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Care for disabled in limbo

Vulnerable people still lack Justice Center because bill goes unsigned by governor

By Rick Karlin

ALBANY — In June, the Legislature passed Gov. Andrew Cuomo's bill creating a Justice Center to safeguard disabled and vulnerable people who are in state care.

But the bill hasn't yet hit the governor's desk.

Additionally, the union representing thousands of direct-care workers at facilities managed by the state Office for People With Developmental Disabilities claims it hasn't heard from the governor's office in months, even though tougher penalties for employees who abuse the disabled or provide improper care are supposed to be developed.

"There hasn't been a direct exchange in some time," said Stephen Madarasz, spokesman for the Civil Service Employees Association, which represents workers at facilities managed by the state.

A Cuomo administration official said the legislation is likely to be signed in the next week or two. He said the executive chamber looks forward to reaching a resolution with CSEA on a table of penalties that the union had previously said would be finalized by the end of the legislative session.

Most caregivers do their jobs properly, but several notorious incidents of neglect and abuse created a firestorm last year and were chronicled in an award-winning series of articles in The New York Times.

In the Capital Region, a group of advocates for residents has for the first time in recent memory filed complaints with the state about what it says is a lack of adequate staffing

at the O.D. Heck center in Niskayuna, which is operated by OPWDD.

In one complaint, the group says a resident hadn't had a dental checkup in a year. Nor had that person been able to leave the center on outings more than one or two times per month, due to a shortage of staff members.

The same resident was also supposed to go to a less-institutionalized group home several years ago, but hasn't been able to do so because of what lawyers call bureaucratic delays.

A shortage of employees at O.D. Heck "is having a real impact," said Bridgit Burke, co-director of the law clinic and justice center at Albany Law School.

State officials said they can't comment on the complaints about O.D. Heck. "Given our mandate to protect the confidentiality of people we support, we cannot comment on the details of matters related to their treatment," OPWDD spokeswoman Tiffany Portzer said in a statement. "However, we can say that the process exists to enable qualified parties to voice concerns and we get actively engaged with these parties to arrive at resolutions."

That the bill for the Justice Center legislation hasn't been signed more than three months after its passage isn't unique — hundreds of bills are waiting for the governor's signature before the end of the year. Many bills remain in limbo while they receive executive review; others await the selection of key personnel for the entities they establish.

Madarasz said state officials are starting to hire top people for the Justice Center, set to become active in April 2013.

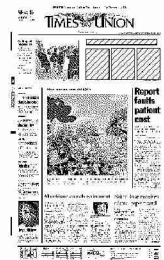
And OPWDD is poised to be-

gin filling about 500 openings for direct-care workers in facilities across the state.

"We hear they are going to fill positions," said Madarasz. "The fact that they are down 500 positions speaks to the issue that they continue to be severely understaffed."

Staffing issues appear to be at the root of several complaints about O.D. Heck.

According to records for the resident who hadn't been to a dentist, workers at the center were quoted as saying they couldn't recall the last time he had "successfully seen



a doctor.”

The individual in question — whose name was blocked out — also resides in a locked unit at O.D. Heck even though he doesn’t have to.

Federal law requires that residents with disabilities in state institutions live in the least restrictive environment possible.

Complaints coming from O.D. Heck are notable given its recent history. In 2007, 13-year-old Jonathan Carey was a resident at the center when he was accidentally suffocated by a worker during a trip to a local mall.

It was later found that Carey’s caretaker, Edwin Tirado, who was convicted of manslaughter, had worked massive amounts of overtime, including logging 1,647 hours the previous year.

The youth’s parents, Michael and Lisa Carey, launched a campaign to force changes, including a law that allows better access to records.

Michael Carey, when told of the recent complaints, said it appears that staffing remains an issue. “It’s part of the systemic problem of understaffing at state facilities that the state hasn’t addressed.”

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Waiting For The Union's Call; TOB Still Willing To Negotiate

With layoffs on the table, Supervisor Venditto leaves the door open for union negotiations

BY DAGMAR FORS KARPPI
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Town of Oyster Bay Supervisor John Venditto is still struggling to solve the town's cash flow problems. To solve the TOB budget problems he needs union concessions or the town workers will experience layoffs.

Finding a solution began with a retirement offer which included

\$1,000 for each year of service which was accepted by 89 employees whose last day with the town was Aug. 30. They will receive the funds in a single payment at the end of October. It will be paid with a \$7.5 million 10-year bond. The payment included any unused or sick days owed. The workers are guaranteed health care for life and for a surviving spouse, for five years (this is not a reduction or increase, but the same as the current contract).

At the May 15 board meeting the retirement incentive was on the calendar and Supervisor Venditto said he was hoping to get 220 town employees to accept early retirement for a budget reduction of \$10 million that would put the town on track financially. He said his aim was not to hire new people but to let talented people already on the staff step up to new positions. On the town calendar that day was a resolution to override the state's 2 percent budget cap but it was tabled as he worked for a solution that does not include a tax increase.

On Aug. 30, the 89 retirees walked away from the town. The offer was available to fewer than 300 employees 55 or more years of age and who were with the town for at least five years.

The number of people accepting the buyout wasn't sufficient. On Sept. 13, Supervisor Venditto and the town board sent a letter to town employees to explain just where he was in finding the solution. He said previous union contracts were "the highest rated contracts in the entire State of New York." He said while the town has been fiscally prudent, cut discretionary spending and encouraged early retirements still, "the ongoing recession has forced our town to deal with an operating budget shortfall (of \$13 million)."

The supervisor said at the start of negotiations they requested an immediate payroll

lag [a delay in payments], no pay increases in either 2012 or 2014, with a return to the contractual increase in 2015 (4 percent pay increase plus a step, an automatic incremental increase). He said, "The offer also included a no-layoff clause, with no change to your health benefits. Unfortunately, on August 1st, your union leaders rejected the administration's request."

He said they have begun the layoff process although he was keeping the lines of communication open with the union saying, "When there is time there is hope."

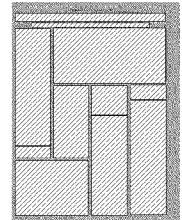
The 2012-13 Budget

When the town passed their current budget in October 2011, CSEA Local 881 President Robert Rauff Jr. sat in the audience in the town hearing room with several of his department members. Supervisor Venditto acknowledged Mr. Rauff and told the audience that the two were friends — had a good working relationship and that when he needed help, Mr. Rauff got his workers to do the needed task. That budget gave the workers a 3 percent raise, the year before they received a 2 percent raise. Based on those comments last year, now Mr. Venditto said, "...because of our family-like relationship with our union," he hoped they would find a solution.

During the Sept. 4 board meeting Supervisor Venditto kept alluding to the town's finances during several hearing discussions. He said, "Our bond rating has been downgraded... We are cash poor and asset rich... While other municipalities have infrastructure problems, we are in good shape." He added, "We had 14 years of good bond ratings... (now) layoffs are eminent."

The town has been involved in capital improvements to the infrastructure — creating a great system of parks and recreational facilities — but the result is paying off the debt service. But in the supervisor's view, "The economic crisis is temporary, the town is forever."

Currently the town has \$674 million in debt, according to state reports. In the current budget the town listed debt service, paid on the principal of their loans as \$47,665,000; debt service interest paid on their loans as \$22,650,335. They are paying down the principal as they pay interest



on their loans at a total figure of \$70,315,335.

With the town's bond rating going down, they will be paying more for that debt service going forward.

The TOB budget total for 2012 was/is \$262,464,593. Of that, the budget listed salaries as: \$95,845,161 and employee benefits as \$17,502,613 for a total amount of \$113,347,774 for staffing.

For the remainder of 2012, the salary decrease as a result of those taking early retirement is \$3.4 million. In the 2013-14 budget they will see a decrease of \$10.5 million. The town is currently preparing their next budget with Oct. 16 as the hearing date, at both 10 a.m. and 7 p.m.

Some Criticism

Terry Kelly, who ran for a seat on the town board last year said, "The town's purpose is to provide service to the citizens and not jobs for the workers. They should provide the services at the lowest cost possible and with the fewest workers. It is unfortunate that people are losing their jobs but the town employment rolls were bloated in the past with patronage jobs. Now to find a solution they are borrowing a million a month to pay their bills. The last \$10 million was for retirement benefits. They gave lifetime benefits. The costs are outrageous.

"Eighty-nine people took advantage of the retirement package which included \$1,000 for each year served and lifetime health benefits," he said.

It should be noted that once the people have retired, those payments will come out of state funds. The people who have retired will have no un-employment payments but if people are laid off the town will be paying into that unemployment bucket.

Mr. Kelly added, "Especially in these times, losing your job is sad, but it appears the town made up jobs when someone needed them. They created an unnecessary service such as the public safety department to employ people. It has a commissioner and three assistants.

"They were paying messengers to deliver things in the same town hall. If you need to send something to the other branch, use Fed Ex with no benefits. in-

stead of paying someone \$50 grand with benefits.

"The public safety department costs \$7 million for a department of 56 people including the commissioner and four assistant commissioners with special skill sets. What kind of expertise, in boats, the harbor and weather is needed? All you need is one person in charge. You don't need that many management positions. That is how you get a bloated system."

Mr. Kelly said he doubted the union would give the asked-for concessions and that could mean layoffs. "It is unfortunate but necessary. We're broke. They spend more than they bring in and they borrow, which carries a cost," he said.

Who's Left For Layoffs

The town public information office said that 89 of 1,261 town employees took the town's retirement package. Those remaining may feel the pressure to ask their union leaders to negotiate. In some school districts, teachers allowed their unions to accept no raises to help retain fellow teachers. Calls to the TOB union, CSEA Local 881, went unanswered.

As of now: public works had 349 employees, 16 left; parks had 245 workers and 15 accepted retirement; the highway department had 197 employees, 13 have left; the community and youth services department had 66 employees and nine have left; planning and development had 77 employees of which seven have left; general services had 45 employees and five have left.

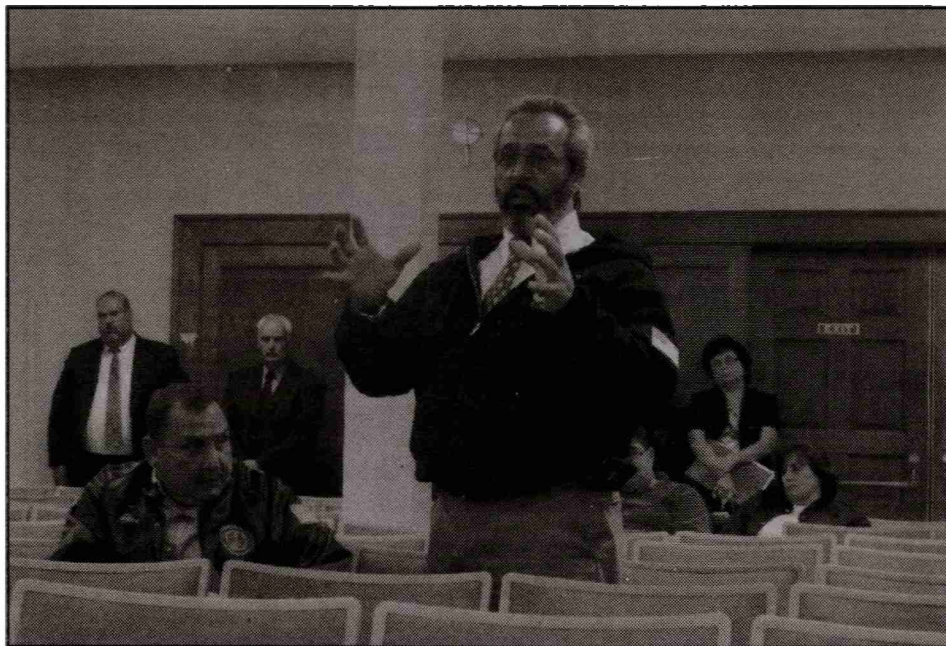
The receiver of taxes lost five of 18 staffers. Environmental resources lost four out of 51 employees. The department of intergovernmental affairs lost four of 24 workers. The town board employed 27 people and three have left. The comptroller's office had 36 employees and two have left. There were 14 people in human resources and two have left. Public safety lost two out of 56 staff members.

The town clerk's office had 17 employees and one has left. The supervisor's office had 16 staffers of whom one left.

The town attorney's office has 23 people on staff and none took the retirement package. The town has often hired outside attorneys when it sees the need in special cases.



The Oyster Bay Town Board members during their evening budget session last October.



CSEA Local 881 President Robert Rauff, Jr. speaking with Supervisor Venditto during the October 2011 budget hearing.

Budget in deep freeze Gov's warning: More cuts

BY GLENN BLAIN
NEW YORK DAILY NEWS

ALBANY — Gov. Cuomo is warning state officials of the necessity of keeping the lid on new spending for at least the next two years.

Cuomo administration Budget Director Robert Megna, in a letter made public Tuesday, ordered agency heads to “assume zero growth” in their spending plans for the next two fiscal years, as the state works to cover long-term deficits.

The spending freeze, however, does not include health care and education aid, which Cuomo has already pledged to increase by as much as 4% in the coming fiscal year.

“Gov. Cuomo remains committed to holding the line on state spending while maintaining his pledge to increase support for schools and health care in a sustainable manner,” Megna wrote in the letter. He wrote that Cuomo hopes to limit overall spending growth to 2% or less “over the course of his administration” and he urged agency heads to “work smarter” and find greater efficiencies.

Any new spending, Megna added, must be balanced by spending cuts in other areas.

“In other words, 2013-14 budget requests cannot achieve zero growth through fiscal gimmicks or one-time actions,” Megna said.

The state faces a \$982 million deficit in the 2013-14 budget, which

begins on April 1, according to administration estimates.

The projected shortfall rises to \$3.5 billion the following fiscal year and \$4.3 billion in 2015-16.

The state’s current \$132.6 billion budget, which Cuomo and lawmakers agreed to in March, closed a \$2 billion deficit and cut overall spending by \$135 million from the previous year.

Stephen Madarasz, a spokesman for the state’s largest employee union, the Civil Service Employees Association, blasted Cuomo for once again looking to restrain state spending.

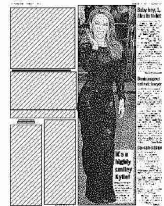
“It’s disturbing that the administration is seeking to further undermine state operations and the dedicated employees who are doing very difficult work under often hostile circumstances,” Madarasz said.

E.J. McMahon, a senior fellow at the conservative Empire Center for New York State Policy, warned Cuomo may not be going far enough to counter the state’s ever-rising health care and pension costs.

“In the short term, they are doing what needs to be done,” McMahon said. “In the long term, there is still a structural gap that needs to be closed with spending actions or tax increases.”

Megna asked agency heads to submit their budget proposals by Oct. 16. Cuomo will unveil his budget plan in January.

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\$2.79B budget plan

■ **Mangano's proposal** promises no property tax hike

■ **Nassau Dems promise** review once details released

BY SID CASSESE

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Nassau County Executive Edward Mangano last night proposed a \$2.793 billion budget for 2013.

Mangano issued a news release and a letter to county residents without details of his spending and revenue projections. The release noted that for the third year in a row, Mangano has delivered a spending plan with no property tax increases.

"This budget protects families and seniors while also paving the way for continued economic growth by holding the line on property taxes . . . and by restricting spending so that we never return to the poor fiscal policies of the past," Mangano said in the release.

Last year, Mangano proposed a \$2.63 billion budget for

2012. The final budget passed by the legislature totaled \$2.8 billion, the legislative clerk said yesterday. Comptroller George Maragos projects that the county will end 2012 with a \$45 million deficit.

Legislative Minority Leader Kevan Abrahams (D-Freeport) said yesterday that he and minority Democrats "plan to thoroughly review the budget once we finally receive it. But if Mr. Mangano's past budgets of irresponsible mismanagement are any indication, we are not optimistic that this budget will do anything to put Nassau on a path to solid fiscal ground."

The 10-9 Republican majority and the Democrats have been at odds over a GOP-proposed redistricting plan for the legislature that could eliminate three Democratic seats. Partially as a result, Democrats have

refused to provide the votes for the two-thirds majority necessary to approve borrowing to pay millions of dollars in property tax refunds.

Administration officials said the county workforce has shrunk by about 1,780 employees, to 7,395, since Mangano took office in 2010. Since June 2011, 400 Civil Service Employees Association members have been laid off while another 380 retired with incentives. Nearly 100 county police officers took a retirement incentive in March.

The legislature also has approved fee increases for traffic fines and services including transportation of accident victims by police helicopter.

Suffolk County Executive Steve Bellone is expected to submit his 2013 budget this week.



Labor federation elects officers

Ann Marie Taliercio of Unite Here Local 150 was re-elected to a three-year term as president of the Central New York Labor Federation at the organization's annual meeting Saturday.

Other officers elected include:

Michael Dems, IUPAT District Council 4 Local 31, secretary-treasurer; Lori Nilsson, CSEA Region 5, executive vice president; and Phil Cleary, North Syracuse Education Association, recording secretary.

Also, these vice presidents: Jerry Dennis, SEIU 200 United; Don Goodness, AFM Local 267; Ruth Heller, 1199 SEIU; Richard Knowles, USW District 4; Don Morgan, IBEW Local 43; Scott Phillipson, SEIU 200 United; Karen Smith, CWA 1152; and Colleen Wheaton, CSEA Region 5.

— Staff reports



HEALTH CARE

PRIVATE OPERATOR POISED TO BUY VAN DUYN

ONONDAGA COUNTY PLANS TO SELL NURSING HOME TO COMPANY THAT IMPROVED FORMER VIVIAN TEAL HOWARD SITE

By Jim Mulder and Rick Moriarty
Staff writers

The private company that wants to buy Onondaga County's Van Duyn nursing home says it intends to preserve the 513-bed facility's mission of serving the community's most difficult patients who have no place else to go.

Upstate Services Group LLC, which operates a nursing home in Syracuse, has entered into a tentative deal with the county to buy the nursing home on Onondaga Hill for \$8 million to \$10 million. The proposed sale, announced Friday by County Executive Joanie Mahoney, requires approval by the county Legislature and the state.

David Camerota, a partner in Upstate Services Group, said his company would continue operating Van Duyn as a "safety net" nursing home, as it runs Central Park Rehabilitation and Nursing Center, a nursing home at 116 E. Castle St., Syracuse, it took over in 2008.

"We are very excited about the opportunity to maintain the safety net, and we are going to work hard to improve and grow that facility," Camerota said.

Van Duyn is considered a safety net facility because it takes large numbers of medically complex patients on Medicaid often turned away by other nursing homes.

Mahoney said the sale cannot take place until December 2013, after Upstate Services gets all of its approvals. The final price will be determined next year, she said.

Mahoney announced in March 2011 that the county was negotiating to sell Van Duyn to Upstate Medical University after the county's issuance of a request for proposals from buyers.

However, the university was unable to get the approval of the State University of New York board of trustees.

Dr. John McCabe, CEO of Upstate

University Hospital, said SUNY officials have been consumed with financial problems at SUNY's hospital in Brooklyn, Downstate Medical Center.

"I'm very disappointed," McCabe said. "I think it would have been great for the system."

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When Upstate Medical University walked away from the deal, the county approached Upstate Services Group, one of eight organizations that responded to the county's request for proposals. Upstate Services, which has no relationship with the university, operates 11 nursing homes in New York.

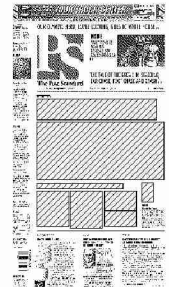
Upstate Services is run by Efraim Steif, of Rockland County. He has a track record of turning around troubled nursing homes.

Mahoney said Van Duyn's 500 employees would become employees of the new owner. Camerota said Upstate Services would keep nearly all of Van Duyn's employees. He said it's too soon to say if the purchase would affect wages and benefits.

CSEA, the public employee union that represents many Van Duyn workers, opposes the plan to sell the nursing home to a private owner.

"As a county-run nursing home, Van Duyn has always served as a facility of last resort our community's seniors could depend on to receive care, regardless of their ability to pay," Phil Graham, president of CSEA Local 834, said in a statement. "If the facility goes private, our concern is that profits, not people, will come first."

Employees at Upstate Services' Central Park nursing home are represented by a different union, Local 1199 of the Service Employees International Union.



The county has been eager to sell Van Duyn because it can no longer afford to subsidize it.

Steve Morgan, the county's chief fiscal officer, said taxpayer subsidies for Van Duyn's operation would total \$115 million between 2013 and 2022 if the county continued to own it. He said the problem is the state, which would like to see counties get out of the nursing home business, does not reimburse the county for the full cost of caring for the home's patients.

Steif, chief executive officer of Upstate Services Group, took over Central Park, then known as the Vivian Teal Howard nursing home, in 2008.

The state Health Department asked Steif to become receiver of that home, which was dogged by financial and quality problems. Steif had stepped in as receiver of several other nursing homes in New York, including Binghamton's Bridgewater Center for Rehabilitation and Nursing, and turned them around.

Steif bought Vivian Teal by assuming its debt. He renamed the facility Central Park Rehabilitation and improved its operation.

Before he took over, the home was on the federal government's list of the nation's worst-performing nursing homes. The government threatened to shut it down but held off to give the state Health Department time to find a receiver.

The nursing home subsequently improved its performance and was taken off the federal government's worst list in 2010.

If the deal with Onondaga County goes through, Steif will face similar challenges at Van Duyn, which has a history of quality problems. The federal government put Van Duyn on its list of the nation's worst performing nursing homes in November. Unless Van Duyn improves, the government

could permanently cut off Medicare and Medicaid money for the facility, a move that would probably force it to close. County officials, however, have said that scenario is unlikely because Van Duyn has been fixing its problems.

Ron Lagoe, executive director of the Hospital Executive Council, a planning agency for Syracuse's hospitals, praised the tentative deal. He said more than half the people admitted to Central Park last year were patients with complex problems who are tough to care for and hard to place. On a percentage basis, Central Park takes more hard-to-place patients than any nursing home in Onondaga County, including Van Duyn, he said.

"We are getting an operator in here who knows how to take care of these patients," Lagoe said. "He's already shown himself for what he is and has a good record."

There appears to be support in the Onondaga County Legislature for selling Van Duyn.

Legislature Chairman Ryan McMahon said the cost of operating Van Duyn could bankrupt the county and cannot continue.

"The state has not come through," he said. "We are now out of time."

Majority Leader Pat Kilmartin, R-Onondaga, said the nursing home was creating "long-term unsustainable" costs that have to be addressed.

"There's no use kicking the can down the road," he said.

Mahoney's proposed 2013 budget includes money to operate Van Duyn through November 2013. She anticipates Upstate Services Group taking over the nursing home Dec. 1, 2013.

Contact Jim Mulder at jmulder@syracuse.com or (315) 470-2245 and Rick Moriarty at rmoriarty@syracuse.com or (315) 470-3148.



MAHONEY



Stephen D. Cannerelli/The Post-Standard

ONONDAGA COUNTY IS seeking to sell the Van Duyn Home and Hospital, on West Seneca Turnpike, Syracuse, to a private owner.

Union: Conditions depressing

By DON LEHMAN

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Gene Rounds, president of the union local that represents more than 500 Warren County employees, said he knows why county workers have a higher incidence of depression.

It's their work conditions, he said.

Worries about job cuts and consolidation, going years without a raise and difficult jobs have combined to make stress levels too much for some to take, Rounds said.

"It's no wonder people are on depression medications. We're working two or three jobs just to survive," he said.

County officials learned this week the county's workers have a rate of depression nearly twice that of the general public, based on the percentage of people being treated for the disorder.

The data came from an analysis of

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those on the county health insurance plan. CSEA officials in Albany expressed concerns Thursday about the release of the information.

County supervisors are mulling the creation of a wellness program to address the issue and also cut health care and prescription costs. Following discussion at a Board of Supervisors meeting Tuesday, a committee was formed to figure out how the program should operate.

A *Post-Star* article chronicled the meeting discussion, and Rounds — who could not be reached for comment Wednesday — reacted Thursday.

He said several years of job cuts and consolidation have resulted in employees hav-

ing a much heavier workload. The work environment is particularly stressful for those who work in the Department of Social Services.

"They have to make decisions that affect families for what little money they're making," he said.

Rounds is a welder for the county who is the president of the Civil Service Employees Association local that represents more than 500 county workers.

Queensbury Supervisor Dan Stec, chairman of the county Board of Supervisors, said county workers are dealing with issues others in the private sector confront as well — job cuts, tightening budgets and doing more with fewer resources.

County officials hope to be able to improve the situation and save the county money as well, he said.

"Certainly prevention is cheaper than treatment," he said. "We're trying to find ways to cut costs so we can give employees raises."

Rounds said county officials had not brought the depression information to the attention of the union or its members before they read about it in *The Post-Star*.

Therese Assalian, a spokeswoman for CSEA in Albany, said the union was concerned about private health information being accessed, but had no further comment on the matter Thursday as it prepared a letter to the editor for *The Post-Star* about it.

"CSEA has notified the county that we take issue with the airing of employees' personal health information," she said.

"We hope to work with the county to prevent any further breach of private health information."

The CSEA local's negotiating team has a "memorandum of agreement" for a new labor contract with county officials,

which is to be voted on Sept. 27, Rounds said. He would not release details pending the meeting, but said the proposal calls for drastically increased health insurance costs, and he did not know if the membership would agree to it.

The union's contract ran out in January.

Stec said he also could not discuss details of the proposal.

"I believe they are getting closer to voting on a potential contract," he said.



Lesko's final budget includes layoffs, cuts

BY SOPHIA CHANG

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In one of his last official acts as Brookhaven Town supervisor, Mark Lesko unveiled a proposed budget that freezes taxes but slashes spending, makes nearly 150 layoffs, and eliminates noncore services, including some senior programs and the Holtsville pool complex.

"I'm not happy about it," Lesko said yesterday at a town board work session. "It's not the way I wanted to leave the Town of Brookhaven."

The \$247 million budget proposal — \$13 million less than last year — is one of Lesko's last projects as supervisor. He is resigning to become executive director of Accelerate Long Island, an economic development group.

Deputy Kathy Walsh is slated to become acting supervisor on Monday and will have to steer the board through the proposed budget, which cuts nearly \$14 million by decreasing spending and laying off 149 part-time and full-time employees, including the entire park ranger program and its eight

rangers. The town board has until Nov. 15 to pass the budget.

Meg Shutka, president of Brookhaven's Civil Service Employees Union, said "it's an awful budget" and pledged to alleviate the number of layoffs.

Because the town spent little on snow removal during the mild last winter, taxes will be reduced by \$6 million. The estimated town tax bill for an average single family homeowner will be about \$997.27, compared with about \$1,034.65 last year.

Lesko's proposed budget uses \$6.1 million from the town's surplus for contractually mandated employee costs in 2014 and 2015, plus another \$6 million to balance the 2013 budget. This means the town cannot rely on the surplus to balance any future budgets, he warned.

His budget also meets the state's mandated 2 percent tax levy cap.

The town is in difficult financial straits because revenue from mortgage tax has "plummeted" about 76 percent in the past eight years, Lesko said. Lesko, a Democrat, urged the town board to consider in-

creasing revenue through expansion of the town's controversial landfill in Yaphank. "The money is there at the landfill," he said.

Other proposed spending cuts include eliminating the adult day care and respite programs, and services for women, veterans and mobility, Lesko said. The Holtsville complex should be shut and sold because nonresidents were the bulk of the visitors to the pool, zoo and ecology center, Lesko said.

Youth services would be scaled back to focus on drug treatment, mental health and suicide prevention, Lesko said. New highway employees would pay health insurance premiums, and there would be no raises next year.

After the work session, Lesko said that if the town board avoids the difficult spending cuts he outlined, "they're just going to mortgage the town's future."

Councilwoman Connie Kupert, also a Democrat, challenged the proposal to fire workers. "I do not think laying off people will help us stimulate the economy."

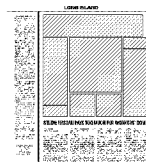




PHOTO BY HEATHER WALSH

Brookhaven Town Supervisor Mark Lesko

OYSTER BAY

Town sets layoffs, says union talks are stalled

BY EMILY NGO

emily.ngo@newsday.com

Oyster Bay officials in an open letter distributed yesterday to town employees emphasized that it had a long-standing family-style relationship with the union, but failed labor talks set the stage for imminent staff cuts.

"At the start of negotiations we were confident that, because of our family-like relationship with our Union, we would find a solution," reads the letter, signed by Supervisor John Venditto and the six town council members.

Civil Service Employees Association Local 881, which is in its third year of a six-year contract and represents about 90 percent of the town's workforce of about 1,200, "rejected" the town's offer, the letter reads. "Accordingly, we have begun the layoff process," it states.

The town will lay off the equivalent of 150 full-time positions, officials said in an interview, in an effort to remedy budget woes that include this year's \$13 million shortfall and a downgraded Standard & Poor's bond rating.

The lines of communication between town and union leadership are open, officials say in the letter. While officials don't expect the union to change its mind, "when there is time there is hope," the letter reads.

The letter also states officials want to resolve the fiscal crisis in "as humane a manner as possible."

In the letter, the officials detail their offer to the union during the summerlong negotiations. It includes an immediate payroll lag, a pay freeze in 2013 and 2014, a 4 percent pay increase and a step in 2015, as well as a no-layoff clause.

In response to information presented by Venditto in the letter, CSEA Local 881 president Robert Rauff Jr. said yesterday, "He's being very honest about it, but he's not being complete."

Rauff called the town's offers "completely unreasonable."

The letter does not mention negotiations to extend the union contract, he said. Initially on the table was a two-year extension with a 2 percent pay hike, he said. The offer was reduced to a one-year extension with no pay raise, he said.

"We can't do that," Rauff said. "We can't take that big of a hit without at least something in it."

In an additional cost-saving measure, the town offered early-retirement incentives — \$1,000 for each year of service — that 89 employees accepted.

Oyster Bay's total outstanding debt at the start of 2011 was more than \$674 million, according to the most recent state comptroller reports.



CSEA workers approve contract

Union members overwhelming agree to new terms with county

By Laura Incalcatera

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Members of Rockland County government's largest worker union have overwhelmingly approved a new contract.

P.T. Thomas, president of the Rockland Civil Service Employees Association, said the turnout Wednesday was strong. Nearly 65 percent of the members turned out, voting 893 to 238 in favor.

The contract between the county and the CSEA, which covers Jan. 1, 2011, to Dec. 31, 2013, needed ratification by the union's nearly 1,744 county workers.

Terms include deferred paychecks, salary freezes, health-care contributions and a ban on layoffs based on what are termed "budgetary reasons."

Union leaders gathered at Building A, Summit Park Hospital, at the Yeager Health Complex for the results.

Thomas said the contract would not

See CONTRACT, Page 4A

only preserve jobs, but services that residents find vital. It also would contribute to helping the county deal with its fiscal crisis, he said.

"It shows the union stood not only for the members, but so the county's needs are met, at least for the time being," Thomas said.

"It's also creating a feeling of comfort and stability to the members. They don't have to be worrying about losing their jobs tomorrow," he said.

The Rockland County Legislature must give final approval for the contract to take effect.

Last week, some legislators expressed concern about whether they would be able to back it since they hadn't seen details of

the terms, some of which they may not want to put in place.

Rockland County Executive C. Scott Vanderhoef estimates the contract could trim expenses by \$4.1 million this year.

That would include \$3.1 million from the deferred paychecks — employees would work but not get paid for one week each in 2012 and 2013 and then get reimbursed in 2014.

The additional \$1 million would come from a freeze on certain pay earned by workers with a certain amount of time on the job. It is separate from the pay increases, which the union refers to as cost-of-living increases, that CSEA members receive.

Larry Sparber, the CSEA's chief negotiator, said members had sacrificed and county residents shouldn't forget that they contributed to the effort to help the county right its fiscal house.

"The sacrifices our members are making should be remembered by everyone in Rockland County," Sparber said. "Our members are middle-class people who will feel the impact of the sacrifices in the contract, but they agreed to these sacrifices because it was the right thing for Rockland County."

Rockland has an estimated budget deficit of \$95 million and the lowest credit ranking of all counties in the state, just one grade above junk status.

The county has added

new taxes and fees, closed and cut programs and laid off 74 workers this year to cut expenses.

Vanderhoef had warned that additional layoffs were possible this year.



SARATOGA SPRINGS

Housing Authority employees looking to unionize

BY LEE COLEMAN
Gazette Reporter

Employees of the embattled Saratoga Springs Housing Authority want to unionize and establish their own Civil Service Employees Association bargaining unit.

"They did approach me. They want to be part of the CSEA," said Kathy Moran, president of one of two CSEA units in City Hall and president of the Saratoga County CSEA, which consists of 11 individual units.

Earlier this year, the Housing Authority's Board of Commissioners imposed a wage freeze on all employees for the 2012-13 budget year because of reductions in subsidies from the federal Department of Housing and Urban Renewal.

The authority was also the subject of criticism over its handling of bedbug infestations at the Stonequist Apartments on South Federal Street late last year. The pay increases given to Executive Director

Edward Spychalski in recent years, as well as those given to authority accountant Cindy Gaugler, have been scrutinized by city officials in recent months.

Moran said the majority of about a dozen authority employees have signed cards expressing their desire to become CSEA members. The CSEA, in turn, has sent a letter to the authority's Board of Commissioners asking them to voluntarily recognize the union.

Board Chairman Eric Weller said the board has received a letter that gives it 30 days to respond to the request. The request will be discussed at the board's meeting at 11 a.m. Sept. 20 in the Stonequist Apartments.

