

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: HEALTH SERVICES**

**DATE: OCTOBER 23, 2009**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS SOKOL  
SHEEHAN  
THOMAS  
CHAMPAGNE  
O'CONNOR  
STRAINER  
PITKIN

**OTHERS PRESENT:**

REPRESENTING THE DEPARTMENT OF PUBLIC HEALTH:  
PAT AUER, DIRECTOR  
SHARON SCHALDONE, ASSISTANT DIRECTOR  
GINELLE JONES, ASSISTANT DIRECTOR OF PUBLIC HEALTH  
TAMMIE DELORENZO, CLINICAL & FISCAL INFORMATICS  
COORDINATOR  
TAWN DRISCOLL, FISCAL MANAGER  
REPRESENTING WESTMOUNT HEALTH FACILITY:  
BARBARA TAGGART, ADMINISTRATOR  
BETSY HENKEL, COMPTROLLER  
FREDERICK MONROE, CHAIRMAN  
PAUL DUSEK, COUNTY ATTORNEY  
AMY BARTLETT, FIRST ASSISTANT COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE AND FISCAL  
SERVICES  
JOAN SADY, CLERK OF THE BOARD  
SUPERVISORS BENTLEY  
KENNY  
TAYLOR  
TODD LUNT, DIRECTOR OF HUMAN RESOURCES  
THOM RANDALL, *THE ADIRONDACK JOURNAL*  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Sokol called the meeting of the Health Services Committee to order at 9:32 a.m.

Motion was made by Mr. O'Connor, 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 requested a contract with Excel Engineering, PC for conceptual study services for the Sprinkler Project at Westmount Health Facility for a total amount not to exceed \$3,500. Mr. Pitkin asked if Excel Engineering, PC had been the lowest bidder and Ms. Taggart replied affirmatively. She said that a water flow test would also need to be completed.

Motion was made by Mr. Champagne, seconded by Mr. Pitkin and carried unanimously to authorize a contract with Excel Engineering, PC as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 20, 2009 Board meeting.*

Ms. Taggart informed the Committee that there had been a telephone conference on October 20, 2009 pertaining to the federal regulation and 2013 compliance deadline for the sprinkler system. She added that a timeline had been discussed and was included in the agenda packet. Mr. Sokol asked if there were costs associated with any of the steps in the timeline and Ms. Taggart replied affirmatively. Mr. Champagne questioned the total cost of the project and Ms. Taggart responded that Jeffrey Tennyson, Deputy Superintendent of Engineering, had estimated a total cost of approximately \$500,000 to \$700,000. Mr. Champagne stated that due to the status of the economy, he felt that Warren County should investigate the possibility of postponing the project until a later date. Ms. Taggart replied that it had been stated during the telephone conference that this was a federal regulation and no waivers would be accepted. Hal Payne, Commissioner of Administrative & Fiscal Services, apprised that the sprinkler system was a life safety issue and if there was a fire which caused a death and the sprinkler system had not been installed due to cost, it would constitute a major liability. Ms. Taggart advised that the majority of the project could be completed using County employees to help defer the costs. She added that exposed pipes were acceptable which could also reduce the costs. Mr. Pitkin agreed that since the deadline was August 2013, much of the work could be completed in-house.

Continuing with the agenda review, Ms. Taggart requested a contract with Dr. S. Richard Spitzer for part-time physician services, to work two and a half hours per week, commencing January 1, 2010 and terminating upon 30 days written notice by either party, for a total amount not to exceed \$11,250. She advised that she had met with Dr. Spitzer, who had informed her that he would not increase his fees. Mr. Pitkin said there had been a question on one of the billings for Medicaid and asked if it concerned this particular doctor and Ms. Taggart replied that Dr. Spitzer's records would be audited. She added that she was looking into the possibility of having Hudson Headwaters Health Network take on physician billing for next year.

Motion was made by Mr. Champagne, seconded by Mr. Strainer and carried unanimously to authorize a contract with Dr. S. Richard Spitzer as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 20, 2009 Board meeting.*

Ms. Taggart requested a contract with Lori A. Girard, CDN for dietician services, commencing January 1, 2010 and terminating with 30 days written notice by either party, at an hourly rate of \$32 for a total amount not to exceed \$28,288. She added that Ms. Girard had stated that she would not be increasing her fee.

