

Feb 9, 2011

Conservative Party chairman collects salary and pension

The chairman of the Westchester Conservative Party was so valued as a labor specialist that the administration of County Executive Rob Astorino sought — and received — a waiver to let him collect both his salary and pension. Hugh Fox Jr., who retired in the summer from the Yonkers Fire Department, has worked in the \$92,470-a-year post at the county Department of Public Works since September.



Hugh Fox Jr.

His pension has not yet been calculated by the state retirement system but could be \$75,000 or more based on Fox's income during his final year in Yonkers.

The two-year waiver allowing Fox to **double dip** — collect his full pension while holding another public-sector job — was granted late last month by the state Civil Service Commission. Had he not gotten the waiver, Fox still could have collected some of his pension — but it would have been suspended each year once he reached \$30,000 in salary.

Administration officials said last year that they were seeking waivers only in exceptional cases." In certain circumstances we feel there are unique enough qualifications to warrant a waiver," said Ned McCormack, Astorino's senior adviser and communications director. "In (Fox's) case, we thought so."

They got one for former Philipstown Supervisor William Mazzuca, a retired prison superintendent, when he was hired as a deputy commissioner of the county Department of Correction. But they didn't seek a new one for Richard Clarke, a retired New York City police officer who was security chief of the county Parks Department. The Journal News first reported Fox's new position in early December.

At that time, the Astorino administration insisted politics played no role in the hiring, saying Fox was hired in September and did not become chairman of the Conservative Party until more than a month later. Astorino, a Republican, managed to win the 2009 election without the Conservative Party endorsement. But that was in a year when there was growing disaffection with incumbents and Democrat Andrew Spano was seeking a fourth term.

Winning re-election in heavily Democratic Westchester could be a harder prospect for Astorino without the help of minor party lines. Fox insisted that there was no quid pro quo between his hiring and Conservative Party support — and that he is careful to separate politics from his work at the county." Rob did not have a crystal ball (about the party chairmanship) when I got the job," Fox said. "I don't do any political business at work. I know the administration from Rob on down will not put up with that."

Fox, 52, is one of three party heads in Westchester who have jobs working for the county. The chairmen of the Democratic and Republican parties, Reginald Lafayette and Douglas Colety, respectively, each make \$155,245 as the commissioners at the Board of Elections. Fox was president of the Yonkers firefighters union for three years until December 2008. With the county, he audits DPW contracts, reviews work rules and acts as liaison with unions. He was selected from among 54 applicants. "His qualifications were very important. None of the other people had the elite mix of management and union experience that he had," McCormack said. McCormack said the county would also save more than \$50,000 a year in benefits that do not have to be paid for Fox because his health-care and pension costs are covered through his retirement.

The waiver application was not submitted until mid-December, with Fox signing the request Dec. 3, and Astorino signing it 10 days later. Fox said he told the administration that he would ask for the waiver when he was hired and McCormack said it was always the administration's intention to seek it. It took a few months to compile documents for the application, including proof that the county recruited heavily to fill the job, and the document was signed only when it was finished, McCormack said. He said waiting did not matter because Fox didn't need the waiver until April, when the earnings limitations would have kicked in.