransacked my house, took many things, including all of my grandmother's jewelry. I feel very, very violated. I feel the same way the J.J. Foley people have been feeling for the last year. In fact, they've been feeling violated since back to our 2003 AME Union Picnic, when Steve Levy was a young man walking through our picnic, shaking hands with everyone and saying, "If you vote for me, I'm going to be a good boss. I'm going to do a good job as County Executive. I'm going to be the best person this County has ever seen." And maybe we all voted for him, because he got elected. Obviously, he didn't keep his word.

And on a personal note, my mother-in-law lives at the John J. Foley Facility and she's been there almost two years. She turned 80 last month. She's happy, safe and sound. She was in another facility in Bay Shore. She was unhappy, and when she's unhappy, we're unhappy. And I found that they didn't answer my questions very well either. However, John J. Foley, they answer all my questions. These are not jobs that they have. Being their Union Rep, I understand, these are lifetime careers. Linda Ogno, who's one of my friends who works at J.J. Foley, 20-plus years there.

Her children work there, because they volunteered during their childhood. Cindy Navratil, another friend who works at J.J. Foley and takes care of my mother-in-law, 30 years. Between two people, I have just given you 50 years of experience that has taken care of my mother-in-law. They take great pride in what they do. And this is what you get when you have careers, commitment, follow-up, and caring, and it comes with a union worker, because there's something to work for, your pension, your benefits. And if we keep cutting corners, we're going to get a shoddy product. Thank you, sir.

P.O. LINDSAY:

Thank you, Kathy.

LEG. BROWNING:

Thank you, Kathy.

(Applause)

P.O. LINDSAY:

Linda Ogno.

MS. OGNO:

Hi. I'm Linda Ogno. I work at John J. Foley. Kathy mentioned me. I am here to fight for my job. I'm not ashamed to say that. I love my job. I love going there every day. I have a great job. I worked there for about 15 years as a CNA, and I'm happy to say I was -- now I'm in Activities for five years. It's a wonderful job to go to. Every day I come in and I could tell you a million stories of the 20 years I've lived there. These people have become like family to us. I know it's hard to say, but I've worked in private facilities, it's not the same. They go for the almighty dollar, and that's -- you know, we're in the caring business. We really don't care about the bottom dollar, but I know that's important for us as taxpayers. And we want to do the best job we can to do that, but we're in the caring business and that's what we care about. That's why you have long-term employees working for the County. If you go into the private sector, they move, they have a constant turnover, and that, you cannot have continuity of care with your residents.

I'm taking care of the same residents, some of them for 20 years. I am their family. My family is their extended family. Most of these people go above and beyond bringing things into them. The holidays have just come. You know how many times you bring in special food? My husband comes from an Italian family. I have Italian residents that look for certain things at Easter time, Christmas, and I just happen to just bring it in for them. This is nothing that's -- I do an extraordinary thing, this is just something that comes natural. And to lose John J. Foley would be a sin. Thank you.

(Applause)

P.O. LINDSAY:

Linda, before you go, just -- I just wanted to -- you touched on something in your testimony that I think is probably at the root of part of the problem. And you say you've worked in other nursing homes, and you talk about patients that you've known for 20 years.

MS. OGNO:

Yes.

P.O. LINDSAY:

That's really unusual in a nursing home, that somebody be in a nursing home for 20 years. I mean, the normal geriatric nursing home, the population turns over much quicker. Usually, you're not -- I mean, I just had my father-in-law pass away, he was in a nursing home for three years. He was an elderly man. We're dealing with a younger population.

MS. OGNO:

Absolutely. That's what makes John J. Foley different. Almost half of our population are under the age of 65. I mean, we have a lot of young people there in their 30's, in their 40's. So we -- you know, we keep them for a longer period of time.

P.O. LINDSAY:

And that's what defines it as a different institution, but it's also the cause of the problem, because most of the patients are Medicaid patients, and the reimbursement rates are not as good as the Medicare rates and --

MS. OGNO:

But, as a government, that's our job, to care for these young people.

P.O. LINDSAY:

I'm not -- I'm not disputing you on that. I think -- but that's why it's going to be a difficult facility for a private institution to take over.

MS. OGNO:

I absolutely agree, but that's what makes us different, too, because some of these younger people that have been placed into other facilities, the geriatric populations is -- if you've ever gone into them, they just sit there and, you know, they're waiting for somebody to take them here and there. You come into Foley, we're a busy community. I mean, these residents, especially most of our younger residents, have electric wheelchairs, and if something happens to that electric wheelchair, they are devastated, because now they cannot get around. They are, you know, bound into that manual wheelchair. But that's what makes our community good for them, is because we have such a young population that congregate and, you know, can assemble together, and they understand one another's needs.

P.O. LINDSAY:

Okay. Thank you, Linda.

LEG. BROWNING:

Thank you, Linda.

(Applause)

P.O. LINDSAY:

We've been joined by Legislator Kennedy. And, again, I'm going to apologize for sitting up here and signing these documents, but we just passed the tax warrants yesterday, and they have to be signed by me and get back to the Towns, so that everybody can send out the tax bills. All right? So, please forgive me.

LEG. BROWNING:

We're all so happy to hear that.

P.O. LINDSAY:

Forgive me for being rude, all right? Deborah --

LEG. BROWNING:

Maybe we should try and stall him.

P.O. LINDSAY:

Deborah Kelly.

MS. KELLY:

Good morning. Driving here today, I was looking for inspiration to come before you, and I always

come back to the same issues, which are mismanagement at the building. If you look at our balance sheet from '05 and '06 and you see the amount that is bad debt, if that amount were turned into profit, Mr. Levy would be singing his own praises.

