

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: WESTMOUNT HEALTH FACILITY & COUNTRYSIDE ADULT HOME**

**DATE: NOVEMBER 29, 2007**

---

---

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS TESSIER  
MASON  
GERAGHTY  
SOKOL

**OTHERS PRESENT:**

REPRESENTING WESTMOUNT HEALTH FACILITY:  
BARBARA TAGGART, ADMINISTRATOR  
REPRESENTING COUNTRYSIDE ADULT HOME:  
BRENDA HAYES, DIRECTOR  
WILLIAM THOMAS, CHAIRMAN

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS HASKELL  
CHAMPAGNE  
O'CONNOR

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF  
ADMINISTRATIVE AND FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
CHARLENE DIRESTA, LEGISLATIVE OFFICE SPECIALIST

---

---

In the absence of the Committee Chairman, Mr. Tessier, Vice-Chairman, called the meeting of the Westmount Health Facility & Countryside Adult Home Committee to order at 11:13 a.m.

Motion was made by Mr. Mason, seconded by Mr. Sokol and carried unanimously to approve the minutes of the October 26, 2007 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 apprised that she was requesting permission to transfer funds in the amount of \$13,508 for various codes in order to balance the department's budget. Mr. Geraghty asked if any funds would be transferred from the Contingent Fund and Ms. Taggart replied that they would not.

Motion was made by Mr. Geraghty, seconded by Mr. Sokol and carried unanimously to approve the request for the transfer of funds, as outlined above and to refer the same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Ms. Taggart stated that she was requesting permission to transfer funds in the amount of \$3,000 from the Plant Operation & Maintenance/Gas Natural Code (EF.82200.7500 414) to the Nursing/Lab Services/Contract Code (EF.72100.6201

470), in order to cover the cost of an invoice received from Hudson Headwaters Health Network, Inc. for lab services.

Motion was made by Mr. Geraghty, seconded by Mr. Mason and carried unanimously to approve the request for the transfer of funds, as outlined above and to refer the same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Ms. Taggart apprised that she was requesting to amend the Memorandum of Understanding (MOU) with Rist Frost Associates, P.C. pertaining to the professional fee for the installation of the air handlers. She noted that the previous invoice had been for \$24,500 and the current invoice was for \$34,645. Mr. Mason asked if there was a contract with Rist Frost Associates, P.C. and Mr. Geraghty replied that they were retained as a consultant. Ms. Taggart stated that the fees had exceeded \$24,500 which had been originally budgeted. Mr. Geraghty asked if \$24,500 was the original estimate from Rist Frost Associates, P.C. and Ms. Taggart replied affirmatively. In answer to a question pertaining to an explanation of the cost increase, Ms. Taggart responded that there was a breakdown of the increase included in the Agenda packet. She added that William Lamy, Superintendent of the Department of Public Works, was aware of the increase to the project cost. Mr. Tessier asked if this was a Capital Project and Ms. Taggart replied affirmatively. Ms. Taggart noted that the bids had gone out for the final contract. Mr. Tessier stated that the County would need additional information in order to justify the increase in costs. Mr. Geraghty stated that the issue should be tabled until more information could be obtained. He added that a representative from Rist Frost Associates, P.C. would need to justify the increase to the Committee.

Motion was made by Mr. Geraghty, seconded by Mr. Sokol and carried unanimously to table the request to amend the MOU with Rist Frost Associates, P.C. pertaining to the professional fee for the installation of the air handlers until a representative from the company could address the Committee to justify the increase in cost.

Joan Sady, Clerk of the Board, said that the representatives should be invited to the next Committee meeting.

Ms. Taggart noted that there was a breakdown of the project scope for the air handlers included in the Agenda packet. She added that the air handlers had arrived on November 28, 2007 and were in the back of the facility. She said the bids had gone out on November 28, 2007 and would be awarded on December 3, 2007. She added there would be a pre-construction conference meeting on

December 5, 2007. Ms. Taggart noted that there would be separate contracts for general construction, mechanical, piping and electrical.

Discussion ensued pertaining to the differences in the costs of the various bids received.

Mr. Mason asked if the installation would be done during the winter and Ms. Taggart replied affirmatively. She added that her concern was that each of the companies that were awarded the contracts would work together to complete the project in a timely manner.

Continuing with the Agenda, Ms. Taggart apprised she was requesting permission to contract with Hudson Headwaters Health Network for clinical coverage, commencing January 1, 2008 and terminating December 31, 2008, for a total amount not to exceed \$20,350. Mr. Mason asked if the cost of the contract was the same as last year and Ms. Taggart replied there had been a slight increase. Mr. Tessier asked how much the increase had been and Ms. Taggart responded that there had been a fee of \$15.50 per hour last year and that this year it would be \$20 per hour.

