

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: HEALTH SERVICES

DATE: OCTOBER 6, 2009

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SOKOL
SHEEHAN
THOMAS
CHAMPAGNE
PITKIN

OTHERS PRESENT:

REPRESENTING WESTMOUNT HEALTH FACILITY:
BARBARA TAGGART, ADMINISTRATOR
BETSY HENKEL, COMPTROLLER
FREDERICK MONROE, CHAIRMAN
PAUL DUSEK, COUNTY ATTORNEY
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES
JOAN SADY, CLERK OF THE BOARD
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING
JULIE PACYNA, PURCHASING AGENT
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISOR TAYLOR
DON LEHMAN, *THE POST STAR*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

COMMITTEE MEMBERS ABSENT:

SUPERVISORS O'CONNOR
STRAINER

Mr. Sokol called the meeting of the Health Services Committee to order at 9:34 a.m.

Motion was made by Mr. Pitkin, seconded by Mr. Sheehan and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Barbara Taggart, Administrator of Westmount Health Facility, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Taggart stated that the first item on the agenda was to discuss the bids that had been received for the Sprinkler System Project (H296.9550 280) at Westmount Health Facility. She said that she had been working with Jeffrey Tennyson, Deputy Superintendent of Engineering, and Julie Pacyna, Purchasing Agent, with whom she had met in August to discuss the bid specifications. She expounded that she had requested that the contractors who submitted proposals, tour the Facility to familiarize themselves with the layout prior to submission and she added that proposals had been submitted at the end of August. She apprised that Excel Engineering, PC was the lowest bidder at \$3,500; however, she added, Mr. Tennyson was unsure of their level of experience. She continued by saying that Clark Patterson Lee was the second lowest bidder at \$5,000 and would be more than capable of completing the project. She added that the third lowest bidder was Robson Woese, Inc. at \$5,500. She advised that she, Ms. Pacyna and Mr. Tennyson felt that it was a good idea to conduct interviews with the three lowest bidders to determine which engineering firm would be the best choice.

Mr. Tennyson apprised that the bids received had ranged from \$3,500 to \$13,975. He said that the proposal from Excel Engineering, PC had been lacking in the description of their experience.

He added that based solely on the proposals he would not recommend accepting the proposal from Excel Engineering, PC. He explained that they could reject the proposal from Excel Engineering, PC and award the bid to the second lowest bidder, Clark Patterson Lee; or they could conduct interviews with the three lowest bidders and make the best selection based on the interviews. Mr. Pitkin asked if Excel Engineering, PC had been contacted in order to obtain references and Mr. Tennyson replied that they had not had direct contact with any of the bidders. Mr. Pitkin said that he was opposed to ruling out the lowest bidder without determining their references. Mr. Champagne voiced his opinion that they should interview the lowest three bidders and that the interviews should be conducted with Mr. Sokol and one other member of the Committee in attendance.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to conduct interviews with the three lowest bidders for the Sprinkler System Project at Westmount Health Facility; Excel Engineering, PC, Clark Patterson Lee and Robson Woese, Inc., with Mr. Sokol, Mr. Tennyson and one other member of the Committee in attendance.

Mr. Tennyson and Ms. Pacyna exited the meeting at 9:40 a.m.

Ms. Taggart requested to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$1,086 to reflect the purchase of two computer workstations for the northeast and southwest nurses stations.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to amend the 2009 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Taggart requested a resolution to ratify the actions of the Administrator of Westmount Health Facility and authorize payment to Mahoney Notify-Plus, Inc. in the amount of \$468.75 for the September 18, 2009 emergency service call.

Motion was made by Mr. Champagne, seconded by Mr. Sheehan and carried unanimously to ratify the actions of the Administrator of Westmount Health Facility and authorize payment to Mahoney Notify-Plus, Inc., as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the October 16, 2009 Board meeting.*

Ms. Taggart stated that pages 5 through 13 of the agenda packet were requested personnel changes for 2010 which would correct the budget codes for per diem and overtime salaries. She advised that per diem and overtime salaries had been unbudgeted in past years. Mr. Sokol reminded the Committee that the salaries had not been properly budgeted in the past and Mr. Geraghty interjected that the Budget Committee had requested that the issue be corrected for the 2010 County budget.

Following a brief discussion, motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to approve the personnel changes for 2010 as presented and to refer same to the Budget Committee.

