

JULY 2, 2008

HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLER-WILLIAMS. CHAIR MARINELLI
PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13E-1 (2008)
COMPTROLLER: Audit of the Department of Social Services Internal Controls Over Cash Receipts, Cash Disbursements and Near-Cash Equivalents
(5-0)
 - b. COMM. 13D-11 (2008)
ASSISTANT DIRECTOR FOR ADMINISTRATION, DEPARTMENT OF HEALTH: Revised Plan of Correction for the Article 28 Statement of Deficiencies
(5-0)
 - c. COMM. 13M-6 (2008)
NYS DEPARTMENT OF HEALTH: Response Regarding Article 28D & TC Survey 1/10/2008, Status of Plan of Correction
(5-0)
2. COMM. 13E-25 (2008)
COUNTY EXECUTIVE
WHEREAS, Erie County is entitled to additional State share for medical assistance costs available for long-term managed care and for “Overburden” eligible clients upon discharge from mental health institutions during specific calendar years subsequent to 1985; and

WHEREAS, it is estimated that litigating retroactive claims in Erie County could result in recoveries that exceed \$2,000,000; and

WHEREAS, Nancy Rose Stormer, P.C, a law firm in Utica, is the sole vendor with knowledge and experience in the highly specialized area of Overburden recovery; and

WHEREAS, the contingency fee of 20% of all recoveries received by Erie County will cover all costs of the contract; and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to execute a contract for overburden recovery with Nancy Rose Stormer, P.C. and, be it further

RESOLVED, that Section 19.08 County Charter requirement for Request for Proposals is hereby waived and, be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller and the Director of the Division of Budget and Management.
(5-0)

3. COMM. 13E-27 (2008)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Health received a revised grant award from Health Research Inc. in the amount \$2,644,985 of for the purpose of funding breast, cervical and colorectal cancer screening for low income, asymptomatic, underserved men and women aged 18 and over, for the period 4/1/08 – 3/31/13; and

WHEREAS, Partners for Prevention Clinical Services is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department; and

WHEREAS, the Erie County Health Department is the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from New York State Department of Health with the amount budgeted in FY 08-09 as follows:

Partners for Prevention Clinical Services 4/1/08 – 3/31/09		
SAP	REVENUE	BUDGET
409000	State Aid	<u>\$528,997</u>
	Total	<u>\$528,997</u>

	EXPENSES	
516020	Contractual Clinical Services	<u>\$528,997</u>
	Total	<u>\$528,997</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller, the Department of Law and to Dr. Anthony J. Billittier, IV, FACEP, Commissioner in the Department of Health, 9th Floor, Rath Building.

(5-0)

4. COMM. 13E-28 (2008)
COUNTY EXECUTIVE

WHEREAS, the Department has been awarded an amount of \$143,883 in 100% Federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence; and

WHEREAS, the additional federal TANF funding is awarded for contract expansion for vendors with existing State approval to deliver non-residential services to victims of domestic violence; and

WHEREAS, the provisions of the award specifically prohibit the supplantation of existing funding agreements and also prohibit the use of funds for County government operations; and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department's Consolidated Services Plan (CSP) approved by the State; and

WHEREAS, there is no local share fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into or amend contracts with Child and Family Services, Crisis Services, and Hispanics United for expanded non-residential services to victims of domestic violence; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2008 Adopted Budget:

Department of Social Services, Fund 110, Department 120

	Current Budget	Changes	Amended Budget
REVENUES			
Account	Description		
414000	Federal Aid	0	\$143,883
	TOTAL REVENUE		<u>\$143,883</u>
APPROPRIATIONS			
516010	Crisis Services	91,500	\$137,897
516010	Hispanics United of Buffalo	111,250	136,796
516010	Child and Family Services	262,788	<u>71,940</u>
	TOTAL APPROPRIATIONS		<u>\$143,883</u>

and be it further

RESOLVED, that because only State-approved providers of non-residential services to victims of domestic violence are eligible to receive these funds and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.
(5-0)

5. COMM. 13E-29 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (III-B), the Congregate Dining (III-C-1), the Home Delivered Meal Program (III-C-2), the Disease Prevention and Health Promotion (III-D) and the Elder Caregiver Support Grant (III-E) grants for the period January 1, 2008 to December 31, 2008; and

WHEREAS, the New York State Office for the Aging has notified the Department of Senior Services (Department) of final federal allocations; and

WHEREAS, the Department of Senior Services reviewed the program budgets and service objectives and desires to allocate the additional funds for:

III-B - minor residential repairs for seniors and for replacing the aging Going Places vans used throughout the Senior Services network;

III-C-1 - food preparation services for the Stay Fit Dining program;

III-C-2 - meal preparation services for the home delivered meal program;

III-D – exercise equipment and supplies for use at various senior centers as part of the health and wellness and club 99 exercise programs; and

WHEREAS, the Department will be able to provide additional services to seniors in Erie County that will allow them to remain independent in their own homes and healthy; and

WHEREAS, the Department contracts with Meals on Wheels of WNY, Inc.,(MOWs), to provide home delivered meals to homebound seniors in Erie County under the III-C-2 grant; and

