

January 27, 2005

HUMAN SERVICES
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DEBENEDETTI. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.

Item Page -2004 (Intro. 21-4)
a. **CHASE, McCARVILLE, RANZENHOFER, SWANICK & CUSACK:** Support for Mandatory Psychiatric Evaluation & Treatment for Persons Convicted of Animal Cruelty (A.2307).
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

Item Page -2003 (Intro. 22-3)
b. **MARSHALL & WEINSTEIN:** Requirement for Minors to be Enrolled in School or a Graduation Equivalent Diploma Program in Order to Receive Their Driver's License or Learner's Permit.
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 22M-5)
c. **NYS DIVISION OF PROBATION & CORRECTIONAL ALTERNATIVES:** Copy of Letter to EC Social Services Commissioner Re: "Blueprint for Change."
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 23D-15)
d. **SENIOR SERVICES:** Copy of E-Mail to Legislators From Commissioner Re: Impact of Budgetary Cuts to Non-Mandated Services.
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 25D-18)
e. **SOCIAL SERVICES:** Letter to Legislator Smith Re: Amendments to Local Law No. 2.
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

Item Page -2004 (Comm. 26M-1)
f. **THE FRANCISCAN CENTER:** Copy of Letter to Legislators Re: Human Services Public Benefit Funding.
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

2. Item Page -2004 (Comm. 23E-26)
COUNTY EXECUTIVE

WHEREAS, New York State requires that the Medical Examiner's Toxicology Laboratory maintain forensic laboratory accreditation, and

WHEREAS, the New York State Legislature appropriated funds to help laboratories pay the costs associated with attaining and maintaining accreditation required by Executive Law Article 49-B, and

WHEREAS, the Medical Examiner's Toxicology Laboratory will purchase analytical instrumentation and continue to fund one Assistant Toxicologist, JG 9, position.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended agreement with the New York State Division of Criminal Justice to accept the grant budgeted as follows:

Supplemental Aid to Localities
Medical Examiner's Toxicology Laboratory Aid Grant
4/1/04 – 9/15/06

<u>SAP</u>	<u>Revenue</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Revised Budget</u>
409000	State Aid	<u>\$108,976</u>	<u>-\$26,075</u>	<u>\$82,901</u>
	TOTAL	<u>\$108,876</u>	<u>-\$26,075</u>	<u>\$82,901</u>
	<u>Expenses</u>			
500000	Personnel/Salaries	\$38,216	\$ 2,924	\$41,140
502000	Fringe Benefits	14,060	-3,039	11,021
505800	Supplies (Medical & Health)	2,000	- 990	1,010
510100	Travel (Out of Area)	3,200	- 300	2,900
516020	Professional Services Dues & Fees	500	- 500	0
530000	Other Expenses	1,000	-1,000	0
561410	Equipment (Lab & Technical)	<u>50,000</u>	<u>-23,170</u>	<u>26,830</u>
	TOTAL	<u>\$108,976</u>	<u>-\$26,075</u>	<u>\$82,901</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Division of the Medical Examiner's Toxicology Laboratory, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

3. Item Page -2004 (Comm. 23E-31)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the United States Department of Housing and Urban Development (HUD) has approved a Grant transfer from the City of Buffalo to the Erie County Department of Mental Health in the amount of \$236,220 to provide rental assistance and supportive services for homeless veterans disabled by serious mental illness, chemical dependency and/or other disability under the McKinney Homeless Shelter Plus Care Housing Program, and

WHEREAS, there are no additional matching funds needed to support this grant, and

WHEREAS, this contract will be effective for the one-year (1) period from January 1, 2005 through December 31, 2005, and

WHEREAS, the Western New York Veterans Housing Coalition, Inc., is an existing community based organization that utilizes HUD funding to provide housing assistance and supports to serve homeless veterans disabled by serious mental illness, chemical dependency and/or other disability, and

WHEREAS, no County funds will be required for Erie County to accept these Federal funds to serve homeless veterans disabled by serious mental illness, chemical dependency and/or other disability, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health in previous years to contract for United States Department of Housing and Urban Development McKinney Homeless Shelter Plus Care Grants.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to enter into a one-year Grant Agreement with the United States Department of Housing and Urban Development (HUD) for the period January 1, 2005 through December 31, 2005, in the amount of \$236,220 to provide rental assistance and supportive services for homeless veterans disabled by serious mental illness, chemical dependency and/or other disability, and be it further

RESOLVED, that the Erie County Department of Mental Health will establish a contract with the Western New York Veterans Housing Coalition, Inc., and this agency will be established in the 2005 County Budget for the period January 1, 2005 through December 31, 2005, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance. (5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

				AS AMENDED
4.	Item	Page	-2004	(Comm. 30E-20)
	COUNTY EXECUTIVE			

WHEREAS, the Department has been awarded funding in the 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 operation, 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 submission to the State of the Consolidated Services Plan (CSP), and

WHEREAS, the Department has determined the distribution of these funds through negotiation of program enhancements with all of the vendors eligible to receive funds.

