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 ERIE COUNTY COMPTROLLER

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**HEALTH COMMISSIONER TOPS POLITICAL APPOINTEE  
 COVID OVERTIME, RAKES IN ADDITIONAL \$183,000**

*Final report on COVID overtime shows Dr. Gale Burstein earned \$385,000 in 2020, more than the Vice President and comparable to the salary of President Biden and Dr. Fauci*

(ERIE COUNTY, NY) – Erie County Comptroller Stefan Mychajliw released a final report on COVID related political appointee overtime and holiday pay collected by Managerial Confidential (MC) employees of Erie County Executive Mark Poloncarz for 2020. The report shows Erie County Health Commissioner Dr. Gale Burstein raked in the highest amount of overtime for all political appointees: \$183,000 in 2020. Adding that on top of her \$202,000 annual salary, Dr. Burstein was paid \$385,000 last year.

Dr. Burstein’s total 2020 salary is considerably higher than the salary of Vice President Kamala Harris and Governor Andrew Cuomo, and comparable to the total annual salary of President Joseph Biden and National Institute of Allergy and Infectious Diseases Director Dr. Anthony Fauci:

	<u>Dr. Burstein</u>	<u>VP Harris</u>	<u>President Biden</u>	<u>Dr. Fauci</u>	<u>Gov. Cuomo</u>
Amount paid	\$385,726	\$235,000	\$400,000	\$417,608	\$225,000
Number of people served	918,702	330,000,000	330,000,000	330,000,000	19,450,000
Cost per person served	\$0.4199	\$0.0007	\$0.0012	\$0.0013	\$0.0115
Highest paid in their govt.	Y	N	N	Y	N

The overtime for Dr. Burstein and all the Poloncarz Administration’s political appointees was paid for using \$160 million in federal CARES Act funding from the federal government. Data shows nearly \$6 million dollars in overtime from that funding source was paid to the entire county workforce, many of them managerial confidential employees. Paying overtime to salaried workers is not a common practice among other counties statewide. Additionally, hundreds of thousands of dollars were spent on food, much of it to feed county employees during regular work hours.

“The Poloncarz Administration abused a health care crisis to line the pockets of political appointees and pad their pensions. The politically connected were well fed, literally and figuratively. The overtime and food bill for the politically connected was shoved down the throats of taxpayers. This abuse of tax dollars warrants further scrutiny,” said Erie County Comptroller Stefan I. Mychajliw.

From March 1, 2020 to the pay period ending on January 1, 2021, there was 114,524 hours charged to overtime and holiday pay, at a cost of \$5,898,195. Of that amount, \$1,306,409 was paid to managerial confidential (MC) employees. Political appointees, who are not normally paid overtime, account for 22.1% of total COVID overtime paid in 2020.

Political appointees only make up 6.5% of the entire county workforce. Of the political positions who made more than \$10,000 in COVID overtime last year, 14 report to the Erie County Executive, and 12 report to the Office of Erie County Sheriff. For example, during the time of March 1, 2020 to January 1, 2021, Erie County Health Commissioner Gale Burstein has collected \$183,414 in overtime. Emergency Services Commissioner Dan Neaverth, Jr. has collected \$54,374 in COVID overtime pay.

Auditors observed Commissioner Neaverth driving to an Erie County Sheriff's substation at Chestnut Ridge Park to clock in and begin his workday as early as possible, rather than where he works at Central Police Services in downtown Buffalo. This in effect begins the start of his workday and runs the overtime meter as early as possible, clocking in just a little over a mile from his Orchard Park home.

Commissioner Neaverth's overtime pay hence increased because he electronically started his workday at a police substation close to his house, and not at his work location in downtown Buffalo. An earlier report from the Office of Erie County Comptroller also shows serious discrepancies in time sheets Commissioner Neaverth submitted to the Erie County Legislature.

In addition, the Poloncarz Administration spent \$239,689 of COVID funds on food expenses in 2020. The CARES Act legislation did outline proper food expenses, which included food delivery to residents, such as senior citizens and other vulnerable populations, to comply with COVID-19 public health precautions.

It also allows for using COVID funds to pay for food for those housed in a hotel rented by Erie County for people battling COVID-19 with no safe housing available to them. There is no mention in that federal legislation of allowing food expenses for employees.

Erie County's data processing system (SAP) did not provide enough documentation to determine if the food charges were appropriate and legal under the CARES Act legislation. This further bolsters the need for additional federal review of overtime, holiday pay and food expenditures by the Poloncarz Administration.

Some food entries included, "lunch at fire academy," "dinner for 9th floor phone bank," "food for Rath EOC-various days," "groceries for OPS room," and "supplies for warehouse." Those vague descriptions did not provide enough detail to determine whether those were essential purchases.

"Why do political appointees, already raking in overtime, feel the need for taxpayers to also pay to feed them? Food expenses lack proper record-keeping. This is no different when FEMA demanded Erie County pay back almost \$50 million in October Surprise Storm related expenses because of lack of proper documentation," said Comptroller Mychajliw.

Last year the Erie County Legislature scheduled and postponed a committee hearing on COVID related overtime, holiday pay and food expenditures. It was never put back on the 2020 legislative calendar.

The federal government passed the CARES Act legislation in March 2020 to provide local governments with assistance covering expenses incurred between March 1, 2020 and December 31, 2021 because of COVID-19. The initial deadline of December 31, 2020 was extended one year. That legislation outlines that any CARES Act funds are to be used for necessary expenditures due to COVID-19 that were not previously accounted for in the budget.

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