Why, my question is, is the facility allowed to get to this point? Does the ultimate responsibility not lie with Mr. Levy as to the management and daily running of this facility? Our bed count right now is down, which is going to affect us for our reimbursement for next year, and that is due to all of the bad press that we have received and the threat of closing or privatizing the facility.

To the woman who spoke about possibly closing the facility, we encourage you to come, if you have a friend or family member, and take a walk through and see exactly what we do. Our Activity Department, our residents are kept very busy. There's arts and crafts, our adult day care. These are all areas, our rehabilitation, which are not being marketed, not properly, not at all. If this were a private entity, we would not be in this position. And the ultimate success or failure, in my opinion, lies with Mr. Levy and his lack of involvement in this facility.

I mean, you look at the numbers and it's really mind boggling. We have a new administrator, Mr. Fein, who is making a lot of changes, some very positive changes, and we need that opportunity. We need the opportunity to turn this around. The previous administrator, who was there for ten years, ironically, in 2000 was when we started losing money. And, you know, fat needs to be cut from the top down. It's the blue collar worker who is here fighting for this facility, for the residents, for our job, yet, we will be the first ones to go. White collar will be placed in other County positions. And we're here meeting after meeting after meeting, meeting with you privately, individually, publicly, speaking out, writing letters, putting articles in papers, yet, we will be the first to go.

And what about the residents and their families, you know, where do they go? They are not going to be cared for by private the way they're cared for by us. Whether you are a nurse, a CNA, dietary, housekeeping, someone needs their shoes tied, you do it. They need to be wheeled to the elevator, you do it. You don't, "Well that's not my position." Everybody does what has to be done. That's really basically it.

LEG. BROWNING:

Thank you.

P.O. LINDSAY:

Legislator Kennedy.

LEG. BROWNING:

Go ahead.

P.O. LINDSAY:

I'm sorry.

LEG. KENNEDY:

Thank you, Mr. Chair. Ms. Kelly, you've been before us a number of times. I'm just curious. First of all, I commend each and every one of you from John J. who's gone through this process, which has been, admittedly, a very long process.

MS. KELLY:

Right.

LEG. KENNEDY:

And you've consistently come out to speak with us. You speak about a lot of things. I think that some of them, you know, ring very true. It is unfortunate, I guess, that there have been -- I don't know what you want to call it, maybe mismanagement, mishaps, what have you. I'll be the first to admit that I was unaware of some of what's gone on there in the past. I can tell you now, as a

matter of fact, as several of us do, we get the bed counts each day. So, like you, for each and every one of us, I'm cognizant of where things are going, I'm cognizant of what's going on out there in the general community. I can tell you I personally have reached out, as has my wife reached out, to hospital administrators to encourage them, reassure them that John J. is not only there, but it's viable, it's in for the long haul. We've encouraged them to go ahead and take tours. As a matter of fact, we're going to be over there in another 45 minutes to meet with Mr. Fein again. You know, sometimes things happen for different reason, and you can place blame, you can look at causality, but, in the end, that does little to help us get to where we want to get to, which, as a body, is to keep John J. not only operational as it is now, but to enhance it.

MS. KELLY:

Right.

LEG. KENNEDY:

What do you do there? What's your job?

MS. KELLY:

I work in Dietary.

LEG. KENNEDY:

You work in Dietary, okay. One of the things I know that goes into a selection decision sometimes, I guess, is the different amenities that people are going to find when they come to facilities, because it's usually a family process. You know, more often than not, you have children, siblings, things like that are going with a particular loved one, as far as what they're going to look at. What would you say, how's the food there at John J?

MS. KELLEY:

I would say the food is not bad, you know. I mean, I think we put out a very good product. You know, we've cut back tremendously in Dietary, we truly have. And, you know, some things we have cut, like pleasure items, you know, but as far as the meals, and the snacks, and the nourishments, I think we do put out a decent product.

LEG. KENNEDY:

When you say a pleasure item, and, really, I need to understand.

MS. KELLY

Like a soda or ice cream, or, you know.

LEG. KENNEDY:

Okay. All right. So those are things that residents might have gotten previously --

MS. KELLY:

Right, right.

LEG. KENNEDY:

-- that were just made available --

MS. KELLY:

Right.

LEG. KENNEDY:

-- at their request, but now, in an effort to try and look at what our budgetary lines are, some of those things have been compacted.

MS. KELLY:

Exactly.

LEG. KENNEDY:

Also, I would imagine, if you were looking at a nutritionist, or something like that, they might say, "Well, you know, you can do away with soda, maybe bottled water, or even something like that, would be nutritionally more beneficial."

MS. KELLY:

And we work together. I mean, there's been a lot of cuts even in Dietary. You know, we've had employees who took the incentive and, you know, I know that we're being told we're overstaffed in Dietary, and we're broken down into food service workers, cooks, assistant cooks. And, you know, people are doing work that is not within their title, but you do it because it makes things run cohesively. You know, you're not, "I'm not going to do that because that's not my title." You do it because it needs to be done, the residents need to be served.

LEG. KENNEDY:

Do you do much in the way of specialized meals?

MS. KELLY

As far as --

LEG. KENNEDY:

Well, sometimes there's residents who might have low salt diet requirements --

MS. KELLY:

Oh, yeah.

LEG. KENNEDY:

-- or kosher requirements, or things.

MS. KELLY:

Not kosher, but, you know, if there's no added salt, no concentrated sweet diet, yes, then we do adhere to that.

LEG. KENNEDY:

You cover the full gamut?

MS. KELLY:

Yep, and we put out a quality product, you know, nutritious meals, they get snacks, nourishments.

LEG. KENNEDY:

Okay.

MS. KELLY:

You know.