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 for expanded non-residential services to victims of domestic violence with Child and Family Services, Crisis Services and Hispanics United, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2005 Adopted Budget:

Department of Social Services, Fund 110, Department 120

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
516010	Crisis Services	\$46,397
516010	Hispanics United of Buffalo	25,546
516010	Child and Family Services	<u>71,940</u>
	Total Expenditures	<u>\$143,883</u>
411610	Federal Aid – Service for Recipients	<u>\$143,883</u>
	Total Revenues	<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 the Department has negotiated program enhancements with all of the vendors eligible to provide services 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 County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

5. Item Page -2004 (Comm. 30E-34)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, psychotropic medications are prescribed when needed for inmates at the Erie County Correctional Facility, and the costs may be reimbursed to the Correctional Facility by the Department of Mental Health (Forensic Mental Health Service) to the extent of available appropriations, and

WHEREAS, additional funds in the amount of \$18,500 are available on a one time basis within the accounts of the Forensic Mental Health Service for the reimbursement of such medications.

NOW, THEREFORE, BE IT

RESOLVED, that \$18,500 be transferred within the accounts of the Department of Mental Health (Forensic Mental Health Service) from Account 516020, Professional Services, Contracts and Fees, to Account 911630, ID Correctional Facility Services, to provide funding for psychotropic medications at the Erie County Correctional Facility and be it further

RESOLVED, that Account 505800, Medical & Health Supplies and Account 911630, ID Correctional Facility Services within the accounts of the Erie County Correctional Facility, be increased by \$18,500 to enable the purchase of psychotropic medications and the reimbursement for the medications by the Forensic Mental Health Service, and be it further

RESOLVED, that certified copies of this resolution be furnished to the County Executive's Office, the Department of Mental Health, the Erie County Sheriff's Office, the Office of the Comptroller, and the Division of Budget, Management and Finance.
(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

6. Item Page -2004 (Comm. 30E-35)

COUNTY EXECUTIVE

WHEREAS, public health law requires the reporting of HIV infection and HIV related disease in addition to AIDS, and

WHEREAS, HIV surveillance data is used to monitor trends in the epidemic, to evaluate resource needs and to target prevention efforts, and

WHEREAS, the identification of partners at risk of exposure to HIV enables access to HIV counseling, testing and care, and

WHEREAS, in Erie County the HIV Surveillance and Partner Notification program (HIV PNP) is conducted by New York State Health Department staff assisted by three Erie County Health Department positions funded by the grant, and

WHEREAS, in order to balance the accounts within the budget and maximize the revenue, budgetary adjustments are necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a revised grant award from the New York State Health Department which is budgeted as follows:

HIV Partner Notification
10/1/03 – 9/30/04
SFG Project #876
SAP Title: 127HIVPARTNOT0304 Cost Center: #1271230

SAP	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
409010	State Aid Other	\$ 211,787.00	\$ 0	\$ 211,787.00
	TOTAL	<u>\$ 211,787.00</u>	<u>\$ 0</u>	<u>\$ 211,787.00</u>
EXPENSES				
500000	Personal Services	\$ 150,748.00	-\$4,240.00	\$ 146,508.00
502000	Fringe Benefits	38,829.00	-752.00	38,077.00
505800	Medical Supplies	4,840.00	-95.00	4,745.00
510000	Travel & Mileage	1,650.00	-265.00	1,385.00
516020	Prof Service Cont & Fees	13.00	0	13.00
530000	Other Expenses	6,244.00	-150.35	6,093.65
561410	Lab & Tech Equip	6,967.00	-730.00	6,237.00
912700 *	ID Health Service	766.65	6,232.35	6,999.00
980000	ID DISS	1,729.35	0	1,729.35
	TOTAL	<u>\$ 211,787.00</u>	<u>\$ 0</u>	<u>\$ 211,787.00</u>

* ALSO INCREASE FUND 110:

912700	ID Health Service	\$ 6,232.35
516020	Prof Service Cont & Fees	\$ 6,232.35

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

7. Item Page -2004 (Comm. 30E-38)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has been awarded \$9,500,000 over six years by the United States Department of Health and Human Services Substance Abuse and Mental

