

**PERSONNEL AND COMPENSATION COMMITTEE
MINUTES
MONDAY, AUGUST 21, 2023
3:30 P.M.**

PRESENT: Thomas J. Faggione, Acting Chairman
Leigh J. Benton, L. Stephen Brescia, **Kevindaryán Luján**,
Jospeh J. Minuta, James D. O'Donnell, Michael D. Paduch

ALSO

PRESENT: Katherine E. Bonelli, Chairwoman
Betsy N. Abraham, Esq., Legislative Counsel
Barry Cheney, Legislator
Kathy Stegenga, Legislator
Kellie Lagitch, Chief Assistant County Attorney
Langdon Chapman, Commissioner of Human Resources
Alison Tyack, Deputy Commissioner, Human Resources
Lawrence Catletti, Jail Administrator
Darcie Miller, Commissioner of Social Services and Mental Health
Dr. Alicia Pointer, Commissioner of Health
Lisa K. Lahiff, Deputy Commissioner of Health
Erik Denega, Commissioner, Dept. of Public Works
Travis Ewald, Deputy Commissioner, Dept. of Public Works/Engineering Division
Kerry Gallagher, Commissioner of Finance
Deanna Crawford, Deputy Commissioner, Parks, Recreation and Conservation
Deborah Slesinski, Budget Director
Liz Matis, Budget Analyst

Mr. Faggione called the meeting to order at 3:34 p.m. and asked everyone to stand for the Pledge of Allegiance to the Flag. All committee members were present with the exception of Chairman Robert C. Sassi.

Mr. Brescia moved the request to create one (1) Confidential Secretary to the Sheriff, Grade 12. Upon incumbent obtaining permanent status in the new position, position #23143, Secretary and Administrative Assistant II, Grade 9, will be abolished, seconded by Mr. Minuta.

Mr. Catletti explained that they would like to upgrade the Secretary and Administrative Assistant II, to Confidential Secretary. She has been in the position for twenty-three years and the job duties have increased quite a bit. After a desk audit was done, the Department of Human Resources concurred that the duties exceed her current position. Once she reaches permanent status, the Secretary and Administrative Assistant II will be abolished.

Motion carried. All in favor.

Mr. Minuta moved to approve the request to create one (1) Contract Coordinator, Grade 11, seconded by Mr. Benton.

Mr. Catletti stated that they currently have over fifty contracts. There will be new contracts coming in, especially with new technology and new equipment they have acquired. They had other staff working on the contracts, but it has been burdensome to take on the task with their already assigned details and assignments. They would like to create a Contract Coordinator to get contracts done in a timely manner.

Motion carried. All in favor.

Mr. Luján moved request to create one (1) additional Outpatient Clinic Director, Grade 17, and abolish one (1) vacant Mental Health Assessment Team Director, Grade 17, seconded by Mr. Benton.

Ms. Miller stated that they had a recent retirement, and they are reorganizing in order to expand the duties by changing the title of the position.

Motion carried. All in favor.

Mr. Luján moved request to create nine (9) Transporter (ME's Office) positions, Grade 6. Also request the title of Per Diem Transporter (ME's Office) be created. The salary range for the Per Diem will be from \$21.00 – \$25.00 per hour, seconded by Mr. Minuta.

Dr. Pointer provided background information as to the reason for the request. She explained that any unattended deaths in Orange County, unnatural or suspicious, needs to be investigated by the Medical Examiner's Office. Many of those need to be transported to the Medical Examiner's Office for either an external exam or autopsy. There were 514 transports in 2022 and projected about 550 transports for 2023. Over the years this has been handled by the funeral home directors at a cost of \$250 per transport. However, the funeral home directors have informed them that they will no longer be performing that service as of January 1, 2024. The need to find another way of transporting decedents from the location of their death or from the hospital to the Medical Examiner's office. There is currently a Request for Proposals (RFP) that is going out this week for a contract for another group, organization, or person to take on that role of transporting decedents. They know that RFPs are not always successful, so they want to make sure they have a backup plan. They are hoping that they do not need to use these positions, but they want to have them available in case they need them. The transporters would not start until that day that they needed them.

Mr. Luján asked how they came to the decision.

Dr. Pointer explained that they need transporters 24 hours a day, seven days a week. There is a less need during the evenings and weekends because if a patient dies in a hospital, sometimes the hospital can hold onto the patient for them until the next workday. If people die at home or somewhere else in the county, they need to get them so that is the 24 hours a day, seven days a week situation. They anticipated three 8 hour shifts a day, which is 21 shifts in a week. They divided that into five 8 hour shifts because people do not work 7 days a week, and that resulted in 4.2 which is the number of people they need if they had one person doing each of those shifts. They have 2 people shifts because transporting a body is physically demanding. That will give them 8.4 people.

Mr. Luján commented on the funeral homes no longer providing the service of transporting and asked if that is happening all over or just in Orange County.