LEG. KENNEDY:

Well, thank you. I appreciate you coming out. I know you've been there consistently talking about the benefits of it.

MS. KELLY

And I'm not looking at blame, I am looking at let's look at where the real responsibility is. Let's look at ways to make this facility run smooth, stay in County hands, and keep the employees and residents that are there. There's no reason to go any further. When you look at the numbers, if this were Chrysler, Ford, GM, I can see it, you know, but we're a little nursing home. And, you know, cuts do need to be made and changes need to be made within reason, you know, and there's no reason why we can't, you know, continue on in County hands. And the County Executive, in my

opinion, should be the one explaining his lack of involvement and why we're not running smoother. That's my point.

LEG. KENNEDY:

You know --

P.O. LINDSAY:

Ms. Kelly, before you go, I think Legislator Browning had a question.

LEG. BROWNING:

John touched on some of the things, but, you know, you did mention that for ten years this place has not been run properly.

MS. KELLY

Right.

LEG. BROWNING:

And, like you said --

MS. KELLY

My opinion only.

LEG. BROWNING:

Yeah, but -- and I think I can agree with you. But, at the same time, you know, we can point fingers, because now, when we look, you know, that it's previous administrations are also responsible for what happened. And, you know, my concern is, is that we continue to look forward.

MS. KELLY

Absolutely.

LEG. BROWNING:

And we look positive.

MS. KELLY

Right.

LEG. BROWNING:

And the fact that the employees and the Union has finally -- you know, they're really taking a serious role and trying to participate and make it turn around, and I think that's what's so good about it. I mean, I've met with many of the employees in my office and I appreciate everything they have come in to say. And I know I came in, there was a lady here, and I heard Bill make some comments, and, you know, I have a constituent that came to me, he has a 35 year-old son who is in England right now. He just arrived in England five years ago. At six months he was there he had a stroke. He's in a nursing home in England, he wants to get him home.

MS. KELLY

Right.

LEG. BROWNING:

And he came to me and said, "I don't know to what to do and where to put my son. First thing came to my mind, John J. Foley.

MS. KELLY:

Right.

LEG. BROWNING:

Because where do you put a 35 year-old man who had a stroke and needs 24/7 care?

MS. KELLY

Right.

LEG. BROWNING:

And he can't be at home, so --

MS. KELLY:

And then --

LEG. BROWNING:

I'm helping him to come to John J. Foley.

MS. KELLY:

Good.

LEG. BROWNING:

So, hopefully, that's another bed we're going to fill.

MS. KELLY

Right. And with proper marketing, honestly, with our rehabilitation on the fifth floor, our adult day care, the skilled nursing part, you know, it's a wonderful facility. We offer --

LEG. BROWNING:

Yes, it is.

MS. KELLY

-- so much to the residents and the support to their families. And if we market properly -- many families have elderly living with them and they have to work, and what -- it's a great place to bring your loved one for the day. You can go to work, you know, they're safe. They have activities, they have arts and crafts, they do gardening in the summer. You know, it's --

LEG. BROWNING:

Well, thank you. We appreciate it.

MS. KELLY:

Thank you.

P.O. LINDSAY:

Thank you, Ms. Kelly.

(Applause)

Charles Colombo. Hello.

MR. COLOMBO:

Thank you, Representatives of the County for having this hearing. I just wanted a quick note. If there are two things we're really going to need in the immediate future, they are fuel efficient automobiles and services to address an aging population. With respect to the diversity of age at Foley, I understand, but we still -- you know, talking about a real growth, you know, peak that's coming up. As far as the fuel efficient automobile is concerned, we can clearly see where the lack of foresight has left the auto makers, and if we cannot find a way to serve the fastest growing population of the United States, then we're going to look about as smart as those companies, Ford, Chrysler and GM, who failed to see changes that were inevitable. Not only is change inevitable, but we voted for it last month, and what we really voted for was wisdom, leadership, and, most of all,

compassion. Thank you.

P.O. LINDSAY:

Thank you, Mr. Columbo.

(Applause)

Cheryl Felice.

MS. FELICE:

Good morning. And thank you again, Presiding Officer Lindsay. On behalf of the Suffolk County Association of Municipal Employees, I'd like to thank both Legislators Kennedy and Browning. What the membership needs to realize is what we're looking at at this -- at the forum here today is the best in a cross-representation of bipartisanship. We have a Republican, a Democrat, and a member from the Working Family Party working together to try to come up with a solution for Foley.

P.O. LINDSAY:

That's Suffolk County.

MS. FELICE:

And there you go, at its finest.

LEG. KENNEDY:

Go figure.

MS. FELICE:

At its finest. So I'm -- you know, I'm particularly impressed and encouraged to see that your determination and your commitment to the members at Foley, and the residents at Foley, because they're your constituents, too, is being met with the vigor that you have decided to give this fight.

We've had a number of prepared statements before, I've made a number of them to you. You've heard them all before, and I, too, drove out here today, like some of the members have mentioned, looking for what to say today. And I'm glad I had the time to sit and listen to some speakers prior to speaking myself.

I serve as President of the Association of Municipal Employees, and I have long felt that the John J. Foley Facility was one of the best in Suffolk County. And when our family was faced with the decision to have my grandmother placed in a nursing home, we looked no other place than to John J. Foley, and she received the best of care, and, most of all, was safe and well cared for in the last years of her life. So we have a -- my family and me have a special -- a special feeling for John J. Foley over and above what we already knew was present from the workers over there.

As a leader, we talked a lot about management here today, and we're talking a lot about the leadership from the County Executive, and it's unconscionable to me to understand why our County Executive has yet to step foot in John J. Foley and see the fine facility that it does have. And, as some of the other members have already spoken about, that if a true effort was given to provide management with better tools to get the job done right, then he would be singing a different tune about this particular facility.