Health Services Administration (SAMHSA) to enhance our system of care for children with serious emotional disturbance and their families, and

WHEREAS, no County funds will be required for Erie County to accept these Federal funds to enhance our system of care for children with serious emotional disturbance and their families.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to enter into a six year Grant Agreement with the United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of \$9,500,000 to enhance our system of care for children with serious emotional disturbance and their families, and be it further

RESOLVED, that the Erie County Department of Mental Health is hereby authorized to recommend the transfer of funds in order to execute a contract(s) with a specific provider agency(ies) in order to enhance the system of care, consistent with the local planning process and SAMHSA approval, pursuant to the requirements of Section 19.08 of the Erie County Administrative Code. Such recommendations to transfer funds and to execute specific contracts shall be submitted for Legislative approval, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

8 Item Page -2005 (Comm. 1E-5)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health provides primary and specialty care at various locations throughout Erie County, and

WHEREAS, Communication 18E-19 dated October 4, 2001 authorized the County Executive to enter into an agreement with the New York State Department of Health, Refugee Health Program for the purpose of providing refugee health assessments at clinics operated by the Erie County Department of Health for reimbursement for services provided, and

WHEREAS, the New York State Department of Health has increased the contract award from \$71,685 to \$186,381.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised agreement to accept the increased funding from the New York State Department of Health, and

RESOLVED, that the term of this agreement shall be from March 31, 2004 through March 30, 2005 with yearly renewals in calendar year 2006, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Division of Budget, Management and Finance, Office of the Comptroller and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

9. Item Page -2005 (Comm. 1E-6)

COUNTY EXECUTIVE

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 renew a lease agreement with Concerned Ecumenical Ministry for space located at 286 Lafayette Avenue, Buffalo, New York, 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 a lease agreement with Concerned Ecumenical Ministry for space located at 286 Lafayette Avenue at a rate of \$100 monthly, commencing September 1, 2004 through August 31, 2005, 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 Department of Health, Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

10. Item Page -2005 (Comm. 1E-7)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Congregate Services Initiative (CSI) and for the Health Insurance Information, Counseling and Assistance Program (HIICAP) grants for the period April 1, 2004 to March 31, 2005, for the Performance Outcomes Measurement Project (POMP) for the period September 30, 2004 to September 29, 2005, and for the Weatherization Referral And Packaging Program (WRAP-SOFA) for the period October 1, 2003 to September 30, 2004, and

WHEREAS, the New York State Office for the Aging notified the Department of increased funding for HIICAP, continuation of the POMP federal demonstration project and of an extension of the WRAP-SOFA grant through 12/31/2004, and

WHEREAS, the New York State Office for the Aging has made available to Erie County \$10,500 to conduct POMP activities for the period from September 30, 2004 through September 29, 2005, and

WHEREAS, the Department has reviewed the budgets, final state allocations and actual costs of carrying out each program's objectives, and

WHEREAS, the Department desires to allocate the funds to ensure specific program services are fully provided, and

WHEREAS, the Department desires to use a portion of CSI funds on an initiative to provide portal to portal transportation to and from congregate dining sites through a collaborative initiative with the Lt. Col. Matt Urban Human Services Center and the Ulinski and Lincoln Senior Citizen Centers, and

WHEREAS, transportation assistance will help seniors to remain independent and encourage involvement in and with the community and will prevent the well-elderly from requiring more intensive case management services, and

WHEREAS, this initiative will also provide transportation on a fixed route basis to senior citizens in need of shopping service, and

WHEREAS, the Department already contracts with the Lt. Col. Matt Urban Human Services Center under the Community Services for the Elderly and Expanded In-Home Services for the Elderly Programs which includes a transportation component, and

WHEREAS, the Department desires to amend the contract with the Lt. Col. Matt Urban Human Services Center to include the CSI funds and provide the above mentioned services through March 31, 2005, and

WHEREAS, the Department desires to use a portion of the HIICAP and POMP funds to cover the payroll costs of the respective part time Community Service Aides in the Area Agency on Aging grant who assist in the dissemination of HIICAP information in Erie County during the period October 1, 2004 to March 31, 2005, and with POMP data collection, and

WHEREAS, no additional County funds are required, and

WHEREAS, the grant budgets are in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to accept the additional \$13,671 in federal HIICAP funds and the \$10,500 in POMP funds, and be it further

RESOLVED, that the County Executive be authorized to amend the contract with the Lt. Col. Matt Urban Human Services Center to reflect the \$14,000 in CSI funds, and

