

May 15, 2003

HUMAN SERVICES
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

- a. Item Page -2002 (Intro. 5-20)
PEOPLES & SWANICK: Guaranteeing Flexibility and Accountability at ECMC.
(4-0) Legislator Fisher absent.
- b. Item Page -2002 (Comm. 7E-4)
SWANICK: Letter to Clerk of Legislature Re: Conversion of ECMC to a Public Benefit Corporation.
(4-0) Legislator Fisher absent.
- c. Item Page -2002 (Comm. 8E-2)
COUNTY EXECUTIVE: Letter to Legislator Swanick Re: Creation of ECMC Corporation.
(4-0) Legislator Fisher absent.
- d. Item Page -2002 (Intro. 9-3)
SWANICK & PEOPLES: Calling Upon State and County Officials to Pattern Legislation Concerning ECMC Flexibility After Existing NYS Legislation.
(4-0) Legislator Fisher absent.
- e. Item Page -2002 (Comm. 16M-12)
NYS COMPTROLLER: Inmate Medical Costs at EC Holding Center & Alden Correctional Facility.
(4-0) Legislator Fisher absent.
- f. Item Page -2002 (Comm. 22E-6)
SCHROEDER: Copy of Letter to Nassau County Medical Center Re: Communication on PBC.
(4-0) Legislator Fisher absent.
- g. Item Page -2002 (Comm. 22M-4)
NYS COMPTROLLER: Report of County Inmate Health Care Costs.
(4-0) Legislator Fisher absent.
- h. Item Page -2003 (Comm. 2E-4)
COUNTY EXECUTIVE: OPEN ITEM: Legislation Creating a PBC for ECMC.
(4-0) Legislator Fisher absent.

- Item Page -2003 (Intro. 8-2)
 i. **HOLT, SMITH & FISHER:** Requesting the Presence of Commissioner Billittier to Explain EC's Response to Severe Acute Respiratory Syndrome (SARS).
 (4-0) Legislator Fisher absent.

- Item Page -2003 (Comm. 9M-16)
 j. **CENTER FOR DISEASE CONTROL & PREVENTION:** Information Re: Smallpox & Smallpox Vaccine.
 (4-0) Legislator Fisher absent.

2. Item Page -2003 (Comm. 9E-24)
COUNTY EXECUTIVE

WHEREAS, Hispanics United of Buffalo has conducted a Preventive Services program for children and families targeted to the Spanish-speaking community, and

WHEREAS, the services provided by this program are important to the community and the Department to help avoid out of home placement of children, and the agency demonstrates good outcomes, and

WHEREAS, the State funding for this program has expired, and a loss of this service would severely reduce the availability of services to the Spanish-speaking population, and

WHEREAS, the Department of Social Services is seeking authorization to transfer funds within the PINS and Preventive Services Grant in the amount of \$50,000 to provide for interim funding for a critical preventive services contract with Hispanics United of Buffalo, and

WHEREAS, undesignated funds were budgeted for this purpose in the "Other Expenses" account of the PINS and Preventive Services Grant in anticipation of the need to provide critical services such as these, and

WHEREAS, the Department will work with Hispanics United of Buffalo to identify and evaluate options for alternative funding in the future, and

WHEREAS, there is no fiscal impact to the 2003 Adopted Budget based on this funds transfer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute a contract with Hispanics United of Buffalo, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2003 Adopted Budget:

Department of Social Services, Department 200, Fund 281, Project 829

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-0220	Hispanics United of Buffalo	\$50,000
826	Other Expenses	<u>(50,000)</u>
	Total Expenditures	<u>-0-</u>

and be it further

RESOLVED, that 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 Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.
(4-0) Legislator Fisher absent.

