

Payless payday, fuel cutoff narrowly averted at center

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ALBANY — A budget dispute yesterday almost led to a cut-off of fuel deliveries to the Staten Island Development Center, Willowbrook, and a payless payday for 12,000 employees at state prisons.

Only last-ditch agreements averted what state officials described as potentially disastrous problems at the two Island facilities. At one point, state officials feared a walkout of prison guards.

"We came real close to having a very serious problem," said James Shea, deputy director of the Willowbrook institution for the retarded. The center was

down to one day's supply of fuel oil yesterday and needed a last-minute agreement with its supplier to insure a continuing supply of hot water for its 2,000 residents.

What created yesterday's problem was the failure of the state Legislature to pass a "deficiency budget" — the budget that provides funds to pay unexpected bills incurred after it passed the main state budget. Lawmakers said state agencies could use appropriations in the new state budget, which took effect April 1, to pay outstanding bills generated during the previous fiscal year.

But Comptroller Edward Regan has

refused to process bills from last year, saying a specific allocation, in the form of a deficiency budget, must be approved by lawmakers.

As a result, the state still owes about \$28 million to hundreds of businesses that provide fuel oil and other items to state institutions. And, until an agreement was reached, it appeared the state would not issue paychecks due yesterday to the state's prison guards. That's because part of yesterday's paychecks included emergency overtime payments from the 1979-80 fiscal year.

Council 82 of the American Federation of State, County and Municipal Employees, which represents the state prison

guards, said their members were ready to walk off their jobs if they had not been paid yesterday. The checks were transported to the prisons late yesterday afternoon.

According to legislative sources, Regan agreed to release the checks after winning assurances from legislative leaders that appropriations would be approved by both houses if they were legally required to pay the cost of the employee's overtime.

Shea said the Island center owes about \$1.3 million to its fuel oil supplier and was threatened with a cut-off of deliveries unless the bill was paid immediately.

Shea said the supplier agreed to resume deliveries when it appeared the giant institution would run out of hot water today to operate its shower and laundry facilities.

"We just tried to explain how the state process works," Shea said. "It wasn't easy to get him to understand."

Assemblywoman Elizabeth A. Connelly, D-West Brighton, said she was furious at the threatened cut-off of fuel deliveries to the Island institution.

"Somebody is playing games," said Mrs. Connelly, chairwoman of the Assembly Mental-Health Committee. "And they're playing games with the lives of people who can't afford to go without

heat and hot water."

The lawmaker said she holds officials in the state budget and comptroller's offices responsible for the problem. Legislative fiscal experts, she said, are convinced there is nothing illegal about using this year's allocations to pay bills incurred during the previous fiscal year.

Most of the debts resulted from higher than anticipated heating oil costs, according to state officials.

It could not be determined immediately how South Beach Psychiatric Center and the Institute for Basic Research, Willowbrook, are being affected by the budget dispute.