

May 14, 2020

HEALTH & HUMAN SERVICES
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby tabled by a majority vote:
 - a. INTRO. 10-9 (2020)
LORIGO: “Calling on Administration to Provide Statistics on Active COVID-19 Infections in EC”
(5-1) Legislator Lorigo voted in the negative.
2. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6E-21 (2020)
COUNTY EXECUTIVE: “State of Emergency Declaration”
(Chair’s Ruling)
 - b. COMM. 6D-4 (2020)
COUNTY ATTORNEY: “Emergency Order, 3/15/2020 – Closure of All Public & Parochial Schools”
(Chair’s Ruling)
 - c. COMM. 8E-2 (2020)
COMPTROLLER: “Child Care Concerns Amid COVID-19”
(Chair’s Ruling)
 - d. COMM. 8D-2 (2020)
COUNTY ATTORNEY: “Emergency Order, March 22, 2020”
(Chair’s Ruling)
 - e. COMM. 8D-5 (2020)
COUNTY ATTORNEY: “Extension of Local Emergency Order, March 27, 2020”
(Chair’s Ruling)

- f. COMM. 9E-5 (2020)
BASKIN: “Letter to Gov. Cuomo Concerning Obtainment of Data on COVID-19 Testing, Positive Cases and Deaths”
(Chair’s Ruling)
 - g. COMM. 9E-6 (2020)
BASKIN & JOHNSON: “Letter to U.S. Dept. of HHS Relating to COVID-19 Reporting of Data to States and Local Governments on Racial Disparities”
(Chair’s Ruling)
 - h. COMM. 9D-1 (2020)
DEPT. OF LAW: “Local Emergency Orders, EC State of Emergency Declarations & Extensions”
(Chair’s Ruling)
 - i. COMM. 9M-1 (2020)
ECMC: “2019 ECMC Annual Report”
(Chair’s Ruling)
 - j. COMM. 10D-1 (2020)
DEPT. OF LAW: “Local Emergency Orders, EC State of Emergency Declarations & Extensions”
(Chair’s Ruling)
3. COMM. 10E-12 (2020)
COUNTY EXECUTIVE
WHEREAS, the Department of Social Services is requesting authorization to enter into a lease renewal agreement with the 43 Court Street Realty Company; and

WHEREAS, the lease renewal is for the period of July 13, 2020, through January 12, 2021; the agreement is for 21,034 square feet of space at 43 Court Street at a monthly rental amount of \$24,013.82; and

WHEREAS, the current lease period ends on July 13, 2020, and this lease renewal is needed to maintain Department of Social Services-administered programs at this location; and

WHEREAS, the Department of Social Services has leased space at 43 Court Street since 1999, and the facility currently houses its Special Investigations Division and the Human Resources Division; and

WHEREAS, the prospective fiscal condition of the County and the introduction of remote work arrangements have caused uncertainty in the long-term space needs of the Department; and

WHEREAS, a six-month lease renewal provides more time for clarity surrounding the long-term impact of these factors before entering into a long-term agreement; and

WHEREAS, the Department of Social Services did not solicit lease proposals due to its management's focus on responding to the COVID-19 crisis and the aforementioned uncertainty; and

WHEREAS, the County included funds for this lease in the 2020 Adopted Budget; therefore, there will not be a fiscal impact to the County in 2020.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to execute the lease extension for 43 Court Street at the rental amount of \$24,013.82 per month and under the rental terms herein presented; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

43 COURT STREET REALTY COMPANY
43 COURT STREET, SUITE 910
BUFFALO, NEW YORK 14202

LEASE EXTENSION AGREEMENT

APRIL 27, 2020

WHEREAS, the County of Erie, on behalf of the Erie County Department of Social Services (hereinafter referred to as "Tenant") and 43 Court Street Realty Company (hereinafter referred to as "Landlord") entered into a Lease Agreement (hereinafter referred to as the "Lease") dated October 20, 1999 and,

WHEREAS, the Landlord and Tenant subsequently entered into the following: a certain Lease Addendum Agreement dated November 24, 2004; a certain Lease Modification and Extension Agreement dated June 22, 2010; a certain Lease Modification Agreement dated June 11, 2012, and a certain Lease Extension and Modification Agreement dated July 15, 2015, (hereinafter collectively referred to as "Addenda"), and

WHEREAS, the Landlord and Tenant desire to extend the Lease and Addenda by way of this Lease Extension Agreement, and

NOW THEREFORE, the parties agree as follows:

1.) The Lease Term shall be extended for an additional period of Six (6) Months ("Extension Period"), commencing on July 13, 2020 and expiring at midnight on January 12, 2021.

2.) The Rent for the Leased Premises (21,034 square feet) during the Extension period shall be: \$24,013.82 per month; and

Landlord and Tenant warrant and represent that neither party has had any dealings with any realtor, broker, or agent in connection with this agreement, and the parties agree to hold each other harmless from any cost, expense or commission.

Except for the items described herein, all other terms and conditions of the Lease dated October 20, 1999 and the Addenda shall remain in full force and effect

Lease Extension and Modification Agreement

EXHIBIT "A"

2nd FLOOR

- HVAC duct cleaning.
- Updates necessary to have better temperature control on the southwest offices, May require additional zones to be added to enhance A/C level.
- Provide updated restroom stalls.
- Update ceiling vent for better air flow in restrooms.
- Paint reception area; color chosen by Tenant.
- Update flooring in reception and hallway to LVT; selection made by Tenant.
- Furnish and install kitchen sink and cabinet in break room.

3rd FLOOR

- HVAC duct cleaning.

Updates necessary to have better temperatures control on the southwest offices. May require additional zones to be added to enhance A/C level.

(6-0)

4. COMM. 10E-14 (2020)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services (“Department”) serves as a representative payee for many Adult Protective Service clients; and

WHEREAS, in this role, the Department receives Social Security or SSI benefits for individuals unable to manage or direct the management of his or her benefits; and

WHEREAS, Department employees assist the individual with money management, along with protection from financial abuse and victimization; and

WHEREAS, As the representative payee for approximately 900 adults in Erie County, the Department has a moral and legal obligation to verify it is abiding by its fiduciary responsibilities; and

WHEREAS, the Department is seeking forensic case review and operational evaluation services to examine a set of representative payee cases. Desired services include gathering all documents required for a comprehensive fiscal review, analyzing case activity for each case reviewed, working collaboratively with legal partners if necessary, and drafting a comprehensive report of findings; and

WHEREAS, the Department distributed a request-for-proposal for this service and received only one response. The scoring committee determined that Bonadio & Company LLP, the sole respondent, exceeded the qualifications for this service and recommended the Department enter into a contract; and

WHEREAS, the Department of Social Services has a long-standing contractual relationship with Bonadio & Co. LLP. Bonadio & Co. has provided forensic accounting services for the Department of Social Services to examine a subset of Medicaid cases; and

WHEREAS, the Department wants to expand the services it utilizes from Bonadio & Co. LLP but does not have Legislative authorization to do so; and

WHEREAS, funds are available in the adopted 2020 County Budget in Account 516021 (Bonadio Group - Professional Services Contract), there is no additional local share necessary for these awards, and there is no budgetary impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature hereby authorizes the County Executive and the Commissioner of Social Services to enter into a contract with Bonadio & Company, LLP for forensic case review and operational evaluation services from available 2020 funds in Funds Center 120, Account 516021 (Bonadio Group - Prof Svc Contract) in the Department of Social Services; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Social Services.

(6-0)

LISA M. CHIMERA
CHAIR