3. Item Page -2003 (Comm. 9E-32)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health operates district offices for the provision of Public Health Services in various locations throughout the County, and

WHEREAS, the County wishes to extend the current lease renewal agreement with Franklin Street Associates, L.L.C. (Clover Management) for rental of space in the building located at 499 Franklin Street, Buffalo, New York, to be utilized as an environmental health district office, and

WHEREAS, the current lease covers the period commencing June 1, 2001 through May 31, 2003, and

WHEREAS, the Department of Public Works is in the process of renovating Building BB on the ECMC campus to house a number of Health Department services, including the Buffalo Environmental Health District office. It is anticipated that this project will be completed by the end of September, 2003, and

WHEREAS, the purpose of this resolution is to extend this lease for a four-month period from June 1, 2003 to September 30, 2003 at the same terms and conditions, and

WHEREAS, funds are available through a transfer of funds as follows:

Increase Account 822 – Rental Charges	\$30,000
Decrease Account 880-4000 Interfund ECMC	\$30,000

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an extended lease renewal agreement with Franklin Street Associates, L.L.C. (Clover Management), for rental of space at 499 Franklin Street, Buffalo, New York, to be utilized by the Department of Health's Environmental Health Buffalo District Office, and be it further

RESOLVED, that the terms of the lease extension shall be for a four-month period commencing June 1, 2003 and ending September 30, 2003, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Increase Account 822 Rental Charges	\$30,000
Decrease Account 880-4000 Interfund ECMC	\$30,000

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Department of Health, the Real Property Unit in the Division of Budget, Management and Finance, the Division of Budget Management and Finance, the Office of the Comptroller and the Department of Law.
(4-0) Legislator Fisher absent.

4. Item Page -2003 (Comm. 9E-33)

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.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept the revised grant award which extends the existing grant end date from 3/31/03 to 8/31/03, and be it further

RESOLVED, that certified copies of this resolution be forwarded to 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.
(4-0) Legislator Fisher absent.

5. Item Page -2003 (Comm. 9E-35)

COUNTY EXECUTIVE

WHEREAS, the New York State Health Department has indicated that the Erie County Department of Health has qualified for a grant to enhance beach sampling, for the period 5/1/03 to 9/15/03 in the amount of \$13,395, and

WHEREAS, each beach will be tested by the Erie County Department of Health at least two times per week throughout the bathing season, and

WHEREAS, samples will routinely be collected, chilled and transported to the Erie County Public Health Laboratory for testing within 6 hours of sample collection for fecal coliform and *E.coli* bacteria using proposed EPA methodologies, and

WHEREAS, sampling, collection, delivery and reporting will be conducted by a part time fee-for-service Engineering Intern, and

WHEREAS, a beach will be closed when New York State and EPA standards are exceeded, and will remain closed until subsequent tests indicate a water quality that meets the accepted standards, and

WHEREAS, a sign will be posted for closed beaches with verbiage that is acceptable to the permit issuing official, and closing may be reported to the media as well as a county telephone beach hotline, and

WHEREAS, results of testing and reporting of results will be directed to the New York State Department of Health.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract with the New York State Department of Health to accept a grant to enhance beach sampling which is budgeted as follows:

BEACH WATER QUALITY MONITORING PROGRAM

05/01/03 - 09/15/03

ACCT SUB-ACCT REVENUE		NEW BUDGET
553	STATE AID	\$ 13,395
	TOTAL	<u>\$ 13,395</u>
EXPENSES		
821	DUES AND FEES	\$ 3,310
824	TRAVEL AND MILEAGE	1,298
826	OTHER EXPENSES	147
880	2720 INTERFUND - PH LAB	<u>8,640</u>

TOTAL \$ 13,395

PUBLIC HEALTH LAB

Increase Account	814	MEDICAL SUPPLIES	\$ 8,640
Increase Account	685-2709	INTERFUND - HEALTH GRANTS	\$ 8,640

and be it further

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

(4-0) Legislator Fisher absent.