Motion was made by Mr. Pitkin and seconded by Mr. Champagne to authorize a contract with Lori A. Girard, CDN, as outlined above.

Mr. Champagne asked if there had been problems finding dieticians in the past and Ms. Taggart replied that Ms. Girard had been working with at Westmount Health Facility for nine years. Mr. Champagne asked how many hours per week the dietician worked and Ms. Taggart replied 18 to 20 hours per week. Mr. Champagne asked if the need for a dietician was mandated for 18 to 20 hours. Mr. Payne responded that because Westmount Health Facility did not have a diet technician on staff, it was necessary to contract with a dietician. He added that the State regulated how many hours the dietician was needed per week and he believed it was 16 to 20 hours per week. Paul Dusek, County Attorney, said that the Supervisors had expressed their

desire to limit all mandated programs to the minimum amount required and he felt that this was one instance where they could do so. Mr. Payne advised that they would need to contact the State to determine the required minimum number of hours per week for a dietician. Mr. Pitkin suggested that they table the request until the State minimum was determined.

Mr. Pitkin withdrew his motion and Mr. Champagne withdrew his second to the motion.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to table the request for a contract with Lori A. Girard, CDN until further information on the minimum amount of hours was determined.

Ms. Taggart requested a transfer of funds from various codes totaling \$84,884 for the purpose of balancing the year end budget.

Motion was made by Mr. Strainer, seconded by Mr. Pitkin and carried unanimously to approve the transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the resolution request forms are on file with the minutes.*

Ms. Taggart requested approval for Renee Bazan, Social Worker, to enroll in a Microbiology Course at Adirondack Community College, commencing September 8, 2009 and terminating December 22, 2009 at a cost of \$664.65.

Mr. Strainer asked if the employee would continue to work at Westmount Health Facility and Ms. Taggart replied affirmatively. Mr. Sokol noted that the course had started on September 8, 2009. Mr. Payne said that the resolution stated that requests to enroll in job-related courses were supposed to be submitted prior to the start of the course. Mr. Strainer asked if the employee was aware that she was required to submit the request prior to the start of the course and Ms. Taggart responded that she had requested that the employee present her with the paperwork so that she could submit it to the Committee. Mr. Geraghty stated that this would be after-the-fact reimbursement and that if the County had a policy on reimbursement for job-related courses, they should stick to it. Mr. Payne noted that many of the employees had been submitting their requests after they had enrolled in the courses. Mr. Dusek agreed that the County should adhere to the policy which had been adopted; however, he added, since the County had been lenient in the past and had reimbursed employees who submitted their requests after-the-fact, he recommended that the Committee approve this request and have Mr. Payne issue a memo stating that the policy would be adhered to in the future. He advised that issuing the memo would allow the County to adhere to the policy from this point forward without being accused of discrimination. Mr. Taylor asked if the employees who received reimbursement for job-related courses were required to continue employment with the County for a certain amount of time. Todd Lunt, Director of Human Resources, responded that the employees were required to obtain a grade of C or better in the course and to continue employment with the County for 18 consecutive months or reimburse the County the full amount that was expended. In answer to a question concerning the possibility of suspending the job-related course reimbursement program until the County budget was improved, Mr. Dusek stated that the program could not be suspended as it was part of the union contract. He added that the County could however, require that the employees follow the rules and obtain the approval of the Board of Supervisors prior to the start of the course. It was the consensus of the Committee that Mr. Payne issue a memo reminding employees that they

must submit their requests for reimbursement prior to enrollment in job-related courses.

Following further discussion, motion was made by Mr. Pitkin, seconded by Mr. Sheehan and carried by majority vote, with Messrs. Champagne and Thomas voting in opposition, to authorize Renee Bazan to enroll in the job-related course as outlined above and to forward same to the Personnel Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Taggart requested authorization to fill the vacant position of Assistant Director of Nursing (ADON), base salary of \$58,701, Employee No. 1356, due to retirement. She noted that the current ADON was retiring as of December 18, 2009. Mr. Sokol asked if the position was vital and Ms. Taggart replied affirmatively.