As a manager, from where I stand, I could have not placed two better people on the AME side to spearhead this fight on behalf of the workers out at John J. Foley, and that is Kathy Malloy and Debbie Alloncius. Those two have been appointed by me and the Executive Board to take care of this issue and be the point people for the Union and the go-between between the Union, the Legislature and the members at John J. Foley. And you heard Kathy's testimony. She has made it her passion to give you accurate and detailed information in which to make a decision from, and Debbie supplements that with her presence at the Legislature committee meetings and the full

Legislative Body as our Legislative lobbyist.

Kathy spoke to you today, and I was going to bring it up, and I'm glad she did, because I wasn't sure she wanted to disclose what happened to her last night. We were at AME last night decorating the Union Hall for our annual Christmas party for the children of our members, and Kathy was called away by her husband to the tragedy that happened at her home. So, certainly, when I learned of it and I called her and told her, "Don't worry about today, we'll handle it, I understand, you must be devastated, please, stay home and take care of your needs." She has not even been able to walk back into her bedroom. She tells me it is that ransacked that she cannot walk back in there. That's not Kathy Malloy, and that's not the will of the AME member or the J.J. Foley members. Their decision to fight this -- to fight the good fight on behalf of everyone who works at J.J. Foley is not going to be stopped by anybody who tries to stand in their way. She not only had this tragedy to deal with, but in two previous testimonies had to go through oral surgery prior to coming to testimony, and she still came to these hearings, gauze and cotton in mouth, to give her --

(Applause)

That's right, give her a round of applause.

(Applause)

But I make these comments because I wanted to really impress upon, and certainly the three of you I think understand as clearly as anyone will, but I wanted to impress upon, you know, the public hear who is hearing this testimony, perhaps for the first time, to have everyone in this room understand the commitment level that AME, on behalf of its members, have given to this fight. And we do it because we know that every single one of the members at J.J. Foley would do the same thing. They do treat their patients as residents, they treat them as family, and no place deserves saving more than John J. Foley. Thank you.

(Applause)

P.O. LINDSAY:

Cheryl, I just want to make a comment and really have a little dialogue with you. Is -- you know, our County Executive is being blamed a lot for this hearing and what's taking place. Before this crisis, I don't think any one of the three of us knew that much about the facility. We had -- I think we all had been there. But since this all started, I think -- and I guess it's the nature of being a Legislator, that you know a little bit about a lot of things and you don't know a lot about anything, and because it's a big County and there's a lot of responsibilities. But since this has started, we've all become emersed in the problem and trying to figure out what the problem is, how to solve the problem. And I think we've all been kind of enlightened by the staff, by the facility, by the mission of the facility. And, truthfully, I -- you know, I think the interim administrator out there, Mr. Fein, is on the right track. I think he's doing a lot of good things. And one of the things that he told me just the other day is they finally have made application, the County employees can go there, which just astounded me.

(Applause)

You know, if I had broke my hip and needed rehab, I couldn't use our own County facility, because our insurance wasn't acceptable there. And I saluted him for that, and, you know, of course I asked, "Why did it take so long?" I mean, you would think that would be a no-brainer, a County facility accept County insurance. But that -- I guess that goes to what was said before about the lack of effective management there for sometime.

MS. FELICE:

Well, if anything is true, things have to get worse before they get better. I think the enlightenment that you speak to is certainly something that will help things get better after they have appeared to

have been at their worst.

P.O. LINDSAY:

Thank you. Legislator Kennedy, did you want to say something?

LEG. KENNEDY:

Cheryl, I -- you know, I commend you, too. And I'll point out to you, I think one of the observations that you made about we three coming from different pews politically, I'll share with you that we three all probably have a commonality from a union background in different union areas. But so I would say we feel, I guess, the needs on the behalf of the membership.

I'll also say, though, that I think -- I want to commend you, because I know you've entered the dialogue from a perspective sometimes from the collective bargaining process that's not always the easiest place to go, which is needing to look at how this facility operates comparable to what there is out there in the -- I don't want to say the real world, but the private or not-for-profit sector, where staff function in different areas or different ways than they may have functioned in John J. previously, and an awareness, I guess, on the part of AME and the Union, that there really does need to be an ability to look at this facility as perhaps different than many of our other County functions, just by its very nature. It operates around the clock, 24/7 by 365. So I commend you for voluntarily being willing to look at that process.

I also know that you worked with Legislator Browning on the TRICARE approval, which in my mind I think is significant for so many reasons. Like Presiding Officer Lindsay said, the more that we get conventional insurance approvals for residents there at John J., the more that we enhance and diversify the patient mix there, and that's the whole business side of the equation, which, you know, direct care delivery should never really have to enter, but, again, it's the real world. So, by definition, we've got to be cognizant of that in order to go ahead and survive.

I guess, you know, like Billy said, it's been a real journey going through the understanding process, and there's a lot more to go. But I commend you and I commend AME for having come forward and moved as much as you have in this process to participate.

MS. FELICE:

And thank you. And duly noted that, yes, each of you are from very significant and distinct union backgrounds. And I'll accept your -- you know, your accolades on behalf of the team that we've put together to work on this project. Debbie Alloncius, as I said before, is part of that team and worked very closely with Legislator Browning and also Congressman Bishop to secure the TRICARE contract, which will allow our American war vets, who are rehabbing down in Washington D.C., to be able to use the facilities of John J. Foley. And what's significant about that is that nursing homes, other nursing homes, you know, unlike J.J. Foley, can't accept those with traumatic brain injuries like John J. Foley can, they can't accept an AIDS patients like John J. Foley can. So John J. Foley does have a uniqueness that no other facility around this County has, which by -- you know, in itself should be the reason that it be saved for the constituents here. But, certainly, we have -- like I said, we have a good team on this project and we intend to keep them in place.