Motion was made by Mr. Geraghty, seconded by Mr. Sokol and carried unanimously to authorize a new contract with Hudson Headwaters Health Network, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 21, 2007 Board meeting.*

Ms. Taggart stated that she was requesting approval of five contracts for physician and clinical services, as follows:

- A new contract with Lori A. Girard for Registered Dietician services, commencing January 1, 2008 and terminating December 31, 2009, at an hourly rate of \$32, for a total amount not to exceed \$28,288;
- A new contract with Hudson Headwaters Health Network for clinical night call coverage, commencing January 1, 2008 and terminating December 31, 2008, at a rate of \$26.75 per day;
- A new contract with Dr. S. Richard Spitzer for part-time physician services, commencing January 1, 2008 and terminating December 31, 2009, at a cost of \$11,250 annually;
- A new contract with Hudson Headwaters Health Network for physical examinations for new employees, commencing January 1, 2008 and terminating December 31, 2010, at a rate of \$75 per exam;
- To extend the existing contract with Hudson Headwaters Health Network for laboratory and phlebotomy services, commencing

January 1, 2008 and terminating December 31, 2009, at a rate of \$50 per week for a one and a half hour session of up to 20 draws with a fee of \$20 for every additional 15 minutes.

Motion was made by Mr. Mason, seconded by Mr. Sokol and carried unanimously to authorize the five contracts, as outlined above. *Copies of the resolution request forms are on file with the minutes and the necessary resolutions were authorized for the December 21, 2007 Board meeting.*

Ms. Taggart noted that the Westmount Health Facility staff Christmas party was scheduled for December 14, 2007 at 2:00 p.m. and she invited the Committee members to attend. She noted that Westmount had received recognition, and appreciation in the obituary of Madelyn Buckley, a former resident. She added that she had also received a letter of appreciation from the family of Beryl Day, who had recently passed on. *Copies of the obituary and the letters of appreciation are on file with the minutes.*

Ms. Taggart apprised that the last item on the Agenda was also the first item on the Countryside Adult Home Agenda and pertained to staff calling in sick on the day before or after a holiday or vacation day.

Privilege of the floor was extended to Brenda Hayes, Director of Countryside Adult Home, who distributed copies of the Agenda to the Committee members; *a copy of the Agenda is on file with the minutes.*

Ms. Hayes said that the previous union contract stated that if an employee called in sick on the day before or after a holiday, they would not receive Holiday Pay unless pre-approved by their supervisor. She added that the new contract wanted the issue further clarified and she said, Todd Lunt, Director of Human Resources, had sent a letter with guidelines on how to choose who would be paid and who would not. She said that her concern was that this would allow Mr. Lunt to overrule the Department Heads authority on the decision of whether or not to pay the employee. She added that this would diminish the capacity of the Department Head to make a decision and the employee would be able to go directly to Human Resources to have Mr. Lunt make the decision. She said that they did not have an issue with the list of guidelines; however, she added, they had a problem with Mr. Lunt being in an authoritative position that would allow him to make decisions that affected their facilities.

Mr. Geraghty stated that he disagreed and he would be very surprised if Mr. Lunt went against the decisions that were made by a Department Head. He added that it was the responsibility of the Director of Human Resources to guide the Department Heads in matters relating to employee contracts and to help avoid

grievances. Ms. Hayes stated that she was not against working with the Director of Human Resources and they felt the guidelines that had been provided were a good tool.

Ms. Hayes explained that there had been an employee that had called in sick on Columbus Day and although Ms. Hayes was on duty, the employee did not speak to her. She added the employee had asked the secretary whether she would receive Holiday Pay and was told to speak with Ms. Hayes. She said the employee has never spoke with her about the issue. Mr. Geraghty noted that an employee could not circumvent the Department Head and Ms. Hayes responded that the employee went to both the union and to Mr. Lunt. Ms. Hayes apprised that there had been many conversations between herself and Mr. Lunt pertaining to this employee. She said Mr. Lunt had stated that the employee was a good employee and should be paid for the day. She said she had responded that the contract stated that if the day had not been approved, the employee did not get paid. Mr. Mason suggested that they meet with Mr. Lunt to discuss these issues. Mr. Geraghty stated that this issue was negotiated by the union, who wanted an appeal process for the employees that did not include the Department Head. He reiterated that he did not think Mr. Lunt would go against the wishes of the Department Heads. Mr. Tessier stated that Mr. Lunt would stick to whatever guidelines had been set in place. He added that most companies had a rule that if the employee did not work the day before or after a holiday, they were not paid for the holiday. Ms. Taggart apprised that the Nursing Directors had reported a list of chronic staff call-ins.