Dr. Pointer explained that Orange County has a Funeral Home Directors Association. They have not spoken with each individual funeral home, they only spoke to the spokesperson for the Funeral Home Directors Association. She explained that funeral home directors are aging and there are fewer of them for many reasons. She is aware that other counties had similar issues and some counties faced this issue during COVID, but she added that they are fortunate because they were given more notice and there is still some time left.

Mr. O'Donnell shared that the proper name is Orange, Rockland and Sullivan Funeral Directors Association and they are in constant communication. He asked if they sent a written request that they will not be doing this anymore.

Dr. Pointer stated that they received a few written requests and they met with them in person. They emailed them saying they are no longer interested, and they requested a meeting and they met. They followed up with an email basically saying thank you for meeting with them and as discussed, we are no longer interested.

Mr. O'Donnell requested a copy of the communication. He asked how much money was spent last year on transportation for the Medical Examiner's Office.

Dr. Pointer responded that it was about \$125,000.

Mr. O'Donnell asked how much was budgeted for this request.

Ms. Slesinski stated that they put in the budget approximately \$1 million in the specialty payment line for an RFP.

Mr. O'Donnell questioned the \$125,000 request compared to the \$1 million request. He stated that the request today is to multiply what we spend by 8.

Dr. Pointer noted that she wished they did not have to, but they are happy to hear more options.

Mr. O'Donnell asked if they offered other alternatives to the Orange, Rockland and Sullivan Funeral Directors Association, and if so, did they offer to increase the \$250.

Dr. Pointer responded that they did not offer alternatives because they began the conversation with, they were not interested in more money, it was not a financial decision. As of January 1, they need to have a solution to this. They are hopeful that the RFP is successful, and they are hoping it will cost less than what they are asking for.

Mr. O'Donnell asked if this covered administration.

Dr. Pointer explained that the \$343,962, which does not include fringe benefits or vehicles.

Mr. O'Donnell asked if they would put these people on a schedule eight hours a day or will they get paid when they are called.

Dr. Pointer explained that these positions will be regularly salaried positions.

Mr. O'Donnell asked if she felt that this will be enough staff.

Dr. Pointer explained that 9 positions is for two people per shift.

Mr. O'Donnell felt that they would need 18, two people per shift. He was not sure who calculated that. He offered to provide the template from the New York State Police that would offer a better layout for proper staffing. He did not think the request was going to provide enough staff. He asked if there was a budget request or if there was any background as to how they came up with 9 positions.

Dr. Pointer did not have any documentation with her but will get some information to the committee.

Mr. O'Donnell asked where the Medical Examiner was and if she was working today. He further asked why she was not present.

Dr. Pointer responded yes, she was working, and they did not ask her to participate in the meeting today.

Mr. O'Donnell asked why they did not request her presence today, since the request is for her department. He was under the impression that the Medical Examiner did all the work and gave it to Dr. Pointer.

Dr. Pointer stated that they have been in communication with Dr. Roman and Jacki De Chiara who is the Director of Operations at the Medical Examiner's Office. They provided input to help establish what they need.

Mr. O'Donnell asked why there was a rush to bring this before the committee today, rather than wait for a response from the RFP.

Dr. Pointer explained that they want to make sure they have something in place by January 1st and they wanted to make sure they had the back up ready in case they need it.

Mr. O'Donnell asked what if nothing happens by January 1st.

Dr. Pointer stated that they will need to come up with another solution.

Mr. O'Donnell asked if the funeral directors were legally responsible or were we legally responsible. Who is legally responsible for the removal of deceased, unattended deaths

Dr. Pointer explained that funeral home directors are not legally responsible, but they do transports in other situations. They are legally responsible for bringing decedents from the Medical Examiner's Office to their own funeral homes. On January 1st they want to make sure no matter who it is, a contractor, someone internally, the funeral directors, someone needs to be there for the residents. It has been decided by our investigators that they need to go to the Medical Examiner's Office so that is internal. Those people who need to be investigated get to the Medical Examiner's Office.

Mr. O'Donnell asked who is responsible if nothing is in place January 1st. Who will remove the deceased from the scene. Is it the county's responsibility or is it the funeral homes' responsibility.

Dr. Pointer stated that if they were going to the Medical Examiner's Office, it is most likely the county's responsibility, if they are going to a funeral home, it is the funeral home's responsibility.

Mr. O'Donnell suggested they table the request until they get more information as to exactly how much this will cost and how many people are needed, but for now he will withhold his request to table.

Mr. Benton stated that if there is an unattended death in New Windsor, they send the police to investigate. Once they do the investigation, do they call the Medical Examiner's Office or do they call the funeral home. How do they know who to call.