And if I just may make, you know, another comment with reference to labor unions and the willingness of the labor movement to come to the table with management in the spirit of labor-management cooperation. Our contract expires at the end of this year, so our negotiating team has already gotten together, and we had another session last evening -- last -- yesterday afternoon, and we went over a number of different articles on -- to see what is happening in the workforce and how it's going to affect us. So we are being realistic going into this negotiation to see what's out there.

We want -- I just want to reiterate for the record, we've said it before, this Union was invited by the County Executive to be part of a Task Force to look at the inefficiencies or efficiencies at John J. Foley and improve upon them and offer our suggestion. Presiding Officer Lindsay has been the first

to say that you will get no better advice than if you talk to the frontline workers at any facility, and those frontline workers have made themselves available for that information. We accepted that offer in 2004, we again accepted it in 2006, and never have we been invited to the table. So, now, at the initiative of the Legislature and all of you, and at the direction of the Presiding Officer, we will be invited to the table and we will have a seat at the table to hopefully not be in the same position next year where we found ourselves this year.

So, again, thank you very much for your commitment and your dedication to the fine workers of J.J. Foley. They are grateful.

(Applause)

P.O. LINDSAY:

Thank you, Cheryl. Connie Hornick. Would she like to sit down at a table up here? Is it more comfortable?

MS. HORNICK:

No. I think I can handle it, I just --

P.O. LINDSAY:

Okay. That's okay.

MS. HORNICK:

Good morning.

P.O. LINDSAY:

Good morning, Connie.

MS. HORNICK:

I feel a little bit out of place here, because I'm certainly not a worker of the State, of the County, of anything that is political. I'm an Outreach Coordinator in Farmingville, which means I see the grassroots problems.

A year ago I had a lady who we just couldn't place. She came to us through a volunteer. She would come and she would talk to us with her coat on in 90 degree weather, because she was paranoid somebody would take it. She was living in a house of women where she repeatedly would call me hysterical crying that they were taking her things. We tried very hard to get her into different places, but we got her into John J. Foley, and she's doing well. My volunteers visit her, they take her out, and she's just doing well.

Now I have a volunteer -- excuse me. I have a volunteer whose husband needs a nursing home. She could not -- he didn't fit the criteria for anyplace except Southampton, so she drives every day to Southampton and cries on the drive, because she can't do it herself. So I asked her, "How about John J. Foley?" And she said, "They're going to close, don't you know?" And I started a letter campaign, not because I know the workers, although I respect them, they do something none of us want to do, and I never found resistance. The only resistance I have heard was the young lady who spoke first here today. And I can tell you, when they let the psychiatric patients out, I saw them. It wasn't a good idea. So I'm telling you, you can't place patients like this everywhere, and if you place them too far, you tear their whole home life apart, the families that are connected. And, yeah, you have to try and budget or balance, I do it every month, but you're going to need to make a choice. Not everything's profit, and the choice is humanity or balancing your budget. By the way, if you don't balance your budget, don't worry about it, the Federal Government can't. So I don't know.

But, in the end, I'm telling you the care is good. They're transparent. Their quality is superb. And if it is a County-run home, and I would then assume that the County needs to take responsibility for

its administration and fiscal wealth, but not to cut it down to bring it up. We should be proud of it. It should be one of the things the County should say, "Yippee, we did something good." And that's all I'm asking, because when I have people, and I had over 300 people in the letter campaign, nobody gave me resistance, but what they said is when the Legislators wrote them back, is it says it will stay open one year. What happens after that? I don't know, and I need to know. And as long as I don't know, I'll send them to you.

P.O. LINDSAY:

Connie, if I might, where we are with this process is, it's true, the County Executive is -- would like very much to sell the facility, and the Legislature, by a couple of votes, is opposed to that, although we recognize the financial realities of the balance sheet, but we think we can do better. And, simultaneously, with this hearing process, which some might say is not legal, and even my own Counsel questions it, but we agreed to go through with this hearing process as part of a dual-track program, where one group would get together, including the workers, including the Legislature, including the Health Department, including the County Executive, to work with the new Director there. And whether it's Mr. Fein, or whether we're going to pick another Director -- what we did last May is the Legislature passed a bill that I sponsored to not change the ownership of the facility, but to change the upper management of the facility, because, obviously, it was being run poorly.

MS. HORNICK:

Right.

P.O. LINDSAY:

So that passed. And we're in the process now of making that decision of who the new manager is going to be, whether it's the man that's there as an interim, or whether it's some of the people who responded to the RFP, so we're looking at that. Once that's in place, we have this committee that's going to work with the new manager to see if we can turn the place around. And we funded it for this year, and I'm very optimistic that we're going to be able to make the changes there that we need to make, not necessarily that it be in the black, but it run more efficiently. Everything government does doesn't make money. As a matter of fact, nothing government does makes money. We provide services for people, that's our role. But in that role, though, we want to try and be as efficient as possible for all our taxpayers.

MS. HORNICK:

But, in all due respect, and I need to say this, every letter that came back -- I understand your hearts are in the right place, you're a servant of the people. I'm a servant of the people. I understand that your hearts are in the right place. But, in all due respect, every letter that came back from every one of you said one year. And I know that you're in process, but my people want you to take off one year, just to say that it will stay open, period. And that's where I'm at. I don't have the answer. I can say you're in process, but they're still scared if it.