"In my view of things, unions are not necessarily a complete negative. At one time, they were thought of as a positive force," Weller said Wednesday.

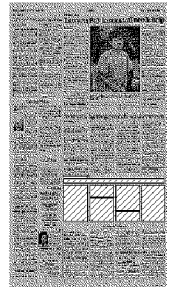
He said the authority employees "have every right" to organize.

Asked if he planned to fight the employees' efforts to unionize, he said, "I'm not sure what good it would do."

If commissioners were to vote against the employees' request, the employees and the CSEA could take the matter to the state Public Employment Relations Board, according to Therese Assalian, a spokeswoman at CSEA regional headquarters in Latham. She said the union would have to show more than half of authority employees wanted to unionize. Once the majority interest was determined, PERB would set a hearing and seek a formal vote by the employees.

"We are hoping that it doesn't go that far. We are optimistic" the board will recognize the union voluntarily, Assalian said.

Reach Gazette reporter Lee Coleman at 885-6705 or at lcoleman@dailygazette.net.



Workers have the blues?

Study: Depression rates high for county employees

By **DON LEHMAN**

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Warren County has an unusually high number of employees being treated for depression, and county leaders want to do something about it.

A study by the county's health insurance carrier found 9 percent of the county's employees have sought treatment for depression, nearly double the 5 percent considered the benchmark, according to a study provided to county officials this week.

Capital Financial Group, which the county retains to assist with insurance issues, worked with insurance carrier Blue Shield of Northeastern New York to analyze the health care costs for the county's nearly 900 workers.

The study found the workers'

See **INSURANCE**, Back Page

prescription costs were highest for "central nervous system agents," with more than \$300,000 spent last year on nearly 450 claims.

The most widely described prescription drug for county workers with central nervous system disorders is the anti-depressant Cymbalta.

Kristy Laney, vice president of Capital Financial, said the depression figures are abnormally high.

"We really want to address

the depression issue," Laney said.

Seventy-six percent of the employees seeking treatment for depression were women, according to the study.

Thirty-four percent of Blue Shield's county employee members have a "chronic condition" such as heart disease, diabetes, mental illness or back pain, the survey also found.

The county is paying an average of 18 percent more per person for medical bills than the benchmark, the study showed. Pharmacy costs were 24 percent below the benchmark, but those figures do not include Medicare costs, Laney said.

"The claim costs are going to continue to rise, so we have to find ways to limit them," Laney said.

The highest number of claims and greatest spending on claims was for "musculoskeletal and connective tissue" disorders like arthritis and osteoarthritis.

Blue Shield of Northeastern New York can put together a wellness program that would include interactive online tools, health assessments, health coaching and on-site seminars with topics such as nutrition, exercise, disease prevention, smoking cessation and stress management, county supervisors were told.

"It's all at no cost to the county at all," Laney said.

The county Board of Supervisors Finance Committee approved the establishment of a committee to review which program would be most suitable for the county workers.

A call to Gene Rounds, president of the Civil Service Employees Association union local that represents the majority of county workers, was not returned.



Union blasts Edwards

By ERIC TICHY

OBSERVER Mayville Bureau

MAYVILLE — The union representing Chautauqua County Home employees is taking a shot at County Executive Greg Edwards as the war of words over the home's sale continues.

In a news release, David Fagerstrom, CSEA Unit 6300 president, criticized Edwards for remarks made in recent postings of his popular Monday Morning Memo.

In particular, Fagerstrom questioned Edwards' hasty call to sell the Dunkirk skilled nursing facility just weeks after the legislature heard a financial viability report by the Center for Governmental Research.

The report, commissioned by an ad-hoc committee, outlined several cost-cutting measures.

See UNION, Page A6

"The county executive is once again pushing for a quick sale of the Chautauqua County Home without time for thorough review and without time for public comment," Fagerstrom said. "What is he trying to hide? He is trying to push through a sale before residents and legislators can conclude that the public home is a vital, essential facility that provides quality care to all county residents regardless of ability to pay or complexity of care."

CSEA has been at an impasse with the county surrounding a new labor contract.

In a memo released last week, the county executive urged residents to contact

their legislators and express support for selling the home.

"To ensure the future of the Chautauqua County Home and that it remains open for all of us, I urge you to get the facts, look at the long-term picture, and voice your opinion in favor of the sale or lease of the County Home to a private entity," he said.

Edwards then encouraged active participation in several upcoming meetings in Mayville, but later scaled back that request — noting residents should contact their representatives directly rather than during meetings.

Edwards has noted that the report is identical to one the legislature received three years ago, and said without concessions by the union, the county would be forced to front taxpayer money to keep the home solvent. The county has allocated \$6.6 million in the last five years to match a federal grant — which has netted the County Home \$14.9 million.

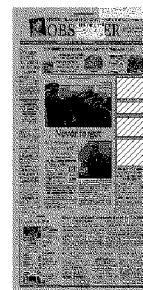
Without the county and federal subsidy, the Dunkirk facility would have run massive deficits during that time; with the boost, however, the home has posted modest surpluses.

In a recent straw poll by the OBSERVER, 12 legislators said they would sell or lease the home if a vote were to take place today. Ten lawmakers would not sell, while three were undecided.

The legislature needs a 17-vote supermajority to sell any county-owned facility.

Legislators in July learned of two offers made on the County Home, one by Absolut Care Facilities Management LLC and Altitude Health Services Inc.

Absolut Care, which operates two nursing facilities in Chautauqua County, submitted an offer of \$1.6 million a year with a purchase option of \$16 million. Altitude Health, located near Chicago, offered \$16.5 million in cash for the Dunkirk facility.



**"The county executive is
once again pushing for a
quick sale of the
Chautauqua County Home
without time for thorough
review and without time
for public comment."**

David Fagerstrom CSEA president

Workers try to unionize

By LUCIAN McCARTY

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SARATOGA SPRINGS — Employees at the Saratoga Springs Housing Authority are trying to unionize, according to a Civil Service Employee Association spokesperson.

President of the Saratoga County CSEA Local Unit Kathy Moran said she has met with groups of Housing Authority employees over the past couple of months to help them form a CSEA unit.

"They're working toward it," Moran said Tuesday. She said "far more than a majority" of the Housing Authority's 12 to 15 employees voted in favor of seeking unionization under the CSEA's umbrella.

Most of the employees would be eligible for enrollment in the union, Moran said. But some would be excluded, including Executive Director Ed Spychalski because he is management.

Moran said she did not

See SSHA, Page 10A

know if Spychalski had a part in the movement to form a union, but his role in hiring and firing and contract negotiations would likely preclude him

from being a member.

Also excluded are "confidential employees," such as legal secretaries because of their role in contract negotiations.

However, Moran said sometimes department heads or office directors can be included in the union, but exactly who is eligible is something that will be finalized later.

At this point Moran, who is also the president of the Saratoga Springs CSEA City Hall Unit, said the CSEA has sent a letter requesting the Saratoga Springs Housing Authority Board of Commissioners and management voluntarily recognize the SSHA union. She has not yet received a response.

SSHA Board Chairman Eric Weller said he has heard of the SSHA employees "entertaining (unionizing) as a possibility" and received the official notice, but he has not yet discussed it with Spychalski or other board members.

"It will be discussed at the next board meeting," he said. The next meeting is scheduled for 11 a.m. Sept. 20 in the board room at the authority's main office at 1 S. Federal St.

Weller said he was not surprised by the SSHA employees' efforts to

unionize.

"We froze their salaries," he said, citing budget concerns and a reduction in federal money coming into the SSHA.

The salary freeze came during increasing criticism of a handful of SSHA employee salaries, including Spychalski's \$145,000 salary for 2012 and accountant Cindy Gaugler's \$85,000 salary, both of which have nearly doubled since 2006. At the time, Weller said the pay freeze was in response to the criticism.

"I don't blame them," he said.

He also said he does not necessarily oppose the employees' efforts to unionize.

"I don't regard unions as necessarily the enemy," Weller said, adding that unions can be "constructive."

Moran said she did not know who is leading the SSHA employees' efforts.

If SSHA management voluntarily recognizes the union, the employees will need to seek certification from the Public Employees Relations Board. If management rejects recognition, they will need to petition the state Public Employment Relations Board for recognition of the union and will need to hold an election of employees to determine whether a majority of employees support unionization.

If formed, all eligible SSHA employees will have the option to opt out of membership but will still be responsible for union dues.



Union leader: Workers were never told about Manor sale

BY JOE MAHONEY
 STAFF WRITER

COOPERSTOWN — The leader of the union representing more than 200 staffers at the Otsego Manor nursing home said Monday the workers have not been consulted about last week's decision by the Board of Representatives to sell the county-owned facility to the highest-qualified bidder.

"We've been pretty much excluded from everything," said John Imperato, president of Unit 8100 of the Civil Service Employees Association. He said he strongly questions whether privatizing the Manor will have a beneficial impact on the facility. Imperato said he will be meeting with union members to determine how the labor organization will respond to the county board's action.

County lawmakers are searching for a consultant to help them find potential buyers for the 174-bed Manor. The county subsidy to operate the Manor is expected to grow from \$3.2 million this year to \$5.6 million in the year ahead, because of escalating costs and a decline in the state Medicaid reimbursement rate.

Rep. Katherine Stuligross, D-Oneonta, the chairwoman of the county's Otsego Manor Committee, said the home's chief administrator, Edmund Marchi, made overtures to the CSEA last year to agree to changes in work rules that would save the county money, but the union rejected the request.

"There are things the union could have done to make things less expensive, and they chose not to," Stuligross said. But she also pointed out that even if the union made cost-cutting concessions, the savings would not have been enough to stem the tide of red ink that forced the Board

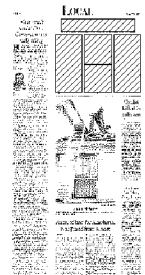
of Representatives to reluctantly decide to sell the Manor to a private operator.

Rep. Donald Lindberg, R-Worcester, also on the Manor Committee, agreed, noting the facility's total annual payroll comes to approximately \$8 million. Even if 10 percent of that sum could be cut, he said, the savings would only make a small dent in the widening Manor budget gap. Whether the eventual buyer of the Manor keeps the current workers and whether salaries will be adjusted once new management is in place are two questions that won't be answered until the facility is sold.

Stuligross said she was optimistic the workers will be retained. "Their skills will be needed by whoever is running it," she said. But she noted she could not speculate on whether the Manor workforce would be represented by a union once the nursing home is sold. She stressed that the resolution passed by the Board of Representatives last week called for the home to be sold to "the highest responsible bidder."

The measure also noted that the county's criteria for evaluating bidders includes that they have "a history of excellent resident care, financial viability and ability to meet New York state requirements."

To keep the public fully informed about the process, she said, her committee has begun discussions on formulating a web page that will be regularly updated with details of the effort to market the Manor and eventually sell it. Of the decision to privatize the Manor, she said, "It breaks my hearts to have to do this, because it is so against everything I believe in. But there is no other way."



Board OKs law giving raises to officials

Supervisors not included in bill boosting pay

By MICHAEL ANICH
 The Leader-Herald

JOHNSTOWN — The Fulton County Board of Supervisors on Monday adopted a local law setting salaries for non-union county department heads and elected officials in a five-year deal, giving them 1.5 percent to 2 percent increases the next two years.

The law approved at the County Office Building is retroactive to Jan. 1, 2010, and gives the appointed and elected officials no increase in wages from 2010-12. But they will receive 1.5 percent raises in 2013 and 2 percent raises in 2014.

Members of the Board of Supervisors are not part of the new law, and their salaries will be set later in the year during budget time.

The resolution to pass the law was endorsed by the board's Personnel and Finance committees.

Northampton Supervisor Linda Kemper, the sole member to vote no, asked why the non-union salaries were being adjusted now, instead of later during budget time.

"We thought it made sense to get a three-year wage freeze in place," county Administrative Officer Jon Stead responded.

Adjustments to the county non-union officials' salaries have for many years mirrored

activity with negotiations on union salaries.

The county is currently at impasse with its 285-member General Unit union — Local 818 of the Civil Service Employees Association. That union's last contract expired at the end of 2009, and union officials have said for several months that county government management is pushing zero wage hikes as part of any new deal.

Stead told the board it is no secret — especially through ongoing media accounts — that the county is at "loggerheads" in its negotiations with the General Unit. He said a session with state Public Employment Relations Board-assigned fact-finder Gordon Mayo will be conducted in two to three weeks.

Stead said the county also is gearing up to begin negotiating new deals with the two Fulton County Sheriff's Department unions. They are the Fulton County Deputy Sheriff's Police Benevolent Association and the Fulton County Sheriff's Office Employees Alliance.

The law passed Monday included these annual raises for department heads for 2013: director of weights and measures — \$41,495 to \$42,117; civil defense-fire coordinator — 44,222 to \$44,885; budget director — \$83,211 to \$84,159;

director of information services — \$60,233 to \$61,136; personnel director — \$55,788 to \$56,625; real property services director — \$57,000 to \$57,855; county administrative officer — \$80,955 to \$82,169; social services commissioner — \$73,420 to \$74,521; Office for Aging director — \$56,094 to \$56,935; solid waste director — \$89,220 to \$90,558; planning director — \$70,156 to \$71,208; probation director — \$63,605 to \$64,559; public health director — \$73,482 to \$74,584; superintendent of highways and facilities — \$76,584 to \$77,733; director of community services — \$80,686 to \$81,896.

Elected officials' salaries will increase this way for 2013: county clerk — \$61,582 to \$62,506; county treasurer — \$62,753 to \$63,694; sheriff — \$67,485 to \$68,497.

Stead said that by setting a non-union officials' salary schedule now, county management has some "stability" in months ahead "so we know what we have to budget for."

"This gives us a final figure to plug in," added Perth Supervisor Greg Fagan, chairman of the Finance Committee.

Michael Anich covers Johnstown and Fulton County news. He can be reached at johnstown@leaderherald.com.



Retirement deal to save \$4M

BY ROBERT BRODSKY
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Nearly 50 Nassau correction officers and supervisors have taken a voluntary incentive to retire, saving the county about \$4 million a year in salary, overtime and benefits, county officials said.

The incentive, offered in mid-August, expired Friday with 47 members of the Sheriff's Correction Officers Benevolent Association, including about 10 supervisors, taking the deal.

The incentive pays correction officers \$1,000 for every year of service with the county. They have seven days to withdraw their retirement papers.

The retirees, most of whom have more than 25 years on the job, also will receive all regular pension benefits. The departing employees will be replaced with a new class of lower-paid

correction officers next year.

"This is a tremendous savings for the county," union president John Jaronczyk said. "This will ease the county's salary line for 2013 and beyond. It's a win-win for the county and the employees who are retiring."

The retirees will be replaced in early 2013 by new employees with starting annual salaries of \$30,000., compared with average salaries of about \$60,000 for those taking the incentive. The new hires also will contribute more to their pension than current employees, county officials said.

"This program helps protect residents' wallets by reducing the costs of government," Nassau County Executive Edward Mangano said.

The Nassau County Correctional Center in East Meadow, which has about 1,500 inmates, has a workforce of 980 employ-

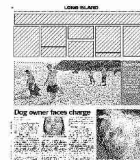
ees, Jaronczyk said.

The county will bond to pay for the incentive. Approval of the county legislature and the Nassau Interim Finance Authority, a state watchdog in control of the county's finances, is required; both are expected to go along.

Mangano has reduced the workforce as he works to close a multimillion-dollar budget deficit. Nearly 100 police officers took a retirement incentive in March. Since June 2011, 400 Civil Service Employees Association members have been laid off while another 380 retired with incentives.

NOW ONLINE

Learn more about
 Nassau's fiscal woes
newsday.com/nassau



Lawmakers left in dark on CSEA pact

By Laura Incalcaterra

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NEW CITY — County government's largest union votes Wednesday on a possible new contract that could help Rockland further reduce its 2012 budget shortfall.

But even if workers ratify the deal, the county won't be able to eliminate its budget deficit or reach its goal of securing nearly \$18 million in union concessions.

The county will be able to pay its bills through the end of the year because the county Legislature has autho-

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rized Rockland Finance Director Stephen DeGroat to borrow up to \$30 million to ensure operations.

The action was backed by County Executive C. Scott Vanderhoef.

The proposed contract between the county and the Civil Service Employees Association, which needs ratification by the CSEA's nearly 2,200 county workers, would cover Jan. 1, 2011, to Dec. 31, 2013. Terms include deferred paychecks, salary freezes, health-care contributions and a ban on layoffs based on "budgetary reasons."

The Legislature would have to give final approval for it to take effect, an issue for Legislator Nancy Low-Hogan, D-South Nyack. She questioned this week why legislators were not included in the negotiations with the union.

Vanderhoef and his

staff have done the dealing. Legislators have not yet seen the settlement and apparently won't until after the union votes.

"What if there's something really dramatic in that agreement ... that one or several of us really have an issue with?" Low-Hogan said. "Then, I mean I speak for myself, I would really have a problem."

She wasn't the only one who had a concern about the process.

Legislator Patrick Moroney, R-Pearl River, said he could not recall during his 23 years on the board that the Legislature ever rejected a contract that had been negotiated by the County Executive's Office.

But, he said, "we should have some input in the negotiations. It's a sore point with me since day one."

Legislator Alden Wolfe, D-Suffern, said, "The county Legislature is not a rubber stamp."

"We will take a close look at the real cost and benefits of the proposal before making our final decision," Wolfe said. "The administration needs to show me that this is in the best interest of county taxpayers."

One area of concern for legislators is whether the proposed contract will bring any savings to taxpayers.

Vanderhoef included \$17.8 million in union concessions in the 2012 budget adopted by the Legislature. But nine months into the year, no contract is yet in place, and therefore no savings have been realized.

If union workers approve the new deal, Van-

derhoef estimates cutting \$4.1 million in expenses this year.

That would include \$3.1 million from deferred paychecks — employees would work but not get paid for one week each in 2012 and 2013 and then be reimbursed in 2014.

The additional \$1 million would come from a freeze on certain longevity pay.

He also said more savings were expected this year because the county still had 10 more unions to negotiate with and because it was not filling any vacant posts unless they were deemed critical.

Legislator Ed Day, R-New City, said the savings fell far too short and that his complaint wasn't with the contract or the unions.

"One more time we have an estimate in the budget that's not even close," Day said.

He also said he had concerns about the deferred paychecks, wanting to know where the money would come from in 2014 to pay workers.

"In the budget there is now a minimum \$14.8 million shortfall, and I believe it's \$17.8 million because there's no savings if it's a deferral," Day said.

Vanderhoef said the county would address any shortfalls.

"Whatever we can't make up, we're going to have to deal with it in 2013," he said.

CSEA spokeswoman Jessica Ladlee declined to comment on the contract, saying it was up to union members to decide whether they approved its terms.

She said that CSEA members would vote at their worksites Wednesday and that she hoped results would be known that



night.

Workers will vote against a background of layoffs and calls from some to cut even more jobs. The county has turned to the union in part because even after putting new taxes and fees into place and laying off 74 workers this year, it still faces a shortfall for the year in addition to an overall budget deficit around \$95 million.

HEALTH CARE

Plan couldn't replace all county beds

By Julie Sherwood

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A \$15 million grant that hangs in the balance to expand Thompson Health's M.M. Ewing Continuing Care Center would not be enough to replace all the beds at the existing Ontario County Health Facility, county Administrator John Garvey said Thursday.

The Board of Supervisors, county officials and a number of Health Facility employees attended a workshop to hear more about what the future may hold for Ontario County's oldest residents.

Much of the presentations by those including Garvey and Public Health Director Mary Beer centered on the changing trends in care.

Partnering with Thompson to expand Continuing Care under the current

proposal would replace only about half the beds at the county's 98-bed facility in Hopewell, Garvey said. However, the plan would also be coupled with expanded community services and programs that are already under way.

"We have known for a long time that nursing homes are not where people want to go," said Beer. "But the need for that level of care is there."

While vacancies exist throughout the county at nursing homes, including the county Health Facility, waiting lists grow for care through social services programs and those through agencies that provide care at home.

Victor Town Supervisor Jack Marren, who heads the county Health and Medical Committee, talked about the Green House project under development in Victor as the wave of the future.

The homes offer care without the institutional setting.

"It is patient-centered care," said Beer, where residents enjoy a community setting while also living independently.

Garvey said discussion will continue on the matter, and Thompson has asked for an extension of a Sept. 15 deadline to accept the grant. The Board of Supervisors plans to vote at its Sept. 13 meeting on whether to pursue a partnership with Thompson on the project.

Steve Healy, president of the local Civil Service Employees Association, or **CSEA**, union that represents the bulk of the approximately 120 employees working at the Health Facility, said he will still press for keeping the facility.

"I still think there is a way to do it," he said, "to keep it open and be competitive."



County, union at an 'impasse'

ARIANNA MACNEILL
The Telegram

Franklin County has declared an impasse in its negotiations for a new contract with the union that represents 350 county workers.

With a deadline looming to have the agreement worked out by the time the Board of Legislators votes on the 2013 budget, county officials are looking at legal options.

The county's five-year contract with the United Public Service Employees Union (UPSEU) expired at the end of last year and county officials along with union representatives have been working since early 2012 to negotiate a new contract.

He did, however, say that negotiations with the union will not stop because of declaring impasse.

"After months of bargaining, the county reached a tentative agreement with the union's bargaining team representatives – only to be overruled in the 11th hour by the union's leadership in Albany without the approval of local membership," said a news release from the county manager's office.

County Manager Tom Leitz said Thursday that county officials had many meetings – both officially and unofficially – with Sedlock, the last conversation with the union being this week.

While County Manager Tom Leitz said the union was notified of the impasse, Union Representative Phil

Sedlock said the union was not told.

When Seblock was reached for comment Thursday afternoon, he could provide no other information.

"I have no details for you because they declared impasse without telling us," he said.

Leitz, however, said the union was notified of the county's plans beforehand.

Now that an impasse has been declared, the rejected agreement is subject to public scrutiny.

"When you negotiate, you negotiate in private," Leitz said. "When you declare impasse, in essence you can share information."

The provisions of the now dead agreement, according to the release, include modifying the county health insurance plan to make it more similar to the Empire Plan, which many state and employees of other counties use, but, according to the release, is "more generous." Current

See IMPASSE A8

county employees would pay 10 percent of health insurance costs while new workers would pay 15 percent.

Other aspects include 2 percent raises in 2013 and 2014, a longevity pay schedule which could amount to a 9 percent raise for each year of a three-year contract, and no changes to longevity pay schedule for current employees.

"A lot of what we propose is savings to employees and the

county," Leitz said. "We're making this available because we don't believe our offer has seen the light of day. We think this is better than in other counties and we want them [county employees] to see it."

Without the agreement, there are many consequences that could affect the way county officials formulate the 2013 budget.

Leitz said a savings for the county would come with the health insurance plan, which would make generic prescription drugs more affordable than the name brand, saving the county money.

All county management positions were moved to a different health care plan, according to Leitz, which pushed toward buying generic brand medications. He said that has already saved some money. However, there are 75 management positions.

Without finding savings, Leitz said raises would not be considered.

"It's impossible to afford raises without saving somewhere else," he said.

That is not the only problem the county will face if no agreement with the union is reached.

In order to offset a tax increase in 2013, the news release said there would be "furlough, layoffs, and outsourcing." Leitz said some of this could have happened even with a union agreement made, but it will be more extreme without it.

Other possible cuts could be benefits for future county retirees, a delayed investment in roads, and possible bridge closings because of insufficient funds.

It will also be unlikely that the county will be able to keep



the tax rate increase below the two percent tax cap. Leitz said the county "can no longer dip into reserves," which means that there will not be enough money to cover the gap between government aid and tax money raised, resulting in an increase.

The tentative county budget will be proposed in October, Leitz said, and it would need to be passed within a few months after that.

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Franklin County declares impasse

Negotiations stall after Albany leaders reject union contract

BY DENISE A. RAYMO
 Press-Republican

MALONE — Franklin County has declared an impasse in negotiations with its largest employee union.

The employees have been working under the provisions of the last contract, which expired in December 2011.

County Manager Thomas Leitz said a tentative deal was reached with the local collective-bargaining representatives from the United Public Service Employees Union "only to be overruled in the 11th hour by the union's leadership in Albany without the approval of local membership."

When told by the Press-Republican about the county's late-afternoon announcement, Union Labor Relations Representative Philip Sedlock said he had tried to meet with Leitz on Thursday afternoon "but he was not available."

"I thought we were going to have a conversation, so you've surprised me," he said.

"He's telling you things, and I don't know where he's getting his information," Sedlock said of Leitz, adding that typically the union is told of an impasse decision "but instead he goes to (the media)."

He declined further comment.

'REAL DISSERVICE'

Leitz said the county negotiated a fair tentative agreement, but it was never presented to the roughly 375 union members to accept or reject, a move he called "a real disservice" to the employees.

The tentative three-year deal included:

► A 2 percent raise in 2013 and 2014. The last contract gave em-

ployees a 3.5-percent raise the first year and a 3.75-percent raise each of the last four years.

SEE CONTRACT PAGE A4

► A switch from the current health-insurance coverage plan to a similar one the county successfully changed its smaller employee union over to recently.

► Current employees would continue paying 10 percent for health insurance, but new hires would contribute 15 percent.

► Longevity pay for new hires would be intact but less than what current employees receive, which the county says can amount to a 9 percent raise every year of the three-year contract for some workers.

CHEAPER MEDICAL PLAN

Leitz said the new health-insurance and prescription plan would be cheaper for the county and the employee because rather than employees under the family plan paying 10 percent of the \$23,000 premium, they would pay 10 percent of an \$18,000 premium and receive generic prescription drugs instead of name brand, which are significantly cheaper.

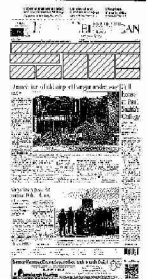
He said the county uses those health-care savings to fund union raises, so it is in the memberships' interest to save in these areas whenever possible.

Leitz said Franklin County's contract offer is better than what is being offered in other counties, all of which are struggling to stay under the mandated 2 percent tax cap and push back against other unfunded state mandates.

He said the negotiations are not closed, but the county does have an Oct. 1 deadline to meet to file its 2013 tentative budget, and legislators must adopt a spending plan by mid December.

"You can't adopt a budget for an agreement that doesn't exist," he said.

If a settlement is not reached soon, the chances for layoffs, furlough days or outsourcing of work "is greatly amplified,"



Leitz said.

SKIRTING THE EDGE

Health-care benefits for future retirees could also be impacted if a settlement is not reached.

"Regardless of what the union requests, we only have so much money to bargain with," Leitz said. "For every action, there is a reaction, but we can no longer dip into our reserves."

"We think what we were offering was reasonable, especially in these difficult financial times when we're trying to skirt the edge of the cliff," he said.

"We're trying to get on a sustainable path for the long term, but this rejection is driving us closer to the edge we're trying to avoid.

"We want to see make sure our offer sees the light of day," Leitz said. "We believe it can stand on its merits."

**Email Denise A. Raymo:
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Drug, alcohol program may be outsourced

By CAITLIN TRAYNOR

Dispatch Staff Writer

Twitter.com/DispatchCaitlin

WAMPSVILLE – County employees disagree with the prospect of privatizing and vocalized their discontent at a public hearing Wednesday while holding signs from their picket that read “keep treatment local,” “vote ‘no’ to private care,” “keep care that works” and “keep treatment public.”

Russ Stewart, president the **CSEA** White Collar Unit, said the ADAPT team has met in recent months and has tried to come up with ways to increase the number of clients it serves. If there was a lapse in services, workers should have been made aware of it, he said.

He was “shocked” that no one from ADAPT was asked to speak at the meeting on behalf of the program but its employees instead were limited to making three-minute comments everyone else who showed up. About 50 people attended the hearing.

County employees picketed outside the Madison County Office Building before filing into the hearing.

As it has done with several of its other health care programs, Madison County is considering privatizing its ADAPT program, which provides evaluation and treatment of individuals who abuse or are dependent on chemical substances or have mental health concerns. The county-run outpatient clinic is mandated by the state or federal government.

“It seems like the county no longer needs to ensure services in return for our tax dollars,” said Betty Jo Johnson, president of the Madison County Local 827 CSEA

it money. With a drug epidemic growing in Madison County, Johnson said county officials are disregarding the needs of residents.

Bill Walker, an ADAPT counselor, said it doesn’t make sense for the county to shut down one agency just to open another. Recognizing a gap in services, he said the agency has undertaken the workload of what three organizations used to handle and have only added one counselor in the last six years. “Drug use is on the rise” and if the ADAPT program hasn’t evolved to meet that need, it’s management’s fault, he said.

New Woodstock resident Elizabeth Holmes asserted that county officials were basing their actions on a fear of financial responsibility.

“You’re doing all this based on what?” she asked. “Fear? Fear that the Office of the Medical Inspector General is going to charge penalties?”

ADAPT Counselor Shauna O’Brien said the program has improved “year after year.”

“Clients aren’t just another number to us,” she said. “They mean a lot to us. I hate to see a program end because of stuff like this. I am helping give stability when they have none. I hate to see that ripped away from them,” she tearfully pleaded.

“Don’t we deserve better?” 33-year county employee Jeff Colburn asked.

Serving a county dotted with meth labs that has become the “mecca” of bath salt use, Colburn said county officials have formulated their decision with little input from the public or ADAPT. Given the county’s drug epidemic and ADAPT’s work to combat it, the county should keep the program, he said.

“They don’t work for Madison County as an entity,” he said of ADAPT workers. “They work for ‘we the people’ and ‘we the people’ are asking, ‘don’t we deserve better?’”

Denise Calcagrino, a social worker with ADAPT, questioned why management didn’t pursue better methods of provide services if the program were deficient. She criticized county leadership and the program’s manage-

See **Outsource**, Page A6
union and a Department of Social Services employee.

She questioned why the county would replace a successful program with a private agency that will still cost



ment for not providing the proper support and guidance to correct the program and improve services.

"There's no stopping us," she said. "I know what we're capable of."

The cost to run the program has fluctuated in recent years. In the last five years the program has run on a deficit that has ranged from as high as \$89,174 to as low as \$10,906.

A task force was developed, comprised of county officials, management and mental health professionals, to examine the possibility of ending the county's involvement in the program. Notices were submitted to 50 agencies, four responded and the prospective agency to take over was narrowed down to one: Family Counseling Services of Cortland County.

Comments made at Wednesday's public hearing will be included in the task force's recommendation to the Social and Mental Health Services Committee and the Community Services Board, which govern the Mental Health Department program.

Madison County Administrative Assistant Mark Scimone said it's more and more difficult for governmental agencies to continue to be involved in direct patient care. Operating the program also exposes the county to making errors in medical billing, which can come with substantial penalties.

"Money is scarce here at the county and we cannot afford to be putting money into departments the way that we used to," Board of Supervisors Chairman John Becker said. "It can't be business as usual."

John Salka, chairman of the Social and Mental Health Services and Public Health Services committees, said mandates and strained budgets have created a "contentious environment" that requires services to be delivered as efficiently as possible. The decision to privatize the ADAPT program won't be taken lightly, he said. The county's foremost goal is to "make sure services are delivered in the most compassionate and efficient manner," he said.

While recognizing that the change would affect a lot of people, Salka said the county needs to focus on delivering the best possible care while making sure "we don't run the bank broke in the process."

"We are entering interesting times," said Mental Health Director Jim Yonai.

Many other counties in New York are also exploring privatization of mental health programs and several - including Herkimer, Fulton and Lewis counties - have already outsourced them.

He assured those at the meeting that the decision hasn't been "pre-determined." He even pointed to two similar considerations made in the past - in 2000 and 2004 - when the county discussed privatizing the Mental Health Department and opted not to.

With the agencies who responded with interest to their inquiries for privatization, Yonai said Family Counseling Services of Cortland County was one of the best. Operating in a county similar in size to Madison County, their agency is fully certified in outpatient clinical services and mental health services, he said.

Their executive director, Lisa Hoeschele at Wednesday's hearing said their non-profit organization was founded in 1970 and now has 11 chemical dependency counselors and 16 mental health counselors.

"What we hope to do here is replicate what we're already doing and what's already being done here," she said.

Madison County's program currently employs about 10 staff members and serves up to 165 clients a month. The program may be run better in the private sector, Scimone said. He was confident that the level of care would not be compromised. He said the employees might be hired by the new agency.

If the county follows through with the privatization, the transaction must be approved by the New York State Office of Alcoholism and Substance Abuse Services. Unlike the sale of the operating license for the county's home health care and long-term home health care agencies, the county won't make any money by privatizing ADAPT. It may have to subsidize the program with funding from the county coffers but according to Scimone, that would only last, at most, two

years.

Scimone anticipates that the task force will make a recommendation on how to proceed in the next few weeks and said the full board will likely address the issue at its October meeting.

No answers for Sani2 workers

By CHRIS CONNOLLY

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The drive to dissolve Sanitary District 2 has several moving parts. The validity of signatures is being debated in court, the prospective cost savings that would come with dissolution are under dispute, and other discussions focus on whether the Town of Hempstead is equipped to handle garbage collection. In the meantime, approximately 75 sanitary workers face the prospect that their jobs would be in jeopardy if Sani2 were dissolved.

Jeff Rossbach, a recycler for the district, emailed the Herald, posing some pointed questions. "No one has guaranteed our jobs if there is a dissolution," Rossbach wrote. "I took a position as a recycler to have job security. Is it ok for jobs to be lost? Are people's jobs less important than saving a couple of bucks on a tax bill? The garbage and recycling has to be picked up every week, why can't the current workers continue doing the job?"

