

June 13, 2002

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.

1. RESOLVED, that the following item is hereby received and filed.

- | | Item | Page | -2002 | (Comm. 11E-7) |
|----|--|------|-------|---------------|
| a. | DALE, DUSZA, SWANICK, SCHROEDER & MARINELLI: Copy of Letter to County Attorney Re: Request for Answers to Questions Concerning County's Appeal of Justice Glownia's Decision. | | | |
| | (5-0) | | | |

2.

	Item	Page	-2002	(Comm. 11E-37)
	COUNTY EXECUTIVE			

WHEREAS, the County of Erie and the CSEA, Erie Unit Local 815, have an agreement covering the working conditions, including wages and fringe benefits, for employees of the County of Erie who are Pharmacists and employed at the Erie County Medical Center for a period of January 1, 2000 through December 31, 2003; and

WHEREAS, especially on the night shift, the Erie County Medical Center has been experiencing severe recruitment and retention problems in the Pharmacy, which operates on a 24 hour, seven day a week basis, and

WHEREAS, the County of Erie and the CSEA have negotiated a mutually beneficial modification to the Collective Bargaining Agreement as described herein, and

WHEREAS, the Erie County Medical Center Board Managers has passed a resolution requesting that the County of Erie increase the shift differential to five dollars (\$5.00) an hour for the designated "night shift Pharmacist" for a maximum of ten (10) hours a night and a maximum budgetary expenditure of eighteen thousand, two hundred and fifty dollars (\$18,250.00) per year, and

WHEREAS, the Erie County Medical Center has identified funds in its current budget and will require no additional contribution from the County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, that the current Collective Bargaining Agreement by and between the County of Erie and the CSEA, Erie Unit Local 815 be modified to provide that shift differential pay for Erie County Medical Center Pharmacists (only) designated as "night shift Pharmacists" be increased to five dollars (\$5.00) per hour, retroactive to January 1, 2002, subject to the restrictions described below; and be it further

RESOLVED, that said increase in shift differential shall be restricted to the hours of 9:00 PM through 7:00 AM only, for a maximum of ten (10) hours per night; and be it further

RESOLVED that said increase in shift differential shall be restricted to a maximum budgetary expenditure of eighteen thousand, two hundred and fifty dollars (\$18,250.00) per year; and be it further

RESOLVED, that the County Executive be authorized to enact said modification; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Division of Labor Relations; Division of Budget, Finance and Management; Personnel Department; ECMC; and Comptroller.

(5-0)

3. Item Page -2002 (Comm. 12E-11)

COUNTY EXECUTIVE

WHEREAS, a number of labor issues had developed between the County of Erie, the Erie County Sheriff's Office, and the Teamsters Union; and

WHEREAS, the parties desire to resolve these matters in an equitable fashion in furtherance of harmonious labor relations;

NOW, THEREFORE, BE IT

RESOLVED, effective retroactively to January 1, 2001, three Kitchen Helper – Holding Center JG III positions in the Sheriff's Office shall be deleted and three Assistant Cook – Holding Center JG IV positions, shall be added into which Thomas MacKinnon, Daryll Davis, and Zbigniew Cieslik shall be placed and paid accordingly; and be it further

RESOLVED, effective retroactively to November 1, 2000, the position of Account Clerk Typist – Civil JG IV shall be deleted and a position of Senior Account Clerk Typist – Civil JG VI be added into which Laura Hock shall be placed and paid accordingly; and be it further

RESOLVED, retroactive payments shall be made to those former covered employees who worked during negotiations with the Teamsters Union for a successor Collective Bargaining Agreement, but left County service under non-disciplinary circumstances prior to the conclusion of negotiations and ratification of the successor Collective Bargaining Agreement (Communication 12E-13), and be it further

RESOLVED, that authorization is hereby provided to increase expenses within the Sheriff's Office in order to fund the settlement of these matters, and be it further

RESOLVED, that the Director of Budget, Management, and Finance is hereby granted authority to transfer funds as required into the appropriate budgets of the Sheriff's Division,

Holding Center and all Sheriff grants in order to fund the settlement of these matters, including retroactive payments associated herein, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Labor Relations; the Division of Budget, Management, and Finance; the Personnel Department; the Sheriff of Erie County; and the County Comptroller.

(5-0)

				AS AMENDED
4.	Item	Page	-2002	(Intro. 12-2)
	DUSZA			

WHEREAS, consumers throughout Erie County and New York State apply for and receive home improvement loans each year, and

WHEREAS, the costs of said loans can often be overly burdensome for consumers when inappropriate lending practices are employed, and

WHEREAS, there has been a proliferation of New York State financial institutions offering high-interest rate home equity loans to individuals, who, for various reasons are unable to secure loans at prime market rates, and

WHEREAS, this practice, known as sub-prime lending, refers to credit extended to borrowers with higher probable default risk than traditional bank customers, and

WHEREAS, there have been a growing number of consumer complaints and recent litigation involving sub-prime lenders, which has raised concern over the existence of predatory lending practices in the sub-prime market, and

WHEREAS, allegations suggest that certain sub-prime lenders are unscrupulously targeting senior citizens and persons living in minority communities who have substantial equity in their homes, and

WHEREAS, recent State regulations provide too many loopholes for lenders engaging in predatory lending, and this legislation attempts to close many of these loopholes, while providing additional disclosures to consumers, counseling when applying for a high-cost home loan, and affirmative defenses in the case of foreclosure, and

WHEREAS, legislation in the New York Legislature would protect consumers against abuses in the sub-prime lending market by prohibiting certain practices with respect to high-cost home loans, and

WHEREAS, this legislation regulates the making and foreclosure of high-cost home loans, imposes responsibilities in connection therewith on home improvement contractors, requires a certain notice in foreclosure actions, requires certain proofs by the party plaintiff, establishes affirmative defenses and permits recovery of attorneys fees,

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the New York State Legislature to consider legislature to protect consumers against abuses in the sub-prime lending market by prohibiting certain practices with respect to high-cost home loans, and be it further

RESOLVED, that this Honorable Body does hereby call upon both houses of the State Legislature to adopt this legislation, and does further urge Governor Pataki to sign such legislation into law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George Pataki, Assembly Speaker Sheldon Silver, State Senate Majority Leader Joseph Bruno, the members of the Western New York delegation to the State Legislature, and to New York's Chapter of the American Association of Retired Persons, One Commerce Plaza, Suite 706, Albany, NY 12260.

Fiscal Impact: Impact of State Legislation is Positive For New York's Consumer
(5-0)

STEVEN P. McCARVILLE
CHAIRMAN