P.O. LINDSAY:

Well, the -- everything we do in government is on one-year budgets. The funding is in place to operate the facility for 2009. Just like everything else that we do, the funding's in place to keep the County running for 2009, and next Fall we'll start putting together a budget for 2010. And I know it isn't helpful to you in your campaign, it isn't helpful to attracting patients to the facility with this cloud hanging over their head, and we hope to resolve that issue in 2009 one way or another. Either we're going to sell the place, or else we're going to operate it more efficiently and keep it as a County facility. But I don't think anybody here -- I think there has to be some finality to this process, because it cannot go on indefinitely in this "Never Never World" of in between, because it isn't good for the facility, it isn't good for the workers, it isn't good for the patients, it's not fair to anybody. So we're going to -- we're going to make those hard choices this year, this coming year.

MS. HORNICK:

Well, I hope that your hard choices deal with the human aspects more than the dollar aspects.

P.O. LINDSAY:

Okay.

LEG. BROWNING:

And, you know, I do want to say what --

P.O. LINDSAY:

Legislator Browning.

LEG. BROWNING:

-- your testimony, that you have been helping people to get there, and when you've done your search and you show that there was no other place but John J. Foley, and that would be nice to see. I mean, I see some of the same faces here today. And I know you're not the only person that's doing that, and I'd like to see a lot more of those faces coming and saying, "You know what, I've tried to get people in places and this is the only place for me."

P.O. LINDSAY:

Your testimony, Ms. Hornick, has added a whole new dimension.

LEG. BROWNING:

It does.

P.O. LINDSAY:

We really appreciate you coming out and --

LEG. BROWNING:

Thank you.

P.O. LINDSAY:

-- sharing your experience with us.

MS. HORNICK:

And I will tell you that I have many more friends that are doing the same thing I'm doing. I will try and get them to talk with you.

P.O. LINDSAY:

Okay.

LEG. BROWNING:

We thank you.

P.O. LINDSAY:

And Legislator Kennedy wants to --

LEG. KENNEDY:

Connie, if I can thank you for being here as well. Like the Presiding Officer said, I know firsthand the work that you and your colleague's Parish Outreach Coordinators do through the whole network throughout Suffolk County, and it's excellent work. You know, as the Presiding Officer said, we have to balance a whole variety of competing needs, and, candidly, we in government could never meet all the needs that are out there. We know that we're fortunate that we have folks like yourself who purely, out of the goodness of your heart, and I guess a belief in a greater good, go each day to try and help those who are in need throughout the whole County, and you are a significant and profound addition to what we -- you know, the core needs that we try to meet.

The Presiding Officer is right about our one-year cycles in budgets. He has really spearheaded this, and I'll say that I think we're committed to see John J. Foley go another 130 years without him

actually having said it. That being the case, he is saying what we need to do as far as addressing the fiscal items as we go forward, but we've made great progress already. You heard earlier about our own Suffolk County Employee Health Care Plan, about TRICARE. We've also had other insurers where contracts have been put into place as well. And unbeknownst to all of us here, for whatever reason, none of that ever was in place, and a facility can't continue to survive without the fiscal side of the equation at least being tended to.

So there have been a slew of miscues, mishaps, and missteps that have occurred previously, but it appears that many of them now are being addressed and addressed in a positive way. So thank you. Thank you for being here.

MS. HORNICK:

I thank you. And before I go --

P.O. LINDSAY:

Go ahead.

MS. HORNICK:

-- can I just thank all the workers, because they're doing stuff I couldn't do.

LEG. KENNEDY:

Absolutely.

LEG. BROWNING:

That's right.

MS. HORNICK:

Thank you.

(Applause)

P.O. LINDSAY:

Thank you.

LEG. BROWNING:

Thank you.

P.O. LINDSAY:

Michael Gendron.

MR. GENDRON:

Good morning, Presiding Officer Lindsay, Legislator Browning, Legislator Kennedy. My name is Michael Gendron. I'm a Business Agent and Political Coordinator of the Communication Workers of America, Local 1108, here in Suffolk County. But I'm also a resident of Suffolk County and I'm here to speak on behalf of keeping the John J. Foley Nursing Home open, not for the next year, but indefinitely.

The John J. Foley provides too many services to the residents of Suffolk County, residents whose needs will not be met otherwise if this facility is closed. These residents are people that suffer with HIV and AIDS, severe head trauma, Alzheimer's, dementia, those of us who are younger than the usual nursing home population that would find it very difficult to get placed in a nursing home, and also veterans of our Armed Forces. If this facility closes, there would be too many people laid off, 300 in 2009, in fact. These are good, decent-paying jobs, union jobs that provide benefits for the people and for their families that are a vital part of their community and their local economy. These are families that are depending on them to support them, okay, and the effect on losing these jobs would have a waterfall effect on the local economy.

There is an old saying, "Penny wise and pound foolish." There have been a big discrepancy in the amount of money that would be saved by closing this facility. The widespread effect on the County has not been taken into account when trying to calculate the savings to the County. When all is said and done, we will see that the closing of the John J. Foley Nursing Facility would end up costing this County more than it has saved. There is nothing wrong with the County government providing a service to us, the residents of Suffolk. There is also nothing wrong with protecting decent-paying union jobs that help to support so many families in the County, in Suffolk County.

So, to the employees of John J. Foley Nursing Facility, to my brothers and sisters of AME, we in CWA 1108 stand together with you. Thank you.

(Applause)

P.O. LINDSAY:

Michael, thank you very much for coming out. I know you have your own struggles and --

MR. GENDRON:

Absolutely.

P.O. LINDSAY:

Thank you.

MR. GENDRON:

Thank you.

P.O. LINDSAY:

Nanci Dallaire. Did I pronounce your name right?

MS. DALLAIRE:

Yes, Dallaire. Thank you.

P.O. LINDSAY:

You're welcome.