Rossbach also wondered if Laura Mallay, executive director of Residents for Efficient Special Districts, would be willing to "sign a written guarantee stating the workers will not lose their jobs?"

The Herald put these questions to Mallay, and to David Segal, communications coordinator for the Long Island Progressive Coalition. While neither has the authority to guarantee job security for Sani2 field workers, both suggested that efforts at reform were aimed at the top of the ladder, not the bottom.

"There are no guarantees," Mallay said. "The only pledge I can make is that we'll stand by these workers and fight for them. We believe it's possible to preserve those jobs, though. We don't feel that's where the waste is."

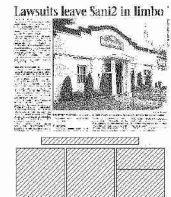
Mallay explained that several years ago, RESD met with Bill Flanagan, then the head of Civil Service Employees Association local 880, the union that represents Town of Hempstead workers, and reached a verbal agreement to protect Sani2's workers should the district be dissolved. Flanagan has since died, but Mallay pointed out that his successors were also at the meeting and would, she believed, honor the agreement.

Segal echoed Mallay's sentiments. "As long as the political will is there, we feel confident everyone's job will be maintained," Segal said. "There won't be any less garbage to be picked up. The infrastructure will still be there. The changes we want to make are targeted at the bureaucracy at the top, the people who are helping to run an inefficient district. In terms of the workers, we don't see any changes."

Rossbach, however, said he believes that the two groups are making promises they can't keep. "My coworkers and I won't sleep any easier because of what Laura Mallay said,"

he told the Herald. "I spoke to the head of CSEA, and he said they can't protect our jobs. He said there's a list of part-time workers they have to hire before they can hire us."

Rossbach said he left a white-collar technical position because he was tired of worrying about job security, and was dismayed to discover the same problems in his new line of work. "We want to know the truth, that's number one," he said. "We're paying union dues, and our union's doing its best, but it can't protect us. And the response from RESD is just words. No one can guarantee us anything. This is causing a lot of stress for us and for our families."



Employees, county at odds

Protesters disagree with outsourcing ADAPT services

By **CAITLIN TRAYNOR**

Dispatch Staff Writer
Twitter.com/DispatchCaitlin

WAMPSVILLE — County employees picketed outside the Madison County Office Building before filing into a public hearing Wednesday evening to voice concerns over the potential privatization of the ADAPT program.

As it has done with several of its other health care programs, Madison County is considering privatizing its ADAPT program, which provides evaluation and treatment of individuals who abuse or are dependent on chemical substances and/or have mental health concerns. The county-run out-patient clinic is a not a mandatory service.

Madison County Administrative Assistant Mark Scimone said it's more and more difficult for governmental agencies to continue to be involved in direct patient care. Operating the program also exposes the county to potential errors in medical billing, which can come with substantial penalties.

County employees disagree with the prospect of privatizing and vocalized their discontent at the public hearing Wednesday while holding signs from their picket that read "keep treatment local," "vote 'no' to private care," "keep care that works" and "keep treatment public."

The cost to run the program has fluctuated in recent years. In the last five years the program has run on a deficit that has ranged from as high as \$89,174 to as low as \$10,906.

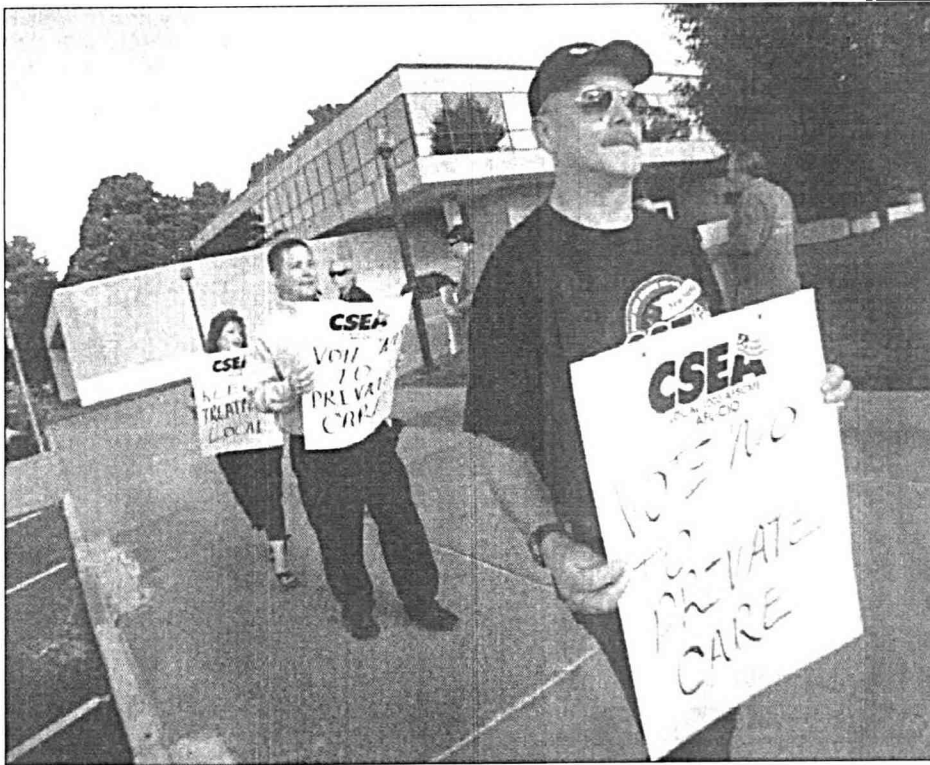
A task force was developed, comprised of county officials, management and

mental health professionals, to examine the possibility of ending the county's involvement in the program. Notices were submitted to 50 agencies, four responded and the prospective agency to take over was narrowed down to one: Family Counseling Services of Cortland County.

Comments made at Wednesday's public hearing will be included in the task force's recommendation to the Social and Mental Health Services Committee and the Community Services Board, which govern the Mental Health Department program.

For a more complete rundown of the meeting, read it online or check tomorrow's paper.





Dispatch Staff Photo by JOHN HAEGER (Twitter.com/OneidaPhoto)

White collar CSEA members hold an informational picket in Wampsville on Wednesday.

McCarthy asks council to OK layoffs

Schenectady budget gap is \$5M; few ways to close it

By Lauren Stanforth

SCHENECTADY — The city parks director is one of the positions on the chopping block as Schenectady struggles to bring in revenue in the face of rising costs and falling property values.

Other positions slated for elimination include an economic development assistant, an urban cultural park coordinator, two assistant street crew leaders and a police command staffer.

Mayor Gary McCarthy said the police command staff position would likely be eliminated when an assistant police chief is hired to take the place of Chief Mark Chaires, who is retiring by year's end. Three assistant chiefs, Brian Kilcullen, Patrick Leguire and Michael Seber, have passed the civil service exam for chief and are in the running for the job.

"We've done the preliminary budget reviews and we're reorganizing it to put some accountability and controls in it," McCarthy said of the positions he's requesting from City Council to be cut. His proposed 2013 budget is due to the City Council on Oct. 1, and there is little revenue the city can use to close what at minimum is a \$5 million budget gap.

City Council discussed the layoffs at a committee meeting Tuesday night but made no decisions. McCarthy said the council needs to vote on the eliminations for the layoffs to occur.

News of possible eliminations spread last week after McCarthy sent letters to the employees in those positions. Some of the jobs are covered by the CSEA union so lower ranking employees might be bumped out of their jobs instead.

The elimination of parks director Mi-

chael Burke comes at a time when some have criticized the condition of city facilities, such as overgrown flower beds and grass. McCarthy said if the parks director job is eliminated, the position's

duties — which include scheduling the use of recreational facilities — will be given to other city employees and will not degrade park maintenance.

City Councilwoman Marion Porterfield, who was attending the Democratic National Convention Tuesday in Charlotte, N.C., said she wasn't yet comfortable voting to eliminate jobs when it hasn't been shown how the duties would be split among other employees. Monday is the earliest such a vote could happen.

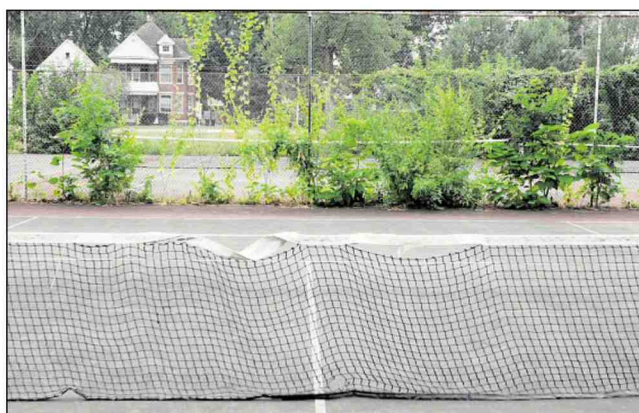
The city would save \$294,644 if the five positions being eyed were cut, according to the employees' salary listings in the 2012 budget.

James Nevins, president of the local unit of the Civil Service Employees Association, said three of the positions are covered by the union. CSEA and the city are currently in contract negotiations after the last agreement expired at the end of last year.

"We offered what we consider substantial savings ideas," said Nevins, who works as a police dispatcher. "But there was no discussion with us that there were going to be layoffs."

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PHILIP KAMRASS/TIMES UNION

OVERGROWN WEEDS line the fence between tennis courts at Hillhurst Park in Schenectady.

/// LABOR DAY RALLY IN CITY

Battle cry: Hike wages, push again for unions

By Emily Stewart

Poughkeepsie Journal

Elected officials, folk singers and community members are calling for an increase in wages for working Americans and a renewed support for labor unions.

A Labor Day rally in the City of Poughkeepsie marked the holiday with songs about workers, lively speeches and a march through the city, as about 50 people gathered Monday in front of the Poughkeepsie Post Office.

City of Poughkeepsie Councilwoman Ann Perry, D-5th Ward, stood before the group and said, "We need unions to be stronger, again. Because if the unions are strong, then we can stop all the outsourcing that is going on."

She said Americans don't have jobs "because they outsource everything."

Dutchess County Legislator Joel Tyner, D-Clinton, organized the event, which he said is in its 17th year.

Some attendees held signs or wore green Robin Hood hats.

Tom Midgley, president of the IBM Corp. workers group Alliance@IBM, said as union membership has declined, "the income of ordinary Americans has also declined."

Midgley held a sign, as he spoke, that said, "No tax breaks for companies that offshore jobs."

At least two others held signs that made reference to IBM; one said, "Hey IBM, offshoring jobs hurts America."

Dutchess County Legislator James Doxsey, C-Town of Poughkeepsie, said he has a small business and has been

self-employed for 40 years. He spoke at the rally in support of unions and higher wages for workers.

See LABOR, Page 2B

"We have to bring up the poor," he said.

Attendee Brian Kelly, 25, a college student from Hamptonburgh, Orange County, when asked why he came to the rally, said, "Working-class people are under attack in this country, while corporate profits are soaring."

City of Poughkeepsie resident Darrett Roberts, 55, stood on the post office steps and held a sign that said, "They only call it class warfare when we fight back."

Roberts said he is a retired employee of the Taconic Developmental Disabilities Services Office and a member of the Civil Service Employees Association.

"This is a democratic republic, not a corporate republic," he said.

After the rally by the post office, the group walked to other locations in the city and ended with an hourlong assembly at Hulme Park, the site of Occupy Poughkeepsie, Tyner said.

Emily Stewart: estewart@poughkeepsie-journal.com, 845-437-4882, Twitter: @estwrt

"This is a democratic republic, not a corporate republic."

DARRETT ROBERTS, City of Poughkeepsie resident





A crowd gathers on the steps of the Poughkeepsie post office in the City of Poughkeepsie for the Labor Day rally.

EMILY STEWART/POUGHKEEPSIE JOURNAL

SPIN

GUIDE TO POLITICS AND POLITICIANS

Labor unions: No option but Obama



One of the Democratic get-togethers planned in Charlotte, N.C., for convention week is called "New York State Celebrates Labor." It takes place tonight at "Strike City" — which is not a union hall with a cute name but a bowling alley on East Trade Street, near the center of the action.

Many organized-labor leaders deny they have any choice but to back President **Barack Obama** for re-election. They say so in response to last week's Republican convention in Tampa, Fla., where televised speakers looked to convince wage earners that only GOP policies will improve the economy.

The convention should bring "a reaffirmation of the principles that the Democratic Party and labor agree upon," said one state party delegate, **John Durso**, president of the Long Island Federation of Labor. "We'll concentrate on repudiating the [Republican] falsehoods of the past week."

Durso echoed criticism of GOP vice-presidential candidate **Paul Ryan's** linking Obama's 2008 campaign speech at a Wisconsin auto plant promising change to the fact that the place remains locked up. The closure was commenced during **George**



One local union leader objects to GOP comments about candidate Obama's 2008 appearance at a UAW plant in Janesville, Wis.

W. Bush's presidency.

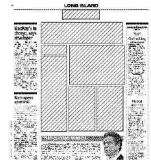
Durso, affiliated with Retail, Wholesale and Department Store Union Local 338, added: "While there might be with labor some hopes for more action . . . some choices we would have made differently as priorities . . . labor is solidly behind President Obama. We realize that to protect the rights of working men and women, there's no way we can support **Mitt Romney** for president."

"There is no other option," said Teamsters Local 237 president **Greg Floyd**, also a delegate. It is "sad" for working people to be "taken for granted," he said, and "there's no alternative because Republicans made clear they do not like labor." Floyd objected to New Jersey Gov. **Chris Christie's** slam on teachers' unions in his

GOP convention speech.

Back in June, State **Civil Service Employees Association** president **Danny Donohue** said, "I think the president has done a number of things that none of us really like. We would have liked him to stand stronger and harder on issues. But that doesn't mean he's a candidate we should go against. If anything we have to remind ourselves who the enemy is, who's the alternative."

Both convention sites, by the way, have their Labor Day ironies. The Tampa Bay Times Forum, where the GOP convened last week, was largely built with public financing. North Carolina, meanwhile, is one of 22 "right-to-work" states barring contracts that require joining unions as a condition of employment.



Actions could save Maplewood Manor

Several people attended the Board of Supervisors meeting on Aug. 21 to speak on behalf of Maplewood Manor. The county supervisors were very receptive and listened as some of the employees and residents of the facility spoke.

I am a 20-year employee of Maplewood Manor and also serve on the negotiating team with CSEA. We are currently working on the upcoming contract as the current contract expires in December. I am a volunteer in my community and a resident of the town of Milton. I am also a taxpayer in Saratoga County.

I am concerned about the county's decreasing fund balance. Maplewood Manor cannot continue to operate as it has for the past several years with a growing deficit. We all know that it is a four-star facility and a huge asset to the county. We all know

that it is a needed facility. We all know that it is very valuable.

Maplewood Manor is not just a four-star facility. It also houses veterans, disabled individuals and provides activities not just to its residents but to the entire community. The seniors in our community and surrounding communities really enjoy our activities. The employees of Maplewood Manor serve the residents as family with dignity and respect.

It is time for change, positive change. If we always do what we have always done, we will always have the same result, a growing deficit. We cannot compete as we are. We need to market our facility with advertising, brochures, banners, etc. We need to attract people to our four-star facility. We need to offer a wide range of services to meet the needs of today's growing elderly population. We should not even consider selling such a valuable piece of our community.

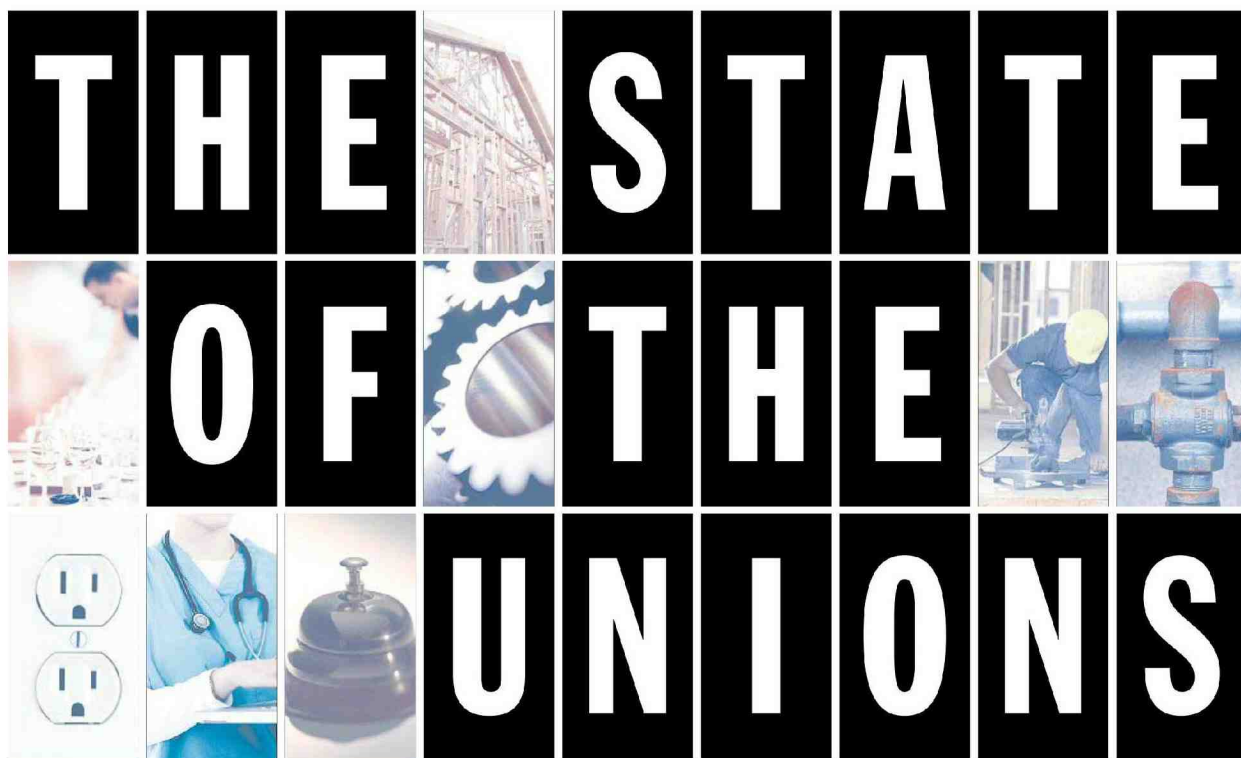
Some of the services that

soon will be needed are short-term respite stays, adult day care, rehabilitation services and overnight stays for residents who are awake most of the night due to illness or dementia. We could expand our facility and offer dialysis. There is a current need for this service now. What about a "Mobile Maplewood," a nursing home without walls? A homecare department could be added that could offer support services. These ideas are just some of the ways that could generate the revenue needed to "close the gap."

In closing, I would like to say that saving Maplewood Manor will require a multifaceted approach. The employees of Maplewood Manor intend on making concessions in the upcoming contract. I urge the rest of the membership to do the same. We all need to be part of the solution. I personally feel that we owe this to our residents, our facility and to all county residents.

**Pamela Almy
Ballston Spa**





Private sector laborers see steady decline as public sector membership grows

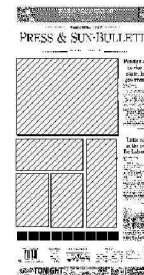
By G. Jeffrey Aaron

jgaaron@gannett.com

For two years running, New York has led the nation in the percentage of its workers who belong to labor unions — 24.1 percent in 2011, down slightly from 2010's figure of 24.2.

But the state's overall number, as rosy as it may seem to some this Labor Day weekend, hides certain facts, organized labor advocates say.

The decrease, however slight, is a continuation of a trend that started in 1991, when the percentage of wage and salary workers in New York belonging to unions was 29.2 percent. While being the highest in the nation, New York's union density number glosses over the fact that while union representation has increased in the state's public sector, it has fallen off dramatically in the private sector.



Last year, according to the website unionstats.com, 72.2 percent of the state's public work force was unionized, up from the 69.4 percent figure for 1991. But in the private sector, the unionization rate last year was 13.5 percent, down from 1991's 19 percent rate.

The easy answer for the decline in the private sector, analysts say, is the state's loss of job slots in the manufacturing sector — 908,400 in 1991 to 458,000 in 2011 — which has long been organized labor's bread and butter. But there are other factors at play, experts say.

"The resistance to private-sector unionization is much sharper and has been for several decades," said Lee Adler, faculty member at Cornell University's Industrial Labor Relations School. "Part is based on employers' imagined need to increase their profitability, and part has to do with a tremendous growth in law firms and consultants that specialize in breaking private unions."

The third issue, Adler says, is that the enforcement mechanisms of the National Labor Relations Board are "inadequate to address the illegal violations directed at the private sector."

"If it turns out the employer doesn't follow the National Labor Relations Act, it might take a year to reach that conclusion," Adler said. "With no expedited resolution of critical issues when employers violate the law, workers then worry if they try to organize, they will get fired."

A spokesperson for the NLRB said the agency would not respond to Adler's comments. But a report prepared in December 2010 by the National Bureau of Economic Research reaches a similar conclusion.

"It should, therefore, come as no surprise that the Act for decades has been ineffective in curbing behaviors that are antithetical to its fundamental aims," the study's conclusion states. "As the parties learned about the low penalties associated with the NLRA, neither labor or management seems to have been bothered by the costs relative to the benefits of violating the Act."

See UNIONS, Page 6A

In addition to the NLRB's perceived weakness, there are other challenges to union organization in the private sector,

said Erin Moody, lead field organizer for the Rochester-Genesee Valley Area Labor Federation, AFL-CIO.

"Over the years, there have been a number of laws that have been created which make it hard to defend a collective bargaining unit. They tend to be more on the side of management and less on the workers' side," she said.

There also has been a large amount of money pumped into anti-union campaigns, she added.

Unionization in New York's public sector, however, is made easier by the Taylor Law, which was passed in 1967. While the law prohibits public employees in New York from striking, it also guarantees their right to organize and elect their union representatives.

"New York is a bit different from other states in the nation," said Stephen Madarasz, communications director for New York's Civil Service Employees Association. "The state still has a good concentration of unions in both sectors, but one of the reasons is the laws for organizing are quite different."

Since its passage 45 years ago, the Taylor Law has become a national model for public-sector union organizing, Madarasz said. It creates a fair process that gives unions the opportunity to organize, and proof of the law's effectiveness is seen in the numbers.

"The public-sector unionization is a good counterpoint to what workers in the private sector would select if they weren't denied the protection of law," Cornell's Adler said.

But as the gap between public- and private-sector union membership continues to widen, the gains made by public-sector unions may become harder to keep. A case in point, union officials say, is Gov. Andrew Cuomo using widespread layoffs to convince the state's two largest public unions to agree to forgo pay raises for the next three years.

"There's no question the gap is making it harder to hang onto gains," Madarasz said. "It gets harder every day, and there is a tendency to portray public unions as having it too good. We've seen in recent years a very old political theory called divide and conquer."

There's been an extensive effort by anti-union forces to create animosity between public and private unions. We see unions providing for some sense of fairness, and employers shouldn't be playing one group against the other."

Buoyed by its success in organizing within the public sector, CSEA is taking aim at the private sector. The target, Madarasz said, are workers in the human-service job categories who are working for nonprofit agencies.

"They are doing works that's similar to the public-sector members, so there's a community of interest," he said. "We've seen success in organizing these workers who are not unionized and not represented."

Meanwhile, the 270 union locals working throughout the labor federation's 11-county region also are looking to boost the private sector's unionization rate, Moody said. The strategy, she said, in-

volves bringing in economists and professors who have identified the roles unions have played in supporting the middle class.

“When union density was at its highest, the job market and profitability was also at their highest,” she said.

“It’s important for people to talk to each other and ask themselves questions like, ‘What do I have today as to what I had 20 years ago,’ ‘Where am I now and how secure do I feel in my job?’ And as a union, we have to be able to answer some of those questions, so education is the biggest word of the day.”

UNION DENSITY IN NEW YORK STATE

29.2%

TOTAL DENSITY IN 1991

The public sector was **69.4%**

The private sector was **19%**

26.7%

TOTAL DENSITY IN 2001

The public sector was **71.9%**

The private sector was **16.7%**

24.1%

TOTAL DENSITY IN 2011

The public sector was **72.2%**

The private sector was **13.5%**

Source: unionstats.com



These two members of the Northeast Regional Council of Carpenters protested Thursday outside a shopping plaza on Meadow Street in Ithaca, voicing displeasure with Benderson Development. The council wants the developer to provide or make payments for family health care and pension benefits. ANDREW CASLER / STAFF PHOTO

Town workers to be hit with pink slips

Oyster Bay official: early retirements can't close budget gap

By Alan Krawitz

newsroom@oysterbayguardian.com

A town official, speaking on behalf of Supervisor John Venditto, said last Friday that the process of laying-off town employees has already begun.

"Right now we're proceeding with the layoffs because we haven't been able to reach an agreement with the union," said Len Genova, the town's attorney and deputy supervisor.

Genova reported that he has reached out to the Nassau County Civil Service Commission to schedule a meeting as one of the preliminary steps in the process. "There are many rules and regulations from both the state and the county that govern what has to be done and we want to ensure that we are in compliance," Genova said.

He added that the layoffs could range in numbers from 90 to 150 but that it was too early in the process to identify which departments may be affected.

Union leaders and town officials had hoped that a combination

**90 workers
from many
different
departments
took
buyouts, but
it wasn't
enough
to close a**

\$13 million budget gap

of early retirement incentive buyouts and union contract salary concessions could avert the necessity of layoffs and help to close a significant portion of the town's \$13 million budget deficit.

A spokesperson for the town said that 90 employees so far have submitted buyout paperwork from the first period of eligibility, which ended August 15 and for the second period which starts September 1 and runs through January 15, 2013. But, employees can still change their mind and rescind their paperwork by the end of this month.

In all, 280 employees age 55 and up with at least five years of service were buyout-eligible.

The average years of service for employees taking the buyout was 26.

The town's early retirement incentive plan includes \$1,000 for each year of service, accrued sick pay and pensions as well as lifetime health and medical benefits for individuals and families.

Employees taking the buyouts came from a variety of town departments including public

works, parks, highway, public safety and planning. The responsibilities of retiring employees will be dispersed among current workers.

"Everyone will have to pitch-in so we can deliver the same level of service," Genova said, pointing out that he already serves as both the town's attorney and a deputy supervisor.

Negotiations between the town and the union broke down on August 1. Genova said that CSEA Local 881 did not agree to concessions that included a lag payroll, which would have saved the town \$4 million, as well as no raises in 2013 and 2014.

"We always needed a combination of union concessions with the buyouts to avoid the layoffs," Genova said.

Further, he said that the layoff process is somewhat lengthy and that they have to set the wheels in motion now in order to allow time for the municipality to pay off its debts.

"We're asset-rich but have a cash-flow problem, so we have to tighten our belt and cut expenses."

Genova pointed out that that town has looked at liquidating certain assets, such as land, but that would only be a temporary solution.

And, based on extensive outreach to the town's early retirement eligible employ-



ees, few additional buyout applicants are expected. "You might see numbers in the single digits, maybe another 4 to 8 employees, but not much beyond that," Genova said.

Robert Rauff, Jr., president of CSEA Local 881, seemed unaware of the impending town layoffs.

"At this point in time, ~~Supervisor Venditto has not~~ said anything about layoffs to me," said Rauff, a 35-year town employee. "As of right now, no one has been laid off in the Town of Oyster Bay."

He noted that there are many steps that have to happen before layoffs take place and that he wouldn't be comfortable commenting "on something that hasn't happened yet." Some of those steps Rauff cited include a notice period of 90 days in addition to a series of notifications from the state's civil service.

"The town needs to pay off its debt," Rauff said. But, he added, when it comes to the issue of layoffs, "We certainly didn't write the checks to put the town in debt."

In June, the town's bond rating was lowered by Standard & Poor's by three levels to an A rating. Generally speaking, bond ratings measure a municipality's finan-

cial health and predicted ability to pay off debts.

Venditto has repeatedly blamed the town's budget woes on the continued national recession and sluggish economy.

Rauff said the town and union met last Thursday but nothing was resolved. No further talks are scheduled.

"I will continue to make calls and try to get us past our current deadlock and try to prevent layoffs," Rauff said.

Rauff said he was still optimistic that Supervisor Venditto would find a way to hold onto town jobs.

Estimating that Oyster Bay's entire workforce is only about 1,200 employees, Rauff was skeptical of the possible layoffs.

"You can lay off the whole town and you're still not going to balance the budget...and that's a fact."

In response to Rauff's comment, Genova recalled that both the union and the supervisor's office have had a good relationship for nearly 15 years, but now the town needs the union's help.

"We've said from the beginning that we needed both worker buyouts and union concessions but now that they've said no to concessions, we have to go the layoff route."

CSEA Accuses Cuomo Of Moving to Privatize Lottery Marketing Jobs Also Outraged Work Going To Big Contributor To His Political Fund

By MARK TOOR

The Civil Service Employees Association is criticizing Governor Cuomo over a pilot program to fill openings for Lottery Marketing Representatives with workers employed by a company that recently donated \$40,000 to Mr. Cuomo's campaign fund.

"You promised a transparent administration free of special interests and business as usual, but that promise is called into question by this GTECH contract," CSEA President Danny Donohue wrote in a letter to Mr. Cuomo that THE CHIEF-LEADER obtained from a union member.

'Purposely Not Filling Jobs'

The letter expressed "outrage" at the plans. "By the Lottery's own admission, the state employees currently performing this work have been handling nearly double the appropriate workload for some time," Mr. Donohue wrote. "Your administration has purposely not filled authorized positions, even though these are revenue-generating jobs."

"The intention of GTECH to under-

(Continued on Page 14)

cut the existing employees by using workers on a commission basis erodes a stable workforce with middle-class opportunities," he continued. "This is symptomatic of the corporate world's race to the bottom, and New York State government should not be complicit in that."

The Governor's press office did not respond to an e-mail seeking comment. Lottery Marketing Representatives work with retailers to improve sales of Lottery tickets.

Stephen Madarasz, a spokesman for Mr. Donohue, said he could not comment on what he called private correspondence between Mr. Donohue and Mr. Cuomo. But he added that concerns about the pilot program involving GTECH have been raised

"at the highest levels of state government."

'Undermining Our Members'

"We're concerned about a pilot program that we see undermining the work of our members for no good reason," he said. "No one's raising any concerns about productivity...There's no issue about the ability of the employees to do the work."

The state is "purposely not filling [open] positions even though they are revenue-generating positions," he said. "We find that almost incomprehensible."

GTECH is a leading provider of technology for lotteries. It has offices on five continents. The Albany Times Union reported in July that the company contributed \$40,000 this year to Mr. Cuomo's \$19.3-million campaign fund.

"GTECH already has millions in contracts with the state," Mr. Madarasz said. "And it's a very large contributor to the Governor's campaign fund...It makes you wonder what's actually going on here."



DANNY DONOHUE: No special interests, huh?





GOVERNOR CUOMO: A pilot to something bigger?

CSEA Withholds Its Nod From Silver and Others

By MARK TOOR

The Civil Service Employees Association, which said after the State Legislature passed Governor Cuomo's parsimonious Tier 6 pension plan that it would re-evaluate its relationships with lawmakers whose actions did not support labor, issued endorsements last week to candidates in less than a third of the legislative races.

One of the contests in which it did not endorse was Assembly Speaker Sheldon Silver's. Mr. Silver is considered a shoo-in for re-election, but the CSEA action is a definite rebuke.

'Abandoning the Working People'

"Many lawmakers who have long enjoyed CSEA support will not have it this year because they abandoned the working people of this state," CSEA President Danny Donohue said Aug. 23. "CSEA is holding the lawmakers accountable for their actions."

CSEA's announcement said: "For two years, lawmakers rubber-stamped state budgets that undermined state operations, and shortchanged localities and schools, and they forfeited oversight responsibility on important public-policy issues. They also imposed a property-tax cap that is causing fiscal chaos in local government and school-district budgets."

Union spokesman Stephen Madarasz spoke of "the dark deal." CSEA's name for the secret middle-of-the-night bargain between Mr. Cuomo and the Senate Republican majority in which the GOP agreed to support Tier 6 in exchange for carte blanche on drawing new boundaries for legislative and congressional districts.

In offering the bargain, Mr. Cuomo broke a campaign promise that he would keep politics out of the redistricting process. In accepting it, the Republicans all but guaranteed themselves a majority until 2022.

In order to win an endorsement, Mr. Madarasz said, candidates had to have "stood up on a range of issues and tried to do the right thing for working people."

'A New Era'

CSEA issued endorsements in only 16 of the 63 State Senate races and 49 of the 150 Assembly races. In previous years, Mr. Madarasz said, CSEA

endorsed in most but not necessarily all of the contests. "This is a new era," he said.

All 16 of the Senators endorsed are Democrats. Eleven are incumbents, including such champions of civil service as Diane Savino, who was called out by Governor Cuomo for posing uncomfortable questions to his Budget Director during hearings. Four are challenging Republican incumbents. The final candidate, Brad Hoylman, hopes to succeed retiring Democrat Thomas K. Duane.

In the Assembly, CSEA endorsed eight Republican incumbents, one Conservative incumbent and eight Democratic challengers. The remaining 32 endorsements are for Democratic incumbents. "It's about individual candidates, not the party," Mr. Madarasz said.

For Congress, CSEA endorsed in just about all the races.