Mr. Geraghty stated that 99.9% of the time the Director of Human Resources would not overrule the Department Head, unless he felt there was a violation of the union contract. Ms. Taggart agreed that the Director of Human Resources was there to support the Department Heads. Mr. Geraghty asked if Mr. Lunt was aware of their concerns and Ms. Taggart replied affirmatively.

Discussion ensued.

Ms. Hayes apprised that she was requesting permission to extend the existing contract with Hudson Headwaters Health Network for physical examinations of new employees, commencing January 1, 2008 and terminating December 31, 2010, at a rate of \$75 per exam. Mr. Mason asked if there had been a change in the cost of the contract and Ms. Hayes responded that it had increased from \$65 to \$75 per exam.

Motion was made by Mr. Geraghty, seconded by Mr. Sokol and carried unanimously to authorize the extension of the existing contract with Hudson

Headwaters Health Network, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 21, 2007 Board meeting.*

Ms. Hayes stated that she was requesting approval to rescind the contract with Hudson Headwaters Health Network for dental services. She added that the resolution which had authorized this contract was Resolution No. 467 of 2006. She said that they had been taking the residents to the dentist because Hudson Headwaters was unsure of how to bill for out-of-office services.

Motion was made by Mr. Sokol, seconded by Mr. Mason and carried unanimously to rescind the contract, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the December 21, 2007 Board meeting.*

Ms. Hayes apprised that she was requesting permission to transfer funds in the amount of \$4,028, from the Furniture/Furnishings Code (A.603 210) to the Hospitalization Code (A.6030 860) in order to balance the department's budget.

Motion was made by Mr. Mason, seconded by Mr. Geraghty and carried unanimously to approve the request for the transfer of funds, as outlined above and to refer the same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Ms. Hayes expounded that she was requesting to amend the 2007 County budget to increase estimated revenues and appropriations in the amount of \$44,365 to cover shortfalls in the Salaries budget. She added that \$22,182 would be taken from the Adult Care Private Institution Code (A.3630) and she requested a source of funding for the additional \$22,183. Mr. Geraghty questioned if this needed to be referred to the Finance Committee. Mrs. Sady responded that the Finance Committee would need to determine the source of funding. Mr. Geraghty questioned what the reason for the shortfall had been. Ms. Hayes responded that there had not been any provision in the 2007 County budget for per diem employees, which had caused a shortfall in both Salaries-Regular (A.6030 110) and Salaries-Overtime (A.6030 120).

Ms. Hayes apprised that the issue was ongoing and she did not have enough funds in the Salaries-Overtime to cover Holiday Pay for her employees. She added that the majority of the employees had been there for more the ten years and were entitled to four weeks of vacation. Mr. Geraghty asked why it was not built into the budget and Mr. Tessier responded that it was removed from the budget every year, causing this same problem at the end of every year. Mr. Geraghty stated that

it would be easy to calculate the funds needed by using prior years. Mr. Tessier said that if each prior year was reviewed the same discrepancies would be noticed.

Motion was made by Mr. Mason, seconded by Mr. Geraghty and carried unanimously to approve the request to amend the 2007 County budget, as outlined above and to refer the same to the Finance Committee to determine a source of funding for the \$22,183 shortfall. *A copy of the resolution request form is on file with the minutes.*

Discussion ensued.

Mrs. Sady questioned if the issue had been resolved for 2008 with the addition of a line item and Ms. Hayes replied affirmatively and added that she hoped the amount would be sufficient. She said that the budget was being decided based on the base salaries of the employees and not taking vacation coverage into consideration. Mr. Tessier said the amount should be based on past history. Mr. Mason asked who was supposed to solve this problem and Mr. Tessier responded it was the responsibility of the Budget Officer. Mr. Tessier added that you could not go from a 60% increase in the budget to a 3% increase in the budget and not expect problems to arise.

As there was no further business to come before the Westmount Health Facility & Countryside Adult Home Committee, on motion made by Mr. Sokol and seconded by Mr. Mason, Mr. Tessier adjourned the meeting at 11:46 a.m.

Respectfully submitted,

Charlene DiResta, Legislative Office Specialist