Motion was made by Mr. Champagne and seconded by Mr. Strainer to fill the vacant position of Assistant Director of Nursing and to forward same to the Personnel Committee.

Ms. Taggart stated that the base salary was \$58,701 and the current ADON's salary including longevity was \$63,201. She added that she would like to increase the base salary to be more competitive with other nursing facilities. Mr. Strainer asked if a current employee would be promoted to the position and Ms. Taggart replied in the negative. Mr. Sokol asked what the other local facilities were paying their ADON's and Ms. Taggart responded that they were paying an average of \$63,000. Mr. Pitkin suggested that it might be a good time to look at reorganizing the Department's Table of Organization. Ms. Taggart responded that she would be changing the job description for the ADON position but she did not want to eliminate the position. In answer to a question pertaining to the different shifts for the Facility, Ms. Taggart responded that the ADON would be required to meet with the employees during their shift as part of the job description. Mr. Champagne asked which employee was in charge during the 11:00 p.m. to 7:00 a.m. shift and Ms. Taggart replied that it was a Nursing Supervisor. Mr. Sheehan asked what the base salary was for a Nursing Supervisor and Mr. Payne replied \$51,007.

Mr. Dusek recommended that Mr. Lunt perform a survey of local private and public facilities to determine the average salaries paid to nursing personnel. He also recommended that Ms. Taggart return to the Committee with a plan outlining the specific duties of the Assistant Director of Nursing and what hours that person would be working.

Discussion ensued.

Mr. Pitkin agreed that more information was needed and that the Committee should await the results of the survey from Mr. Lunt. Mr. Payne noted that there would not be enough time to find an adequate candidate if the Committee hesitated too long. Mr. Sokol suggested that the Committee meet again prior to the November 10, 2009 Personnel Committee meeting and the November 20, 2009 Board meeting in order to discuss the salary of the ADON position. It was the consensus of the Committee to hold an additional Committee meeting on November 4, 2009 at 9:30 a.m.

Ms. Taggart noted that reports on staffing levels and overtime usage, as well as a comparison of overtime usage for 2008 and 2009, were included in the agenda packet for the Committee's

review.

Mr. Sokol stated that the Committee would need to enter into an executive session to discuss proposed litigation and the employment history of a particular person.

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

Executive session was declared from 10:13 a.m. to 10:36 a.m.

Mr. Bentley entered the meeting during the executive session.

The Committee reconvened and Mr. Sokol mentioned that the Committee would re-enter executive session prior to the end of the meeting to discuss the matter further.

Privilege of the floor was extended to Pat Auer, Director of Public Health, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

With regards to the Pending Item relating to the contractual issues with the Prospect Child and Family Center, Ms. Auer reported that Patricia Nenninger, Second Assistant County Attorney, had advised that there was no report for this month. Ms. Auer said that Ms. Nenninger planned to consult with Paul Dusek, County Attorney, on the matter and she said that an update should be available for the next Committee meeting.

Ms. Auer stated that 300 doses of the H1N1 Flu vaccine had been received and were to be administered to health care workers. She added that the health care workers had not been timely in requesting the vaccine; therefore, she continued, they had administered the vaccine to school aged children by appointment only. She said that the clinics would be established upon further receipt of the vaccine. Ms. Auer noted that the Public Health Department had still not received the remainder of the shipment of the Seasonal Influenza Vaccine. She stated that the Department was fielding many calls from the public in regard to both Seasonal Influenza and H1N1 Influenza. She apprised that she had received notification that Warren County Public Health would receive funding for Phase 3 H1N1 Activities in the amount of \$98,828, bringing the contract total to \$201,934. She said that the County Attorney's Office had advised that it was not necessary to amend the contract with New York State Department of Health (NYS DOH) and Health Research Institute because there was a proviso written into the contract that allowed for the ability to receive any additional funding that may become available. She explained that the funds were for the purpose of supporting the associated costs with operating the H1N1 flu clinics. She advised that New York State, through funding from the federal government, was providing the vaccine free of charge, and it would be distributed according to the priority groups set up by the Centers for Communicable Disease.