'Still a Friend, But...'

Regarding Mr. Silver, Mr. Madarasz said, "Obviously we still consider him a friend of working people, we appreciate the support in the Assembly, and we look forward to continuing to work with him in the future."

But, he said, "The bottom-line reason

(Continued on Page 9)

[for the lack of endorsement] was decisions made that we believe adversely affected working people." He conceded that Mr. Silver had been working under "very challenging circumstances."

Mr. Silver's communications office did not return a phone call requesting comment.

The full list of endorsements is available on the CSEA website, <http://www.csealocal1000.org>.





DANNY DONOHUE: No more Mr. Nice Union.



SHELDON SILVER: His circumstances were challenging.

Your Views Support for Stuff- a-Bus appreciated

To the editor:

Thanks to the tremendous outpouring of support we received from the community and the tireless effort of our many volunteers, the Annual Stuff-A-Bus Campaign, a partnership between Oswego County School Districts and United Way of Greater Oswego County, was a resounding success.

The donations of school supplies that we received from individuals and businesses, the work of the volunteers who sorted and distributed the school supplies, and the cooperation we received from businesses that graciously hosted a bus and served as an official drop site for school supplies is appreciated more than words can express.

The success of the Stuff-A-Bus Campaign would not have been possible if not for the collaborative efforts of the Fulton, Phoenix, Hannibal, Mexico, APW, Pulaski, Sandy Creek, Central Square, and Oswego School Districts, the CSEA and OCTA. Their efforts, along

with that of our many volunteers and Stuff-A-Bus committee co-chairpersons, JoAnn Conzone and Melanie Trexler, executive director of United Way of Greater Oswego County, helped to put smiles on the faces of hundreds of children who as a result of the Stuff-A-Bus Campaign now have the school supplies they need for a successful start to the school year. It was moving to see the expressions on the faces of the families that received school supplies for their children. Their gratitude was immeasurable.

Thank you to the countless number of community members who donated school supplies and to the businesses that served as an official school supply collection site. Your concern for the youth of Oswego County is greatly appreciated.

William W. Crist
Superintendent of Schools
Oswego City School District



Heart and Health and CSEA give free health screenings



Heart and Health of North Babylon collaborated with the CSEA to offer free health screenings to Babylon Town employees to promote early detection and preventative care this summer. Town employees were encouraged to avail themselves of the complimentary health services, which included EKG heart rhythm testing, blood pressure evaluation and body oxygen and nutritional screenings.

Pictured above from left to right is practice administrator Eileen Martinez; David Kavesteen, MD, FACC, board certified in internal medicine, cardiovascular diseases & nuclear cardiology; and Town of Babylon Deputy Supervisor Tony Martinez.

Heart & Health is located at 1350 Deer Park Ave., Ste 4, North Babylon. They can be reached at 631-482-1355 or <http://heartandhealth.com>.



OYSTER BAY TOWN TO GO AHEAD ON LAYOFF PLAN

BY EMILY NGO
emily.ngo@newsday.com

Oyster Bay Town leaders are moving forward with planned layoffs — studying county and state civil service procedures and taking an inventory of town departments — in light of an “impasse” in union concession talks, town attorney Leonard Genova said yesterday.

“Yes, layoffs are imminent,” said Genova, who is also deputy town supervisor. “We’re working on a layoff plan and we’re trying to understand all the rules and procedures so we do it properly.”

He added that the layoffs will be the equivalent of about 130 positions and that officials have spoken “preliminarily” to the Nassau County Civil Service Commission about meeting, but won’t form a layoff list until after

“an inventory of the town, because we want to still be able to function departmentally.”

In deciding whom to lay off, Genova said, “It’s more about titles and functions.”

Town Supervisor John Venditto met with CSEA Local 881 president Robert Rauff Jr. last week in a last-ditch effort to set salary concessions, but Rauff yesterday said the meeting went “absolutely terribly.”

The town has about 1,260 employees, with more than 90 percent of them represented by the union.

This month, 89 employees accepted early retirement incentives, but the town also needs concessions or layoffs to address financial woes that include this year’s \$13-million shortfall and \$674.7 million in total debt as of early 2011.

“The members are pretty upset about the fact that he’s not negotiating in good faith, because it’s a complete change in what we’ve known all these years,” Rauff said of Venditto.

Genova said the town has made offers to the union in “countless” meetings, but the union has “continued to not cooperate.”



Civil service union ratifies contract with Ulster County

By WILLIAM J. KEMBLE
Correspondent

KINGSTON — Members of the 1,300-member Ulster County unit of the Civil Service Employees Association on Monday ratified a contract that froze pay over two years, but will provide pay raises in the two coming years.

County CSEA President Todd Schmidt reported the members voted by a 2-1 margin in favor of the plan, but declined to give a specific tally.

Schmidt said having an agreement to replace a contract that expired Dec. 31, 2010, is important.

"Every member in January will get a raise," he said. "It will boost morale. We believe it is a positive thing and I'm pleased with the results."

The four-year deal, which still requires approval from the county Legislature, is retroactive to Jan. 1, 2011, but has no pay raises for 2011 and 2012.

Pay increases are scheduled to be 1.75 percent in 2013 and 2 percent in 2014.

The contract also calls for new hires to pay 20 percent of the cost of their health insurance premiums. Currently, the most that county employees pay toward their premiums is 15 percent.

County Executive Michael Hein announced the tentative deal two weeks ago and said it represented an understanding by union members of the difficult economy. "It is imperative we balance fairly compensating Ulster County's employees for

their hard work and efforts with the taxpayers' ability to pay and the realization that there are still serious economic challenges in front of us," the executive said at that time.

Hein also said the increased health insurance contribution "is more consistent with what's available in the private sector."

Schmidt said that reaching an agreement meant acknowledging the county government has both a difficult economy and state tax levy limit to work with.

"At times it was difficult, but, in the end, we got a deal and we're happy and satisfied with that and believe that the county executive and personnel did a good job in negotiating one," he said. "The economic world that we live in has put some significant financial restraints on the county's ability to offer raises."



On the Web

A copy of the proposed contract accompanies this story at www.dailyfreeman.com.



"The only way for us to save the home for residents and the jobs offered by this 200 plus bed long term care facility is to sell it."

A Home Divided

Edwards Vocal About Selling Home; Runkle Says Votes Not There

By ERIC TICHY
etichy@post-journal.com

MAYVILLE — Is there enough support in the legislature to sell the Chautauqua County Home? Not so, says legislator John Runkle, R-Stockton.

Lawmakers last week heard a much-anticipated viability report by Don Pryor of the Center for Governmental Research. The \$80,000 report, which is now available on the county's website, was given during a special legislative session.

"In my opinion we will have to go to Plan B," Runkle said of current support to sell the County Home. "There has to be alternatives and there has to be concessions."

"These savings suggested (in the report) have to be looked at. To simply want to sell it is not good enough."

For the County Home to be sold, a two-thirds supermajority (17 yes votes) would be needed. Runkle said he doesn't expect a vote to come next month — noting that his ad-hoc committee will meet within the "next couple of weeks" to discuss their options.

Pryor pointed to at least a half-dozen cost-cutting measures

that could save the home \$2.3 million annually. That would require the implementation of electronic medical record keeping and limits on salaries and benefits to union workers. Hooking up a gas well on the County Home's property could also generate savings, the report states.

"We have to look at both sides of the coin," Runkle said. "We need to look at these options."

Two qualified bids have been received for the County Home. Absolut Care, which operates two nursing facilities in Chautauqua County, submitted an offer of \$1.6 million a year with a purchase option of \$16 million. Altitude Health offered \$16.5 million in cash for the facility.

See HOME, Page A6

Although the immediate future of the home remains murky at best, County Executive Greg Edwards is making it crystal clear how he feels.

"The only way for us to save the home for residents and the jobs offered by this 200-plus-bed long-term care facility is to sell it," Edwards said in his Monday Morning Memo.

"This report is over 120 pages long and is full of graphs, appendices, facts, figures — and most of all — assumptions," the county executive said.

"The report confirms in very stark terms what I have been saying for almost a year: We can either sell or lease the County Home, or we can retain ownership for at least three years while immediately implementing cost-saving measures and revenue enhancements. The

options in this study mirror the suggestions given by an ad hoc committee which was completed in 2009."

The viability report essentially outlined two options regarding the Dunkirk skilled nursing facility: Sell or lease it to a reputable buyer or retain it for at least three years while enhancing revenues and slashing costs.

For the latter to occur, Pryor said concessions from County Home workers, members of CSEA Unit 6300, would need to be negotiated. David Fagerstrom, Unit 6300 president, said his members have always been willing to sit down at the table, and pointed out that the county has thrown out every proposal they have put forward.

Regardless, Edwards said county taxpayers can no longer foot the bill to keep the home open. To stay solvent, it is expected that \$2.6 million in government subsidies will be needed, most notably in the form of intergovernmental transfers.

In the last five years the county has contributed \$6.6 million in local IGT funding, netting the home a \$14.9 million revenue boost.

"The taxpayers of our county cannot afford us taking \$2.6 million of their hard earned dollars every year to subsidize 250 government jobs," Edwards said.

He added: "The CGR report assumes that Federal IGT money will continue and that New York state will not cut our Medicaid and Medicare rates. The trend across not only the state by the country is that counties are getting out of the business of county homes."

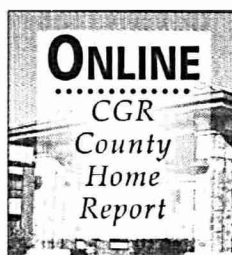
"As more counties face the same difficult decision we are facing more and more will be looking to



sell their facilities which may drive the value of our home down.”

But it’s not just Edwards that is taking a stand on the home. Runkle, who also chairs the ad hoc committee that tapped CGR for its report, said the final say will come down to the County Legislature, not the county executive.

“To be blunt, the decision to sell the home is not up to the county executive but up to the legislature,” he said.



www.post-journal.com
Covering The Way You Live

Protestors unite in front of Lancaster Town Hall

by Jennifer Lysiak,
Lancaster Editor

"Fudoli must go!" and "Shame on Fudoli!" were statements repeatedly shouted by more than 50 unionized public service workers who stood in front of the Lancaster Town Hall Monday evening with signs in hand, protesting recent comments made by Town of Lancaster Supervisor Dino Fudoli.

Robert Mueller, labor relations specialists for Civil Service Employees Association (CSEA) and representative for Lancaster Town employees said Fudoli made comments in a local publication to the effect that public sector workers are the "non-producing segment of society" and making this comment in the context of referring to himself as "pro-taxpayer," he has inferred that somehow public service workers are not taxpayers in the communities that they serve.

"There are approximately 2,500 public sector union members who reside within the borders of the Town of Lancaster," said Mueller. "These unionized public service workers not only pay their taxes, helping to sustain the budget of this town and its schools, but they shop, dine and invest locally, helping to sustain the business community of Lancaster."

The article also quoted Fudoli saying, "People

need to start waking up and realizing that the government's not their friend, the government's their enemy."

Members of CSEA, as well as other local unions, banded together to let Fudoli know his comments were heard loud and clear and comments like this would not go unrecognized.

"It is hearting to see all different threads of labor standing together to fight against- whether it be public sector, private sector, building trades- to fight against dictators like this," Mueller remarked.

He continued by saying, "this rally, demonstration, and the comments to follow at the board meeting are in response to that. At the board meeting, we will be asking the supervisor to retract his statements and to provide a formal apology."

Dr. Rick Stempniak, professor at Buffalo State College and a union member said he has a vested interest in the town board. His wife, Donna Stempniak, sits on the town board and she is a retired Buffalo teacher.

See Town,

continued on page 9

"We have union solidarity on this board and we are not going to let Fudoli push us around, are we?" Dr. Stempniak asked protestors. "Please stick together everyone must support our brothers and sisters at CSEA and vote this bum out in three years."

When asked about the dictator remark, Fudoli questioned "how do

you become a dictator when you're out numbered 4 to 1?"

Fudoli added he certainly respects their opinions and the way they interpreted the article, but he will not retract his statements or apologize.

"I did not mean them in an inflammatory way," he said. "I wish they would have read the entire paragraph where it said, 'this doesn't mean- let me make myself very clear- this doesn't mean I am anti-public employee. It just means I'm pro-taxpayer.'"

If they read that before they the part that said "non-producing" it wouldn't have been turned around and twisted into something it doesn't mean, said Fudoli.

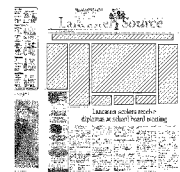
Fudoli continued to explain that to assume he is somehow against public employees couldn't be farer from the truth as he never questions the integrity of these people or their hard work and dedication to the town.

"When I said 'non-producing part of society,' I was referring to the basic definition of production of which to produce a good, a tangible product and that's the part they got confused on. I did not mean it as in they were not productive," remarked Fudoli. "There are a lot of great workers that work for this town. Never at any point in time did I mean that to offend any of them."

Mueller said this comment implied that public service workers do not have a profit motive in the work they do in service of their community, that they are non-producing, and somehow a drag on their communities.

"Public service workers dedicate their lives to producing better communities with the infrastructure necessary for the private sector to flourish," said Mueller. "Without the public sector, the private sector would not have an environment in which to innovate and turn a profit."

Listing a few examples, Mueller said



teachers produce the next generation of an informed citizenry, highway workers produce, maintain, and clean the roads, and police officers produce safe communities for residents and local businesses.

"The list goes on and on, but I hope you get the point," Mueller stated to Fudoli. "These workers deserve a pat on the back, not a kick in the teeth." Fudoli said they have an agenda and the agenda is very clear to him.

"Somebody like myself is a threat to them so this is their chance and opportunity to flex their muscles," he said, referring to the negotiations with the town's four unions. The contracts expired last December.

However, during the meeting, some residents such as Tom Kasprzyzak, didn't understand what the complaints were about.

"In fact, I thought it was complimentary of you," he said to Fudoli.

At the end of the meeting, Marsha Cox, president of the white-collar union in the town, said they came to the meeting and said their peace.

"We brought our point across," Cox commented. "We did what we wanted to do. We brought it to the attention. We all read it and when we read it people were insulted, especially people who have been here a long time. They were insulted and they were hurt."

As public service workers made their way out of the board room for the night, many still upset by Fudoli's statements, all that was muttered was, "apparently, we have to learn to read."



On Monday evening, protestors gathered in front of the town hall protesting Supervisor Dino Fudoli's comments he made about public service workers.

Original source material contains defects

Numbers Game

CSEA Unit 6300 Looks To Keep Discussions Going

By ERIC TICHY
etichy@post-journal.com

MAYVILLE — For the Chautauqua County Home to stay solvent and out of the private sector, a series of cutbacks and revenue enhancements need to be implemented.

If that cannot happen the Dunkirk nursing facility will run massive deficits on an annual basis.

The highly anticipated Center for Governmental Research viability report outlined a half-dozen recommendations to reduce operating costs. These include implementing new technology to streamline operations and concessions on behalf of the home's union workers.

Don Pryor of the CGR said discussions should take place "almost immediately" within the county and the union as budgets for this year and next are put together.

David Fagerstrom, CSEA Unit 6300 president, said he was pleased to see the recommendations made in the report.

See CSEA, Page A6

"All in all I thought there was a lot of good news in there," Fagerstrom told *The Post-Journal*. "I think there's been a lot of misrepresentation out there, especially in the south county. People need to understand that these are county residents in there."

Fagerstrom said union workers have always been willing to sit down with the county to negotiate a fair contract, which is currently

at an impasse. That view remains.

"It would be crazy for us not to want to sit down with the county," Fagerstrom said. "The membership understands what needs to happen. They won't hold out and sell someone away. They're always willing to compromise."

Fagerstrom noted that as contract talks have broken down, salaries and benefits have remained frozen. The viability report recommends that all wages and fringe benefits be limited to reduce overall costs.

The report also suggested a separate union represent all County Home workers. However, the current unit might not be willing to lose a third of its members, Fagerstrom said.

Meanwhile, those on the ad-hoc committee that tapped CGR are looking forward to reviewing the 132-page report.

"What we would like to do is talk about each and every one of these (suggestions) and find out what the savings are and then submit them to the legislature," said committee chairman John Runkle, R-Stockton.

"Obviously there will be employee concessions. We're going to ask for those ... but I think there is an interest there to make concessions and I think they are understanding the dilemma the county is in."

County Executive Greg Edwards said the CGR report mirrors that of a similar study done by the county three years ago. Both recommended cuts in worker's salaries and benefits, and noted a need to find significant revenues to stay financially solvent.

"Well the CGR report leaves a

lot of questions and creates a number of questions," Edwards said. "I see it as my rule to answer as many of those questions I can."

He added: "There is only two way to save the County Home. Putting concessions together to control the costs. I am very interested in meeting with representatives from CSEA or others to talk about that."

The county executive said he has been contacted "periodically" by Absolut Care Facilities Management, LLC and Altitude Health Services Inc., both of which have placed qualified bids on the home.

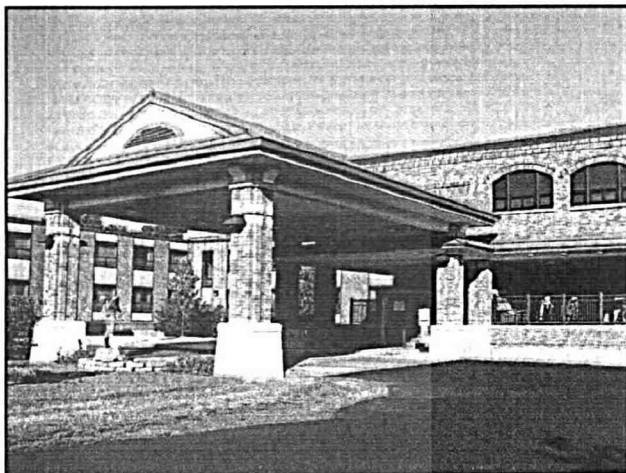
Absolut Care, which operates two nursing facilities in Chautauqua County, submitted an offer of \$1.6 million a year with a purchase option of \$16 million. Altitude Health, located near Chicago, offered \$16.5 million in cash for the County Home.

"I am very concerned about that," Edwards said of the bidders possibly growing impatient. "My hope is that things will be moving as quickly as possible and that I can answer as many questions as possible."

Runkle, however, said he doesn't expect a decision to come next month. He said the ad-hoc committee would meet within the "next couple of weeks" the discuss the report.

"It's going to take at least two weeks for these folks to read it and then we will have another meeting after that," Runkle said. "I don't know if we will have recommendations ready for September. If not we may for October."





A Center for Governmental Research report says if lawmakers are keen on keeping the County Home in the public sector, drastic cuts need to be taken and revenue sources found — and sooner rather than later.

P-J file photo

Report: County Home Cutbacks Need To Be Sought Now

By ERIC TICHY
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Editor's note: This is the first in a series of stories focusing on a financial viability report given by Don Pryor of the Center for Governmental Research on the Chautauqua County Home. This story highlights cost reductions recommended in the report.

MAYVILLE — The digestion period has begun. Days after hearing a viability report from the Center for Governmental Research, lawmakers are now weighing their options regarding the future of the Chautauqua County Home.

Pros and cons of selling and retaining the Dunkirk skilled nursing facility were discussed during the special legislative session. The legislature must now review both options before deciding the home's fate.

But if lawmakers are keen on keeping the facility in the public sector, drastic cuts need to be taken and revenue sources found — and sooner rather than later. See **CUTBACKS**, Page A6

Don Pryor of CGR outlined options for savings and revenues on Tuesday, and said discussions should take place immediately while the county is set to undertake its 2013 budget negotiations.

County Executive Greg Edwards also noted the narrow window before a tentative budget needs to be in place. The county executive plans to outline his budget to lawmakers next month.

Six recommendations have been made to reduce costs at the County Home and to enhance revenue. Some options include implementing new technol-

ogy, while others include concessions with union workers.

EXPAND USE OF TECHNOLOGY

Pryor made no bones about it: the County Home needs to update its lagging use of technology and electronic medical record keeping.

"By all accounts, the Chautauqua County Home, not unlike many of its counterparts, continues to function in the second decade of the 21st century as a mostly outdated, heavily paper-driven operation," the report notes.

Pryor said the home does not have an efficient Electronic Medical Records system in place, forcing the home to rely on hard-copy paperwork. This has resulted in concerns with integrating clinical and billing systems.

The viability report recommends an EMR system be put into place. That implementation includes investments in "sufficient staff training."

A partially funded and implemented program exists at the County Home. Computer tablets have been in use, and represent a step toward a functioning EMR system at the nurses' aide level.

The report notes, however, that due to "uncertainty" surround the County Home's future, the implementation of a fully functioning system has been delayed.

Not to mention the costs of such a program. Pryor said estimates have surfaced that a fully operational system throughout the home could cost a quarter-million dollars. The facility's budg-

et capital fund, though, lists an amount half that.

"Either way, much of that cost could be absorbed via state subsidy of the costs," the report states. A subscription process may also defray upfront costs through a vendor.

"This may prove less costly and far more efficient than the current inefficient system in place now."

Pryor said by implementing an EMR system, the County Home would save about \$500,000 a year, which does take into account for training and start-up costs.

ATTRITION AND OVERTIME

The report notes that the County Home averages five call-ins a day, resulting in staff shortages and an increase in overtime. Time also is used finding replacements, and is burdened by a lackluster, inefficient computerized system.

Pryor said one solution might be to utilize substitution and per-diem workers, which he said has worked well for the home in the past.

But in order to cut down on operating costs, attrition may be the best option. Even if it means bringing in more part-time workers.

Almost \$225,000 a year could be saved, Pryor notes, if positions are reassigned at the time of retirements. Savings would come in form of salaries and benefits if those retirement positions are not filled.

Reductions in admissions, social work and activities staff might also save the County Home in the long run. Outsourcing on-site laundry and its pharmacy also may help the bottom line.

The report notes that the County Home is one of a "relatively few nursing homes" to offer an on-site



pharmacy, which is operated by an outside vendor. While convenient, Pryor said such a service could be utilized outside the facility and still serve its purpose.

PAYER MIX IMPROVEMENTS

The County Home has "consistently" maintained its annual occupancy rate around 98 percent, so the report notes that little attention is needed in terms of marketing and admissions.

However, who fills those beds is another question. Pryor said a "vast majority" of home residents are on Medicaid, leaving little room for the facility to turn a profit.

"But if more residents can be attracted initially from the private pay sector, and from those initially paid for by Medicare, the facility could significantly improve its financial prospects," the report states.

As much as \$425,000 in revenue per year could be generated by attracting more private pay and Medicare residents — similar to numbers the home had four years ago when 3,100 more residents pay through private insurance.

Revenue could also be generated by revamping the home's therapy staff, two of whom spend time doing clerical work.

LIMITS ON SALARIES

AND BENEFITS

Pryor said limits on salary increases would be necessary for the County Home to stay solvent. And after some discussions with staff there, it appears workers would be willing to "sit down at the table."

"Many employees recognize that unless they are willing to scale back some of their demands and desires for increasing wages and benefits, those wages and benefits may be reduced anyway if a decision is made to sell the County Home to a private sector owner," the report points out.

If the county and CSEA were to agree on a salary increase of 1 percent in 2013 and 2 percent in 2014 and 2015, the County Home would save \$280,000 a year in that time span when compared to projected costs.

Capping fringe benefits at 60 percent of total salary levels also would save the home \$2 million off projections for the next three years.

"Benefits have continued to escalate each year," the report states. "... A number of possible suggestions have been made by employees and county officials in our discussions that would have the effect of reducing selected benefits going forward."

Other suggestions for scaling back on benefits

include: increased employee contributions to health insurance; adoption of a high-deductible health insurance plan; reduction in sick days and limits on paid days off; and cap on overall benefit plan.

ASSISTED LIVING

Considered a long-shot option, meanwhile, would be to close a wing of the County Home and convert it to an assisted living facility. Although the county cannot operate such a facility on its own, it could partner with a nonprofit group.

By closing a wing, a number of nursing beds would be removed, thus laying off staff and reducing payroll. As much as \$1.25 million would be saved annually, the report notes, if a section of the home was closed.

Revenue would also be recognized if the home were to partner with an outside group to provide assisted living options.

But don't expect this option to come quickly, if ever.

"The potential development of this option is likely to take far longer than action on most of the other scenarios ... and should presumably not be a determinative factor in whether the county should sell the facility or continue to own it," the report notes.

Towns cut retiree benefits: Budget fix or broken promise?

By Alex Weisler

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ARMONK — Becky Kittredge, who spent 32 years as a North Castle councilwoman, said the town's decision to cut benefits for part-time employees and begin charging retirees for health insurance is a "disgrace."

Kittredge is one of 19 former and current North Castle employees and elected officials planning to sue the town to stop the measure, which was narrowly passed by the Town Board in late June, from taking effect. Town Board member John Cronin said Friday the lawsuit has not yet been filed.

"What they're doing is wrong," Kittredge said. "We have people that are 92 on that lawsuit getting a letter saying that they now have to pay for their health insurance. It's not the way you do things, and it's leaving a very bitter taste with everybody."

Across the Lower Hudson Valley, municipalities have turned to "unfunded liabilities" like health insurance and retirement benefits to cut costs and balance budgets. Such plans are celebrated by politicians and tax watchdogs, sharply criticized by retirees and often debated through the courts.

In February 2010, retired Port Chester trustees sued to try to block the village from cutting their lifetime health insurance, which cost about \$500,000 per person. The village prevailed in August 2010 as a judge ruled the trustees were not entitled to the benefits, which they had voted to give themselves.

In March 2010, Westchester County agreed to freeze prescription-drug costs for 1,600 retired union workers and pay them each \$700. The settlement ended a 6-year-old lawsuit filed by the Civil Service Employees Association claiming the county improperly cut health insurance benefits of workers who retired between January 1993 and May 2004.

In June 2010, retired White Plains cops sued to stop a city council order requiring them to pay 15 percent of their health-care costs, the same contribution being sought in North Castle. The case is

expected to go to federal court this year.

It's also unclear whether tapping retirement benefits is truly a savings gold mine. Projections vary based on the number of employees and their life expectancies. North Castle Supervisor Howard Arden said in July that the measure could save taxpayers up to \$17 million in the long run. But his colleague Michael Schiliro, who voted against the plan, said he estimated the savings at as little as \$30,000 a year and said retirees would have to live to 114 to realize Arden's projected savings.

Besides, Schiliro said, he views finding savings by targeting retirees morally objectionable.

"One of the biggest pieces to me that was fundamentally wrong was to help our current budget by putting it on the backs of the people who no longer work for the town," he said. "We're a strong enough town financially and a town of good people ... it runs against who North Castle is to do something like this to the folks that have come before us."

Clarkstown Taxpayers President Guy Gervasi said he knows cuts to retiree pensions seem harsh, but they're an effective way to overcome what he sees as "a cozy relationship" among unions, arbitrators and municipal officials.

"I think it's a great trend. I think it's something that's needed," said Gervasi, a West Nyack resident. "I know it's hard to take away things that people already have but public service was always supposed to be lower salaries but guaranteed work and lower benefits."

Pete Sepp, executive vice president of the National Taxpayers Union, said the attempts to scale back benefits in North Castle, White Plains and Port Chester parallel a national trend. Pension benefits were cut for retirees in Providence, R.I., and California voters are considering two ballot measures that will help municipalities cut back on unfunded liabilities. Sepp said tapping health-care benefits is a good way to cut down on municipal bloat.

"Part of the problem is that the rules have been changed on all of us, taxpayers included," he said. "These are promises that were either made with the best of intentions but the poorest of foresight or they were promises made knowing that they were too generous but in the hope that people who made them would not be held accountable for them."

It's up to retirees to put their personal concerns aside and focus on reforming



the system, Sepp said. "You have to ask yourself how is it fair to retirees to just allow the whole system to collapse?"

But Kittredge said public employees make choices based on the assumption that promises made will be honored. When politicians change the rules, something fundamental is lost, she said. "If you now want to start changing fringe benefits, fine. When you employ somebody, say, 'These are what your benefits are going to be, and this is what you're going to have when you retire.' But they're not doing that," she said. "It's very shortsighted."

Judge blocks county budget cuts

BY JOHN
SANTA

A federal judge on Monday blocked legislation to give Nassau County Executive Edward Mangano the power to make \$40 million in budget cuts, prompting county officials to warn of the possibility of additional layoffs to civil service employees in the coming year.

U.S. District Court Judge Arthur Spatt issued a preliminary injunction against the legislation, which was passed by the Nassau County Legislature in May, that would have granted Mangano the ability to modified union contracts, furlough employees one day a week and cut their benefits without legislator's approval.

"This law arguably places a knife to the throat of the unions to coerce them into making certain concessions, under the threat of the County Executive taking more egregious actions pursuant to (the legislation)," Spatt said in his ruling. "The impairment to the bargaining relationship is an irreparable harm that cannot be ignored."

"A law that provides only one side of the bargaining table with the power to modify any term of a contract after it has been negotiated and executed," Spatt's ruling continued, "is perhaps the epitome of a substantial impairment to a contractual relationship."

In May, the county's Civil Service Employees Association filed a temporary restraining order to block the legislation.

CSEA Spokesman Ryan Mullholland said at the time that the legislation would negatively effect his organization's 6,000 constituents by giving Mangano the ability to furlough county employees.

"Today's ruling in federal court shows once and for all that the United States Constitution cannot be trampled on by state and local governments," CSEA Local 830 President Jerry Laricchiuta said. "Clearly the federal courts agree that the constitution of this great country does protect all contracts including labor agreements. We believe this ruling is favorable not just for CSEA but for all labor unions."

CSEA lawyers presented the case to Spatt, but the judge's ruling also prevented against Mangano enacting furloughs for representatives of the county's Police Benevolent Association, Detectives Association and Superior Officers Association unions, a CSEA news release said.

"This should send a strong message that politicians can't just ignore contracts because it's more convenient than acting in good faith," CSEA President Danny Donahue said.

Mangano vowed in May to slash \$41 million from this year's budget and warned of the institution of liens against the county's bank accounts if Democrats in the Legislature failed to approve borrowing to pay for property tax refunds.

For any borrowing to be approved, the 19-member Legislature must support the proposal by a two-thirds majority.

With Republicans holding a 10-9 majority, that would mean at least three members of the Democratic caucus would have to cross party lines for the borrowing to be approved.

Attempts to reach County Attorney John Ciampoli for comment on this story were unavailing.

But Ciampoli appeared before the county Legislature when the legislation was passed in May and defended the law. He said giving Mangano the power to make budget cuts without prior legislative approval was necessary to achieve the \$41 million of savings.

"I agree with the position that this legislation is a broad mandate to the county executive to solve the problem at hand," Ciampoli said. "When the problem is solved the legislation sunsets."

According to published reports, Mangano spokesman Brian Nevin said Spatt's decision to issued the preliminary injunction against the legislation would result in furloughs of county employees next year.

In July, Mangano said the county would soon layoff 100 employees by October. He said an additional 100 employees are expected to take voluntary retirement incentives by the end of 2012.



*For most workers, pay raise didn't make
up for paying more in health insurance costs*

CSEA members reject new contract

BY DENISE JEWELL GEE

NEWS STAFF REPORTER

Members of Erie County government's largest union sent a message to County Executive Mark C. Poloncarz on Thursday: Keeping the status quo is better than taking the raises he was offering.

Local 815, Civil Service Employees Association, soundly defeated a proposed contract that offered raises totaling 11 percent over five years while having workers pick up 15 percent of their health insurance costs by 2016.

Instead, more than 3,500 CSEA employees spread throughout county government, Erie County Medical Center and Erie Community College will continue to work under a contract that expired in 2006 until a new agreement can be negotiated. That means they will forgo the cost-of-living raises for now. It also means, however, that they will not have to start paying health insurance premiums and will continue to receive salary increases for incremental and longevity service.

For many workers, the promise of extra pay didn't make up for the trade-off of paying 15 percent of health insurance costs.

"Health insurance, I believe, was the biggest issue," said Joan Bender, president of the CSEA Erie County unit. "I think had they been more reasonable with the health insurance, then it probably would have had a better chance of passing."

The vote tallied Thursday – 2,144

See **CSEA** on Page D2

three-sentence statement saying he was "disappointed" and that he thought the contract was "fair to CSEA members and to county residents."

The county executive was elected last November with support from labor groups, including the help of CSEA members who contributed to his campaign and ran phone banks before the election. But that relationship didn't translate into support for the contract offer.

"We never expected him to give away the store," Bender said. "We weren't looking for that. We're just looking for something that we thought would be fair and agreeable to our members, and unfortunately, he really didn't come back with what I thought would be a strong offer for as hard as we work for him. And we were not asking for the world."

The proposed contract offered raises – 2 percent in 2012, 2013 and 2014 and 2.5 percent in 2015 and 2016 – as well as a sign-

ing bonus based on the amount of time an employee had worked during the last five years. The bonus would have been distributed in two payments of up to \$625, on ratification and again in 2015.

Bender said she thought members also were unhappy that the proposed contract didn't do more to make up for the years between 2007 and 2011 that members worked under an expired contract and didn't receive cost-of-living raises.

"If you go back and take into account 2008, '09, '10 and '11, then you're not ahead," Bender said. "You've fallen way behind."

The proposed contract would have phased in employee health insurance contributions so that, by 2016, all CSEA members would pay 15 percent, capped at \$4,000. It also would have ended retiree health insurance for new hires.

Several CSEA members interviewed outside County Hall on Thursday said they felt they were being asked to pay for too much of the health insurance premiums too quickly in exchange for raises that didn't make up for that amount.