Ms. Taggart reported that there was a new regulation that stated that nursing facilities could

not require nurses to work mandatory overtime. She added that as a result of the new regulation, Westmount Health Facility had developed a policy for emergency coverage. She explained that per diem staff, off-duty staff and staff volunteers were utilized to cover shifts for vacation, sick and personal time. She added that as a last resort they would utilize emergency staffing and she requested authorization to contract with a nurse agency for emergency staffing needs. Mr. Champagne questioned the new regulation and Ms. Taggart explained that they could not require a nurse to stay beyond their shift; however, she added, they could utilize per diem nurses, request off-duty staff to fill in or allow staff volunteers to work overtime shifts as they come available. Mr. Champagne asked if a list of staff willing to work overtime shifts was kept and Ms. Taggart replied affirmatively. She advised that she had consulted with NYAHS (New York Association of Homes & Services for the Aging), and they had recommended that Westmount Health Facility contract with a nurse agency for emergency staffing needs. She added that the agency's services would only be utilized in an emergency. She stated that she had contacted three nurse agencies; Med Staff, Nurse Connection Staffing, Inc. and Interim Health Care.

Following a brief discussion, motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to authorize a contract with one of the nurse agencies listed above for emergency staffing needs. *The necessary resolution was authorized for the next Board meeting.*

Mr. Pitkin recommended that Ms. Taggart contact the Department of Public Health to determine if the services could be utilized there as well.

Ms. Taggart requested to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$275 and a transfer of funds in the amount of \$126 to reflect the purchase of two wander guards and bands for patients that had the potential for elopement.

Motion was made by Mr. Sheehan, seconded by Mr. Thomas and carried unanimously to approve the requests to amend the 2010 County budget and the transfer of funds as outlined above and to forward same to the Finance Committee. *Copies of the resolution request forms are on file with the minutes.*

Ms. Taggart stated that comparisons of overtime usage for the February, March and April 2008 and 2009 were included in the agenda packet for the Committee's review. She said that she had broken down the overtime usage by department and noted that there had been an improvement in the amount of overtime used as compared to 2008. Mr. Sokol asked if a breakdown was available with dollar amounts and Ms. Taggart replied in the negative and added that she had been requested to provide a breakdown of the amount of hours of overtime used.

Ms. Taggart reported that a list of staffing levels had been included in the agenda packet. She said there was one vacant full-time Registered Nurse position on the 11:00 p.m. to 7:00 a.m. shift and several Certified Nursing Assistant vacancies. In answer to a question, Ms. Taggart responded that they had advertised for the positions; however, she noted, the 11:00 p.m. to 7:00 a.m. Registered Nurse position was difficult to fill.

Ms. Taggart said that the last page of the agenda packet was a report on overtime usage for the last ten weeks and noted that there was a holiday included in that time period.

Ms. Taggart reported that the Civil Monies Penalties (CMP) that were charged for the New York State Department of Health Immediate Jeopardy Deficiency Finding was paid in September and totaled \$31,297.50, which reflected a 35% reduction in the amount of the CMP originally imposed.

Ms. Taggart apprised that one of the residents of Westmount Health Facility and her husband just celebrated their 68th wedding anniversary. She mentioned that several obituaries had thanked the staff of Westmount Health Facility for the care of their loved ones and she displayed a thank you note which had been received from a family member.

Paul Dusek, County Attorney, advised that the Committee would need to enter into an executive session to discuss matters relating to the hiring of a particular professional, attorney/client privilege, matters concerning the employment history of a particular person, and matters that might lead to the potential discipline of a particular person.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously that executive session be declared pursuant to Section 105 (f) and Section 108 (3) of the Public Officers Law.

Executive session was declared from 9:55 a.m. to 11:30 a.m.

Committee reconvened.

Pursuant to the executive session, motion was made by Mr. Champagne, seconded by Mr. Sheehan and carried unanimously to approve the request to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$25,000 to reflect payment for physician billing services provided by Ruffo, Tabora, Mainello & McKay, PC and to forward same to the Finance Committee; and to amend the current contract with Ruffo, Tabora, Mainello & McKay, PC to allow accounting services in an amount not to exceed \$25,000. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the October 16, 2009 Board meeting.*

Pursuant to the executive session as it pertained to personnel issues, Mr. Dusek advised that he, Chairman Monroe and Mr. Sokol would meet individually with the concerned parties to address those issues.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Champagne and seconded by Mr. Pitkin, Mr. Sokol adjourned the meeting at 11:32 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist