

JUNE 19, 2008

HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 10

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. 11D-3 (2008)
DEPARTMENT OF HEALTH: Agenda for EC Board of Health Meeting on July 8, 2008 and Minutes from January 10, 2008
(4-0) Chair Marinelli not present for vote.
 - b. COMM. 11M-5 (2008)
COLUCCI & GALLAHER, P.C.: Materials Distributed at the May 29, 2008 Regular Meeting of the Board of Directors of Erie County Medical Center Corporation
(4-0) Chair Marinelli not present for vote.
2. INTRO 11-1 (2008)
RATH
WHEREAS, adequate health insurance coverage is crucial for retired public employees and their dependents; and

WHEREAS, in an effort to examine the issue of health insurance for retirees, New York State Senate Bill S. 6457 and New York State Assembly Bill A. 9393A propose to establish an expert task force to study and recommend cost-effective strategies for protecting adequate and affordable health insurance coverage for retired public employees and their families, and implement a temporary moratorium on unilateral changes affecting most retirees in the existing health insurance program; and

- WHEREAS, the twelve member committee will be comprised of:
- (a) the chair of the senate committee on civil service and pensions, the chair of the assembly committee on governmental employees, and the president of the state civil service commission, or their designees, who shall serve as co-chairs;
 - (b) two members appointed by the governor, one of whom shall be appointed upon the recommendation of the New York State AFL-CIO;
 - (c) two members appointed by the temporary president of the senate, one of whom shall be appointed upon the recommendation of the New York State AFL-CIO;
 - (d) two members appointed by the speaker of the assembly, one of whom shall be appointed upon the recommendation of the New York State AFL-CIO;
 - (e) the state comptroller, or his or her designee;

(f) one member appointed by the minority leader of the senate and one member appointed by the minority leader of the assembly; and

WHEREAS, notably, the committee specifically requires membership of four elected or appointed state officials and three members recommended by the AFL-CIO; and

WHEREAS, notably absent are the state's health and insurance commissioners or representatives from the insurance industry or local government; and

WHEREAS, Erie County is the second largest county in New York State; and

WHEREAS, the proposed committee does little to bring a full spectrum of those with knowledge of the challenges involved with providing affordable health insurance to our retired public officials together to adequately address the issues; and

WHEREAS, the proposed moratorium is also counterproductive to reform; and

WHEREAS, such moratorium prevents municipalities from instituting a change in coverage, even if it is mutually beneficial to taxpayers and retirees alike; and

WHEREAS, a previous similar moratorium instituting a one-year freeze for school district retirees has been renewed every year since 1992; and

WHEREAS, rather than being a tool for reform, the moratorium has been a vehicle for maintaining a debilitating status quo.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature opposes New York State Senate Bill 6457 and New York State Assembly Bill 9393A, which are counterproductive to achieving desperately needed reform; and be it further

RESOLVED, any future bills call for the committee to include a broader range of experts in the field, as well as a representative from Erie County government; and be it further

RESOLVED, any future bills call for no moratoriums, or, at minimum, not allow a moratorium to renew; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader Joseph Bruno, the local delegation to the New York State Legislature and County Executive Christopher Collins.
(4-0) Chair Marinelli not present for vote.

3. COMM. 11E-6 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the State Transportation (AAATRAN) grant for the period April 1, 2007 to March 31, 2008, and for the Long Term Care Point of Entry Program (POE) for calendar year 2008; and

WHEREAS, the Department of Senior Services reviewed the program budgets and service objectives and desires to charge a portion of the Dispatcher position, from the Area Agency on Aging (III-B) grant to the AAA Transit grant, and the portion of various departmental employees' salary, fringe benefits and seminar/conference costs to the POE Program that was spent on POE planning and implementation, both effective January 1, 2008; and

WHEREAS, the Department will be able to fully use the State funds as recommended by the grantor and available appropriations exist; and

WHEREAS, there are no County funds associated with the AAATRAN grant nor the POE program.

NOW, THEREFORE, BE IT

RESOLVED, that the III-B Dispatcher's salary be charged to the AAATRAN grant 163AAATRAN0708, to the extent of available appropriations, and a portion of employees' salaries, fringe benefits and seminar/conference costs relating to POE planning and implementation be charged to the POE Program, both effective January 1, 2008; 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.
(4-0) Chair Marinelli not present for vote.