Among other changes, the proposed contract would have reduced the amount of paid time off the CSEA members receive



by eliminating two holidays and reduced summer hours.

Under state law, the county must continue to uphold the terms of the contract that expired in 2006. The employees also

are eligible for longevity and incremental step pay increases that they receive based on the number of years they have worked.

The county and the union went to mediation last fall, asking a fact-finder to weigh in on issues that included wage increases, summer hours, lunch breaks and personal leave.

Bender said the union would either return to negotiating with Poloncarz or could turn again to mediation.

She said the contract proposal was brought to a vote after the **CSEA** negotiating team met with the county Budget Office and was told there was no more money.

“They did ask us to do an overwhelming endorsement, but we said, ‘no,’ that we would not,” Bender said of the Poloncarz administration. “We just said that we were only bringing it back to our members and telling them, ‘We recommend that they vote yes because we didn’t think we’d get a better deal.’”

Poloncarz, in the written statement released by his office, said he thought the proposal was “realistic in its assessment of the economic climate in Erie County.”

“While CSEA has chosen not to move forward with a new contract at this time, Erie County will continue to negotiate with other unions whose members are a vital part of the county workforce,” the statement read.

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Downstate Takes First Step Toward Possible Layoff of 360 Staffers

By DAVID SIMS

Some 360 United University Professions members at State University of New York Downstate Medical Centers Aug. 13 received "notices of non-renewal," the first step of the layoff process, as the campus's financial problems continue.

UUP President Phillip Smith called on Governor Cuomo to intervene and provide financial support to prevent the cutbacks, saying that the medical center had financially overreached and was now paying for its mistakes.

Six Months to Find Out

The 360 employees are being notified that they could be subject to a "non-renewal." A confirmed notice is the next step in the process, giving anywhere between six months' and one year's warning before they lose their jobs.

Mr. Smith has been fighting the cutbacks along with other union officials representing workers at SUNY Downstate, including the Public Employees Federation, Service Employees International Union Local 1199 and the Civil Service Employees Association. UUP represents more than 3,000 Downstate workers.

"Over the last three-plus years, SUNY Downstate has gone on a very rapid expansion program," Mr. Smith said in a phone interview. "They hired additional employees, they took over what was Victory Memorial Hospital, now called Bay Ridge. They purchased Long Island College Hospital.

"In the ensuing months, revenues have not matched the expectations of management. There have been Medicare cutbacks, Medicaid cutbacks, delays in state aid," he continued. "Now they find themselves in a situation where their reach has exceeded their grasp. In June, the SUNY trustees voted to provide a \$75-million line of credit to help Downstate out. That still is probably not enough to keep them going."

Cite Impact on Community

Amid the dire fiscal situation, UUP

is pushing for financial rescue, arguing that the services Downstate provides to its central Brooklyn community are too important to lose.

"I think what needs to happen here is the state needs to step in, provide more money and the Governor needs to pony up some bucks to stop this," Mr. Smith said. "We see this as a real decline in the ability to provide medical services to a community that needs it."

State Comptroller Thomas P. DiNapoli is conducting an audit of Downstate's finances, but its findings are weeks from being released.

"SUNY has decided to basically go full-bore ahead on these job reductions before the Comptroller has had an opportunity to view the situation," Mr. Smith said. "It's throwing the baby out with the bathwater."

SUNY spokesman David Doyle said in a statement, "SUNY Downstate is working closely with the SUNY System Administration on a financial transformation for the campus and its University Hospital of Brooklyn. Like most hospitals, and especially hospitals in Brooklyn, Downstate's University Hospital has been subject to recent financial stress, owing to declining reimbursement from public and private payers. We are working to align revenue and expenditures in order to maintain clinical services and ensure that health-care education is preserved for the people of Brooklyn."



PHILLIP SMITH: Urges Governor to step in.



Public contracts getting out of hand

Years ago there was a one-line joke that went something like, "I can't afford that, I'm a public employee." While it's no secret that the times have changed, there's been plenty of recent evidence that public employee mercenariness has gotten out of hand.

Witness two stories right here in Niagara County on which we reported this month.

In the Town of Lockport, the Civil Service Employees Association members rejected by a 12-3 vote a contract that would have provided employees a 12.5 percent raise over five years and a fifth week of vacation for employees with 25 years of service in exchange for employees contributing three percent of health care costs in 2013, reaching a 10 percent cap in 2015.

In Pendleton, a stalemate continues between the town and the Teamsters Local 264, represent-

ing 10 town highway, water and sewer workers. The previous contract expired Dec. 31, 2010. The sides are divided by two sticking points: wage hikes and health care; the Town offered a raise of 1.25 percent but the Teamsters are seeking a continuation on their 3 percent annual raise. Health care? The town wants a 50-50 split, the Teamsters offered a 3 percent contribution from new employees.

Three percent? Are they kidding?

With higher wages, skyrocketing health care and a higher public pension contribution, it's been obvious for years that this is not a sustainable model. Why don't the public employees get it?

People seem to have forgotten there was a time when public employees weren't paid the huge amounts of money that they do now. As a result, many municipalities offered health care and pensions as a perk; a token of thanks for serving the public. That's no longer the case, and in many instances public employees are paid more than the average salary in their hometowns.

Meanwhile, most who work in the private sector haven't seen a raise since before the 2008 stock market crash, and it's nearly impossible to find a private business that offers free health care. In this day and age, it's not reasonable to continually ask residents who are treading water financially to pay more and more to public employees.

Asking a public employee to



contribute to his health coverage is not an unfair demand. It's the way the private sector has been operating for years.

The public employees are making out on these deals, and planning retirements and golf at age 55 in Florida.

Fudoli comes under fire

by COLLEEN M. FARRELL
Editor

Bullhorn in hand, Richard Stempniak joined dozens of other public sector employees on the steps of the Lancaster Town Hall Monday night to air his anger at Supervisor Dino Fudoli.

(See editorial on page four)

Stempniak, husband of Town Board member Donna Stempniak, said he came out to stand up to "dictators" like Fudoli.

The protesters, with representatives from various unions in the area, picketed before the Town Board's regular meeting, seeking a retraction and apology from the town leader after he made comments they call critical of public sector employees.

In an interview with a local newspaper, Fudoli, discussing the topic of town employees contributing toward their health insurance, was quoted as saying: "This doesn't mean — let me make this very clear — this doesn't mean I'm anti-public employee. It just means I'm pro-taxpayer," Fudoli said in the article, in which he also referred to public employees as a "nonproducing part of society."

Later in the article, he was quoted as saying: "People need to start waking up and realizing that the government's not their friend, the government's their enemy."

The public employees outside Town Hall Monday night took exception to Fudoli's comments and chanted that he must go.

Rob Mueller, a Civil Service Employees Association labor relation specialist whose clients include the Town of Lancaster, said Fudoli's remarks were derogatory to all public sector employees.

"When the supervisor openly insults the very being of our membership, he is insulting the life's

work that they've decided to do," he said. "Yeah, he can have his opinion, but we can rebut him."

Stempniak, a member of the United University Professions Union at Buffalo State College, asked where the town would be without town employees.

"I've known Dino for over 25 years," he said. "I've lost all respect for him."

During the Town Board meeting, union members packed the room while Mueller addressed the board. In his remarks, he said that Fudoli eroded the mutual trust and respect between the board and town employees, "making an already difficult environment for labor relations seem insurmountable."

(Please turn to page seven)

He encouraged Fudoli to retract his remarks and apologize, which would help everyone move forward "collaboratively," he said.

Fudoli said that while he could understand why his remarks were taken the way they were by union members, he wouldn't do either.

"I did not mean them in an inflammatory way," he said, adding that he is not "anti-public employee."

"I do believe that the public employees provide a valuable service to our town and taxpayers," he said.

He added that when he referred to public employees as nonproducing, he was saying that they do not produce a tangible product.

"I should probably choose my words a little wiser," he said.

Resident Thomas Kasprzak said Fudoli had no reason to apologize.

"It was just telling it like it is," he said. "We're in difficult times."

The town is in negotiations with four unions, whose contracts ex-

pired Dec. 31, 2011. Currently, Lancaster employees do not pay any portion of their health care coverage. About 9 percent of this year's budget, or \$2,745,050, pays for roughly 150 workers' medical coverage.

Do you think Supervisor Dino Fudoli should have apologized for his comments about public employees? Take the poll at www.lancasterbee.com.

email: cfarrell@beenews.com





Ann Converso and Larry Kania protest against Supervisor Dino Fudoli in front of Lancaster Town Hall Monday. Union members from across the area were upset by Fudoli's comments to a media outlet that public employees are a "nonproducing part of society."

Photo by Timothy T. Ludwig
Purchase color photos at www.BeeNews.com

Protesters have a right to their say, but they're wrong

The loudest person may get all of the attention, but it doesn't mean that he or she should.

That's the case in Lancaster, where dozens of public employees came out Monday to protest against Supervisor Dino Fudoli regarding comments he made in an area newspaper.

Fudoli was quoted as referring to public employees as the "nonproducing part of society" and that the "government is [the] enemy." He also said he is "not anti-public employee" but "pro-taxpayer."

Judging by Monday's protest, it appears that any statement that is not cheerleading the union cause is the wrong one — in public employees' eyes. Several speakers referred to Fudoli as a "bully" and a "dictator." That's not fair, and it's undemocratic.

It's no secret that Fudoli is a fiscal conservative who ran on a "pro-taxpayer" platform last year. Considering that the town is in negotiations with its four unions, perhaps Fudoli shouldn't have made his comments.

Or perhaps it was a breath of fresh air. Far too often, the private sector feels as though the public sector holds the purse strings when it comes to labor negotiations. For example, it's extremely difficult to watch town employees get health insurance at no cost in these difficult economic times.

Rob Mueller, a Civil Service Employees Association labor relation specialist whose clients include the Town of Lancaster, said Fudoli's comments only serve to erode the relationship between town officials and their workers.

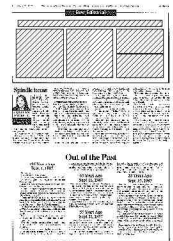
It would be naive to assume Fudoli's comments won't put a dent in negotiations. But he has a right to his opinion and to publicly express it. He was quick to add during Monday's town board meeting that he values town workers, but that comment was met with jeers. Although asked to do so, Fudoli refused to retract his comments or apologize. And he was right not to.

Valuing something doesn't mean never looking at a way to improve it. It's poor government to not try to find more cost-efficient ways to operate. That's the campaign pledge Fudoli ran on, and he's right to pursue it, since the electorate obviously liked it. If they hadn't, he

wouldn't be in office.

As one speaker said Monday, quoting New Jersey Gov. Chris Christie, "There has to be parity between what's happening in the real world and what's happening in the public sector world."

Just because unions can mobilize quickly for a protest doesn't mean they speak for the community. Now is the time for residents to let their opinions be known.



NEW NASSAU LAYOFF THREAT

Federal court ruling leaves
no choice in budget crisis,
Mangano aides say

A3 | TALK ABOUT IT AT [NEWSDAY.COM](http://newsday.com)



NEW LAYOFF TALK

Nassau warns that court ruling leaves no other option to cut costs

BY ROBERT BRODSKY

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Nassau County Executive Edward Mangano will be forced to lay off county employees to save millions in labor costs after a federal court judge ruled that a law allowing officials to reopen closed union contracts was unconstitutional, senior administration officials said yesterday.

Mangano was counting on the savings from the law to help pay \$41 million in tax refunds owed to homeowners. He now plans to achieve some of those savings through further staff reductions, said Mangano spokesman Brian Nevin.

"Rather than allow the county to cut certain perks, such as education pay, which does not require education, this court action leads to one option — layoffs," Nevin said. He declined to elaborate on the timing or the number of layoffs that could be pending.

U.S. District Court Judge Arthur Spatt issued a preliminary injunction on Monday preventing Mangano from implementing aspects of the bill, including the modification of contracts, furloughing workers one day a week and cutting employee benefit contributions.

Mangano already announced plans in July to lay off at least 100 civil service workers by October. An additional 100 employ-

ees are expected to take retirement incentives and depart their jobs before the end of the year.

Civil Service Employees Association president Jerry Laricchiuta said additional layoffs would dismantle county services, "which are already at unacceptable levels. We don't have enough 911 operators, probation officers or social service workers. We pay some of the highest taxes in the country with the absolute worst services."

Laricchiuta said that CSEA has provided \$132 million in labor concessions since 2008, but that Mangano cannot continue to attempt to balance Nassau's budget on the backs of union workers. The wages of all county employees have been frozen for more than a year.

Nassau, which is under the control of a state monitoring board, is projected to end the year with a \$45 million deficit, said Comptroller George Maragos. In addition to layoffs, the legislature has approved fee increases for traffic fines, the transportation of accident victims by police helicopter and false alarms that bring police to a home or business.

Spatt's ruling kept intact other provisions of the law that do not affect collective bargaining agreements. The legislation also allows Mangano to sell county property, shutter programs or agencies — as long as employees are not furloughed — and reduce assistance to

towns, cities and villages.

County Attorney John Ciampoli, who has yet to decide whether to appeal Spatt's ruling, said the preservation of those provisions is a "victory" because "most of the law was upheld by the court."

Critics disagreed.

"Instead of working on real solutions to fix the ongoing budget crisis, Ed Mangano again has wasted valuable taxpayer resources on another unsuccessful and costly legal battle," said Minority Leader Kevan Abrahams (D-Freeport).

At a news conference yesterday morning, Police Benevolent Association president James Carver said Spatt's ruling would have implications nationwide. "This is a big win for unions, not just here, but across the country," he said.

Separately, the Sheriff's Correction Officers Benevolent Association is challenging the bill in State Supreme Court, arguing it was passed by the legislature in May without a quorum because Legis. Dennis Dunne (R-Levittown) voted from an adjoining room outside public view. Other bills passed that day, including one that allows the police commissioner to discipline PBA members, could also be invalidated, said association president John Jaronczyk.



PBA president James Carver



Nassau exec Edward Mangano

PHOTOS BY HOWARD SCHINAPP

Judge halts bid to trim contract

CSEA challenges Nassau County law permitting \$40M in labor cost cuts

By Rick Karlin

A Long Island branch of the Civil Service Employees Association has obtained a federal court injunction against a Nassau County law that would have let the county executive alter contracts with public employees to save \$40 million.

It's the latest dispute between cash-strapped governments and public-sector unions landing in court, while there is debate over the significance of the temporary injunction Judge Arthur Spatt granted Monday.

At issue is a law passed this year by the Nassau County Legislature giving County Executive Edward Mangano wide authority to achieve the savings.

County employees, including police, would have to contribute toward their health care coverage, Mangano said when the law passed.

The public employees don't make contributions toward premiums in their existing contracts, which run through 2015.

Unions, represented by CSEA, went to federal court, contending the move was unconstitutional because it violated an existing contract.

"This ruling should send a strong message that politicians can't just ignore contracts because it's more convenient than acting in good faith," CSEA President Danny Donohue said after the ruling.

Donohue was the plaintiff in the suit.

"He would have been allowed to break contracts," CSEA spokesman Stephen Madarasz said, describing the new power given to the county executive. Elected officials in other municipalities might have tried to set aside contracts in their own jurisdictions had the law gone unchallenged, Madarasz added.

But one expert who follows the issue said the law in Nassau County was flawed and was probably

Please see **LABOR A7** ► done for appearances.

"There is no precedent for going in and abrogating an existing contract benefit," said E.J. McMahon, director of the Empire Center, which follows state and local spending issues.

"It was political symbolism mixed with a negotiating ploy," he said of the law.

The two sides are continuing talks on how to achieve savings.

McMahon said the county could probably institute a pay freeze because future raises haven't yet been granted.

CSEA represents approximately 6,000 employees in Nassau County.

The county's Police Benevolent Association also challenged the law.

While one of the nation's highest-income and highest-taxed counties, Nassau has struggled with its budget for years with flat and declining revenues and what critics say are generous contracts for unions working in the extensive public sector.

The state last year instituted a financial control board to oversee the county's finances.

Control boards also have been imposed over the years on Troy, Buffalo, Newburgh and Yonkers.

Recent reports have said Gov. Andrew Cuomo was considering a statewide control board that could

take over finances of other hard-pressed cities and school districts, although that has received a chilly reception from local leaders.

An association of retired state workers is currently in state court fighting what it contends was the wrongful increase in health care payments for retirees.

In 2010, unions successfully challenged Gov. David Paterson in court for trying to impose unpaid furloughs to save money.

Existing state-employee contracts contain negotiated furloughs, although the pay from those non-work days is returned near the end of the contracts.

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Nursing Home sale proceeding

Essex County preps staff for \$4 million Horace Nye transfer

BY LOHR MCKINSTRY
Press-Republican

ELIZABETHTOWN — Essex County is prepping workers for the upcoming transfer of Horace Nye Nursing Home to private hands.

County Personnel Officer Monica Feeley said she's been meeting with staff at the home, which will be sold to Centers for Specialty Care of the Bronx for \$4 million.

"I did a letter to all employees of Horace Nye Home. It gave a idea of what their benefits and options are at the time of the sale. There were a lot of rumors that were incorrect."

It will be at least several months before the transfer is complete, county officials said.

Feeley said she also attended two separate mandatory training meetings at Horace Nye.

"I went over to answer

questions. Overall, it was very well received. A lot of the misunderstandings as to benefits and retirements (cleared up)."

Word had been circulating that workers wouldn't be able to retire if they qualified, or they'd lose seniority if they took a job in another county department. The current retirement is under the state system, Feeley said, and could even be transferred to another job in local government.

Feeley said she discussed Civil Service tests for other jobs in county service for those who want to stay with the county.

"I think it went very well. It's a start. I said, 'Please come up and see us before you make a rash decision (to leave).'"

Supervisor Gerald Morrow (D-Chesterfield) said Feeley's letter explained the process well at Monday's

Essex County Board of Supervisors meeting.

"There were a lot of misconceptions over there," Morrow said. "It (the letter) clarified a lot."

The home has about 150 full- and part-time employees, many of whom belong to the Civil Service Employees Association union.

Nursing Home Administrator Deborah Gifford said they're working on a timetable for transfer of ownership.

"We're on schedule. Everything is working very smoothly. We will need budget adjustments as we progress."

She said a collection agency is handling patients' past-due accounts before the transfer is official.

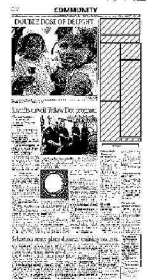
"We are asking for payment" from private-pay patients in arrears.

She said they spent \$3,685 for attorney fees but have collected about \$12,000 so far.

Gifford said the firm charges \$250 an hour, and its bill is based on hours incurred.

The county put the 100-bed Horace Nye facility on the market after it lost more than \$2 million last year.

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Judge bars Nassau from benefit cuts

BY CELESTE HADRICK
celeste.hadrick@newsday.com

A federal court judge suspended a Nassau law yesterday that would allow County Executive Edward Mangano to slash negotiated employee benefits, saying it "places a knife to the throat of the unions."

U.S. District Judge Arthur Spatt issued a preliminary injunction preventing the law from taking effect in regard to the county's five labor unions. Spatt also indicated that, if the county continues its court fight, he would be likely to rule that the law violates the U.S. Constitution's contract clause and to make the injunction permanent. In his decision, Spatt referred to the clause, which says no state shall pass any law "impairing the obligation of contracts."

Spatt wrote, "The mere passage of this [Nassau] law renders the collective bargaining agreements essentially meaningless and makes the contracts less binding, or not binding at all, on the county. The likelihood of success on this constitutional deprivation is

so great that irreparable harm is inevitably shown."

Union leaders cheered Spatt's ruling.

"I am humbly grateful to the federal court," said Jerry Laricchiuta, president of Nassau's Civil Service Employees Association. "State and local governments do not have the right to trample on the U.S. Constitution. This case has implications from Maine to California."

Strapped governments across the country have tried to cut union pay and benefits without negotiation. For instance, Scranton, Pa., attempted to cut police and firefighter salaries to the minimum wage, while the North Las Vegas City Council voted unanimously in June to give the city manager the power to change union contracts in order to balance the city's budget.

The Republican-controlled Nassau County Legislature gave Mangano unilateral authority in May to cut \$41 million in spending after legislative Democrats refused to authorize borrowing to pay property tax refunds from last year. The labor unions



Law giving Nassau Executive Edward Mangano unilateral authority was suspended.

subsequently filed suit and the county agreed not to enforce the law while the legal fight played out.

County Attorney John Ciampoli said the administration is evaluating whether to continue the court fight. He noted that Spatt's decision "only focused on collective bargaining agreements. Everything else still stands." Besides allowing Mangano to modify union contracts, the law also gives him the authority to sell county property, close county facilities and make other reductions in operations.

"It's really coming time for everyone to step up to the plate and make the tough choices to save the county money that it needs to save; one to balance the books and the other to stay true to Ed Mangano's promise to the people that he will not raise their property taxes," Ciampoli said.

NOW ONLINE

Check out complete coverage of the continuing Nassau budget crisis.
newsday.com/nassau



Members of public unions protest Lancaster supervisor's comments

Fudoli declines to retract statement about government workers

BY STEPHEN T. WATSON

NEWS STAFF REPORTER

Public-sector union members and their allies protested outside Lancaster Town Hall on Monday in objection to Supervisor Dino J. Fudoli's description of those employees as the "non-producing part of society" and of government as the "enemy."

Members of the Civil Service Employees Association and other union locals said the remarks, published in a recent Buffalo News profile of Fudoli, show the Republican supervisor doesn't understand the important role in the community played by public-sector workers.

About 60 union members rallied prior to Monday's Town Board meeting, carrying placards and chanting slogans such as "Hey, hey, ho, ho, Dino Fudoli has got to go!" as they marched on Central Avenue.

"America would not be what it was if we didn't have the public servants, and these public servants are not the enemy," said Erie County Comptroller David Shenk, who attended in support of the union workers.

Inside, Fudoli told a packed meeting room that he would not retract his comments, but he attempted to clarify he was referring to the literal fact that public-sector employees don't produce tangible goods.

Fudoli repeated his contention that he can be "pro-taxpayer" without being "anti-government employee," but in an interview outside the meeting he said the union members "have an agenda."

"Somebody like myself is a threat to them," Fudoli told The

News.

The massive union response to Fudoli's comments in the News article comes as the Town of Lancaster is engaged in contract negotiations with its four employee unions.

Fudoli defeated the longtime Democratic incumbent, Robert H. Giza, in the 2011 election while running on a campaign of reining in the costs of town government.

He said during the campaign, and repeated in a lengthy recent interview with The News, that he wants to see town employees begin to pay 10 percent of the cost of their health insurance. He pointed out that private-sector employees pay an average of more than 25 percent of those costs.

The Aug. 8 article, headlined "Fudoli the fighter," quoted Fudoli saying, "This doesn't mean though - let me make it very clear - this doesn't mean I'm anti-public employee. It just means I'm pro-taxpayer. You don't have to be for one or against the other."

It went on to quote Fudoli as saying, in part, that public-sector workers are the "non-producing part of society" and "People need to start waking up and realizing that the government's not their friend, the government's their enemy" - comments that inflamed members of the CSEA and other unions.

One speaker at Monday's rally, Ann Converso, worked for 35 years as a registered nurse at what is now the Veterans Affairs Medical Center in Buffalo, mainly serving patients on the acute medical floor.

"I can assure you they did not

view me as an enemy, and I can assure you that they thought I did productive work," Converso said.

Richard Stempniak, a Buffalo State College associate professor and union leader, urged members of other unions to support the Town of Lancaster employees and help "vote this bum out in three years."

"We have union solidarity on this [Town] Board, and we're not going to let Fudoli push us around, are we?" he asked the crowd.

Stempniak's wife, Donna, a member of the Lancaster Town Board, is a retired Buffalo teacher and teachers' union member. Another board member, John Abraham Jr., is a Lancaster High School teacher and member of that district's union, Stempniak pointed out.

During the public-comment session following Monday's Town Board meeting, Rob Mueller, a CSEA labor relations specialist, asked Fudoli to retract his statement and apologize to the workers.

"Without the public sector, the private sector would not have an environment in which to innovate and turn a profit," Mueller said.

Fudoli declined to apologize, saying he meant no disrespect to town employees because he does believe they provide "a valuable service" to Lancaster taxpayers.

Fudoli also said that some of his comments "get cherry-picked during those interviews," but he also said: "I should probably choose my words wiser."

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John Hickey/Buffalo News

CSEA labor relations specialist Rob Mueller, at the microphone, asks for an apology from Lancaster Supervisor Dino J. Fudoli in Lancaster Town Hall on Monday.

GOVERNMENT

THE COUNTY EXEC'S FRIENDS AND FAMILY PLAN CAMPAIGN WORK SOMETIMES LANDS YOU A COUNTY JOB

**MAHONEY CAMPAIGN
 SUPPORTERS NOW ENJOY
 PUBLIC JOBS, SOME AT HIGHER
 THAN ENTRY-LEVEL SALARIES**

By Michelle Breidenbach
 Staff writer

The man who planted 500 yard signs for Onondaga County Executive Joanie Mahoney's campaign now has a \$43,800 county job brushing the overgrown weeds from graves at the veteran's cemetery.

Another campaign volunteer who typed data every day at Mahoney headquarters is now the county's director of employee relations, with an annual salary of \$76,335.

The former executive director of the county Republican Committee, a former restaurant operator, is a confidential assistant in the county attorney's office. A Jamesville pastry chef, whose wife is the nanny for Mahoney's children, is now a part-time clerk in the finance department. The county executive's brother, owner of an ice cream stand, is a part-time aide at the juvenile detention center. Her cousin is the parks director.

Mahoney has rewarded her loyal supporters, friends and family members with jobs on the county payroll at a time when the overall number of county jobs has shrunk by about 500 through buyouts, layoffs and attrition. About 9 percent of the region's workforce is unemployed.

The jobs are political appointments and are not

always advertised; some do not require civil service tests. In some cases, Mahoney created new jobs for her friends. Some were hired with vague titles such as special or confidential assistants and came to government with little related job experience. In some cases, she bumped their salaries up to seven steps above entry level — a privilege the county Legislature has since taken away from her.

Mahoney hired three of her campaign consultants, Ben Dublin, Travis Glazier and Sean Carroll. She also recruited plenty of campaign volunteers, family members and old friends.

Mahoney said the people she pulled onto her government team impressed her with their work ethic outside of government. On the campaign, she saw firsthand that they worked tirelessly for little or no pay. Mahoney defends her staff by saying that many public officials hire government staffers they know.

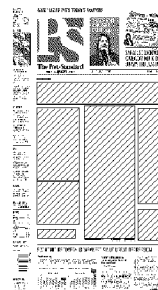
"Just by virtue of knowing me, I would hope, shouldn't be a disqualifying event or something that should make you defensive," she said.

CAMPAIGN, PAGE A-6

Only one employee contacted for this story agreed to an interview; the rest declined, did not return calls or skipped scheduled interviews. Mahoney hoped that she spoke for the employees, whose only offense is being associated with her, she said.

"I just hope that they're willing, despite almost constant hassle, to continue to stay on my team," she said.

Mahoney's critics gripe behind the scenes about her hires, but



they are reluctant to be openly critical of a political patronage process that sometimes benefits them, too.

"She's the county executive. She's free to hire and fire whoever she wants," said Tom Dadey, chairman of the county Republican Committee.

"I would say as a fellow elected official, those policies are within her office," said county Comptroller Robert Antonacci.

Mahoney knows people are watching and she warns her political appointees that they will be held to a higher standard than other county employees.

Mahoney said she tells them, "You can have an opportunity because you're associated with me, but you don't have a guarantee."

FROM CAMPAIGN TO COUNTY

Mahoney's path to the county executive's office is a well-told story. In 2007, she challenged her Republican Party's chosen candidate, passed her own petitions and was elected with the help of a small group of people who were willing to take a risk.

She said her campaign consultants were scolded by others that they would never again be hired by a Syracuse campaign if they worked for hers. She especially needed people to collect signatures to get her name on the ballot. That meant long hours walking door to door and attending festivals.

Now, the county payroll is peppered with those campaign foot soldiers.

Mahoney's first day in office was also the first day in county government jobs for campaign workers Carlton Hummel, Tom Roehm, Paul Polak, Justin Sayles, Carroll and Dublin.

Dublin and Carroll ran a political consulting firm that managed Mahoney's campaign.

Carroll came from Albany, slept on couches and worked 15- to 18-hour days for the campaign, she said.

After she won, Mahoney hired Carroll as an "office automation

specialist."

Since then, he has been promoted to a department head, as the director of purchasing with an annual salary of \$90,629. In that role, he is in charge of purchasing contracts for the county, the city of Syracuse and the Syracuse school district.

Dublin was hired to be the director of intergovernmental relations. Mahoney created the job. In fall 2010, Dublin left to run Mahoney's re-election campaign. Three months later, Mahoney hired his wife, Lesley Dublin, to be a senior executive assistant in her office. The \$57,259 position had been vacant for two years.

To replace Ben Dublin, she pulled in another campaign consultant. Travis Glazier ran her unsuccessful 2005 race for mayor of Syracuse and was a paid consultant on her 2007 race for county executive.

Critics said the employees were taxpayer-funded political operatives. Former Legislator Bob Warner tried to eliminate the intergovernmental relations job during a contentious budget session, but the Legislature relented after a closed-door argument with Mahoney.

CAMPAIGN VOLUNTEERS LANDED JOBS, TOO

Polak was a Syracuse public works employee who supported Mahoney's unsuccessful 2005 campaign for mayor against his boss at the time, Mayor Matt Driscoll. Mahoney hired Polak, his sister, his girlfriend and two sons into county jobs.

"He's another person that has been very loyal to me and supportive of me when it was not always an easy thing for him to do," she said.

Mahoney's campaign hired her son's friend, who has impressed her since he was in the 7th grade.

That friend, Justin Sayles, asked Mahoney to be a reference on his application for a grocery store job, she said.

"And I said, nope. I'm not going to be a reference for you, Justin, because I need you to

work for me on my campaign," she said.

She said Sayles was a loyal, paid campaign worker, graduated from college last year and took his first job in January. He is coordinating \$27 million in capital projects for the county's facilities and parks departments at an annual salary of \$52,250.

Mahoney said Sayles is a bright young man who worked hard to get where he is.

"Working on a campaign does not qualify you for a job in government, but working on a campaign should also not disqualify you from a job in government," she said. "Justin is an example of someone who absolutely earned his role and is an example of why public service can still be an honorable profession."

Roehm, the volunteer who put up so many signs, has known the Mahoney family his whole life. His father was childhood friends with Mahoney's father, former state Assemblyman Bernard Mahoney. He volunteered many hours for Joanie Mahoney's campaign after he ended his day doing electrical work at the state fair, she said.

When Mahoney won, she gave Roehm a job as a confidential assistant in the county attorney's office. She refers to Roehm as "our utility guy." He has had four jobs in five years in county government, moving from law to water to purchasing to parks, according to the comptroller's records. Now, he is assigned to the veterans cemetery, but his title is still listed on the county payroll as a law department employee and his salary is charged to the water environment protection department, records show.

Carlton Hummel was hired as a special assistant to the commissioner of social services for personnel and staff development. In four years, he has advanced to director of employee relations.

Mahoney can still picture Hummel sitting at the computer in her campaign office.

Before the campaign, he owned a restaurant on Warren

Street that closed, and 15 years earlier he was a business analyst at a health insurance company.

START WITH A BUMP

When Mahoney hired Dublin, Carroll, Hummel, Roehm and a list of others, including her cousin William Lansley, she hired them at higher than the entry-level salaries for those jobs.

Dublin's salary advanced from the entry-level step of \$64,753 to \$71,421.

Hummel was hired at \$59,441 — about \$5,537 higher than the entry-level salary for that job.

Roehm was bumped up by about \$3,400 to \$37,646.

Antonacci, the comptroller who writes the paychecks, was in his first week in office when he saw that salaries in the county executive's office had been bumped up as much as seven steps beyond the entry level.

"I said, 'You can't be doing this,'" Antonacci said. "And I got an opinion from the law department, and they basically said it's within her discretion."

He took it to the county Legislature.

Legislator Bill Meyer, who was chairman at the time, said the Legislature allowed Mahoney wide discretion as she first filled out her staff to create new titles and bump salaries.

But after about two years, Meyer said, the bumps became routine and the Legislature had had enough. Legislators passed a resolution that shut down the practice. Because of the difficult economic climate, the county executive could only bump salaries up one grade, the 2010 resolution said.

"In our mind, everybody should start out at the first step unless there is an outstanding reason," Meyer said.

Warner said it was alarming to see a list of Mahoney friends and family members who had been given higher salaries, some without mention to legislators, and he was eager to shut down the practice.

"When I found out about it, I put a stop to it," he said. "Of course, I went way down on her Christmas list."

Mahoney said salaries for staff members who serve at her pleasure had not been increased in a long time, even though other civil service salaries had increased. She said the Legislature eventually validated her actions by making the boosted salary rates the new base pay for her staff.

"They were out of whack," she said.

The 3,500 union workers in county government took notice.

The next year, the county laid off 138 members of CSEA Local 834 to balance the budget.

And two years into Mahoney's term, the county offered buy-outs to more than 300 workers and offered some of the jobs to cheaper staff, eliminating about 150 positions. Mahoney said the county payroll has been reduced by about 500 jobs since she took office.

