

COMMITTEE OF THE WHOLE OF THE BROOME COUNTY LEGISLATURE
MEETING MINUTES
JANUARY 21, 2016

The Committee of the Whole of the Broome County Legislature met on Thursday, January 21, 2016 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: D. Reynolds (Chair), S. Flagg, S. Baker, K. Wildoner, K. Myers, G. Baldwin, M. Pasquale, J. Shaw, R. Keibel, R. Heebner, M. Sopchak, K. Bernhardsen, M. Kaminsky, M. Whalen

Members Absent: District 10 – Vacant

Others Present: A. Martin, C. Dziedzic, C. Hall, R. O'Donnell, Legislature; J. Bernardo, County Exec's Office; M. Kalka, OMB; A. Johnson, K. White, DSS; J. Dadamio Security; J. Roby, Press & Sun-Bulletin; M. Usiak, JF Rice Funeral Home; J. Fritsch, J. Coletta, EH Pasons Funeral Home; C. Barker, J. Meagher, Shea Funeral Home; K. Eschbach, Hopley & Eschbach; A. Madden, Osterhoudt-Madden; T. Szczesny, D. Szczesny, DeMunn Funeral Home; K. DeBlock, Barber Memorial Home; P. Fischer, P. Bill, P. Kesla, K. McManus, K. Barber, Broome County Funeral Directors' Association; C. Putrino, D. Balles, Allen Funeral Home; J. Shara, Sunset Memorial Services; A. Bednarsky, Bednarsky Funeral Home

The Committee meeting was called to order by the Chairman at 4:01 PM. Mr. Flagg made a motion to move the agenda, seconded by Mr. Baker.

Mr. Reynolds stated that the Committee of the Whole meeting was called regarding concerns that several Legislators and some Broome County Funeral Homes had about the County's Indigent Burials Program.

Mr. Johnson outlined what the County's Indigent Burials Program consists of including what the County pays and how much the State reimburses, what those funds cover and an example of an indigent burial invoice for the County. That information can be found in the attachment.

Answering a question from Mr. Sopchak, Mr. Johnson stated that other counties vary in their costs for indigent burials from \$700 to \$3,000.

Mrs. Myers expressed concern that there hasn't been an increase in the amount paid to funeral homes for indigent burials for a good number of years.

Answering a question from Mrs. Kaminsky, Mr. Johnson stated that if a Coroner is called for an in-home death and a funeral home has to hire additional help or use body bags to pick up the deceased, the Coroner's Office is supposed to cover the expenses in order to get the deceased to a hospital for an autopsy. DSS is not involved in paying those expenses.

Answering a question from Mr. Whalen, Mr. Johnson stated DSS investigates when an application for an indigent burial is completed and normally that includes a review of the estate.

If the estate is valued at over \$2,000, the application is denied for not meeting the hardship threshold.

Answering a question from Mr. Pasquale, Mr. Johnson stated that in all of his years at DSS, there has only ever been one complaint lodged by the local funeral homes and it was in regard to late payment from DSS, which was a staff issue and was corrected expediently.

Answering a question from Mr. Reynolds, Mr. Johnson stated that his staff met with the funeral home directors in February 2015 regarding the changes that were going to be made and he was left with the impression that most funeral homes were in favor of the changes as it made a more streamlined process.

Mr. Reynolds posed to Mr. Johnson that DSS should look into using some of the Veterans Trust Account money to offset the cost to DSS for Veterans Burials. Mrs. Myers concurred with Mr. Reynolds and Mr. Bernardo and Mr. Johnson stated that they would reach out to the Veterans Service Agency Director to see if that is allowable and feasible.

Mr. Fritsch stated that Parsons Funeral Home has no major issues with the program's new rules. He further stated that he would like to see a set of standards on what funeral homes can use/purchase in indigent burials, such as caskets and vaults, a voucher program because the funeral homes have money tied up in cemetery bills until they are reimbursed by DSS, would like to see a cost of living adjustment, better communication with DSS on changes, and thinks that allowing family members to purchase add-ons shouldn't be allowed as some funeral homes try to up-charge, which would prove to be an administrative nightmare.

Mrs. Szczesny stated some funeral homes volunteer to do Coroner removals but are not reimbursed for all of those expenses. She further stated that the County needs to address the weekend burials where the DSS application process can't get started until Monday, would like to see a committee of DSS staff and the Funeral Directors Association as there was in the past, and feels that families should be allowed to supplement the cost of calling/viewing hours or a memorial in order for the family to say their proper good-byes to the deceased.

Ms. DeBlock stated that under the current rules, the funeral homes are punishing the family members by not allowing memorials or calling/viewing hours and accepting payment for those services but the family can hold the same services at a church, fire station hall or American Legion if they want to. It makes the funeral homes look like the bad.

Mrs. Myers expressed concern that when the funeral home collects the deceased for an indigent burial, that is the last time the family will see their loved one and they should be allowed to cover additional services to say a proper good-bye.

Answering a question from Mr. Flagg, Mr. Fritsch stated that the Broome County Funeral Directors Association polled its members about the changes the County made to the Indigent Burials Program and of the 23 that replied to the survey, 17-18 were fine with the new rules and guidelines, three-four wanted to go back to the old process of full-service indigent burials and two had no opinion/abstained.

Answering a question from Mr. Whalen, Mr. Johnson stated that State Law is very vague about what is allowed or not allowed for indigent burials; indigent burials are required and the most the County will be reimbursed State is \$261 and that amount hasn't changed since the late 1990s. Other than that, there really are no other requirements or prohibitions.

Ms. Bill stated that sometimes an indigent burial is necessary due to pre-planning issues. An individual may not be indigent but after going into a nursing home and the nursing home accesses that individual's assets, the individual can no longer afford a regular full-service funeral and becomes indigent. For that reason, the family shouldn't be punished and should be allowed to purchase additional services at their expense.

Answering a question from Mrs. Szczesny, Mr. Johnson stated that when the County covered full-service indigent burials, he didn't receive any complaints about them. Mrs. Szczesny further stated that to reinstate the full-service indigent burials would only cost the County \$200,000.

Mr. Eschbach stated that most funeral homes buy the same items for indigent burials (i.e. caskets) but there are multiple suppliers and those suppliers all charge different costs, which is one issue that has arisen.

Mr. Keibel stated that he would like to see the Funeral Directors Association get together and come back to the Legislature with proposed solutions or changes as a group.

Mr. Reynolds asked if anyone one else had anything to add. Seeing none he requested that the Administration and DSS set up a meeting with the Broome County Funeral Directors Association to hear out the concerns expressed today and any other concerns of the local Funeral Homes and report back to the Health and Human Services Committee. He further stated that the Legislature would submit a Resolution to New York State asking them to increase the amount of reimbursement that Counties receive for indigent burials.

Mr. Sopchak made a motion to adjourn, seconded by Mr. Heebner. The meeting adjourned at 5:03 PM.