4. COMM. 11E-7 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a continuation grant award in the amount of \$5,000 from the Department of Health & Human Services through the National Association of County and City Health Officials (NACCHO) to provide funding for the coordination and recruitment for the S.M.A.R.T. (Specialized Medical Assistance Response Team); and

WHEREAS, the mission of S.M.A.R.T. requires the purchase of uniforms which are used for agency identification at deployments and also the purchase of personal protective equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with National Association of County and City Health Officials (NACCHO) which is budgeted as follows:

MEDICAL RESERVE CORPS		
05/05/08 – 07/31/08		
SAP TITLE: HS127MRC2008		
SAP	REVENUE	BUDGET
414000	FEDERAL AID	\$ 5,000
	TOTAL	<u>\$ 5,000</u>
EXPENSES		
505200	CLOTHING SUPPLIES	\$ 5,000
	TOTAL	<u>\$ 5,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget, Management and Finance, the Department of Law and Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, 9th Floor, Rath Building.
(4-0) Chair Marinelli not present for vote.

5. COMM. 11E-8 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department received a grant award from the New York State Department of Health in the amount of \$35,800 for the period October 1, 2007 to September 30, 2009; and

WHEREAS, the Erie County Department of Health has regulatory oversight of the operation of the seven public beaches on Lake Erie in Erie County with responsibility to protect the health of bathers by assuring that public beaches are open only when conditions meet the standards of the New York State Public Health Code; and

WHEREAS, the Erie County Department of Health established a pre-emptive closing procedure in 1998 that closes the beaches after rain events of ½ inch or more at the beach or in the watershed of the stream(s) that impacts the beach and re-open only when daily sampling indicates that the beach water meets New York State Department of Health Standards; and

WHEREAS, in 2007 the Erie County Department of Health received a grant from the U.S. Department of Environmental Protection Agency (USEPA) for beach sanitary surveys including extensive water quality sampling at Evans Town Beach, Lake Erie Beach and neighboring streams. This USEPA grant work re-validated the pre-emptive closing procedure by verifying high bacterial contamination at the bathing beaches after rain events, linked the transport of bacterial contamination to the lake by the streams, and identified the flush-out from outfalls of storm sewers as the primary sources of increased bacterial contamination concentrations to the streams and along the shoreline of Lake Erie; and

WHEREAS, based on a Request-for-Proposals solicited by the New York State Department of Health, the Erie County Health Department (ECHD) submitted a work plan to conduct additional beach sanitary surveys including extensive water quality sampling at Wendt Beach, Hamburg Town Beach, at several neighboring streams, additional work at Evans Town Beach and at Lake Erie Beach including Muddy Creek, that would be a systematic approach to identifying point sources of bacterial contamination, differentiate between human and non-human sources of bacterial contamination, through enforcement to abate the point sources, to reduce the bacterial contamination impacting the water quality at the beaches; and

WHEREAS, the work plan also includes funding for the equipment to establish small modular networked weather stations to provide accurate, timely and localized rainfall data for the beaches and the watersheds of neighboring streams to allow better implementation of the pre-emptive closing procedure after rain events and reduce unnecessary closures.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award from the New York State Health Department for the period October 1, 2007 to September 30, 2009, to be budgeted as follows:

Bathing Beach Water Quality Monitoring and Notification Grant
Sanitary Survey Project
10/01/07 – 9/30/09

REVENUES

409000	State Aid	\$ 35,800
	TOTAL REVENUES	<u>\$ 35,800</u>

EXPENSES

501000	Overtime	\$ 5,680
505000	Office Supplies	239
516020	Prof. Services Contract & Fees	19,200
561410	Lab and Technical Equipment	6,400
912730	ID Health Lab Services	3,842
980000	DISS	<u>400</u>
	TOTAL EXPENSES	<u>\$ 35,800</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, 9th Floor, Rath Building. (4-0) Chair Marinelli not present for vote.

6. COMM. 11E-9 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Elder Abuse Prevention (Title VII) grant for the period January 1, 2007 to December 31, 2007; for the Long Term Care Ombudsman Program (LTCOP) grant for the period April 1, 2008 to March 31, 2009; and

WHEREAS, the New York State Office for the Aging notified the Department of Senior Services (Department) of final allocations for the Title VII and LTCOP grant programs; and

WHEREAS, the Department, as the designated Area Agency on Aging in Erie County, is responsible to oversee the provision of the ombudsman services required by these grants, via contract with the American Red Cross, the designated Ombudsman for Erie County; and

WHEREAS, the Department desires to amend the contracts with the American Red Cross to reflect the increase in Title VII funding and decrease in LTCOP funding; and

WHEREAS, the Erie County Legislature has already authorized the County Executive to contract with Catholic Charities of Buffalo Manpower Services, Inc., for the Housing Improvement, the Adult Day Care and the Geriatric Counseling programs in various grants; and

WHEREAS, Catholic Charities of Buffalo Manpower Services, Inc. has notified the Department that they have changed their legal entity and name to Catholic Charities of Buffalo, NY; and

WHEREAS, the Department wishes to continue the contracts under the new legal entity, Catholic Charities of Buffalo, NY; and