Phil Graham, union president, said Mahoney's hires and their higher salaries irked the rank and file staff at the time, but it is not an issue they are eager to take on now. The union and Mahoney are about to start negotiating a new labor contract, which expires at the end of the year.

"As county executive, Joanie Mahoney can hire the people that she wants to hire as long as they're qualified people. We don't have a lot to say about that," Graham said. "It does make for interesting talk because of who some of these people are."

SECRET DEALS GO PUBLIC

Patronage is nothing new in government. But earlier this year, an investigation by District Attorney William Fitzpatrick put the intersection of family and politics in Onondaga County under a spotlight. The issue was about whether Mahoney's political associates broke the law by trying to influence a race for a vacant county Legislature seat.

The back story was this: Mahoney alleged the chairman

of the county Republican Party and the district attorney pushed for their relatives to get the job. When it didn't happen, the GOP chairman charged that Mahoney's brother and sister were illegally brought into the party's selection process.

Dadey, the Republican chairman, accused then GOP Executive Director Al Julian of illegally placing Mahoney's brother and sister on the party committee so they could vote for her favorite candidate. Mahoney said Dadey was just trying to embarrass her because she did not appoint Dadey's sister-in-law to the open seat on the Legislature. She also said Fitzpatrick was trying to embarrass her because she didn't appoint his son to the vacancy.

A special prosecutor said he could not find a crime, but the investigation revealed "certain irregularities and questionable conduct."

In the end, Julian left his job with the Republican committee and Mahoney hired him to be a confidential assistant in the law department with an annual salary of \$39,745. She picked Julian over others suggested by judges and other elected officials, Mahoney said.

WHO'S ON THE COUNTY PAYROLL?

Search for the names, job titles, pay and start date for everyone on the Onondaga County payroll. Go to syracuse.com.

On the county payroll

WILLIAM LANSLEY



Is the county parks commissioner and is Mahoney's cousin. He was hired as deputy corrections commissioner until the parks job opened. Their mothers are sisters.

TOM ROEHM



Known as the "sign guy" on Mahoney's campaign. He is an old family friend. Mahoney brought Roehm into county government as a confidential assistant in the county attorney's office. Now, he works at the veterans cemetery.

BEN DUBLIN



Managed Mahoney's election campaign. She hired him to be the county's director of intergovernmental relations — a post she created. In the fall of 2010, he left county government to return to the campaign. Wife Lesley Dublin is a senior executive assistant in the county executive's office.

TIM GLAZIER



Glazier ran Mahoney's 2005 race for mayor of Syracuse and was a paid consultant on her 2007 race for county executive. Replaced Dublin as intergovernmental relations director.



Submitted photo

MIKE LAFLAIR, treasurer of the county Republican Committee, was hired by the county executive but lost his position because she said he was campaigning on Facebook during work hours. He said he only posted a 15-word message on Facebook. County Comptroller Robert Antonacci, a fellow Republican, then hired LaFlair.



“Working on a campaign does not qualify you for a job in government, but working on a campaign should also not disqualify you from a job in government.”

— Onondaga County Executive Joanie Mahoney about giving supporters county jobs, a practice that's legal and has been used by politicians from both sides of the aisle.



David Lassman / The Post-Standard, 2007

BILL ASHER (from left), of the Joanie Mahoney campaign; and Kurt Stroman and James Albanese, both of the Dale Sweetland campaign, review absentee ballots with Carol Murphy, of the Board of Elections. Looking at ballots at another table in the background are Mahoney workers Sean Carroll and Mary Fahey. After winning the election, Mahoney hired Carroll; he is now director of purchasing with an annual salary of \$90,629.



David Lassman / The Post-Standard, 2003

AL JULIAN was hired by Joanie Mahoney as a confidential assistant in the law department with an annual salary of \$39,745. His previous experience included work in restaurants, including being one of the owners of the Bacio Restaurant in Hanover Square, pictured here.

'Won't Let Hospital Go Down' Alarmed About Job Cuts, Downstate's Unions Roar

By DAVID SIMS

State University of New York Downstate Medical Center workers rallied outside the hospital Aug. 8 to vent their displeasure about possible massive downsizing, with dozens of layoff notices already out and reports of hundreds more on the way.

"Downstate is a beacon in Brooklyn for hundreds of thousands of Brooklynites who rely on the hospital for vital health-care services," said United University Professions Chapter President Rowena Blackman-Stroud. "These job reductions would weaken Downstate's ability to care for the community, put thousands out of work and shake Brooklyn's weak economy to its core. These job cuts must be stopped."

PEF, CSEA Turn Out

UUP, which represents some 3,300 workers at Downstate, was joined by the Public Employees Federation, which represents Nurses at the hospital, and the Civil Service Employees Association, which represents another 800 workers there.

Downstate is currently in a "precarious financial position" and is evaluating the extent of the cuts needed to keep the university hospital open, according to a previous statement from Officer-in-Charge Ian Taylor. A SUNY spokesman did not respond to requests for comment.

State Comptroller Thomas DiNapoli is conducting an audit of Downstate's finances, after complaints from local lawmakers over the possible severity of the cuts and their impact on the local community.

"Hundreds will get layoff notices this weekend," Ms. Blackman-Stroud said at the rally. "But we are going to continue to struggle to the end... the services that we provide here are vital to the community."

PEF Division 198 Council Leader Don Morgenstern, who has worked at the hospital since 1974, blamed Governor Cuomo for failing to protect the jobs of the 650 Nurses at Downstate.

Strayed From His Roots?

"We have a Governor up in Albany who could not find Brooklyn on a GPS," he said of the Queens-born chief executive. "I'm not going to let him close Downstate without a fight." He said the only reason more Nurses were not at the rally was because "they're inside doing what they need to do."

One Nurse, Gemma Hanson, said that the unions needed to band together behind elected officials to ensure Downstate's safety. "We stand together today to let our community know that we will not let this hospital go down in any way," she said. "We've got to put the support behind our legislators."

She said that in her 29 years at the hospital, she had delivered children who would return through their lives as patients. "I even had one who went

(Continued on Page 14)

to our nursing schools. That's what we're doing here. We're helping our community," she said.

'More Cuts Would Devastate'

Lester Crockett, president of the CSEA Metropolitan Region, added, "We join our brothers and sisters in UUP and PEF in fighting to protect our jobs and all the important services its well-trained and professional staff provides. They are already doing much more with less, and additional cuts in jobs and services will be devastating to this mostly black and Caribbean working-class community."

Ms. Blackman-Stroud and the UUP are stressing their alliances with small business owners and community groups in fighting the cuts, presenting a petition with more than 7,000 signatures against downsizing at Downstate.

"In his State of the State speech, the Governor said that one of his highest priorities would be job creation," she said. "Well, we need jobs in central Brooklyn."

City Councilman Mathieu Eugene was also at the rally.





PROTECTING DOWNSTATE HEALTH-CARE: *The Chief*-Leader/Michel Friang
More than 100 employees of State University of New York Downstate Medical Center gathered outside the building to protest budget cuts Aug. 8, after dozens of layoff notices were handed out a few weeks ago, with many more expected to come. The United University Professions, Public Employees Federation and Civil Service Employees Association, which all represent members at Downstate, spearheaded the event.



SAVE THIS 'BEACON': United University Professions Chapter President Rowena Blackman-Stroud led a protest against cuts to Downstate Medical Center. 'Downstate is a beacon in Brooklyn for hundreds of thousands of Brooklynites who rely on the hospital for vital health care services,' she said. 'Job reductions would weaken Downstate's ability to care for the community, put thousands out of work and shake Brooklyn's weak economy to its core.'

The Chief-Leader/Michel Friang

Layoff threat ups the tension

Talks continue between Cuomo administration and United University Professions

By Rick Karlin

ALBANY — It's been almost a year since contract talks started between the Cuomo administration and United University Professions, one of the last major state public employee unions without a labor agreement.

As in negotiations last year between Cuomo and the Public Employees Federation and Civil Service Employees Association, these discussions are accompanied by layoff tensions.

But while Cuomo said last year he would have laid off more than 3,000 **CSEA** or PEF members if they didn't make concessions on a new labor contract, approximately 360 pending layoffs at the state's SUNY Downstate Medical Center are prompted by a financial crisis at the major New York City hospital.

UUP, with approximately 33,000 members, mostly represents professors and other employees in the vast State University of New York system, which includes SUNY Downstate.

Other unions, including PEF and the health care union SEIU, represent SUNY Downstate employees as well.

Last week, "recommendations for non-renewal notices" — similar to layoff

warnings — went out to UUP members at Downstate Medical Center, said union

Please see **LAYOFFS A8** ► spokesman Don Feldstein.

"They received these notices that their positions may be going away," he said.

The Brooklyn-based medical center has been ailing financially for some time as it struggles to digest the takeover of another troubled health care institution, Long Island College Hospital.

Feldstein said his union didn't want to discuss ongoing contract talks, which began almost a year ago.

Another major union, the New York State Correctional Officers & Police Benevolent Association, Inc., ratified their contract last month. It represents almost 19,000 prison guards and 1,500 law enforcement officers.

Also settling recently was Council 82, which represents lieutenants in the prison guard corps as well as security workers at the Office of Mental Health and Office for People with Developmental Disabilities.

Still outstanding is the contract with the State Police Benevolent Association, which represents about 3,300 state troopers.

It began contract talks earlier this year, said union President Tom Mungeer.

The 4,000-member SUNY Graduate Student Employees Union expects to begin talks in January, according to organizing director Mia Jorgensen.

While it settled their most recent contract in 2009, she needed "pay bill" or sign-off by the Legislature didn't come until 2011, she said.

The state lifeguard union, which is affiliated with UUP and New York State United Teachers, is waiting for a contract as well. Its roughly 1,000 members have been without a contract since 2003.

Details of what UUP and the



state are discussing have remained under wraps, but most of the major unions have agreed to contracts with higher health care costs and three years without raises in return for layoff protections.

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County faces red ink at Maplewood

Study says tax increase or layoffs may be needed to overcome shortfalls

By Dennis Yusko

BALLSTON SPA — Saratoga County cannot continue to support its public nursing home without major changes to its operating model, tax increases or employee layoffs, according to a study released Monday.

The report concludes that the county needs a nursing home, but the financial model of Maplewood Manor will continue to eviscerate the county's finances. Maplewood Manor operates on an annual budget of \$28 million, but the county has subsidized it with an additional \$43.5 million since 2004, due mostly to declining Medicaid reimbursements from the state.

The county's cash reserves have shrunk to \$14.1 million, and it budgeted more than half that — \$7.6 million — to pay for projected shortfalls at the facility this year. The facility faces estimated deficits of \$9.8 million this year, \$10 million in 2013 and \$11 million in 2014, according to the study.

Please see **STUDY B4** ►

"This is not sustainable under any circumstances," consultant Arthur Webb told the committee and about 25 others in the Board of Supervisors meeting room.

County officials paid \$50,000 for the "Maplewood Manor: Current Assessment and the Future," prepared by the Harris Beach law firm and Arthur Webb Group. Representatives from the organizations conducted a four-month examination of the 277-bed nursing home in Ballston Spa and pre-

sented their findings Monday to members of the county's Public Health Committee.

The report does not recommend closing the facility or making draconian worker layoffs, but suggests county officials consider hiring an expert to determine the facility's value and transferring the facility to a local development corporation.

That would lead to privatization of the facility, which has led to lower levels of care in other areas, Bryan Miller, a political action coordinator for the Civil Service Employees Union, said after the meeting.

But the authors of the study said care would not suffer under a local development corporation.

Monday marked the first look at the report for county officials, who had sought proposals for the report in March. No action was taken and public comments were not accepted.

The study identified a need for 1,004 total nursing home beds in the county, or 215 more than what is now offered. It said 86 percent of Maplewood Manor residents came from Saratoga County or have family in the area.

But 83 percent of beds in Maplewood Manor are paid for through Medicaid, which currently does not cover about \$157 a day per recipient, Webb said. To make the nursing home break even, the county would have to increase taxes by at least 20 percent or lay off 120 employees — 35 percent of its workforce — according to the study.

County officials will not make

a decision on the nursing home's future until October at the earliest, Public Health Committee Chairman Mo Wright said.

"The assessment reinforces fundamentals of what we have known about Maplewood, namely that it is a needed facility that cannot be closed," Wright said. "But we have to do something about the significant deficits the facility runs year after year, which will ultimately come out of taxpayers' pockets if corrective action is not taken."

County leaders will accept public comment on the nursing home and other issues following a 5 p.m. meeting Wednesday in the Board of Supervisors room.

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Monday marked the first look at the report for county officials, who had sought proposals for the report in March. No action was taken and public comments were not accepted.



SARATOGA COUNTY

Report: Nursing home insolvent

County loses \$100 daily for each patient

BY STEPHEN WILLIAMS
Gazette Reporter

The financial losses the county is incurring every year on the Maplewood Manor county infirmary are “unsustainable,” according to an independent consultant’s report released Monday.

The 277-bed county-owned nursing home loses more than \$100 per day per patient, primarily because its costs exceed the federal Medicaid reimbursement rate for patient care, the report found.

“This is not sustainable under any circumstances,” said Arthur Webb, a former commissioner of the state Office of Mental Retardation and Developmental Disabilities who was part of the study team.

The report, presented Monday to the Board of Supervisors’ Public Health Committee, stops short of recommending the county try to sell the facility to private owners to stop the losses — but it recommends steps in that direction.

The study recommends the county consider

See **HOME**, page B3

creating a local development corporation to temporarily manage the infirmary, and hiring another consultant to estimate the nursing home’s potential market value.

“It would be a great mistake to put a ‘for sale’ sign on that facility without having some idea what it was worth,” Karl Sleight, an attorney with the Harris Beach law firm,

told the committee.

The committee didn’t have a public discussion after the 90-minute presentation, and committee Chairman Arthur “Mo” Wright, R-Hadley, said supervisors need time to absorb the detailed report.

“We’re not going to make any decisions on this any time before October,” he said.

The Harris Beach law firm, in partnership with the Arthur Webb Group, was hired in March to do a \$50,000 study of the county’s options for the infirmary, which has been losing \$7 million or more per year for most of the last decade.

The losses have eaten through what was once a \$30 million county surplus, and were at least partially responsible for a tax increase in 2012.

The conundrum of paying high public nursing home costs while being subject to low Medicaid reimbursements has been affecting county-owned nursing homes across the state in recent years.

Some counties, like Fulton and Montgomery, have sold their nursing homes, and other counties, like Warren and Washington, are considering selling. Others, like Schenectady, are instead building new facilities to try to get higher federal reimbursements.

“This is an issue that is statewide, and all the counties are looking at [financial] models for their nursing homes,” Sleight said.

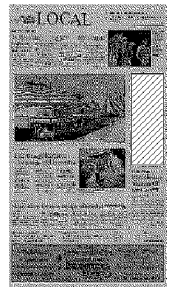
The study found Maplewood Manor is needed, and it does not recommend closing it, Webb said. “It is a well-run facility,” he said.

However, the cost of providing around-the-clock care to the elderly and infirm is about \$277 per day, and the Medicaid reimbursement for patient care is only \$160 per day. “Who makes up the difference? The county does,” Webb said.

Medicaid, the federal medical coverage program for the poor, pays for 83 percent of Maplewood Manor’s residents.

Webb said public nursing homes are more expensive to operate than private nursing homes, because of the cost of public employee wages and benefits.

“The financial structure you have at Maplewood Manor is not sus-



tainable," he said.

To continue under county ownership would require either a 20 percent annual property tax increase or massive layoffs — cutting 120 people, or 35 percent of the staff, according to the report.

"The status quo cannot be continued without destabilizing the overall condition of the county," Webb said.

About 20 Maplewood Manor employees attended the committee meeting, which was moved to the county board's main meeting room in Ballston Spa because of anticipated interest. The public was not allowed to speak.

Bryan Miller, political action coordinator with the regional office of the Civil Service Employees Association, which represents the employees, said afterward that public employees shouldn't be blamed for Maplewood Manor's high operating costs.

"These union members are middle-class people who are providing around-the-clock care to these vulnerable people," he said. "We think [to blame them] is deplorable."

County officials highlighted the report's conclusion that something different needs to be done.

"The consequences of not making fundamental changes at Maplewood will only get more severe," said County Administrator Spencer Hellwig.

"The assessment reinforces fundamentals of what we have known about Maplewood, namely that is a needed facility that cannot be closed," Wright said. "But we have to do something about the significant deficits the facility runs year after year, which will ultimately come out of taxpayers' pockets if corrective action is not taken."

The report said the county may want to consider turning the nursing home over to a new local development corporation, which would have more flexibility in managing the facility, and could borrow against its value.

But that might be only an interim step toward selling the nursing home.

"An LDC is a management tool.

It doesn't solve the problem," said Supervisor Bill Peck, R-Northumberland.

Webb said the report doesn't recommend privatizing the nursing home, but he also said quality wouldn't necessarily suffer if it were sold, as some of the current employees and their supporters have contended.

"It is a myth, just because you privatize, the quality of care goes down," Webb said

Town of Lockport union rejects contract over health insurance

By THOMAS J. PROHASKA

NEWS NIAGARA REPORTER

LOCKPORT — Members of the Town of Lockport's unit of the Civil Service Employees Association have rejected a contract that would have given them a 12.5 percent pay increase over five years because it would have forced them to begin paying a portion of their health insurance premiums.

Councilman Paul W. Siejak, the deputy town supervisor, said the town can't afford a better offer for the unions, despite its \$7.2 million surplus as of the end of 2011.

"We don't have an open bank vault door," he said.

Mary Anderson, the union president, said the members voted 12-3 against the deal Aug. 2. She said the health insurance issue was the main problem.

"Members who have not paid anything for their insurance would have to begin paying," she said.

The contract would have been retroactive to Jan. 1 and would have provided a pay hike of 2.5 percent per year.

But it also would have forced the 18 CSEA members to pay 3 percent of their health insurance premiums this year, 5 percent next year and 10 percent each of the following three years, Anderson said.

She said she was uncertain whether contract talks would resume with a mediator or whether the state fact-finding process would begin.

Siejak said talks began Dec. 21. An impasse was declared March 5, and a mediator from the state Public Employment Relations Board was assigned to facilitate further negotiations. A tentative deal was reached July 12.

Siejak said, "With the understanding that our employees are our greatest resource, we did offer a modest pay increase."

But he said despite its full coffers, the town needs to bring benefit costs under control.

From 2010 to this year, the town's cost for employee health insurance has grown 28.4 percent, from \$216,000 two years ago to \$302,000 this year, Siejak said.

In addition, state-mandated contributions to the public employee pension fund have increased by 40 percent in the past two years, from \$96,000 to \$162,000.

Siejak said the town was interested in looking for a less expensive health care plan, but he said the union liked its current BlueCross/BlueShield point-of-service plan.

He said the town's response was, "If you want to keep that, due to economic realities, you've got to help us pay for it."

"We thought that was a more than fair offer," Siejak said. And since the CSEA bargaining team agreed to take it to their members, "We thought we were going in a very positive direction."

The town's 2011 audit, recently compiled by the accounting firm of Lumsden & McCormick, showed 2011 was a banner year financially for the town.

Thanks to increased sales tax receipts and water and sewer usage, the town's revenues exceeded projections in the 2011 budget by \$1.25 million, or 46.1 percent.

Sales tax grew \$500,000 because the town's 2010 population figure gave it an increased share of the countywide sales pie, which is based on population.

There also was a \$600,000 increase in water and sewer billings.

The total surplus, or fund balance, actually grew from \$6.9 million to \$7.2 million in a year when the town had budgeted to spend down its surplus by \$846,000.

The town's expenses were under \$12.2 million, down more than \$1.5 million from 2010, and the town was able to wipe \$1.64 million in bonded debt off its books during 2011, the audit showed.

Despite all the good financial news, Siejak said, "I don't believe the town is in a position to make a sweeter offer."

He added, "This is Town of Lockport residents' money. We are accountable to town residents. We need to be fiscally responsible. It's not the Town of Lockport employees' money."

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Derek Gee/Buffalo News file photo

***“This is Town of Lockport residents’
money. We are accountable to town
residents.”***

*Councilman Paul W. Siejak, about contract
offer to CSEA members*

Westchester hospital lays off more workers

VALHALLA — Westchester Medical Center is laying off more than 100 workers in the latest round of layoffs.

The Civil Service Employees Association said the workers are patient care technicians and clerks who handle phone calls and paperwork.

Hospital spokesman David Billing said the workers can re-apply for the jobs through Medical Staff Network, a private company contracted by the hospital.

He said in a statement that the layoffs represented the final step to “institute an improved model of patient care support on all acute-in-patient units” under a partnership with Medical Staff Network.



Judge: reinstate child care subsidies for now

County must fund child care for poor families until notices are resent

BY MATT CALAMIA

A federal court judge in Central Islip ruled on July 26 that the Suffolk County Department of Social Services must temporarily give child care subsidies to previously disqualified low-income families due to inadequate funding termination notifications.

The lawsuit, filed jointly July 19 by civil rights advocacy groups Empire Justice Center and the National Center for Law and Economic Justice, against Suffolk County, argued that approximately 1,300 low-income working families were not properly notified last month by Suffolk County as to why they would no longer receive state child care subsidies through the county beginning July 13.

Under the ruling, funding — retroactive to July 14, the first day the funding was cut — must be restored until each family receives a written notice explaining why they are no longer eligible to receive assistance. The notices must also include the maximum income for qualifying recipients to show the families that they are no longer

Continued on page A6

eligible. Families will also have the opportunity to ask for a county hearing to challenge the DSS decision.

According to a DSS spokesperson, the department sent letters to families who had previously been told they no longer qualified for child care benefits. The letters, sent out on July 31, said the families should disregard their previous notification and the “benefits are conditionally restored pending further review and until further notice.”

The DSS spokesperson said the department would send out a second set of letters to those who no longer qualify for funding that will fully explain why they will no longer receive benefits.

DSS Commissioner Gregory Blass said

the new forms are going to do more harm than good.

“It’s becoming very complicated and most of the clients will not understand it ... the forms themselves will create so much confusion,” Blass said, adding the confusion will most likely lead to many families challenging the decision. A family will continue to receive subsidies while their challenge is being heard.

Blass said on average, each child costs the county about \$641 per month in state subsidies.

On July 20, approximately 200 children, parents, child care providers and others, including many members of the Civil Service Employees Association, rallied outside the H. Lee Dennison building in Hauppauge to protest the cuts. Although the cuts are from the state, the loss in aid has forced the county to remove previously qualifying families from the assistance program.

The state changed its qualifying income maximum, which disqualified many families from receiving assistance. The previous income maximum for qualifying families was 150 percent of the federal poverty level — \$34,575 annually for a family of four, according to the county Department of Health and Human Services. It is now 100 percent of the poverty level — \$23,050 annually for a family of four — making it more difficult to qualify.

According to its website, the DSS is no longer accepting applications for child care subsidies until state funding is restored.

The cuts have no effect however on children receiving temporary assistance, as well as those who qualify for Title XX child care, which according to a DSS spokesperson, is for parents who are unable to watch their children due to extenuating circumstances.

Blass said the costs from the court’s July 26 decision, including additional staff needed to write the notices, will hurt the program further.

“It diverts resources from the department to paperwork and away from the program itself,” he said. “That’s a tragedy.”





Photo by Matt Calamia

A child holds a sign that reads 'communities work when parents work' in Spanish.



Parents and children attend a rally last month. Photo by Matt Calamia

Union official rips Valley View bidder

Takeover sees staff exodus, rise in cost of health care

BY CHRIS MCKENNA
Times Herald-Record

GOSHEN — Less than a month ago, officials from one of the businesses seeking to buy the Valley View Center for Nursing Care and Rehabilitation assured Orange County lawmakers that their recent takeover of a county-owned nursing home upstate had gone smoothly and that the “vast majority” of workers had kept their jobs.

But on Wednesday, the same legislative panel that questioned the Centers for Specialty Care’s team in July heard a conflicting account from the union representing employees at the former Fulton County Residential Health Care Facility in Gloversville, about 50 miles northwest of Albany.

The good news for Fulton County workers was that 170 of the facility’s roughly 210 employees kept their jobs and pay rates when the Bronx-based Centers for Specialty Care began running the nursing home on April 1, said Robert Compani, director of the Civil Service Employees Association’s private-sector division.

Months later, all but 40 of those former county employees have left. Staffing remains at 170, a nearly 20 percent drop.

The bad news for workers was that contributions to their

state pensions had ended, replaced by a 401(k) plan, and the cost of health insurance more than doubled.

Those who chose to take health coverage — most didn’t — had to pay \$980 a month for a family plan, or about 80 percent of the cost, and start making copays for all medical visits, Compani said.

“It had a serious impact on them,” he said.

Big player in privatization

The Centers for Specialty Care has become a dominant player in New York as counties have weighed privatizing their nursing homes to save money. The company has bid on both Orange and Ulster counties’ facilities and is negotiating to buy county-owned nursing homes in Essex and Washington counties.

On July 11, Bruce Gendron, a regional administrator for the company, told Orange County lawmakers that a contract with Fulton workers was negotiated within 30 days and that the transition to new ownership was “remarkably smooth.”

Compani, whose private-sector division now represents the facility’s workers, testified Wednesday that the negotiations actually took

less than two weeks and happened so quickly only because formal talks couldn’t start until after the takeover. That meant employees initially accepted jobs without knowing the terms.

“A lot of it is just because we were put under a tremendous amount of pressure,” Compani said when asked about the swift negotiations.

Lower pay for new workers

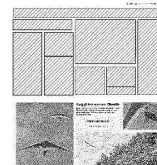
While wages for holdover workers stayed the same, starting pay for new employees dropped.

Newly hired licensed practical nurses are paid \$14 an hour as opposed to \$16.25 when the home was publicly owned, and the hourly rate for a nursing assistant dipped to \$9.50 from more than \$10. Starting pay for all other workers is \$8.50 an hour.

What has made the exodus of former county employees so striking is that few jobs are available in the economically distressed area, Compani said.

“They’ve just found it unbearable to the point where they just quit — in a city with no jobs,” he said.

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LORI VAN BUREN/Times Union

New hires at the Fulton Center home in Gloversville make lower wages now that the Centers for Specialty Care owns it.

Medical center cuts 125 more workers

Action called
the final step
in outsourcing

By Jane Lerner
jlerner@lohud.com

VALHALLA — More workers have been laid off at Westchester Medical Center in what administrators said Tuesday is the final step of a plan to outsource support services to a private company.

The latest layoffs targeted 125 people who worked at administrative and patient care tasks in the hospital, said John Staino, vice president of the Civil Service Employees Association, which represents the workers.

Most of the laid-off workers were clerks who handled phone calls, paperwork and other functions on the hospital

wards. A smaller number were directly involved with patient care — many in the emergency room. Several were bilingual and able to help Spanish-speaking patients.

Westchester Medical Center officials said in a statement that the change to the private company, Medical Staff Network, will lead to an “improved model of patient care support on all acute inpatient units.”

“By merging the roles of several different titles, we will improve care, safety, communication, efficiency and flexibility to adjust staffing levels when patient census, acuity or other factors require,” the hospital said in its statement.

The laid-off workers will be able to apply for jobs with the new company, but several said they were reluctant to do so because the jobs paid half

their current salary and had no benefits.

Staino called the cuts “draconian” and again criticized the medical center’s leadership — particularly chief executive Michael Israel — for cutting lower-paid workers while granting themselves generous salaries.

Israel made \$1.3 million in total compensation in 2010.

The medical center has been laying off numerous employees as it struggles to close a \$60 million budget gap.

All 260 of the Westchester Medical Center’s nurse’s aides were fired last month after the hospital announced that it was outsourcing the work to Medical Staff Network.

More than 650 **CSEA** workers have been laid off over the past year, Staino said.



SPIN

GUIDE TO POLITICS AND POLITICIANS

Farewell to free health insurance



Dan Janison

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One labor contract at a time, the practice of governments paying all of a civil servant's health care premiums seems to be going the way of doctors making house calls.

Last week, the Suffolk Police Benevolent Association agreed to have new officers pay up to 15 percent, with the county's other new union employees also expected to make such contributions for the first time.

In April, Westchester announced a contract by which current Teamster union workers contribute up to 12.5 percent for the first time, while new employees will kick in up to 20 percent.

Late last month, Rockland's Civil Service Employees Association leaders agreed to have new members pay 15 percent.

And last year, the state **CSEA** accepted a five-year deal that hiked existing worker contributions for the first time in 30 years. Payments for family coverage for top-grade employees, for example, rose to 31 percent, according to details provided at the time.

In Nassau, unions held the health-premium line in previous contract rounds, but one source close to the troubled county's state monitoring board said Fri-



PHOTO BY ED BETZ, 2011

The Suffolk County police union reached an agreement to have new officers pay up to 15 percent of their health care premium.

day, "What has been accomplished in Suffolk . . . has the potential to change the discussions in Nassau."

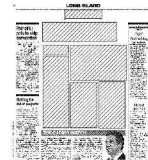
New York City continues to pick up 100 percent of the premium for most employees despite City Hall's giveback demands. But many of those employees are working under terms of expired agreements that automatically continue under state law. And it seems likely that when a new mayor takes office in 2014, he or she will start a new push, undoubtedly noting that most private employees already contribute to their health insurance.

Uniformed employees are sometimes the last to keep free or nearly free health insurance. At the New York Association of Counties, deputy director **Mark LaVigne** cited a handful of New

York counties that as of 2011 paid 100 percent of the premiums just for police, sheriffs or correction officers.

GOING WEST: For the second time in 11 days, Rep. **Steve Israel** (D-Dix Hills), running in a newly drawn district that now includes more of Nassau, stands today alongside a countywide elected official as he and Democratic District Attorney **Kathleen Rice** announce efforts to protect the quality of seniors' on-line pharmacy purchases.

On July 27, he joined GOP County Executive **Edward Mangano** in Mineola promoting legislation that would allow Nassau and Suffolk to keep funds recovered in Medicaid prosecutions. Israel faces Republican **Stephen Labate** in November.



Officer makes it a federal case, claiming Bay Constables' boats are unsafe

By Sophia Niarchos
sniarchos@oysterbayguardian.com

Two bay constables have initiated actions against the Town of Oyster Bay for insisting they use unsafe boats in carrying out their duties.

They cite hulls saturated with water, non-functioning directional equipment, and outboard motors that are either in poor condition or have more horsepower than they are designed to have.

Bay Constable Christopher Briggs has filed a lawsuit against the town in U.S. District Court for the Eastern District in Brooklyn, attributing serious injuries he sustained after slipping and falling overboard from Patrol Boat 7, a 1994 Boston Whaler 22-foot skiff that had broken down and was being towed by a Nassau County police boat, in January, according to Briggs' attorney, Timothy Schweitzer, who was cited in an article in *Newsday*.

Bay Constable Joseph DiMiceli's complaint was filed with **CSEA** Local 881. Although the complaint included references to non-functioning radar and GPS equipment, its primary focus was the amount of horsepower engines on several town boats; horsepower beyond what the boats were designed to hold according to the *Newsday* article which referred to DiMiceli's complaint.

CSEA Local 881 President Robert Rauff, Jr. said he had been made aware of DiMiceli's complaint by Commissioner Justin McCaffrey when McCaffrey was meeting with two representatives of the New York State Department of Labor's Public Employees Safety and Health Bureau (PESH) upon the initiation of their investigation

into the complaint.

"I was told the complaint had been e-mailed to me; but we didn't find it when we searched for it," Rauff said. He added that people from the union's own health and safety committee had witnessed PESH investigators boarding boats on both the north and south shore and monitoring the engines for noise levels the same day following the meeting; and, he said, they

(Continued on page 6)

would continue their monitoring until a determination is made as to whether any violations were committed. He also stated that he is not involved in the investigation except as someone who will receive a report about its findings when it is complete.

PESH, according to its web site, "enforces all safety and health standards promulgated under the United States Occupational Safety and Health Act (OSHA)."

Rauff expressed his confidence that PESH would be thorough in its investigation and that the town would immediately address any safety issues based on his 36 years of experience with every TOB administration.

Former president of the New York State Harbormaster and Bay Constable Association Steve Resner, who is concerned about several safety issues faced by these law enforcement officers including their not being allowed to carry guns while on duty [see op-ed on p. 4], said placing an engine with more horsepower than

a boat is designed to have, namely, a conventional boat made for the general public, could cause the engine to rip off the back of the boat in a high-speed situation.

Municipalities, he said, need to speak with the manufacturers of the boats and have them built to take the kind of abuse the bay constables' work demands of them.

"Vessel manufacturers who specialize in such vessels have government products and sales divisions and special government purchasing contracts to ensure bay constables and others are provided that specialized equipment through very generous arrangements that benefit the taxpayer and agencies; namely, reduced purchase and maintenance or replacement programs," he added.

"Bay constables are responsible for providing search and rescue and a wide range of other emergency services on and near the water. They handle the majority of distress and other emergency calls in and on Long Island Sound and Long Island's harbors, bays, rivers and other near-shore areas to -- and sometimes across -- the State line when circumstances warrant. They are expected to bring the public back from danger, safely, in the worst of circumstances. They need and should have the proper equipment to do so, and it should be properly main-

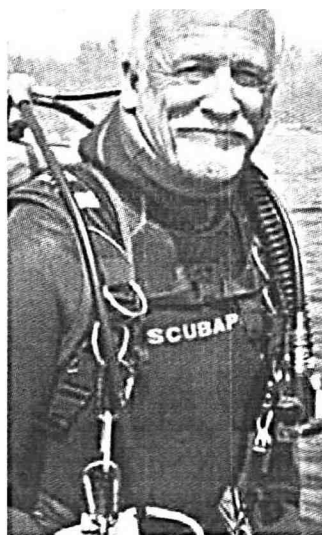


tained and replaced when necessary.

