

APRIL 9, 2009

HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5M-5 (2009)
CITY OF BUFFALO COMMON COUNCIL: "Request for Legislature Response to Common Council Item, Entitled, "Day Care Tax Penalty""
(5-0)
 - b. COMM. 6M-2 (2009)
COLUCCI & GALLAHER, P.C.: "ECMCC Agenda Items for Board of Directors Meeting Held 2/25/09"
(5-0)
 - c. COMM. 7M-5 (2009)
ECMCC: "Annual Report as Required by NY Public Authority Law"
(5-0)
2. INTRO 26-4 (2008)
IANNELLO & WHYTE AS AMENDED
WHEREAS, the New York State Department of Environmental Conservation (DEC) has just reported the results of the air quality study for the Town of Tonawanda, that was initiated in July of 2007; and

WHEREAS, this section of Tonawanda borders the Niagara River and is the most heavily industrialized region in Western New York; and

WHEREAS, a number of industrial sires in the vicinity, including a coke plant and gasoline terminals, produce emissions which at certain levels may be harmful to human health and or the environment; and

WHEREAS, the DEC has placed four stationary monitors in the area, the air quality study determined that the benzene readings at all four monitoring sites exceeded not only the state standard used for regulating industry, but the statewide average; and

WHEREAS, the Clean Air Coalition of Western New York (CACWNY) is a community-based group focused on identifying, monitoring and reducing sources of mobile and industrial air pollution; and

WHEREAS, the CAC of WNY narrowed their focus to industrial point sources in Tonawanda, New York as a result of ongoing investigations and conversations with hundreds of citizens in our community over the last five years; and

WHEREAS, the CAC of WNY are especially concerned about the benzene emissions from the Tonawanda Coke Corp. whose risk levels exceeded the DEC standards by more than 100 times; and

WHEREAS, in addition to these facilities the Interstate 290 and 190 intersect the area at the Grand Island Bridge; and

WHEREAS, benzene is a known carcinogenic, emitted from motor vehicles and adding to that emitted from the nearby industry; and

WHEREAS, these two sources of benzene being emitted and measured at high levels, cause the residents to wonder whether multiple cases of cancer diagnosed in their families are related; and

WHEREAS, individuals living and working near these source points have become ill, reporting violent reactions citing nausea, vomiting, dizziness, burning eyes and lungs, difficulty breathing and a feeling of their "skin crawling;" and

WHEREAS, these emissions impact their quality of life on a daily basis and make them worry for the health of their loved ones; and

WHEREAS, the citizens in the Kenmore, Tonawanda, Riverside and surrounding neighborhoods are fed up with pretending that there is not a problem; and

WHEREAS, in July and August 2008, certain neighborhoods were inundated with an air pollution described as a "blue haze" with an unbearable nauseating smell; and

WHEREAS, recently the CACWNY took bucket air samples where the results identified elevated levels of benzene among other pollutants; and

WHEREAS, the CACWNY recently held a press conference calling on the Tonawanda Coke Corp. to become a good neighbor, requesting them to sit down with the group; and

WHEREAS, elected officials must be concerned about the health and well being of the residents they represent when certain hazards are proven to exist.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that the Erie County Department of Health and the New York State Department of Health come before the Health and Human Services Committee to determine their role in regard to the results of the recent air monitoring study; and be it further

RESOLVED, the County Department of Health collaborate with the New York State Department of Health in conducting a health study to determine how the air quality is affecting the health of the residents of Kenmore, Tonawanda, Riverside and surrounding areas; and be it further

RESOLVED, that the collaboration commence with an informational community meeting to be held in early June after final results are published by the DEC; and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Chris Collins, Commissioner of Erie County Health Dr. Billittier, Assistant Regional Director for the NYS Department of Health Robert A. Furlani, and Senator Antoine Thompson.
(5-0)

3. COMM. 6E-5 (2009)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a grant award from the United States Department of Housing & Urban Development (HUD), Office of Healthy Homes and Lead Hazard Control in the amount of \$3,000,000 for implementing the LEADSAFE for 2010 Lead Hazard Control program; and