WHEREAS, there are no County funds associated with the Title VII and LTCOP grants, and there is no impact on County funds associated with the contractual change.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the additional Title VII grant funds and amend the contracts with the American Red Cross for the remainder of the grant periods at the amount authorized herein and be it further

RESOLVED, that the County Executive be and is hereby authorized to contract with Catholic Charities of Buffalo, NY as the successor to Catholic Charities of Buffalo Manpower Services, Inc.; and be it further

RESOLVED, that the Title VII grant (163VII2008) for the period January 1, 2008 to December 31, 2008, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
REVENUES				
Account	Description			
414000	Federal Aid Revenue	\$48,051	\$16,891	\$64,942
TOTAL CHANGE			\$16,891	

APPROPRIATIONS

516010	American Red Cross	\$48,051	\$16,891	\$64,942
TOTAL CHANGE			\$16,891	

and be it further

RESOLVED, that the budget for the LTCOP grant, (163LTCOP0809), be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
REVENUES				
Account	Description			
409000	State Aid Revenue	\$44,886	-\$903	\$43,983
TOTAL CHANGE			-\$903	
APPROPRIATIONS				
516010	American Red Cross	\$44,886	-\$903	\$43,983
TOTAL CHANGE			-\$903	

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.
(4-0) Chair Marinelli not present for vote.

7. COMM. 11E-12 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a WIC Program funded by a grant from the New York State Department of Health which pay for 100% of expenses incurred; and

WHEREAS, the Erie County Health Department provides an important program of supplemental food and nutrition to high risk women, infants and children through its WIC Program sites in various locations throughout Erie County; and

WHEREAS, the Erie County Health Department wishes to enter into lease agreements with the following community agencies:

St. Simon's Episcopal Church 200 Cazenovia Buffalo, NY 14210	\$7,800/year (\$7,500/year previous yearly cost) (with option for two one-year extensions)	11/1/08-10/31/09
Concerned Ecumenical Ministry 286 Lafayette Buffalo, NY 14210	\$1,800/year (\$1,200/year previous yearly cost) (with option for two one-year extensions)	9/1/08-8/31/09
Northwest Buffalo Community Center 155 Lawn Avenue Buffalo, NY 14207	\$2,100/year (no change in yearly cost) (with option for two one-year extensions)	10/1/08-9/30/09

to be utilized as a WIC distribution site.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to enter into lease agreements with St. Simon's Episcopal Church, Concerned Ecumenical Ministry, and the Northwest Buffalo Community Center, there being funds available in the WIC Program budget; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, 9th Floor, Rath Building. (4-0) Chair Marinelli not present for vote.

8. **COMM. 11E-19 (2008)**
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has issued an annual Request for Proposals (RFP), selected providers for its Employee Education and Training Program pursuant to Section 19.08 of the Erie County Administrative Code, and has the responses, evaluation and selection material available; and

WHEREAS, these contracts will enable employees of the Department of Social Services to upgrade their professional knowledge and skills thereby benefiting Departmental operations; and

WHEREAS, the Department of Social Services must have Legislative approval to renew Employee Education and Training Program contracts; and

WHEREAS, there is no fiscal impact to the 2008 Adopted Budget based on this resolution and no additional County local share funds are necessary because the existing appropriation in Account 516040, DSS Training and Education, is sufficient to cover these contract renewals.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to renew the Employee Education and Training Program contracts to New York State mandated State University of New York (SUNY) institutions as specified below:

<u>Educational Institution</u>	<u>Period</u>	<u>Gross Contract</u>	<u>Institution's Contribution</u>	<u>Paid by ECDSS</u>
Buffalo State College (CDHS) degrees (Master's/ Bachelor's)	09/01/08-08/31/09	\$426,488	\$153,536	\$272,952
Buffalo State College (CDHS) (In-service Training and Organizational Development)	09/01/08-08/31/09	\$998,043	\$359,295	\$638,748
Empire State College (Bachelor's/Associate's Degrees in Business/ Community and Human Services)	09/01/08-08/31/09	\$395,081	\$142,229	\$252,852
Empire State College (In-Service Training)	09/01/08-08/31/09	\$536,122	\$155,475	\$380,647

SUNY-Millard Fillmore College (Bachelor's Degrees In Social Science)	8/29/08- 8/28/09	\$97,526	\$34,134	\$63,392
SUNYAB – School of Social Work (Master's of Social Work & Certificate in Trauma Studies)	09/01/08- 08/31/09	\$324,661	\$113,631	\$211,030
SUNYAB Institute for Addictions Studies and Training (In-Service Training)	10/01/08- 09/30/09	\$304,147	\$106,451	\$197,696
Erie Community College (In-Service Training)	10/1/07 9/30/08	\$207,842	\$74,823	\$133,019

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.
(4-0) Chair Marinelli not present for vote.

**THOMAS J. MAZUR
CHAIR**