"I lived this same experience in the early 1980s," Resner recalled. "Wrong boat for the job, leaking hull, incapable of bringing other vessels and people back safely. When replaced with proper vessels and equipment, it made a world of difference; and I went out in anything, year round, and always brought everyone back safely."

"And I personally averaged over 200 distress calls a year, alone, many passed on to me by the Coast Guard and county police department because they were not closest or didn't have near-

shore vessel or other capabilities."



Steve Resler

City settles health grievances

BY STEVE JONES *Staff writer*

The administration has settled grievances with four unions over health care — with the Board of Estimate and Contract now approving a settlement with the police, fire and Civil Service unions to match one with the American Federation of State, County and Municipal Employees from June.

On July 26, the board voted 5-0 to settle grievances with the police, fire and Civil Service unions. It comes almost two months after the settlement with AFSCME, which represents public works employees in Rome.

The unions filed grievance against the prior administration for switching health care providers in 2011, claiming the change violated its collective bargaining agreement. The change was from Excellus BlueCross BlueShield to EBS RMSCO, and affected all city employees.

The AFSCME grievance case went to arbitration, and an arbitrator's finding was that the city's change in insurance carriers violated the bargaining agreement. As a result, the city was ordered to refund to employees the amount that employees carrying the traditional (indemnity) coverage would have paid for health insurance through Excellus.

In June, the city agreed to refund certain employees in Local 1088 for 2011 and 2012 costs. The refunds will be based on the amount of health insurance premiums employees would have paid had the city not changed providers. For 2011, that meant the city will pay back \$1,667.90 to each employee enrolled in the traditional family plan and \$155.22 to those in the traditional single plan — a total of \$31,040.39. The Treasurer's Office is still working out the impact, but Corporation Counsel and board member Timothy A. Benedict has said the 2012 reimbursements will be "significantly lower" than the 2011 total.

Following the AFSCME result in June, the other three unions followed suit.

For 2011, the amounts to be reimbursed to individual union members for family plan and single plan will be the same as the AFSCME payments agreed to in June. The total is \$125,750.40: Civil Service, \$21,260.73; police, \$48,285.96; and fire, \$56,203.71.

For 2012, the Treasurer's Office is still confirming applicable rates for family and single traditional plan coverage to determine the total impact.

The city has funds for the reim-

bursements, so there will be no additional impact to taxpayers, according to board members.

The lone union representing city employees that did not file a grievance was the Amalgamated Transit Union, which represents four employees of the parking operations. Those employees are all part-time, and do not have health insurance.

The resolution of the grievances has cleared the way for negotiations between the administration and the unions for collective bargaining agreements. The city's five unions are all without contracts, not only for this year but for last year as well. "We have been in contact with the union leaders, and we are moving forward with negotiations in the coming weeks," said Mayor Joseph R. Fusco Jr., who chairs the board.

Local 1088 has 83 members, Rome Professional Firefighters Association has 78 and two members of the related union for chiefs, Civil Service Employees Association has 74 members, Philip S. McDonald Police Benevolent Association has 76 full-time and 11 part-time members and Amalgamated Transit Union has four members.



Out in the open

Mayor says he'll negotiate contracts in public **BY JESSE J. SMITH**

MAYOR SHAYNE GALLO SAID TUESDAY he will depart from a long tradition of backroom deal-making when he begins negotiations with three city unions. Gallo, who once represented Kingston cops and firefighters as a labor attorney, says this time around his position — and the unions' — would be aired in public throughout the negotiating process.

"I have a duty to disclose to the public what's going to be on the table and what the impact will be on the taxpayers," said Gallo.

Three unions which represent city employees — the Kingston Professional Firefighters Association, the Police Benevolent Association and the Civil Service Employees Association — have been working without a contract since Dec. 31. Negotiations on new contracts are expected to begin later this month. Traditionally, the deals have been hammered out behind closed doors between the mayor and union leaders with assistance from labor attorneys. According to PBA President Barry Rell, who said that he had thus far only heard "rumors" about the mayor's plan to negotiate publicly, the closed-door sessions helped ensure that conflicting opinions and agendas did not slow down or stall the process.

"If you have too many people at the table during negotiations, you're not going to get anything done," Rell said Tuesday. "If you have 20 people at the table you end with 20 different opinions."

Gallo acknowledged the potential drawbacks of transparent negotiations, but added that the city's fiscal position was too precarious for closed-door talks. Gallo cited increased health care costs and the state's

2 percent property tax cap as major factors behind his hard-line stance that he said would include no wage increases, a freeze on step and longevity pay, an increase in the amount employees contribute to health insurance costs and "operational changes" to



cut down on overtime.

“I understand that [with public negotiations] that egos can get involved, crazy people can get involved,” said Gallo. “But this isn’t about egos or crazy people, this is about the city being able to function it’s about

making sure [city workers] have a job, because the alternative is to lay you off.”

Rell said the PBA would not negotiate “through the media” but he added that the union entered negotiations fully aware of the difficult financial situation on the local and the national level.

“If [Gallo] wants to sit there and try to use the media as a tool for his benefit, that’s his choice,” said Rell. “But I think everybody already knows that wallets are tight this year. We’re fully cognizant of that.”

**‘I HAVE A DUTY TO DISCLOSE
TO THE PUBLIC WHAT’S
GOING TO BE ON THE TABLE
AND WHAT THE IMPACT WILL
BE ON THE TAXPAYERS.’
– MAYOR SHAYNE GALLO**

NCC PRESIDENT \$337G to leave

- Unpopular leader makes a deal to depart
- Successor is college's first African-American chief

BY OLIVIA WINSLOW
AND SID CASSESE

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Nassau Community College president Donald Astrab resigned yesterday after reaching a compensation agreement with the board of trustees worth more than \$337,000 in salary, health insurance and accrued vacation and sick time.

The resignation capped a tumultuous year that included two no-confidence votes from faculty. More than 100 people, many of them professors at the 23,000-student college, packed the meeting room for the trustees' special 7 a.m. meeting. The board voted 7-1 to accept Astrab's resignation.

Board chairman Geoffrey Prime said the college's next leader should seek to build consensus, which Astrab's critics said he had not done.

Astrab, who was named president in late 2009, officially assumed the office in February 2010, taking over from NCC's longtime leader, Sean Fanelli. The community college has faced a budget squeeze that last year led to layoffs of 40 full-time faculty positions and some temporary jobs.

The separation agreement calls for paying Astrab's salary and benefits for 15 months: his annual salary of \$230,000 plus

NOW ONLINE

Explore our database of 2011 NCC salaries
newsday.com/nassau

EDITORIAL

Put students
first at Nassau
Community College
A30

\$57,500; health insurance for him and his family through November 2013, worth an estimated \$25,000; and unused vacation and sick days worth \$24,894, according to college spokesman Chuck Cutolo.

Astrab was not at the meeting. He could not be reached for comment yesterday.

The board unanimously elevated Kenneth Saunders, the college's executive vice president, as "officer in charge" effective today.

Saunders, 55, of Freeport, who has been at NCC for 13 years, becomes the college's first African-American leader. He has not been designated interim or acting president, a title officials said requires approval from State University of New York trustees and could come later.

The crowd applauded when Saunders thanked the board for the opportunity to "be a part of the transition of Nassau Community College, as we work as a collective to bring things back to a state where we were, where we're functioning collegially with one another." He talked of the need for "shared governance," alluding to the interaction between faculty and the administration.

Saunders' pay rises to \$215,000 from \$175,000.

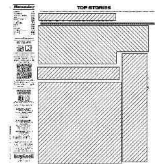
The board named Maria Conzatti, who had been vice president of academic student services, as acting executive vice president at a salary of \$180,000.

College officials said they do not have a timetable for their search for a new president. By statute, the college must appoint an interim or acting president and establish a search committee. SUNY will provide a liaison to the college's search committee, SUNY spokesman David Doyle said.

Saunders said he has not decided whether he would be a candidate for the presidency.

The sole dissenting vote on Astrab's resignation came from Anthony Cornachio.

He later said he was against the extension of salary payments for three months beyond the termination clause in Astrab's five-year contract, calling it a "hefty sum. It's not my money; it's not



OUT



Total cost of **Donald Astrab's** separation pay from Nassau Community College:

15 MONTHS' SALARY
\$287,500

HEALTH BENEFITS

15 months of family coverage through November 2013, worth an estimated **\$25,000**

VACATION AND SICK TIME

17.25 unused vacation days and 11 unused sick days, with cash payout of **\$24,894**

SOURCE: NASSAU COMMUNITY COLLEGE

ward Mangano could not be reached for comment, his office said.

Peter Schmitt (R-Massapequa), the legislature's presiding officer, said through a spokesman, "I'm sorry to see Mr. Astrab go. He was a fine addition to the college."

Legis. Judy Jacobs (D-Woodbury) said she would not characterize the agreement as a "golden parachute."

"It seems to me that this separation agreement is in line with the board of trustees and Dr. Astrab wishing to amicably resolve their differences" and avoid "costly litigation," she said in an email.

Faculty representatives welcomed Astrab's resignation.

Kimberley Reiser, chair of the college's academic senate, and Debra DeSanto, president of the Federation of Teachers full-time faculty union, said Astrab's adversarial relationship with faculty affected the college's quality.

Denise Gunn, president of the college's **CSEA** union, representing about 500 mostly clerical workers, called Astrab's ouster a "disgrace," saying she declined to back the faculty union's criticisms of him.

the other trustees' money. It's the public's money."

He supported Astrab's resignation, saying, "There are some people who thrive on adversity, thrive on causing unhappiness. He was that."

After the meeting, Prime said the settlement sought to prevent potential litigation in giving Astrab additional salary and health coverage.

The board's decision, he said, "was not a reflection of Dr. Astrab personally, just a recognition that the college needed to move forward."

Nassau County Executive Ed-



IN

Nassau Community
College's Kenneth Saunders
after he was appointed
officer in charge.

County looks for nursing home buyers

BY MARY PERHAM
THE COURIER

BATH | The search has begun for an agency to take over operations of the 105-bed Steuben County Health Care Facility on Mt. Washington Road.

County legislators agreed Monday to hire the Chicago-based law firm, Marcus Millichap, to search for purchase offers for the four-year old county nursing home.

The firm specializes in the sale and leasing of nursing homes, and is handling searches for several other county nursing homes in the state, according to county Legislature Chairman Joe Hauryski, R-Campbell.

According their proposal, Marcus Millichap will conduct the search at no cost and collect a fee based on the completed deal. A second proposal, from an unnamed organization, called for an up-front fee of \$250,000 with no guarantee a buyer would be found.

Local CSEA union officials attended the legislative session Monday and spoke against the search, Hauryski said.

Union leaders and

staff say selling the facility will be a disservice to county residents now living at the nursing home, charging the quality of service will deteriorate if a private firm takes over.

Last month, county lawmakers agreed to contract with Morrison Senior Living for maintenance, food service and housekeeping. The terms of contract are being negotiated and affects less than two dozen employees.

The sale or lease of the facility could impact roughly 130 nursing and clerical workers at the nursing home, although Hauryski said no one is rushing to make a deal.

"It could be six months, it could be a year," he said.

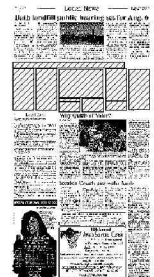
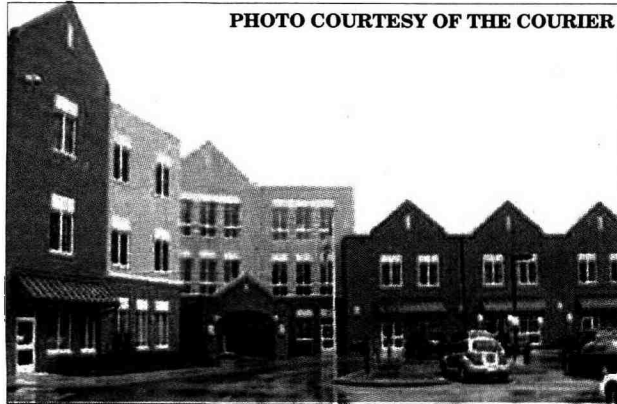
The new facility was

built several years ago under assurances from the state Steuben would receive higher rates for low-income residents.

Those higher rates never materialized, and the state is now planning on paying all nursing homes an average rate, depending on regional operational costs. That could reduce the facility's revenues even more.

Adding to the county's dilemma is the state's mandatory 2 percent property tax cap. With the nursing home's reserves now depleted, lawmakers will have to cut other local services, or vote to exceed the tax cap in order to pay a deficit pegged next year near \$3 million.

PHOTO COURTESY OF THE COURIER



HEALTH

Nursing home plan moves forward

By Julie Sherwood

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CANANDAIGUA — An Ontario County committee wants to hire a firm to come up with a financial plan that would enable Thompson Health to expand its M.M. Ewing Continuing Care Center in a partnership with the county.

The county's Health and Medical Committee recommended this past week hiring The Bonadio Group, an accounting firm in Pittsford, with approval needed from the county Board of Supervisors Aug. 2.

County and Thompson officials have been discussing the partnership and what is needed to expand Continuing Care using a state grant recently awarded for the project, said Victor Town Supervisor Jack Marren, Board of Supervisors vice chairman and

head of the county Health and Medical Committee.

"We are on the same page," he said.

The county wants to see how much money it would need to invest to make the project happen, Marren said. From there, the plan would have to be approved by all parties involved and ultimately, by the full Board of Supervisors.

Thompson Health applied for a state grant of between \$20 million and \$25 million to expand Continuing Care. Following Gov. Andrew Cuomo's announcement in June that the project would receive \$15 million, officials began discussing how to manage with less state funding.

Under the plan, Ontario County would close its Health Facility, with those beds and services moved to an expanded Continuing Care Center. Thompson would offer additional skilled nursing beds; beds for those in therapy or

treatment before returning home following a hospital stay; and assisted living accommodations.

The plan has faced opposition from members of the Civil Service Employees Association, or CSEA, who have accused the county of fast-tracking a scheme to shut down a facility that they believe offers excellent care.

A county-led task force concluded the county's 98-bed nursing home, built in the 1970s, is not equipped to provide state-of-the-art care to the county's growing population of elderly residents. Basic upgrades would run tens of thousands of dollars, the study found, while building a new facility would cost about \$30 million.

The county is losing some \$3.8 million on the nursing home this year, with losses well exceeding \$5 million projected for 2016 and beyond.



Costs pushing counties out of elder care field

Oneida did it; Herkimer, Otsego considering it

BY AMANDA FRIES
mfries@uticaod.com

HERKIMER — Herkimer County isn't the only area in the state looking to get out of the elder care business.

For years, the county has attempted to downsize or sell Country Manor, which loses between \$500,000 and \$600,000 annually. Officials currently are considering a private company that is interested in taking over the adult care facility.

State officials said Herkimer County is one of many talking about their options when it comes to the adult home, skilled nursing and nursing home businesses.

"It's spreading like wildfire across the state," said Stephen Acquario, executive director for the state Association of Counties.

Officials said increased operating costs and dwindling state reimbursements are to blame.

"Money is the driving force behind getting out of the business," Herkimer County Administrator James Wallace said.

Otsego County board Representative Katherine Stulgross said officials there are discussing their options for their skilled-nursing facility, Otsego Manor in Cooperstown.

"We know we have a wonderful facility. We

PLEASE SEE TREND, 3A

know our residents are very happy with it," she said. "There are many, many pluses, but it costs too much money."

Losing money

Facilities for the elderly have been expensive to run for quite awhile.

When Broadacres Skilled Nursing Facility in Deerfield was open it also operated with a deficit of about \$1.5 million, said Oneida County Executive Anthony Picente, who was chief of staff at the time.

"It's a very expensive proposition for government to be in," he said.

Picente noted that costs of staffing, Medicaid as well as state health requirements were determining factors in Broadacres' eventual closure in 1996 and the transferring of its residents to St. Luke's Home in Utica.

"It was just the right decision to get out of (the business)," he said. "I agreed with it then, and I agree with it now."

Herkimer County officials also believe it's necessary to get out of

the business, and a July 17 Committee on Human Resources meeting gave approval for the county to submit an application to the state Department of Health for a certificate of need for 80 assisted living beds on behalf of Advanced Healthcare Management LLC.

Legislator Robert Hyde, R-German Flatts, said being in the business is putting a burden on the taxpayers.

"We're not in the nursing home business, and we shouldn't be in the nursing home business," he said. "We're kind of strapped."

While Legislator Helen Rose, D-Herkimer, said she doesn't deny the county needs to sever ties with Country Manor, she has reservations about Advanced Healthcare.

"I know nothing about this company," Rose has said.

The company previously submitted a letter of intent to the county expressing its interest in buying the facility, however, little information on Advanced Healthcare is known.

The business reportedly has operations in Rome and Norwich, but Wallace said the company doesn't want to speak on the record until deals are finalized.

JoAnne LeClair, Civil Service Employees Association unit 7100 president that represents Country Manor employees, knows very little about the company, but more importantly feels that it's a disservice to all county residents to sell the facility because of all the unknowns with a new owner.

"The biggest punch is to the residents and the county who won't have this service anymore," she said. "I don't think any of us know what would be provided by another agency."

Gaining information

One way the needs of residents, employees and a transfer or sale of an asset are met is through a request for proposal — a detailed plan of what a government entity wants.



Picente said the process of closing Broadacres and ensuring the residents were taken care of was "very detailed."

"Whoever would come in and build a new nursing home and assume the county's place and certificate would accommodate, first and foremost, the patients currently in Broadacres, and then continue to address a significant part of the Medicaid," he said.

Herkimer County currently does not have a request for proposal, but Wallace said officials previously wrote one in 2004, and those who first expressed interest in Country Manor later backed out.

Acquario said a proposal is not required for the sale or transfer of an asset and oftentimes it's not worthwhile.

"It's unique to a local situation," he said. "If there is a high demand for assets, one would think that at RFP would be applicable. If there is a low demand, it may not be necessary."

Otsego Manor Administrator Edmond Marchi said the county writing a RFP would provide a seamless transition and ensure

no residents are displaced.

"It's all in the preparation and the legwork," he said.

Hyde said that Herkimer County's previous proposal proved unfruitful, so officials should be happy there's one firm interested.

"I would hate to see the county lose that one option," he said. "We're lucky to have someone interested in it."

Rose said a request for proposal would allow the county to better articulate what it's looking for.

"An RFP would afford us the opportunity to formulate in writing what the county is attempting to achieve," she said.

2004 REQUEST FOR PROPOSAL

While Herkimer County currently does

► Patricia Kuhlson plays bingo Thursday at Country Manor in Herkimer. A private firm is seeking to take over the facility.

KATHLEEN DUNCAN
OBSERVER-DISPATCH



not have a request for proposal out seeking purchasers for Country Manor, in 2004 one was written that detailed the following:

■ Proposals were being sought for operating an 80-bed adult care facility including land, improvements, buildings and all required furnishings.

■ The county wouldn't consider offers with the intent to convert the facilities to another use other than an adult care facility.

■ Within the additional information, it was reported that on Aug. 24, 2004, 65 of the 80 beds were filled. Eight of the residents were private pay.

■ More details — occupancy, staffing, maps, floor plans, etc. — were offered if the interested party contacted the county Department of Budget & Purchasing in Herkimer.

CSEA In-House Salute To Members Working In Probation Services

The Civil Service Employees Association declared July 15-21 to be "Probation, Parole and Community Supervision Week."

"On behalf of the 300,000 CSEA members across New York State, I am pleased to recognize our members who are probation professionals," CSEA president Danny Donohue said in a statement dated July 16. "Probation, Parole and Community Supervision Week is meant to honor a segment of the workforce that deserves great respect."

Dual Public-Safety Role

Probation professionals are a vital part of every New York state county workforce and have an important dual role in the public-safety field, CSEA said. Not only do they work with the justice system to protect the public from crime, but they also aid in prevention, helping rehabilitate offenders to rejoin society in a positive way, the union said.

As with all public safety work, the union stated, these professionals often put their own well-being at risk in an effort to keep people and their communities safe. The union added that the economic downturn has caused the crime rate to increase in recent years, raising the number of cases probation professionals must handle.

"When the economy is at its worst, the public needs government services the most," Mr. Donohue said. **M.T.**



Hundreds rally for child care

Families previously qualifying for aid no longer qualify with new guidelines after state cuts funding to county

BY MATT CALAMIA

Paying for child care became even more difficult for more than 1,300 low-income working families on Long Island on July 13, when state funding for child care subsidies was reduced, forcing many parents to begin paying out of pocket for expensive child care services.

More than 200 children, parents, child care providers and union workers rallied outside the county's H. Lee Dennison building in Hauppauge last Thursday evening to protest the cuts and call on Suffolk County Executive Steve Bellone to right the ship.

Although the reductions come from the state, the loss in aid has forced Suffolk County to remove qualifying families from the assistance program. Those in attendance urged the county to find some way of funding the program to allow those receiving assistance to continue to do so.

In an interview, Nick LaMorte, Long Island Regional president of the Civil Service Employees Association, said this decision puts workers in the difficult position of having to choose between their families and their jobs.

"We're here today to try and tug on the heartstrings of the county legislators and our new County Executive Steve Bellone to do the right thing: to restore some of that funding so people don't have to make that hard decision," he said. "Quite honestly, for them it's not a hard decision because if they have to, they'll stay home with those kids."

According to a document on its website, the Suffolk County Department of Social Services is not accepting new applications for Non-Temporary Assistance Child Care for working families. For existing recipients, eligibility for the program has become more stringent. Before the state subsidy reduction, families making 150 percent of the federal poverty level were eligible for child care subsidies. Now, those earning at the poverty level or below are eligible, making many Long Island families previously eligible now ineligible for the subsidy.

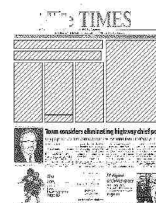
The cuts will have no affect on children receiving temporary assistance, as well as those who qualify for Title XX child care. According to a DSS spokesperson, this care is for parents who are unable to watch their children due to extenuating circumstances. He said recently a parent received care

CHILD CARE continued on page A2

because she had undergone an organ transplant and was physically unable to care for her children while her husband was at work and qualified for Title XX child care.

Though he did not appear at the rally outside his office, Bellone released a statement on the matter. "Because 100 percent of the funding for child care subsidies comes directly from the state, this decreased aid has unfortunately resulted in decreased eligibility for the program," he said. "Suffolk County is engaged in talks with New York State to re-evaluate the funding formula to provide an appropriate level of subsidized child care and every single dollar in restored aid will directly add families back to the program."

Luis Montes, assistant deputy county ex-



ecutive, spoke at the rally and said Bellone would be available to speak to the CSEA and other groups involved with child care in the coming weeks.

According to Roger Clayman, executive director of the Long Island Federation of Labor, Suffolk County must take some of the blame as well.

"I think the problem gets fixed by greater state aid to the counties to provide the services that are absolutely necessary, but the county also has to make an effort to make certain that they keep people working within their domain," he said in an interview Thursday. "We know that it's difficult because of the financial condition they're in, but you have to weigh and balance the problems against the solutions and putting more people out of work and more people into the situation where they're not bringing any revenue back into the county is not productive."

On Thursday, Empire Justice Center and the National Center for Law and Economic Justice, two civil rights advocacy groups, filed suit against Suffolk County.

Linda Hassberg, a senior staff attorney at the Empire Justice Center specializing in civ-

il rights and public benefits, said the lawsuit is an issue of "due process." In a phone interview Friday, she said, "The notices that were received by the parents were so inadequate they couldn't tell how the calculations were made that they would no longer be entitled to benefits." A hearing is scheduled for today at the federal courthouse in Central Islip.

For the time being, the news does little to ease the anxiety for the parents affected by the cuts. Aisha Smith, 20, of Amityville, learned on July 13 she would be without assistance for child care of her 2-year-old daughter, Angelie.

"I was devastated. I didn't know what my alternate plan was going to be. I didn't expect it. They didn't give me a warning or anything."

The part-time home health aid and full-time nursing student at SUNY Farmingdale said she isn't sure if it's possible to continue her schooling. "It's looking almost impossible to continue school because then I'd have to find a day care for work and school, and that would be way too expensive. ... With the economy and everything, the price of living is going up and the money we're making isn't going anywhere."



Photo by Matt Calamia

Hundreds attended the rally last week to call for child care subsidies to be reinstated.



Photo by Matt Calamia

Four-year-old Geordy Serrano of Brentwood joined his mother and others in the protest last Thursday.

Parents, children rally in Hauppauge for child care

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CHILD CARE continued on page A8

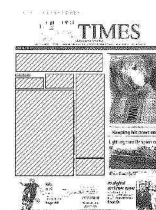
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Photo by Matt Calamia

Four-year-old Geordy Serrano of Brentwood joined his mother and others in the protest last Thursday.

Oyster Bay sued over patrol boats

BY BILL BLEYER

bill.bleyer@newsday.com

Two bay constables in separate actions are accusing Oyster Bay Town of requiring them to operate unsafe patrol boats.

Christopher Briggs has sued the town for damages over injuries he claims were caused by being assigned last winter to a boat with a deck that was slippery, lacked handholds and safety rails, and was unseaworthy.

Joseph DiMiceli last week filed a complaint with the employee union, CSEA Local 881, contending that four patrol craft have more horsepower than recommended by manufacturers and/or are in poor condition. Manufacturers set horsepower limits to avoid having a boat become too fast or too heavy for its design, making it unstable and subject to capsizing.

Town spokesman James Moriarity said both actions are "the subject of litigation so we're not going to comment."

Briggs' suit was filed June 25 in U.S. District Court for the

Eastern District in Brooklyn. It states that because of "the unsafe and unseaworthy condition of the vessel" Briggs sustained tears in the cartilage in the shoulder joint and in the rotator cuff and unspecified internal injuries that required surgery and will require future medical care.

A bay constable since 2009, Briggs on Jan. 19 was assigned to Patrol Boat 7, which the town says is a 1994 Boston Whaler 22-foot skiff powered by a 250-hp. outboard engine.

Briggs slipped and fell overboard around 4 p.m., after the boat had broken down and was being towed by a Nassau County police boat, according to Briggs' attorney, Timothy Schweitzer of Manhattan. Briggs was able to grab a rail near the waterline and hold on as he was dragged through the water until rescued by a fellow crew member, Schweitzer said.

Town public safety commissioner Justin McCaffrey said Briggs, who lives in Oyster Bay hamlet, returned to work July 5.

In his complaint, DiMiceli, a bay constable since 1988, said Patrol Boat 1 is rated for up to 400 hp. but has outboard motors totaling 500 hp, the hull is saturated with water, and its GPS and radar don't work.

Patrol Boat 3 is rated for 175 hp. but has 250, its hull is saturated with water, the deck is rotted and cracking, and the boat lists 20 degrees toward its left, DiMiceli said.

Patrol Boat 6, DiMiceli said, is rated for 90 hp. but has 130.

Patrol Boat 7 is rated for 240 hp. but has 250, he said, adding it lists 20 degrees to its right and its hull is saturated with water.

Patrol Boat 8 has a gantry crane that hasn't received required annual state inspections, DiMiceli said, and the town has not provided safety equipment for employees who use the crane.

DiMiceli said he could not comment about his complaint on advice of his attorney. CSEA Local 881 president Robert Rauff said he could not comment until he had seen the document.



PHOTO BY STEVE PROST

Bay Constable Daniel Powers with the Town of Oyster Bay stands near Patrol Boat 7 in Massapequa.



Aides protest at med center

Fired worker:
'We're angry'

By Jane Lerner
jlerner@lohud.com

VALHALLA — Nurse's aides laid off from Westchester Medical Center this month want hospital officials to know that they are not leaving without a fight.

Some of them held a rally outside the hospital Tuesday — their second since they lost their jobs.

"We're not going away," said Arnita Carter, who worked as an aide at the hospital for more than 30 years. The rally was the second by the nurse's aides. "We're angry. We want our jobs back."

All 260 of the nurse's aides were fired after Westchester Medical Center officials announced last month they were hiring a private company to provide nurse's aides. The change will save about \$4 million to \$5 million yearly, officials said. The Valhalla hospital has an estimated \$60 million budget gap.

Medical center officials were not available for comment on the latest protest. They said earlier this month that they complied with the aides' contract.

The union representing the nurse's aides, Civil Service Employees Association, said it had filed protests with the Equal Employment Opportunity Commission about the layoffs.

But even those union officials are bracing for more job losses at the Valhalla hospital.

The laid-off aides blamed top officials, including CEO Michael Israel, whose pay is increasing even as lower paid workers are fired and replaced at half the salary.

Israel made \$1.3 million in total compensation in 2010.

The aides also criticized their union for not helping them or securing better terms once they were laid off. They got no severance pay.



Winsome Hylton, left, and Trineta Brown, both of White Plains, join Tuesday's protest. RICKY FLORES/THE JOURNAL NEWS



Mangano cuts 200 more jobs, cancels projects as part of \$45M deficit plan

NASSAU

BY LAURA FIGUEROA

laura.figueroa@newsday.com

Nassau County will cut 200 employees and cancel \$19 million in public works projects under a \$45 million deficit-reduction plan that County Executive Edward Mangano announced yesterday.

"We made some very painful choices to put us in balance," Mangano said.

But Jerry Laricchiuta, president of the Civil Service Employees Association, the largest county union, warned that county services would suffer.

"There is no way this county can deliver the services anywhere near the level it once did," Laricchiuta said.

Mangano said about half the 200 terminated positions will come from layoffs. Another 62 are county employees who recently accepted an early-retirement incentive and about 40 come from law enforcement retirements.

The personnel reductions are expected to generate \$10 million in savings this year and roughly \$25 million annually, Mangano said. Those savings will go toward the \$150 million in recurring labor savings that the county's financial control board, the Nassau County Interim Finance Authority, has called for, Mangano said. The new round of cuts boosts recurring savings to \$120 million for the year, Mangano said.

The administration is still in the process of determining the employees to cut, due to "bump and retreat" rules that allow workers with seniori-

ty to move down to lower-ranked positions, said Katie Grilli-Robles, a Mangano spokeswoman.

Nassau has laid off about 400 employees since December 2011, said Mangano. The county workforce is now about 7,300 employees.

Mangano's plan also includes \$3.8 million in cuts to youth and mental health programs that went into effect July 5. Mangano left open the possibility of restoring the funds, saying it would "require a bipartisan effort."

Responding to the cuts in programs and county expenses, Minority Leader Kevan Abrahams (D-Freeport) said Mangano "needs to tell us how many of his political benefactors' contracts are part of that list."

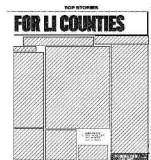
Mangano declined to respond.

Under the plan, departmental spending will decline by \$12.2 million. Cuts include \$1.5 million for uniform replacement and \$770,000 for vehicle replacements, according to a list the administration provided.

The \$19 million in canceled improvement projects includes \$5.8 million for streetscaping and \$440,000 in park projects.

County Comptroller George Maragos and legislative Presiding Officer Peter Schmitt (R-Massapequa) joined Mangano at the news conference. Maragos commended the plan for not relying on borrowing, and both Schmitt and Mangano said the county would not turn to property-tax increases to fill the budget gap.

"We're going to continue to meet this deficit with cuts," Schmitt said.