6. Item Page -2003 (Comm. 9E-53)

COUNTY EXECUTIVE

WHEREAS, Erie County formed a Consortium (Erie County HOME Consortium) with the Town of West Seneca and Town of Hamburg for funding under the HOME Investment Partnership Act (HOME); and

WHEREAS, Erie County HOME Consortium has been awarded a grant of \$1,294,000 for fiscal year 2002 by the U. S. Department of Housing and Urban Development under HOME; and

WHEREAS, a minimum of fifteen percent of funds made available pursuant to the HOME Investment Partnership Act are to be provided to eligible Community Housing Development Organizations (CHDOs).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a first amendatory agreement to the March 20, 2002 contract with Episcopal Community Housing Development Organization, Inc. (ECHDO), and said amendatory agreement shall increase the authorized contract amount from \$200,000 to \$300,000 for the purpose of developing rental housing in the Town of Evans for low income senior households; and be it further

RESOLVED, that said agreements shall provide for the transfer of an amount not to exceed \$300,000 in federal HOME Investment Partnership funds to ECHDO; and be it further

RESOLVED, that disbursement of said funds shall be conditioned on the following:

1. Completion of all state and federal environmental review requirements relative to the housing project.
2. Completion of all necessary subsidy layering analysis as required by the federal Department of Housing and Urban Development; and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with by the Department of Environment and Planning, and a summary is included as Attachment A to this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Division of Budget, Management, and Finance, the County Comptroller, and the Commissioner of the Department of Environment and Planning.

ATTACHMENT A

NAME OF PROJECT: HOME/Community Housing Development Organizations
(CHDO) Funding for Program Year 2003

SKILL REQUIRED: Funds Available Only to Qualified CHDO's as Required by HUD

COMMITTEE MEMBERS' PROJECT RANKING

Episcopal Community Housing Development Organization	Southern Tier Environment for Living, Inc.	Committee Members
2	1	Thomas J. Dearing, Community Planning Coordinator, EC Department
1	2	Chris Hull, Community Development Town of Hamburg
2	1	David Young, Executive Director, Buffalo Neighborhood Housing Services
1	2	Jack Maloney, Deputy Director Buffalo Office - Fannie Mae
6	6	TOTAL

NOTE: The lower number indicated a higher rank by the viewer.

In my opinion in recommending Episcopal Community Housing Development Organization to develop housing for seniors in the Town of Evans, Southern Tier Environment for Living, Inc. to develop housing for individuals who are 55 years and older or physically disabled in the Town of

Collins, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of Erie County Administrative Code.

Scoring sheets and other material related to this matter area available for review at the DEP offices during regular business hours.

LAURENCE K. RUBIN, Commissioner
Department of Environment and Planning

(4-0) Legislator Fisher absent.

7. Item Page -2003 (Comm. 9E-54)

COUNTY EXECUTIVE

WHEREAS, under the Steward B. McKinney Homeless Assistance Act of 1987, the Secretary of the U. S. Department of Housing and Urban Development is authorized to make grants to units of local government to finance an Emergency Shelter Grant Program; and

WHEREAS, the County has received funds under the Act to fund non-profit organizations for essential services for homeless persons and for operational and renovation expenses associated with homeless shelters; and

WHEREAS, in order to implement the Emergency Shelter Grant Program, the County of Erie must enter into individual agreements with non-profit organizations that serve homeless persons.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Fillmore-Leroy Area Residents, Inc. (FLARE) for \$9,142 for essential services and operating expenses associated with their transitional home for young homeless women located in the City of Buffalo, New York; and be it further

RESOLVED, that said contract authorizations are contingent upon the receipt of year 2003 federal Emergency Shelter Grant funding assistance through the U. S. Department of Housing and Urban Development; and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the request for proposal process is attached to this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of the Division of Budget, Management and Finance, the County Comptroller, and the Commissioner of the Department of Environment and Planning.