WHEREAS, the contract with MOWs needs to be amended to reflect the additional funding; and

WHEREAS, the III-B, III-C-1, III-C-2, III-D and III-E grant budgets need to be revised; and

WHEREAS, any additional local match will be met by subcontractor match.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the additional Titles III funds from New York State Office for Aging, and be it further

RESOLVED, that the County Executive be and is hereby authorized to amend the contract with Meals on Wheels of WNY, Inc. as authorized herein, and be it further

RESOLVED, that the III-B grant (163III-B2008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			
Account Description			
414000 Federal Aid	\$1,466,529	<u>\$174,405</u>	\$1,640,934
TOTAL REVENUE		<u>\$174,405</u>	

APPROPRIATIONS

530000 Other Exp-Minor Residential Repairs	\$0	\$64,405	\$64,405
561440 Motor Vehicles	54,000	<u>110,000</u>	164,000
TOTAL APPROPRIATIONS		<u>\$174,405</u>	

and be it further

RESOLVED, that the III-C-1 grant (163III-C-12008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			
Account Description			
414000 Federal Aid	\$1,375,141	\$71,833	\$1,446,974
466320 Subcontractor Match	11349	<u>5,216</u>	16,565
TOTAL REVENUE		<u>\$77,049</u>	

APPROPRIATIONS

516020 Professional Services- Food Preparation	\$1,204,218	\$71,833	\$1,276,051
516020 Professional Services- Clean-up Services	88,387	<u>5,216</u>	93,603
TOTAL APPROPRIATIONS		<u>\$77,049</u>	

and be it further

RESOLVED, that the III-C-2 grant (163III-C-22008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$745,447	\$15,230	\$760,677
TOTAL REVENUE			<u>\$15,230</u>	

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
APPROPRIATIONS				
516010	Meals on Wheels of WNY, Inc	\$1,215,918	\$15,230	\$1,231,148
TOTAL APPROPRIATIONS			<u>\$15,230</u>	

and be it further

RESOLVED, that the III-D grant (163III-D2008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$104,472	\$10,000	\$114,472
TOTAL CHANGE			<u>\$10,000</u>	
APPROPRIATIONS				
530000	Other Expenses	\$8,345	\$10,000	\$18,345
TOTAL CHANGE			<u>\$10,000</u>	

and be it further

RESOLVED, that the III-E grant (163III-E2008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$603,183	-14,000	\$589,183
TOTAL REVENUE			<u>-14,000</u>	

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
APPROPRIATIONS				
516020	Professional Svcs- Adult Day Care	\$162,500	-14,000	\$148,500
TOTAL APPROPRIATIONS			<u>-14,000</u>	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, the Department of Law and the Department of Senior Services.

(5-0)

6. COMM. 13E-30 (2008)
COUNTY EXECUTIVE

WHEREAS, the Office of Public Advocacy-Office for the Disabled and the Sheriff's Office are planning a county-wide saturation effort focused on Handicapped Parking; and

WHEREAS, the program, Project ACCESS, is designed to promote parking availability for persons with disabilities through the cooperative efforts of law enforcement, other government agencies, the business community, as well as the media, and involves informational and educational components, as well as enforcement efforts designed to increase compliance and cooperation; and

WHEREAS, as specified in Chapter 497 of the Laws of 1999 of the Vehicle and Traffic Law every county shall establish a handicapped parking education program for the purpose of providing education, advocacy and increased public awareness of handicapped parking laws; and

WHEREAS, in order to fund educational programs the statute provides for the imposition of a mandatory surcharge for violations relating to handicapped parking spaces, a portion of which are remitted to the County. These monies must be used to fund handicapped parking education programs; and

WHEREAS, Project ACCESS meets this criteria and the County has funds available from the Handicapped Parking Surcharge to fund the costs associated with this program; and

WHEREAS, the Erie County Sheriff's Office will incur overtime costs while assisting the Office for the Disabled in enforcing the Handicapped Parking laws; and

WHEREAS, expense will be incurred for office supplies, and printing costs, such as posters, correspondence, pamphlets and related materials to increase public awareness.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to appropriate funds for Project ACCESS, a handicapped parking education program, as follows:

Office of Public Advocacy – Fund Center 109

ACCOUNT	REVENUE	Increase
406890	Handicapped Parking Surcharge	\$19,000
ACCOUNT	EXPENSE	Increase
530000	Other	\$2,000
505000	Office Supplies	\$2,000
910900	ID Office of Public Advocacy	<u>\$15,000</u>
		<u>\$19,000</u>

Sheriff's Department - Fund Center 11510

ACCOUNT	EXPENSE	
501000	Overtime	\$15,000
910900	ID Office of Public Advocacy	<u>(\$15,000)</u>
		- 0 -

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to make the necessary budgetary adjustments as outlined above; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Comptroller's Office, the Commissioner of Personnel, the Erie County Sheriff, the Director of the Office for the Disabled, and the Director of Budget and Management.
(5-0)

THOMAS J. MAZUR
CHAIR