NEW FEES

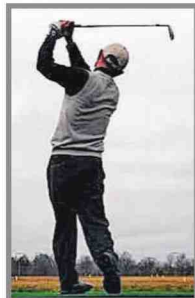
A Nassau legislative committee yesterday approved increases in nine county fees, which officials said would bring in an additional \$4.6 million a year. All the increases must be approved by the full legislature. Some fees:

| | |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Non-bank automatic teller machines | New registrations would go from \$100 to \$150 , and from \$50 to \$100 for renewals.* |
| Home improvement licenses | New ones would increase from \$400 to \$500 , and renewals from \$300 to \$400 .* |
| False automatic alarms | Fines would increase from \$75 to \$250 for homes and from \$100 to \$300 for businesses. |
| Traffic violations | Administration fees would increase from \$15 to \$30 , and would be waived only in the event of a "not guilty" outcome. |
| Swimming lessons | Would rise from \$55 to \$65 for 10 lessons |
| Medical evacuation | A new fee of \$7,500.00 for medical evacuation by police helicopter. |

*Requires public hearing

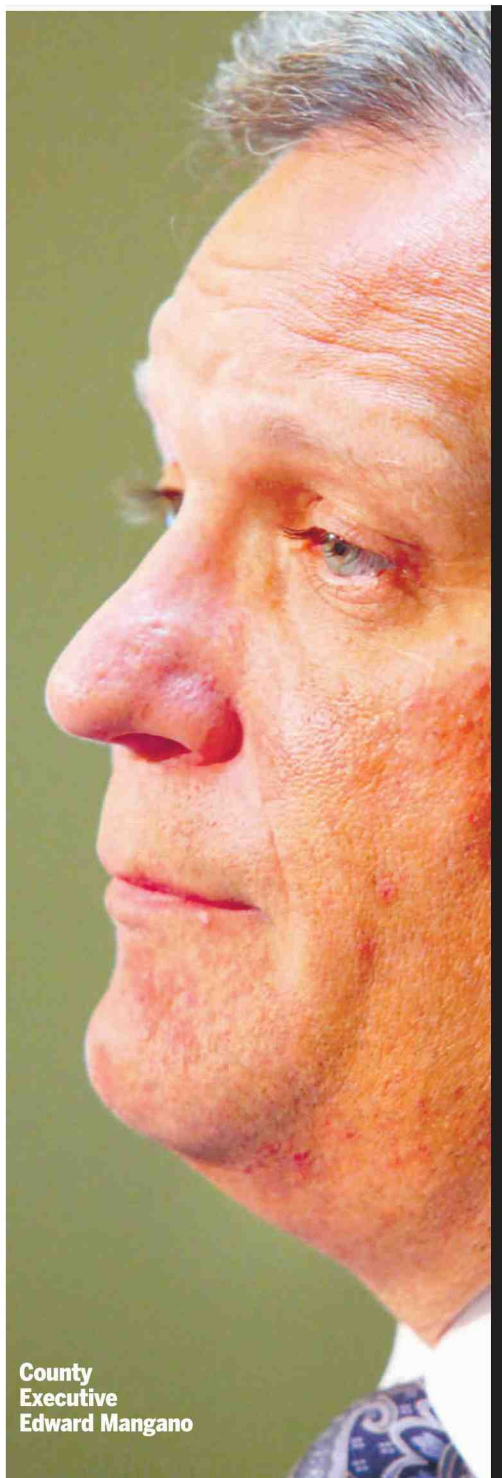
NEW CUTS

Included in County Executive Edward Mangano's deficit-reduction plan:



| | |
|--------------------------------------|------------------|
| Streetscaping | \$5.8M |
| Garage door replacements | \$700,000 |
| Wantagh marina bulkhead improvements | \$583,000 |
| Office equipment | \$500,000 |
| Park improvements | \$440,000 |
| Computers | \$37,000 |
| Jail vehicle replacement | \$15,000 |

SOURCE: NASSAU COUNTY EXECUTIVE



**County
Executive
Edward Mangano**

Unions: Furloughs unconstitutional

BY ROBERT BRODSKY

robert.brodsky@newsday.com

A bill allowing Nassau County Executive Edward Mangano to unilaterally cut \$41 million from the budget by reopening labor contracts and furloughing employees is unconstitutional, county labor unions argue in new filings in federal court.

The unions in June asked U.S. District Court Judge Arthur Spatt for a preliminary injunction preventing Mangano from implementing the bill, arguing it would cause irreparable harm to their members.

The bill "casts a pall upon what should be an ordinary contractual relationship and skews all of the power in the relationship in the county's favor," states a brief submitted last week by the Civil Service Employees Association in support of its case against the county. "The . . . [collective bargaining agreement] is constantly under the threat of evisceration."

But the county argued in its

court filings on July 5 that the union's motion is "hopelessly premature" as Mangano's legislation has yet to go into effect. Mangano would have to issue an executive order to enact the measure. County Attorney John Ciampoli said the county would stipulate that the legislation could not take effect for 10 days, giving the unions time to file suit.

Spatt is expected to rule later this month or in early August. He said in court last month that language allowing for the modification of union contracts was "potentially unconstitutional."

Mangano wants to use the savings from the bill to replenish the county's reserve fund, from which he siphoned \$41 million last month to pay property tax refunds. County officials fear that if the funds are not returned, Nassau's credit rating could be downgraded.

Minority Democrats in the county legislature have refused to vote to bond for the refunds until Republicans assure them of a "fairer" redistricting pro-

cess than the GOP has proposed.

Lacking the borrowing authority, the legislature approved a bill in May allowing Mangano to save \$41 million by altering the provisions of union contracts, reducing county con-

tributions to health benefits and furloughing employees one day per week. The county's court briefing also suggests that Nassau could eliminate one employee vacation day per year for the next two years.

While the unions argue that the law violates the contracts clause of the U.S. Constitution, the county contends the clause is not absolute and allows the government to "protect the general welfare of its citizens."

The law enforcement unions also contend that the bill was enacted without a quorum because Legis. Dennis Dunne (R-Levittown) voted from an adjoining room outside public view. The county said a quorum existed because all 19 legislators were present when attendance was called.



Police probe fatal crash

SEEKING ANSWERS:
Driver is released,
may face charges;
survivor still critical

By **DAVID C. SHAMPINE**
TIMES STAFF WRITER

A truck driver from Pennsylvania was released without charges Thursday night while state police continue their investigation into the morning chain-reaction crash that killed six people on Route 11 in the town of Antwerp.

A survivor of the 9:07 a.m. six-vehicle fiery pileup was listed in critical condition Friday night at Upstate Medical University, Syracuse, after being in serious condition in the morning. Lewis L. Lottie Jr., 44, Nicholville, underwent surgery Thursday night for deep facial cuts, according to his sister-in-



Lottie

law, Tari Burnett. He escaped

See CRASH A9

as the state Department of Transportation pickup he was driving burst into flames from a gas tank explosion. Ms. Burnett wrote in an email message he was pulled from the truck by DOT personnel and employees of Barrett Paving, Watertown.

Barrett, under contract with the state, was resurfacing the highway and stopping traffic in the work zone when the crash occurred.

Mr. Lottie was to have more surgery Friday for a fractured pelvis and leg injuries, Ms. Burnett said. She said his injuries also included multiple burns, a fractured collarbone, a punctured lung and spinal issues.

Investigator Patrick A. Hathaway said Friday he is uncertain when charges will be filed against James A. Mills Jr., 45, Myerstown, Pa., the driver of the tractor-trailer that set off the tragic chain of events. He said it will take a significant amount of time for the state police accident reconstruction unit, Oneida Troop D headquarters, "to put it all together," including on-scene measurements, land and aerial photography, fire cause determinations and statements from witnesses.

Mandatory blood samples drawn from Mr. Mills have been sent to a laboratory for drug and alcohol analysis, Mr. Hathaway said.

"We are trying to figure out why he didn't view the stopped vehicles," Mr. Hathaway said. "From our perspective, we believe there was adequate signage" to alert motorists to construction work ahead. "We are trying to figure out what went wrong."

Signs warning of double

lines for speeding in construction zones were in place at locations north and south of the accident scene, which was south of the Route 11 intersection with Dickson and Fox Ranch roads.

The dead included five in a fire-engulfed car: Laurie A. Dana, 42, of 11858 Route 11, North Lawrence, a special-education and speech teacher at St. Lawrence Elementary School, Brasher Falls; her daughters, Caitlyn O., 14, and Lauryn E., 11; the girls' grandmother, Janet P. Dana, 69, and Caitlyn's friend Shannon M. Planty, 14, a student in the Brushton-Moira Central School District. Also killed was the woman whose car was the first to be struck by the tractor-trailer, Maryann D. Gregory, 59, Dickinson Center, Franklin County.

Mr. Lottie, the father of four, is the president of the DOT Civil Service Employees Association Local 518, and was traveling to Watertown for a business meeting, Ms. Burnett said.

"Our family is asking all people in the community to please pray for Lew's recovery and wish to send our condolences and deepest sympathy to those that lost their loved ones in this unfortunate accident," Ms. Burnett said.

Two trucks were at the front of the line and their drivers were not injured. The company that owns the lead truck, a box tractor-trailer operated by Wayne Wielt, Clifton Park, has retained the Crash Lab Inc., Hampton, N.H., to conduct an independent investigation, according to a Crash Lab representative.

The second truck in line was a flatbed owned by ABC Lumber, Beloit, Wis., driven by Peter Feher, Syracuse.

Police cleared the acci-



dent scene shortly after 9 p.m.
Thursday and reopened Route
11 at 9:17 p.m.

Sued over child care

■ **Suffolk cuts 1,200 kids**
from low-income program

■ **Parents were denied**
due process, advocates say

BY LAURA FIGUEROA
laura.figueroa@newsday.com

Social services advocates filed a federal lawsuit against Suffolk County yesterday in an effort to suspend the removal of hundreds of children from the state-subsidized child care program.

Since January, the county has dropped more than 1,200 children from the program that aimed to help low-income working parents pay for day care and after-school services.

In response, the Empire Justice Center and National Center for Law and Economic Justice, two nonprofit legal advocacy groups, filed the lawsuit.

Last night, more than 250 parents, child care providers, chil-

dren and labor leaders rallied against the cuts outside the H. Lee Dennison County Executive Building in Hauppauge.

"We must keep parents earning and children learning to turn this economy around, not send working parents straight into the unemployment line," said Nick LaMorte, Long Island Region president of the CSEA, the union representing the county's child care providers, and the organizers behind the rally.

Social Services Commissioner Gregory J. Blass has said reduced enrollment is in response to cuts in state funding despite growing demand for the program spurred by the weak recession.

The suit contends that parents in the program were not given specific reasons why they were dropped and were therefore denied due process.

In at least one case, said Linda Hassberg, an attorney for the Empire Justice Center, a parent was able to deter-

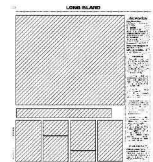
mine that they were still eligible for the program despite receiving a termination notice.

Vanessa Baird-Streeter, spokeswoman for County Executive Steve Bellone, said that while the county does not comment on pending litigation, the "county complied with the law."

A hearing is scheduled for July 26 in Central Islip's U.S. District Courthouse.

Among those rallying against the cuts was Aisha Stith, 20, a single mother who is trying to complete her nursing degree at Farmingdale State College while working a \$350-a-week job helping developmentally disabled patients. The mother of a 2-year-old daughter said that without the help, she may have to give up her job, or schooling, or both.

"There are people like me who really need this support," Stith said. "I want to continue working, but I don't know where else I can turn."





Child care provider Nancy Gonzalez, left, of Brentwood, protests outside the H. Lee Dennison building in Hauppauge yesterday.

EDITORIAL

"Don't Zone Out!" In Road Safety Zones

CSEA is ramping up its "Don't Zone Out" distracted driving campaign this summer to increase public awareness about New York's "move over law" and help save lives.

A January 2012 extension of the "move over law" now requires motorists to move over for amber lights on roadways as well as for red and blue police and fire vehicles. According to CSEA-represented highway work crews, people seem to have gotten the message to move over for police and fire but not yet for road crews; mowers; help trucks; tow trucks and disabled vehicles. Motorists must change lanes when possible, as they approach vehicles flashing red or blue or amber lights. When it is not possible to move over or there is only one lane, drivers must slow down. Penalties are steep: Violating this law is punishable as a moving violation with 3 points on your driving record and a fine of \$275 plus court surcharges and a possible jail sentence of up to 15 days.

Since 1983, 45 CSEA members have lost their lives on the job while working in work zones and in the U.S, nearly 600 workers lost their lives while on the job in work zones in 2010 alone (Source: Fatality Analysis Reporting System (FARS) 2010 ARF, NHTSA.)

"In an instant, lives can change forever because of distracted driving," said CSEA President Danny Donohue. "That's just as true for the driver as it is for the workers and their families. The "move over law" greatly reduces risk and if obeyed, it will save lives and anguish."

Summer is peak travel time for vacationers and also a time of busy roadwork.

Launched in 2010 CSEA's "Don't Zone Out" campaign promotes work zone safety with the goal of eliminating distracted driving and making the roads safer for everyone.

Here are some "Don't Zone Out" guidelines:

- Move over and slow down for all vehicles on the side of the road; red, blue and amber flashing lights.
- Be especially alert while driving through work zones;
- Observe posted work zone speed limits;
- Focus on driving - not other activities that could distract you
- Put the phone down -Never send or read text messages while driving
- "Don't Zone Out!" Spread the word. Tell others to stay alert in work zones.



LOCAL

County workers protest lack of contract

By JAIME STUDD
Recorder News Staff

JOHNSTOWN — Members of the Fulton County Board of Supervisors arriving Monday to conduct their regular monthly meeting were greeted by a picket line formed by county workers protesting a contract agreement that is now 2.5 years overdue.

With both voice and written word, the demonstrators made their wishes known: "Contract now."

Nearly 300 members of the Civil Service Employees Association Local 818 General Unit have been working without a new contract since 2009, and despite repeated attempts by the county and the unit's negotiating teams to find some middle ground, negotiations have proven futile.

Upon the start of the meeting, the demonstrators' demands moved indoors, where several members took advantage of the public comment portion to address the supervisors.

"I'm wondering how much longer we're expected to work without a new contract," asked Barbara Handy, a former CSEA unit president.

Handy described the recent privatization of the county's Residential Health Care Facility as a "nightmare."

"With one swipe or your pen, you wiped out half your employees," Handy said.

Noting a substantial raise given to Board of Supervisors Administrative Officer Jon Stead in 2010, Handy also rebutted the supervisors' claim that the county's precarious financial situation prevents them from offering the union employees raises in a new contract, a condition that has been repeatedly cited as a sticking point in the negotiations.

"There's money to be spent, but only as you see fit," said Handy. "All we've asked for is a meager raise to offset the cost of living."

"No wage increase for three years is unjust and unfair," she added.

Handy said she blamed the county for the fact that a new contract has yet to be agreed upon.

"The employees have given in repeated-

ly," said Handy. "Items that cost little or no money are not even being considered."

Those sentiments were echoed by Joe Maher, a member of the general unit's negotiating team.

"Every time the county comes back with a new proposal, it's worse than the previous one," said Maher. "I feel like we're not being respected, not being appreciated and we're not being fairly compensated."

Though negotiations with the local 818's general unit continue, the county did reach an agreement with the union's nurses unit, ending its own years-long battle for a new contract.

A late resolution, passed unanimously on Monday, ratified the terms of a new five-year contract for the six-member nurses unit that freezes their wages at the 2009 rate for 2010, 2011 and 2012, but allows for a 1.5 percent increase in 2013 and a 2 percent increase in 2014.

That contract also calls for the nurses to pay 20 percent of their health insurance for individual coverage and 50 percent for family/dependent coverage.

The nurses will also receive \$400 if they do not use any sick time over the course of the year.

Broadalbin Town Supervisor Joe DiGiacomo, a member of the board's personnel committee, said he believes the county's last offer to the general unit was "fairly similar" to that just agreed upon with the nurses unit and he blamed a general lack of understanding on the part of the general unit with regard to the county's financial predicament as one of the impediments to ratifying a new contract.

"The nurses were real professional in the way they negotiated. They understood the county's position. They understood the fiscal situation the county's in," said DiGiacomo. "I'm not sure the general unit is in tune enough to know what the county's fiscal position is right now."

"The nurses unit is a very small unit, too, so it's easier to make everybody understand the same situation," he added.

Board of Supervisors Chairman Michael Gendron also credited the nursing union's negotiating practices as crucial to the two parties having reached an agreement.

"The nurses were very professional in



their negotiations. It was fairly negotiated and we got a lot of cooperation," said Gendron. "The increases in health and retirement were raises and the nurses understood that."

"Every negotiating team is different," he added.

Gendron said he still holds out hope that the two sides can reach an agreement.

"I'm always optimistic," said Gendron. "We're seeking to represent the county as best we can."

"I don't know what they're looking for," DiGiacomo said of the general unit. "My own opinion is they're probably looking for something retroactive where we didn't offer anything retroactive to the nurses unit. I don't know that, but that's my feeling I get from talking to a couple of the union members."

In fact, according to the nurses unit's new contract, county nurses were granted on-call payments of \$40 per day and \$50 for holidays and weekends retroactive to Jan. 1 of last year.

CSEA Local 818 President Ron Briggs said the general unit has not been offered an agreement like that offered the nurses, and he doesn't foresee such a deal being struck.

The terms and conditions that the nurses struck, overall, is beneficial for their unit," said Briggs. "We, the general unit, would sign an agreement that is overall beneficial for our unit. We just haven't been able to get there yet."

Briggs said the cost of living increase remains one of the impediments to an agreement.

"Obviously something similar to a cost of living raise would be helpful," said Briggs. "Obviously money is one of the big stumbling blocks."

Both sides are scheduled to present their arguments to a Public Employee Relations Board fact finder Friday.

"We have been close, but at this time, it doesn't seem like we're getting any closer," said Briggs. "But we're not far away and we're hoping that the fact finder on Friday will be able to come to a middle ground that both sides can live with."



Jaime Studd/Recorder staff

Members of the Civil Service Employees Association Local 818 formed a picket line outside the Fulton County offices in Johnstown prior to Monday's board of supervisors meeting.

Waste Outsourcing Tossed Solid Waste Department Will Continue As Is

By MARTHA ELLEN

CANTON — The operations of the St. Lawrence County Solid Waste Department will continue as is with a decision Monday by legislators not to pursue outsourcing the service.

The board voted 11-4 to keep the department — which is mostly financed by user fees — rather than to seek proposals for its privatization.

"I think we're being short-sighted by refusing to look at another side. Saving money is not what we are doing currently," said Legislator Joseph R. Lightfoot, R-Ogdensburg, chairman of the Solid Waste Committee. "We have a lot of equipment that needs upgrading."

Legislators decided last year to look at the department for possible sale because of escalating retirement costs and the need to update transfer stations in Massena, Ogdensburg, Gouverneur and Star Lake. A decision was tabled pending a report on the department's operations by the Development Authority of the North Country which generally found it competitive.

Mr. Lightfoot, who was

joined by Kevin D. Acres, R-Madrid; Mark H. Akins, R-Lisbon, and Daniel F. Parker, R-Potsdam, wanted the county to gauge interest in the department's assets and weigh that against the status quo.

Other legislators did not think going further made sense.

"I didn't get anything out of the study that said we should look at privatizing," Legislator Donald A. Peck, R-Gouverneur, said. "I'm going to vote tonight to stop it."

The issue haunts workers as it has come up periodically since the department was created about 25 years ago, said William E. Powers, president of the Solid Waste Division of Civil Service Employees Association.

"It just seems like this hangs over our heads. We need an answer. Are we here or aren't we?" he said. "We're doing the best we can. I guess I'm asking for a decision, please."

Since the county raised the tipping fee at the transfer stations from \$107 per ton to \$132 per ton, it has seen a drop in volume of 1,300 tons. Four hundred tons of the total was

lost to haulers who decided to avoid the tipping fee increase by direct hauling to DANC's regional landfill in Rodman, said Recycling Coordinator Scott A. Thornhill.

The remaining decline is not offset by a surge in recyclables and tonnage is up for Casella, the county's largest private hauler, Legislator Alex A. MacKinnon, R-Fowler, said. An increase in the tipping fee of at least \$5 is likely next year as well.

However, Mr. MacKinnon **See WASTE A2**

said the county operation is favored by his constituents and would have his support so long as it was paid for by users.

The drop in tonnage has caused a loss of \$75,000 so far this year, so keeping the department as an enterprise fund may not be sustainable, Mr. Lightfoot said.

One of the problems of collecting quotes for full or partial privatization is the number of companies that might compete, Mr. MacKinnon said.

"Casella is about the only private sector large hauler in the county," he said.



Employees picket over contract fight

By MICHAEL ANICH
The Leader-Herald

JOHNSTOWN — Fulton County government's unionized workers picketed outside the County Office Building on Monday, protesting the lack of a new contract.

Some workers later spoke inside at a county Board of Supervisors meeting.

Members of the 285-member General Unit union of Local 818, Civil Service Employees Association, picketed, carrying red-and-black signs stating, "Contract Now." The union's last contracts expired at the end of 2009. The union includes county employees such as clerks, support staff and workers from the Social Services, Highway and Facilities and Solid Waste departments.

After about 30 minutes of picketing, members of the union crammed into the board's monthly meeting inside the supervisor's chambers at the County Office Building. Several spoke about the contract impasse and a state fact-finding session looming Friday.

Late in the meeting, the board approved a new five-year contract with the smaller, seven-member county Nurses Unit. That agreement calls for wages to be frozen retroactively for 2010-12, a 1.5 percent pay increase in 2013 and 2 percent wage increase in 2014.

During picketing, Local 818 President Ronald Briggs said the General Unit decided to picket Monday to "remind people" the union members have been work-

ing for 2 1/2 years without a contract. He said his members just

UNION — On Page 7

want "respect and dignity" for the job they do.

Later during the public-speaker portion of the meeting, Briggs, a Probation Department employee from Gloversville, told supervisors they, as county "bosses," have an important job in recognizing what their workers do every day for the county.

"It is time for all of you to act like a boss and help out," Briggs said.

He said although the county work force has declined 10 percent in recent years, county government services to the public are still being met.

On the picket line, Department of Social Services caseworker Elizabeth Slade said the union members want to be fairly compensated. The latest offer from the county calls for no pay raises for most of the length of the contract, similar to the new Nurses Unit contract.

"We need a fair contract and not the same old contract," Slade said.

Barbara Handy of Mayfield, who worked at the former county Residential Health Care Facility before it was privatized, told the board, "It's time to stop disrespecting us. Give us a contract we can live with."

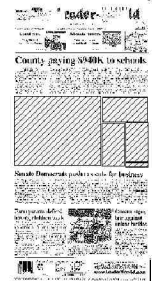
Handy said Local 818 members are "wondering how much longer we're expected to work without a contract."

She also derided the fact some of the ongoing negotiations have not been face to face.

Handy said county management also cries the county has "no money" but has money for pay raises for department heads such as Administrative Officer Jon Stead, who received a double-digit raise in 2010.

"I don't buy it," Handy said.

Another DSS caseworker, Joseph Maher of Johnstown, said he is part of the negotiating team for the General Unit. After the last fruitless bargaining session, he said



eager union members asked how talks went and he had to tell them "no good." He said the county is "taking stuff off the board" as it continues to negotiate, with the latest proposal basically amounting to a 3-cent-per-hour raise.

"My co-workers are basically insulted," Maher said.

Michael Anich covers Johnstown and Fulton County news. He can be reached at johnstown@leaderherald.com.



The Leader-Herald/Michael Anich

Fulton County employees with Local 818, Civil Service Employees Association, picket the lack of a new contract outside the County Office Building in Johnstown on Monday.



The Leader-Herald/Michael Anich

Fulton County union member Barbara Handy speaks to the Board of Supervisors on Monday at the County Office Building in Johnstown.

County To Keep Solid Waste Department

By MARTHA ELLEN

CANTON — The operations of the St. Lawrence County Solid Waste Department will continue as is with a decision Monday by legislators not to pursue outsourcing the service.

The board voted 11-4 to keep the department — which is mostly financed by user fees — rather than to seek proposals for its privatization.

"I think we're being short-sighted by refusing to look at another side. Saving money is not what we are doing currently," said Legislator Joseph R. Lightfoot, R-Ogdensburg, chairman of the Solid Waste

See County A2

Committee. "We have a lot of equipment that needs upgrading."

Legislators decided last year to look at the department for possible sale because of escalating retirement costs and the need to update transfer stations in Massena, Ogdensburg, Gouverneur and Star Lake. A decision was tabled pending a report on the department's operations by the Development Authority of the North Country which generally found it competitive.

Mr. Lightfoot, who was joined by Kevin D. Acres, R-Madrid; Mark H. Akins, R-Lisbon, and Daniel F. Parker, R-Potsdam, wanted the county to gauge interest in the department's assets and weigh that against the status quo. Other legislators did not think going further made sense.

"I didn't get anything out of the study that said we should look at privatizing," Legislator Donald A. Peck, R-Gouverneur, said. "I'm going to vote tonight to stop it."

The issue haunts workers as it has come up periodically since the department was created about 25 years ago, said William E. Powers, president of the Solid Waste Division of Civil Service Employees Association.

"It just seems like this hangs over our heads. We need an answer. Are we here or aren't we?" he said. "We're doing the best we can. I guess I'm asking for a decision, please."

Since the county raised the tipping fee at the transfer stations from \$107 per ton to \$132 per ton, it has seen a drop in volume of 1,300 tons.

Four hundred tons of the total was lost to haulers who decided to avoid the tipping fee increase by direct hauling to DANC's regional landfill in

Rodman, said Recycling Coordinator Scott A. Thornhill.

The remaining decline is not offset by a surge in recyclables and tonnage is up for Casella, the county's largest private hauler, Legislator Alex A. MacKinnon, R-Fowler, said. An increase in the tipping fee of at least \$5 is likely next year as well. However, Mr. MacKinnon said the county operation is favored by his constituents and would have his support so long as it was paid for by users.

The drop in tonnage has caused a loss of \$75,000 so far this year, so keeping the department as an enterprise fund may not be sustainable, Mr. Lightfoot said.

One of the problems of collecting quotes for full or partial privatization is the number of companies that might compete, Mr. MacKinnon said.

"Casella is about the only private sector large hauler in the county," he said.



FULTON COUNTY

CSEA workers stage protest over raises

BY MICHAEL LAMENDOLA
Gazette Reporter

Unionized county employees staged an information picket before the start of Monday afternoon's Fulton County Board of Supervisors' meeting, protesting the lack of a raise from the county for the last 2½ years.

About 30 members of Local 818 of the Civil Service Employees Association — about 10 percent of the membership — staged the protest outside of the Fulton County Office Building.

Local 818 President Ron Briggs said the CSEA members are upset the county has failed to grant the 250 members of the local a raise to cover the growing cost of living. "It is time to get serious and hopefully find an amicable solution," he said.

The local's contract with the county expired at the end of 2008 but was extended for one year. The local has been without a contract since Jan. 1, 2010.

He said the union is seeking a cost of living adjustment while the county remains fixed to positions of not offering a raise and requiring union members to contribute more for health insurance.

"They are only offering us zero for 2010," Briggs said. "We understand 2010 and 2011 have moved on. We are asking for a fair wage." He said members of the local do not receive annual salary step increases and get only a minimal amount for longevity, ranging from \$50 to \$200 per year.

He said the purpose of the picket was to educate the community about the role CSEA members play in county government. "We are here and we provide needed services," he said.

Local 818 represents workers in almost all departments of county government except the Sheriff's Office, which has its own union.

Briggs said the CSEA local is at impasse with the county and will begin fact-finding before a hearing judge from the Public Employees Relations Board on Friday. He said the fact-finder's recommendations are non-binding and that the county could at the end impose a one-year contract on the local.

County officials were not available for comment Monday.

Reach Gazette reporter Michael Lamendola at 843-2856 or lamend@dailygazette.com.



Fulton County, unions still at impasse

Fact-finder to get involved in contract process

By MICHAEL ANICH
 The Leader-Herald

JOHNSTOWN — Bargaining aimed at finalizing new contracts for two Fulton County government unions failed in two sessions last month, and the process heads to state fact-finding Friday.

Both county management and the 285-member General Unit union of Local 818, Civil Service Employees Association, and the smaller Nurses Unit union met recently to resolve long-standing differences. The unions' last contracts expired at the end of 2009.

County officials met in Johnstown with the Nurses Unit on June 18 and the General Unit on June 27, but no agreements were hammered out.

The Nurses Unit consists of nurses employed by the county. The General Unit consists of unionized county employees such as clerks, support staff and workers from the Social Services, Highway and Facilities,

and Solid Waste departments.

"We have nothing," Local 818 President Ronald Briggs said following the General Unit session. "Overall, the [union's negotiating] committee was very disappointed."

He said the county wants a multi-year agreement in which unionized employees largely won't be getting raises.

"They're still looking at no salary increases for most of it," Briggs said.

County officials, including board Chairman Michael F. Gendron, Personnel Chairman David Howard, Finance Chairman Greg Fagan and Administrative Officer Jon Stead, couldn't be reached for comment this morning.

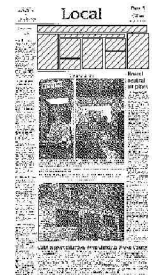
Union negotiating sessions last month were pre-fact-finding meetings, but now give way to fact-finding Friday through the state Public Employment Relations Board — one of the last steps in the negotiating process. PERB-as-

signed fact-finder Gordon Mayo of East Greenbush will be meeting with the county and its unions.

According to the PERB website, a fact-finder "inquires into the causes and circumstances of the impasse, along with the positions being advanced by the parties on the disputed issues, through oral and/or written testimony, exhibits, briefs." The fact-finder is empowered only to make recommendations for resolving the impasse, the site says. Either party is free to accept or reject the recommendations.

The site says the PERB director has discretion to authorize appointment of a conciliator to provide additional mediation after issuance of a fact-finder's report.

Michael Anich covers Johnstown and Fulton County news. He can be reached at johnstown@leaderherald.com.



Nurse's aides protest job losses

Jane Lerner

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WHITE PLAINS — Nurse's aides laid off from Westchester Medical Center this week rallied Thursday outside the County Office Building to protest the job losses.

Many of the 250 aides said they were unfairly fired to make way for a private company, MSN, that they fear will provide a lower quality of care.

They criticized the hospital for dismissing them with little notification or benefits despite their years of service.

"They just got rid of us — no notice, no severance, no sick time," said Shellian Smith, who worked at the medical center for six years. "It's not right."

Westchester Medical Center officials announced late last month that they were hiring a private company to provide nurse's aides. The change will save about \$4 million to \$5 million yearly, officials said. The Valhalla hospital has an estimated \$60 million budget gap.

"This new program enables WMC to introduce an enhanced model of care with more health-care professionals while maintaining critical services and programs," CEO Michael Israel said in a statement.

Nurses protesting on Martine Avenue said that the new agency has less-qualified workers at much lower salaries.

Westchester Medical

Center officials said the hospital has had a relationship with MSN for more than 20 years and the company only hires certified staff.

"We worked respectfully with staff during this process and have complied with all aspects of the contract governing employee notification," Kara Ben-north, senior vice president for corporate communications and fund development for the medical center, said in a statement. "It is our understanding that the salaries are competitive, and that MSN has been very successful in filling positions with certified, qualified individuals."

Arnita Carter worked at the medical center for 31 years — starting in 1981 for less than \$3 per hour.

"It took me 31 years to make \$22 per hour and change," she said. "I'm not working for \$13 per hour."

The protesters also criticized their union, saying it had not done enough to protect them.

Peter Piazza, president of the Civil Service Employees Association at the medical center, said the union has filed protests with the U.S. Equal Employment Opportunity Commission.

He noted that most of the laid-off workers are members of racial and ethnic minority groups.

"Whenever they take an action for fiscal reasons, it always impacts the lowest-paid workers, who are usually people of color," he said. "If they want to save money, why

don't they outsource some of the higher-paid people?"

An April analysis of salary data obtained by The Journal News through a Freedom of Information request revealed that 20 Westchester Medical Center administrators received increases in their total compensation for 2010.

That same year, the medical center laid off 130 workers, instituted a hiring freeze and announced an \$18 million budget cut.

Israel received a 6 percent increase in compensation in 2010 and a 1 percent raise in 2011.

He made \$1.3 million in total compensation in 2010 and was among eight hospital executives in the Lower Hudson Valley who received \$1 million or more in total compensation that year.

Union officials have criticized the medical center for paying generous salaries to administrators while laying off lower-paid workers.

"They say they have world-class medicine," CSEA official John Staino said. "But they're paying Wal-Mart salaries."

"Whenever they take an action for fiscal reasons, it always impacts the lowest-paid workers, who are usually people of color. If they want to save money, why don't



*they outsource
some of the*

*higher-paid
people?"*

PETER PIAZZA, president of
the Civil Service Employees
Association at Westchester
Medical Center



Angela McKenzie of Mount Vernon, a member Local 9201 of the Civil Service Employees Association, demonstrates against Westchester Medical Center in Thursday's heat in front of the Westchester County Office Building in White Plains.



Nurse's aides demonstrate against Westchester Medical Center after being laid off to make room for hires from a private company. PHOTOS BY RICKY FLORES/THE JOURNAL NEWS

Reaches Out After Election *Saunders Seeks Unity For AFSCME's Outside Battles*

By DAVID SIMS

Newly-elected American Federation of State, County and Municipal Employees President Lee Saunders, who won a hotly-contested race June 21 against Danny Donohue by a wider-than-expected margin, knows that the wounds of the campaign won't heal instantly.

"I think that folks want to pull together, but it'll take some time," he said in a June 28 phone interview. "Whenever you have a bruising campaign, there'll obviously be some hurt feelings. But I think that we'll get over that."

Staff Shakeup Unlikely

During the campaign, Mr. Donohue, the president of the Civil Service Employees Association, campaigned as the reformer, saying Mr. Saunders would maintain the status quo because of his close ties to retiring president Gerald W. McEntee.

Mr. Saunders did not reject that notion, saying that the union's personnel would likely stay largely the same. "There's not going to be a lot of wholesale changes because I think we have some top staff," he said.

But he also indicated that he would listen to ideas from the international union's many councils and affiliates around the country as he settles into the AFSCME presidency.

"That doesn't mean we're not going to change the way we do things around here," he said. "I want to be very open, and I mentioned this to the board last week. I need their help and their support. It's not just me running the union, it's all of our leaders providing support and recommendations."

He is setting up an e-mail address for AFSCME members to submit suggestions and holding teleconference calls with "anyone who wants to get on the line" so that people feel their voices have been heard, Mr. Saunders said.

Looking for 'Support, Guidance'

"I'm going to need support and help and guidance from leaders across the country, and I welcome that," he said. His rival for the presidency is included on that list, too: "Danny's the leader of a great union in New York State and we're going to work together on the issues."

The presidential campaign was fraught with negativity, with Mr. Donohue attacking Mr. Saunders as a Washington insider who didn't concentrate enough on rank-and-filers

(Continued on Page 7)

these schools has the opportunity to remain there for the next school year, though those who have found new positions elsewhere are free to go to those new jobs if they choose." The city said it would appeal the ruling.

The ruling essentially ensures that the 24 schools will not receive Federal grants, the stated reason for turnaround, as they will not be replacing 50 percent of their staff. The UFT and CSA had argued that turnaround was being employed simply to remove staff from schools without obeying contract rules.



LEE SAUNDERS: Larger struggles on horizon.