ERIE COUNTY 2003 EMERGENCY SHELTER PROJECT EVALUATION NAME OF ORGANIZATION	Thomas J. Dearing Community Planning Coord., Erie County Dept. of Environment And Planning	Deborah Goldman, Coord., of Mental Health Services Erie County Dept. of Mental Health	Diane Bessel, Erie County Homeless Commission	Joseph Kulger, Head Welfare Examiner, E.C. Dept. of Social Services	TOTAL
ADDS (Ivy House)	93	83	86	82	344
ADDS (Women's Community Residence)	81	83	85	83	332
Buffalo Urban League	82.5	86	87	69	324.5
Compass House	71	72	70	69	282
FLARE	79.5	71	78	69	297.5
Group Ministries *					
Interfaith Hospitality	80.5	87	82	84	333.5
New Life Residential Center	52	66	53	66	237
The Franciscan Center	86	86	80	84	336
WHRD	79	71	72	70	292
WNY Veteran's Housing Coalition	73	65	74	71	283
YWCA of Western New York	94.5	93	90	92	369.5

In my opinion, in recommending ADDS (Ivy House), ADDS (Women's Community Residence), Buffalo Urban League, Inc., FLARE, Inc., Interfaith Hospitality Network of Greater Buffalo, Inc., The Franciscan Center, and YWCA of Western New York, Inc., the Department of Environment and Planning has complied with all applicable provisions of Section 19.08 of the Erie County Administration Code. Scoring sheets and other material related to this matter are available for review at the Erie County Department of Environment and Planning office during regular business hours.

LAURENCE K. RUBIN, Commissioner
Department of Environment and Planning

* Project Ineligible
(4-0) Legislator Fisher absent.

8. Item Page -2003 (Comm. 9E-62)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for various nutrition sites in the Congregate Dining Nutrition Program (III-C-1) for the period January 1, 2003 to December 31, 2003; and

WHEREAS, the Department of Senior Services (Department) received authorization from your Honorable Body in January to enter into a contract with the new owner of Brent Manor, one of the dining sites for the nutrition program, under the name, JVL Management Company, and

WHEREAS, the Department received notice from the new owner that the legal name is APL Property Group, not JVL Management, and

WHEREAS, the Department is requesting that the County Executive be authorized to enter into the 2003 contract with APL Property Group, rather than JVL Management.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to enter into contract with APL Property Group for the period January 1, 2003 to December 31, 2003 for an amount not to exceed \$1,684, and be it further

RESOLVED, that the III-C-1 grant, Project 762, Account 830/1667 be revised to reflect the name change, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Attorney's Office, the Comptroller's Office and the Department of Senior Services.
(4-0) Legislator Fisher absent.

9. Item Page -2003 (Comm. 9E-63)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Retired and Senior Volunteer Program (RSVP) grant for the period July 1, 2002 to June 30, 2003, and

WHEREAS, the Corporation for National Service has made available an additional \$3,303 in funds for the 2002/2003 RSVP grant to provide support services to 1,150 RSVP volunteers working in community agencies throughout the County, and

WHEREAS, the Department desires to use a portion of RSVP funds to cover the payroll costs of a part time Community Service Aide, position number 792462, who is currently working on activities relating to this project as of March 31, 2003, and, if necessary, a part time Community Service Aide, position number 815100, who is currently working on activities relating to this project through a State grant which is eliminated in the proposed 2003 State budget, and

WHEREAS, the county budget for this program is in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the RSVP grant, project 658, for the period July 1, 2002 to June 30, 2003, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			
Account Description			
664 Federal Aid	\$82,572	\$3,303	\$85,875
TOTAL CHANGE		<u>\$3,303</u>	
APPROPRIATIONS			
800 Personal Services	\$85,643	-\$5,164	\$80,479
805 Fringe Benefits	18,504	7,212	25,716
812 Food & Kitchen Supplies	225	-225	0
823 Repairs & Maintenance	0	12	12
824 Local Mileage	55,571	-4,171	51,400
825 Out of Area Travel	1,000	-611	389
880/5100 Interfund Expenses	0	6,000	6,000
933 Lab & Technical Equip	0	250	250
TOTAL CHANGE		<u>\$3,303</u>	

and be it further

RESOLVED, that the payroll costs of the part time Community Service Aide, position number 792462, be transferred to the RSVP grant for the period March 31, 2003 through June 30, 2003, and that the payroll costs of the part time Community Service Aide position, position number 815100, be transferred to the RSVP grant for the period April 1, 2003 through June 30, 2003 in the event that the State eliminates the State RSVP grant, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller’s Office and the Department of Senior Services.
(4-0) Legislator Fisher absent.