WHEREAS, the Department of Housing and Urban Development requires partnerships as part of the grant application package; and

WHEREAS, the Erie County Department of Health, Belmont Shelter Corp., and Environmental Education Associates, Inc. have joined together in a LEADSAFE for 2010 partnership for the purposes of providing services under this grant; and

WHEREAS, the purpose of the LEADSAFE for 2010 program is to reduce the number of housing units that present a lead hazard to the young children of Erie County; and

WHEREAS, this will be accomplished through home paint inspections and lead risk assessments, provision of services for hazard control and implementation of a training /education curriculum for contractors in Erie County; and

WHEREAS, the County desires to subcontract with Belmont Shelter Corp. for an amount not to exceed \$1,948,450 for the period 1/15/09 – 1/14/12 for the purpose of preparing work and bid specifications in homes to receive lead hazard control work, and awarding competitive bids for hazard control work, including labor and supply costs, to qualified contractors, and monitoring work progress and quality of contractors who are successful in receiving bids; and

WHEREAS, the County desires to subcontract with Environmental Education Associates, Inc. for an amount not to exceed \$58,125 for the period 1/15/09 – 1/14/12 for the purpose of providing periodic training courses for contractors on hazard control and lead safe work practices and for clearance sampling and reporting, and copyrighted Lead Risk Assessment Report and Occupant Protection plan.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health, Belmont Shelter Corp., and Environmental Education Associates, Inc. have joined together in a LEADSAFE Erie County partnership for the purposes of providing services under this grant; and be it further

RESOLVED., that the Erie County Legislature hereby authorizes the County Executive to enter into a subcontract with Belmont Shelter Corp. for an amount not to exceed \$1,948,450 for the period 1/15/09 – 1/14/12 for the purpose of preparing work and bid specifications in homes to receive lead hazard control work, and awarding competitive bids for hazard control work, which shall include labor and supply costs, to qualified contractors, and monitoring work progress and quality of contractors who are successful in receiving bids; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a subcontract with Environmental Education Associates, Inc for an amount not to exceed \$58,125 for the period 1/15/09 – 1/14/12 for the purpose of providing periodic training courses for contractors on hazard control and lead safe work practices and for clearance sampling and reporting, and copyrighted Lead Risk Assessment Report and Occupant Protection plan; and be it further

RESOLVED, that the subcontracts with the Belmont Shelter Corp., and Environmental Education Associates, Inc. are special services which must be provided immediately and continuously and therefore the RFP procedure required under Section 19.08 of the Erie County Administration Code, is hereby waived; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to 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 Erie County Department of Health, 9th Floor, Rath Building.
(5-0)

4. COMM. 6E-6 (2009)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a grant award from Komen for the Cure in the amount of \$40,000 for the purpose of funding breast cancer screening and diagnostics for low income, underserved women aged 18 – 39 years old for the period 4/1/09 – 3/31/10; and

WHEREAS, the Erie County Partners for Prevention is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and Komen for the Cure; and

WHEREAS, these dollars will be used to pay for services for clients enrolled in Partners for Prevention; 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 grant award from Komen for the Cure to be budgeted as follows:

Komen for the Cure
4/1/09 – 3/31/10
127KOMEN0910

SAP	REVENUE	BUDGET
479100	Other Contributions	<u>\$40,000</u>
	Total	<u>\$40,000</u>
EXPENSES		
516020	Contractual Clinical Services	<u>\$40,000</u>
	Total	<u>\$40,000</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 and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner in the Erie County Health Department, 9th Floor, Rath Building. (5-0)

5. COMM. 6E-9 (2009)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the reappointment of the following individuals to the Senior Services Advisory Board for a term ending December 31, 2010:

Ms. Jane Brookings
33 Linwood Ave. – Apt. 605
Buffalo, NY 14209

Ms. Georgia Henley
358 Hastings Ave.
Buffalo, NY 14215

Mr. Len Sikora
681 Downing Ln.
Williamsville, NY 14221

Ms. Donna Sundell
3801 North Boston Rd.
Eden, NY 14057

(5-0)

**THOMAS J. MAZUR
CHAIR**