Ms. Auer requested a contract with NYS DOH Bureau of Early Intervention to accept American Recovery and Reinvestment Act of 2009 funds in the amount of \$23,676, commencing October 1, 2009 and terminating September 30, 2011. She advised that these were Economic Stimulus funds that were intended to provide supplemental assistance for local administration of the Early Intervention Program. She added that the funding would be provided upon approval of the Office of the State Comptroller after receipt of an acceptable plan for use of the funds. She

advised that this was the Public Health Department's first experience with Economic Stimulus funds.

Motion was made by Mr. Pitkin, seconded by Mr. Thomas and carried unanimously to authorize a contract with the NYS DOH Bureau of Early Intervention, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 20, 2009 Board meeting.*

Ms. Auer requested a resolution establishing the per visit charges for the Home Health Agency and the Long Term Home Health Care Program commencing January 1, 2010. She said that the charges were reviewed and updated annually using information from their cost report. She advised that the changes from last year were for skilled nursing visits where the charge would increase from \$160.00 to \$170.00 per visit, and there would be a new charge of \$10.00 per day for telemonitoring.

Motion was made by Mr. Champagne, seconded by Mr. Strainer and carried unanimously to authorize a resolution establishing the per visit charges for the Home Health Agency and the Long Term Home Health Care Program as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 20, 2009 Board meeting.*

Ms. Auer stated that the agenda packet contained a Report of Revenues and Expenditures and a Report of Per Diem Expenses and Overtime Costs. Tawn Driscoll, Fiscal Manager for the Public Health Department, advised that regular and part-time salaries were decreased when compared to the same time period for 2008. She added that part-time and overtime expenses would increase due to the flu clinics; however, she continued, the clinics were fully funded by the Bioterrorism Grant. She apprised that they had billed over \$1 million in the spring and an additional \$1 million in the summer for Preschool Program reimbursement. She said that they had received their first reimbursement last week of approximately \$920,000. Ms. Auer noted that the State Department of Education was slow to send reimbursements.

Ms. Auer expounded that the notification that the temperature for the Municipal Center was to be set at 68 degrees for the winter and the directive that had been announced was that there would be no space heaters allowed in the offices because the heating system's efficiency would be compromised and they could pose a safety issue, which had caused much negativity in the Public Health Office. She stated that because of the lack of insulation, particularly by the window areas, it was very cold in the Municipal Center during the winter months, and she noted that last year, even with the temperature set at a higher level, they had several employees who used space heaters, as well as employees who sat at their desks with blankets around them. She advised that she could not in good conscience tell the staff that they must be cold while they were at work. She said that she was looking for some direction from the Committee as to how to resolve this issue.

Mr. Payne apprised that Frank Morehouse, Superintendent of Buildings, had completed an assessment of the temperature in the Municipal Center Building that morning and each of the fourteen heat pumps in the Public Health Department had registered between 67 and 70 degrees. Sharon Schaldone, Assistant Director of the Public Health Department, advised that they did not have an issue with the 68 degrees; however, she added, areas near the window

could be as low as 52 degrees even when the area next to the vent was 68 degrees. She advised that in the Public Health Department even the surfaces of the desks were cold.

Following a brief discussion, Mr. Sheehan suggested that the issue be referred to the County Facilities Committee. Mr. Payne noted that the issue was already on the agenda for the October 27, 2009 County Facilities Committee meeting.

The representatives from the Public Health Department exited the meeting at 10:50 a.m.

Mr. Sokol stated that the Committee would need to enter into an executive session to discuss the employment history of a particular person.

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

Executive session was declared from 10:57 a.m. to 11:05 a.m.

The Committee reconvened.

Pursuant to the executive session, motion was made by Mr. Sheehan, seconded by Mr. Thomas and carried unanimously to authorize the Administrator of Westmount Health Facility to obtain the services of an Acting Nursing Director on a temporary basis.

As there was no further business to come before the Health Services Committee, on motion made by Mr. Thomas and seconded by Mr. Sheehan, Mr. Sokol adjourned the meeting at 11:06 a.m.

Respectfully submitted,  
Charlene DiResta, Sr. Legislative Office Specialist