Dr. Pointer explained that if there was someone who has a family member who has a terminal illness, they have a death, the police are called, and the police can determine that the investigator does not need to go out to make a determination if they need to go to the Medical Examiner's Office. It could be an EMT, sometimes a physician shows up if someone is on Hospice or a police officer might show up. There are a lot of different people who can make that determination. If an officer arrives at the scene and something appears suspicious and it should be investigated further, they will communicate with the investigator and the Medical Examiner's Office.

Mr. Minuta stated that they had a cart before the horse situation. He clarified that the RFP is going out this week. They had a discussion today about the different costs. The cost is about \$125,000 a year currently, and \$1 million has been budgeted. It has now been put out to the public that we have a \$1 million budget before an RFP went out. He would have liked to have seen the RFP go out first and see what came back. He would have preferred that the RFP went out first, so he was upset about how this took place procedurally. He would like to know what exactly is needed. It is being presented as a \$21.00-\$25.00 per hour request, but it is far more than that. He would like more details.

Mr. Brescia thanked Dr. Pointer for bringing this to their attention early, because this was just brought to her attention. He pointed out that his predecessor was aware of this, and her predecessor was aware of it, she is not to blame, she is just trying to do the right thing. If they need to adjust what she is doing to get the right answer and reduce costs, that is what they will do. The Legislature knew about this for at least eight years. The funeral directors told them, at least eight years ago while he was Chairman of the Legislature, that they were not going to provide the service anymore. For those Legislators that have been here for eight years or longer, should come as no surprise that this was going to happen. Years ago, they increased the fees for indigent burials and many other fees that had not been increased in years. Hopefully this will not cost \$1 million plus. Do a little more homework, bring back other proposals or get others involved. He commended Dr. Pointer by stating she was doing the right job today.

Mr. Chapman stated that they need to take a two-pronged approach and, as everyone knows hiring people is a big challenge. The Human Resources Department worked closely with the Health Department to try to create the lowest cost proposal they could. His concern is that they will get to a point at the end of the year where the funeral directors will cease work, and the RFP process takes roughly about a month to get back, then they need to review proposals. His biggest concern is that they do not get a proposal. If they do not get people to be able to transport deceased bodies,

which is their obligation. He read the following: Deaths without medical attendance, in case of any death occurring without medical attendance, it shall be the duty of the funeral director, undertaker, or any other person to acknowledge a death may come to notice such death to the coroner of the county or if there being more than one coroner having jurisdiction or the medical examiner. This becomes our concern. If they do not get a response to the RFP, and they do not create these jobs until October or November, they will not be able to get someone hired in time, and keep in mind how hard it has been hiring people. He suggested the two-pronged path, if not this month, definitely next month, so they can get the ball rolling.

Mr. O'Donnell mentioned that he suggested a motion to table for only one month to allow additional time for the Health Department to gather more information. He added that was why he offered the suggestion of the New York State Police template to provide assistance with adequate staffing.

Mr. O'Donnell made a motion to table for one month the request to create nine (9) Transporter (ME's Office) positions, Grade 6 and request the title of Per Diem Transporter (ME's Office) be created for one month, seconded by Mr. Minuta.

Motion failed.

4 ayes (Benton, Minuta, O'Donnell, Paduch)

3 noes (Brescia, Faggione, Lujan)

Acting Chairman Faggione noted that they need five votes in order to have majority.

Mr. Paduch asked what the requirements were to be a transporter.

Ms. Lahiff stated that one is to have a respectful vehicle to transport the deceased, for example, a tractor trailer would not qualify.

Mr. Faggione requested a copy of the RFP be provided to the committee. He thanked Mr. Chapman, Dr. Pointer and Ms. Lahiff for the discussion.

Motion failed.

3 ayes (Brescia, Faggione, Lujan)

4 noes (Benton, Minuta, O'Donnell, Paduch)

Mr. Minuta moved to approve the request to create one (1) Assistant Superintendent of Highway Construction, Grade 16, seconded Mr. Benton.

Mr. Denega explained that this has been discussed for some time internally. The current Superintendent is responsible for maintaining 302 miles of roadway, 147 bridges, and daily activities with maintenance and construction projects. He stated that this employee voluntarily comes in early and works extra hours to get things set up and is on call 24/7 for 911 calls. This position would improve and improve the succession plan.

Motion carried. All in favor.

Mr. Brescia moved to approve the request to reclassify Principal Account Clerk, position #020156, Grade 8, Step 8 (Longevity 15 years) to Associate Account Clerk I, Grade 9, Step 8 (Longevity 15 years), seconded by Mr. Luján.

Mr. Ewald explained that this position has more responsibility than it is currently classified as. Some of the tasks are account keeping for the Parks Department and overseeing some of the account keeping staff. After the desk audit by Human Resources, the recommendations were to increase the grade level of the position from a Grade 8 to a Grade 9.

Motion carried. All in favor.

On the motion of Mr. Luján, seconded by Mr. Minuta, the meeting adjourned at 4:24 p.m.