MS. DALLAIRE:

Good morning. And I'm one of many who have been against the closure or the sale of John J. Foley Skilled Nursing Facility. I believe that this facility has been the unfortunate victim of neglect, not only by the County Executive of the past five years, but the previous two County Executives also failed to see what an amazing facility we have here in Suffolk. Excuse me, I have a little cold. It's continued to survive, though, and provide quality services that are essential to this community, and we deserve to have these quality services provided by our tax dollars.

And I'm personally insulted by the County Executive when we're told that we don't have the money to continue operating this institution that has been a vital part of this County for over 100 years, but the brand new correctional facility that's being built right next door does not suffer? We have the money to ensure the future of the criminals of this County, but the decent hardworking citizens at Foley must worry about tomorrow? I don't understand this. What will it take for us to realize what we have here in Suffolk County? This beautiful County is so much more than the negative press that we have been receiving lately, and this facility should be a source of pride for the people. It will be a sad day for us all if this facility is allowed to slip from our control. Our human compassion cannot be for sale. Thank you.

(Applause)

P.O. LINDSAY:

Thank you very much, Nanci. Joseph Stasys? Yeah, I know, Joe, I mess up your name every time. Say it for me. Say it for me.

MR. STASYS:

Stasys.

P.O. LINDSAY:

Stasys, okay.

MR. STASYS:

All right. First, I'm going to talk as a taxpayer, because two tax bills ago my taxes went up 113%, which was \$52. Last year, they went down 16%, which was \$15 and change. I think you hit the nail on the head when you said government isn't here for a profit. Meanwhile, Steve Levy is turning around saying he's sitting on 130 million dollars. That's my money, that's their money that he's not using.

Now, I am a Unit President out at the Riverhead County Center, I'm here with AME. We're all working with less. That 130 million dollars was to hire people to provide services for all the taxpayers. My wife worked in a nursing home. They will not accept as many people that are in John J. Foley, they're only required to take a certain percentage. These people have been working hard with less and less. They're mandated to work overtime, which is killing them, and people don't realize this. Your responsibility is to find monies for it. Isn't that what we elected Steve Levy for, to find out where the money is and hire people that we're paying for?

On election night he was touting the flag for President-Elect Obama. Now, one of the things President-Elect Obama wants is to find work for people, and Steve Levy is proud of this, but, in the meantime, he wants to fire 300 people. I don't understand what's going on here.

And I know you have a hard job and I've known all of you. I've seen all of you and you're doing a great job, above and beyond what you're supposed to be doing. And that's about it.

P.O. LINDSAY:

Joe, thank you. The only thing I disagree with you on is my job isn't as hard as half the people in this room.

(Applause)

MR. STASYS:

Yeah, but the burden was put on you by the County Executive.

P.O. LINDSAY:

Thank you. Debra.

MS. ALLONCIUS:

Yes. Good morning. My best crew, who I can always go to for advice. I thank you very, very much.

My name is Debra Alloncius. I am AME's Legislative Director, and I stand here before you on behalf of Cheryl Felice and the membership, and thank you from the bottom of our hearts for all that you have done. And I do have to really beg to disagree with you, Mr. Lindsay, because I do sit over at all those committee meetings and at every General Meeting, and I do think that you have a tremendously difficult task ahead. And the quorum which you keep in that -- around that horseshoe at times is absolutely amazing.

That being said, I feel very bad for the position that the Legislature is in right now. You are undertaking the Public Hearing process to identify what the nursing home would be worth if it was closed, or what we could sell it for. It's a very difficult task to do. I know that in your heart and

soul, you don't want to do that, and we are all working very hard to achieve a different purpose.

And I do stand in agreement with your Legislative Counsel, that these hearings are being held illegally, and that you're being forced to do this, but you're being forced in your determination to go with your RFP and bring in possibly a new management team. And we do know and thank you for the hard work in setting up the committee, and inviting and having the Joint Labor Management Team, it's extremely important. And you are in good shape with having a leader like Cheryl Felice, who is very cognizant of the trends in the country, and fully aware of the fiscal crisis and what your job is as politicians in this County.

I do look forward to turning this place around. There are things being done under -- that are underway to bring in the different insurances. We understand Affinity signed up, we have TRICARE. We're working extremely hard at this point to try to get, and we might be able to get, one of our own AME members there, that we're working very hard at at this point. And to know that -- to know that you're there for the residents of that facility, and that your heart goes out to them, that's the biggest -- that's the biggest thing for me and the best thing for me, because, with your determination, and knowing that you have the responsibility of taking care of the residents there, and with our determination, we can turn this place around.

And I also applaud you for all the niceties that you're saying about the possible missteps here, missteps there. It is a deliberate attempt to shut down the Health Department -- or health services as we know it, as the County that -- has been for the people for the past 100 years. We're written in textbooks about the health care delivery system, and this health care delivery system is -- what, got a 20% vacancy rate? We're not doing what we need to do, we need to fill the positions. We need to keep the nursing home alive. We need to do more to keep this County -- to provide for the public safety, and the health, and the welfare of the constituents that you all serve every day. We thank you very much, and know that we'll always be there for -- to do whatever we can for you.

P.O. LINDSAY:

Thank you very much, Debra. Thank you for all your help.

(Applause)

MS. ALLONCIUS:

One last thing. You have held these hearings, but do not close them. Do not close them. They do not have to be closed, you've done your part. Thank you.

(Applause)

P.O. LINDSAY:

I disagree with you there. I should close these hearings, because there's going to be another set of hearings. The problem with this whole hearing process and the Hibberd Law was they were designed to look at a specific proposal of who we're selling our facility to, how's it going to be managed. I mean, there's so many specifics if this ever came to fruition. So, you know, this whole hearing process hasn't really solved anything, because there's nothing to look at. All right? We're just getting together to -- I don't know what we're doing, making each other feel good or --

LEG. BROWNING:

A love fest.