10. Item Page -2003 (Comm. 9E-64)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has received notice from the New York State Division of Criminal Justice Services of a State award to the Boys and Girls Clubs of Buffalo to conduct a program entitled the West Side Delinquency Prevention Program, and

WHEREAS, the award in the amount of \$90,514 is provided by the State to partially fund five (5) staff positions as well as ancillary program costs at the Boys and Girls Clubs of Buffalo, and

WHEREAS, this critical and innovative program to provide broad spectrum, need based services is based on the successful application made by Boys and Girls Clubs of Buffalo to the State, and

WHEREAS, the Department of Social Services has been designated as the pass-through agency to administer this grant award, and

WHEREAS, matching funds required as a condition of this award will be provided by the Boys and Girls Clubs of Buffalo, and there is no Erie County local share funding required.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of the Department of Social Services are authorized to enter into contracts for this program with the New York State Division of Criminal Justice Services and the Boys and Girls Clubs of Buffalo, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2003 Adopted Budget:

Department of Social Services, Department 200, Fund 281, Project 829

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
830- 0546	Boys and Girls Clubs of Buffalo	<u>\$90,514</u>
	Total Expenditures	<u>\$90,514</u>
551	State Aid	<u>\$90,514</u>
	Total Revenues	<u>\$90,514</u>

and be it further

RESOLVED, that because these special services are a result of State award that passes funds through to an agency that has been designated by the State, 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 Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(4-0) Legislator Fisher absent.

11. Item Page -2003 (Comm. 9E-68)

COUNTY EXECUTIVE

WHEREAS, in order to promote positive youth development activities in Erie County, a coalition of representatives from the United Way, Buffalo and Erie County governments, ACT for Youth at Erie 1 BOCES, youth recreation programs and provider agencies was formed; and

WHEREAS, this coalition is named the Buffalo and Erie County Youth Development Partnership; and

WHEREAS, the Buffalo and Erie County Youth Development Partnership is seeking to achieve consensus on the Partnership's overall mission, vision, priorities, and operational procedures; and

WHEREAS, the Partnership has decided that a facilitated meeting is necessary to obtain clarity about the role and direction of the Partnership; and

WHEREAS, obtaining clarity about the role and direction of the Partnership will help this body become an effective force in promoting strategies to ensure that Erie County's children become healthy and productive adult members of their communities; and

WHEREAS, ACT (Assets Coming Together) for Youth at Erie 1 BOCES, is the lead agency organizing the retreat; and

WHEREAS, ACT for Youth at Erie 1 BOCES has chosen the Center for Governmental Research (CGR) to be the facilitators for this retreat; and

WHEREAS, the Erie County Community Coordinating Council on Children and Families is a member of the Partnership and is co-sponsoring the retreat;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the ACT for Youth Project at Erie 1 BOCES in an amount not to exceed \$3,400.00 to co-sponsor the Buffalo and Erie County Youth Partnership retreat, there being funds available in account 830, Contractual Services in the 2003 adopted budget of the Erie County Community Coordinating Council on Children and Families, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Community Coordinating Council on Children and Families, the ACT for Youth at Erie 1 BOCES (1050 Maryvale Drive, Cheektowaga, New York 14225) and the Erie County Comptroller. (4-0) Legislator Fisher absent.

DR. BARRY WEINSTEIN
CHAIRMAN