RESOLVED, that the related payroll costs for the respective part time Community Service Aides be transferred to the HIICAP and POMP grants, and

RESOLVED, that the CSI grant budget, Project 163CSI0405, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
409000	State Aid-Programs for Aging	\$51,738	<u>-\$282</u>	\$51,456
	TOTAL CHANGE		<u><u>-\$282</u></u>	
APPROPRIATIONS				
	Contractual Services-Lt. Matt			
516010	Urban Human Services Center	\$0	\$14,000	\$14,000
	Professional Fees-Other			
516020	Projected	7,089	-7,089	0
516020	Professional Fees-L. Smith	27,000	<u>-7,193</u>	19,807
	TOTAL CHANGE		<u><u>-\$282</u></u>	

and be it further

RESOLVED, that the HIICAP grant budget, Project 163HIICAP405, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
	Federal Aid-Programs for			
414000	Aging	\$3,790	<u>\$13,671</u>	\$17,461
	TOTAL CHANGE		<u><u>\$13,671</u></u>	
APPROPRIATIONS				
500000	Personal Services	\$0	\$5,000	\$5,000
502000	Fringe Benefits	0	600	600
505000	Office Supplies	0	461	461
510000	Local Mileage	2,640	360	3,000
510100	Out of Area Travel	150	850	1,000
516020	Prof. Services & Fees	0	900	900
530000	Other Expenses	0	2,000	2,000
545000	Rentals	0	1,000	1,000
561410	Lab & Tech Equipment	0	2,000	2,000
980000	ID DISS Services	1,000	<u>500</u>	1,500
	TOTAL CHANGE		<u><u>\$13,671</u></u>	

and be it further

RESOLVED, that the POMP grant budget, Project 163POMP405, be revised as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
REVENUES				
Account	Description			
	Federal Aid-Programs for			
414000	Aging	\$4,000	<u>\$6,500</u>	\$10,500
	TOTAL CHANGE		<u><u>\$6,500</u></u>	
 APPROPRIATIONS				
500000	Personal Services	\$0	\$8,000	\$8,000
510000	Office Supplies	\$1,000	-\$800	200
510100	Out of Area Travel	1,200	300	1,500
530000	Other Expenses	600	-600	0
980000	ID DISS Services	1,200	<u>-400</u>	800
	TOTAL CHANGE		<u><u>\$6,500</u></u>	

and be it further

RESOLVED, that the WRAP-SOFA grant budget, Project 163WRAP-SOFA0304, be revised as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
APPROPRIATIONS				
Account	Description			
500000	Personal Services	\$172,800	-\$10,514	\$162,286
502000	Fringe Benefits	60,912	-7,781	53,131
505000	Office Supplies	2,000	-1,693	307
	Local Mileage			
510000	Reimbursement	4,474	-136	4,338
510100	Out of Area Travel	526	-426	100
	Other Expenses (Last Resort			
530000	Weatherization)	57,984	22,122	80,106
561420	Furniture & Fixtures	700	-562	138
980000	ID DISS Services	3,800	<u>-1,010</u>	2,790
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

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

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

WHEREAS, the Erie County Public Health Laboratories are responsible for laboratory services for Erie County Departments, other government agencies, local health care providers and hospitals, and

WHEREAS, the New York State Department of Health has requested that the Erie County Public Health Laboratories conduct a survey to assess the prevalence of antibiotic resistant strains of gonorrhea (GC) in Erie County, and

WHEREAS, the New York State Department of Health has agreed to reimburse the Erie County Public Health Laboratories for the cost of this survey, and

WHEREAS, the Erie County Public Health Laboratories 2004 General Operating Budget needs to be modified to accomplish this survey.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with the New York State Department of Health for services to be budgeted as follows:

GC Antibiotic Resistance Survey		<u>NEW</u>
ACCT	REVENUE	BUDGET
416610	PH Lab Fees – NYSDOH Survey	<u>\$ 7,000</u>
	TOTAL	<u>\$ 7,000</u>
EXPENSES		
505800	Laboratory & Medical Supplies	<u>\$ 7,000</u>
	TOTAL	<u>\$ 7,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Department of Health, the Division of Budget, Management & Finance, the Office of the Comptroller and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

12. Item Page -2005 (Comm. 2E-7)

COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature does hereby confirm the appointment of Phillip R. Endress at 14 Meadow Brook Drive, New Hartford, NY 13413-3802 as Commissioner of the Department of Mental Health for a term to expire January 24, 2005.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

DEMONE A. SMITH
CHAIRMAN