P.O. LINDSAY:

You know, we're getting testimony. I mean, some of the testimony this morning was very enlightening. The first woman, you know, she's -- I think she's under a misimpression, but we've got to get her that chart and to show that some of the things she's being told isn't totally correct. I think it was very important that we hear from, you know, families of patients there, for advocates that place people there, as well as all you guys, you know. Did you want to say something,

Legislator Kennedy?

LEG. KENNEDY:

I was just going to add to you, Mr. Chair, that, first of all, I do agree that we may be involved in a process that clearly doesn't comport with the Administrative Code. But, as you pointed out, I think each and every facet, every different group that we get that comes to the podium has even done this throughout this whole process. In addition to the people we've heard here today, we've had previous testimony from the representatives from LIAAC and the overwhelming need that we have for additional HIV and AIDS care beds, the unique nature of the patients there at John J., with the mean age being a much younger age, and not necessarily blending with what we see in many of the other nursing home facilities out there.

I think, for me, personally, it helps to hear about some of those other areas and aspects of need as we collectively go forward to make the case. And I think that's really ultimately what the end game is, to go ahead and get the beds filled to the highest degree that we can, you know, achieve our bed hold status, get our economic house in order. And, as far as some of the other, you know, political rhetoric, it will ultimately subside as it doesn't succeed, in my opinion. But I appreciate everybody coming out again for this one as well. Thank you.

P.O. LINDSAY:

Is there anyone else in the audience that would like to address us, because I've exhausted all the cards. Seeing none --

LEG. BROWNING:

You know, going back to the lady that I missed, and I've caught a little piece of what was said, you know, the State facilities and the John J. Foley, there is no comparison, that -- the State facilities that closed, there is absolutely no comparison. And when you're talking about those facilities, the State made no plan for what to do with the patients and the clients that left those facilities. I can tell you what the plan is, and what happened was they moved to my District in unregulated sober homes, and that's a major, major problem in my District. And, again, many of these John J. Foley employees live in my District, and it's not because they're making a lot of money. It's a very working class community, many CWA members. There's a lot of AME members that live in the Third Legislative District, which is the Shirley, Mastics, Gordon Heights, North Bellport. You know, they are the people who live in that District, they're not making a lot of money, and so now they're being burdened by these sober homes that are not regulated. So, you know, I don't like to hear a comparison with Pilgrim State, and places like that, and John J. Foley.

When I was a CCD teacher at my church, taking my kids to John J. Foley and the youth group to entertain the residents for Christmas, it's just not the same. So, you know, there's a special place in my heart. It is in my District, and there is a special place in my heart for John J. And, like I said, many of the people I knew before, I was a bus driver, and they were my neighbors, I drove their children. And so I've known many of them for quite a few years, and I appreciate everything they do, and I'm fully supportive of them.

(Applause)

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Yeah. Let me add one other piece. And I, again, apologize for my lateness, but if there was discussion or comparison with John J. to Kings Park or Pilgrim -- you two here know that I spent ten years in the Office of Mental Health and I was a Mental Hygiene Therapy Aide in Kings Park. I worked out of C.I. and Pilgrim as well. And I could tell anybody in this room categorically, John J. Foley is not what a State Psychiatric institution was. I was there, I worked in them. We did the best that we could for an overwhelming number of patients there on the floors, but it was nothing akin to

the care that residents get in John J. Foley, it is a light year difference.

And Legislator Browning is right. As a matter of fact, I went through that whole deinstitutionalization process. It was an abomination, and, as a matter of fact, it was the antithesis of good government planning. Nevertheless, we continue to try and meet the needs for those that are mentally impaired in the communities. But what goes on at John J. is the complete opposite end of the spectrum, as far as the care that we try to provide, or what happened in the State facilities, and I'll be happy to talk to anybody in person about that. Thank you.

P.O. LINDSAY:

Okay. With that, I'm going to make a motion to close these hearings.

LEG. KENNEDY:

Oh, is there a gentleman there who wants to speak?

{MR. MENSEY}:

I'll be very brief.

P.O. LINDSAY:

Okay. Please come forward, identify yourself.

{MR. MENSEY}:

Good morning, everybody. My name is Michael {Mensey}. My brother and I have a parent, mother who's up at John J. Foley. My brother traveled all the way from Brooklyn to be here, so we were a little late this morning. I'm a resident of Bellport.

My mother, a year and eight months ago, Her name is Kathleen {Mensey}, was on the brink of death. She was at a nursing home and was not getting the proper care she needed. A year and eight months later, my mother has done a 360, and we actually kind of saved her life. If it wasn't for John J. Foley, it wouldn't have happened, and I really truly believe that, we've seen it.

My mother was an educator, she retired, a person of the New York State school system, graduated Pace University. She's always had her faculties. A year and eight months ago, we've seen my mother, she wasn't the same person. No one would take her except for John J. Foley. And here it is now a year and eight months later and she's come around, she's a whole different person. She's like a our old mother now. So I'd just like to say thanks to the workers at John J. Foley for doing that for us.

P.O. LINDSAY:

Thank you very, very much --

LEG. KENNEDY:

Thank you, sir.

(Applause)

-- for taking the trip out here, and especially your brother coming all the way from Brooklyn. We really appreciate it.

{MR. MENSEY}:

Thank you.

P.O. LINDSAY:

Okay. I made a motion to close.

LEG. BROWNING:

Close, motion to close.

LEG. KENNEDY:

Second.

P.O. LINDSAY:

Okay. All in favor? Opposed? Abstentions? We stand closed.

[THE PUBLIC HEARING WAS ADJOURNED AT 11:32 A.M.]