

NOVEMBER 28, 2006

HEALTH COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 17E-2 (2006)
COMPTROLLER: ECMCC Senior Bonuses
(4-0)
 - b. COMM. 20D-4 (2006)
HEALTH: Proposed Revisions to the Erie County Sanitary Code, Article I, Section 9
(4-0)
 - c. COMM. 22M-6 (2006)
ECMC: Reappointment of Ronald A. Chapin - Voting Member, ECMCC Board of Directors
(4-0)
 - d. COMM. 22M-9 (2006)
RONALD A. CHAPIN: Reappointment to ECMCC Board of Directors
(4-0)
2. COMM. 15E-46 (2006)
COUNTY EXECUTIVE

WHEREAS, New York State Public Health Law, Article 6, requires that in order for a county to receive State Aid it must charge for services at a rate comparable to the cost of providing these services, and

WHEREAS, the Erie County Health Department currently charges fees for Environmental Health services under a fee schedule which was amended in the 2006 budget, and

WHEREAS, the enhanced revenues will be directly applied to assist in offsetting the cost of the Restaurant Permit program, and

WHEREAS, it is estimated that this action will result in an annual revenue increase of approximately \$265,500 over and above \$796,113 generated by the current fees. This represents a 33% increase, and

WHEREAS, this increase brings the revenue closer to the cost of providing the services as required by New York State Public Health Law, Article 6, and

WHEREAS, the proposed fees compare favorably with fees charged in the larger counties of New York as follows:

<u>County</u>	<u>Fee Range</u>	<u>Average</u>
Westchester	\$320-1075	\$697.50
Suffolk	\$280-800	\$540.00
Nassau	\$325-925	\$625.00
Erie (proposed)	\$106-376	\$288.50
Onondaga	\$217-360	\$245.00
Monroe	\$155-335	\$180.50
Erie (current)	\$ 79-282	\$241.00
Albany	\$ 60-225	\$142.50

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby adopts the Proposed Environmental Health Fee Schedule revision effective January 1, 2007, as follows:

<u>Category</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
No food prep	\$ 79.00	\$106.00
0 to 50 seats	\$147.00	\$196.00
Over 50 seats	\$282.00	\$376.00
Commissary (storage only)	\$ 79.00	\$106.00
Commissary (prep and storage)	\$282.00	\$376.00
Caterers	\$282.00	\$376.00
Mobile units	\$147.00	\$196.00
Plan Review	\$147.00	\$196.00

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 Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.
(4-0)

3. COMM. 20E-10 (2006)

COUNTY EXECUTIVE

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

WHEREAS, the Erie County Department of Mental Health has been awarded \$108,424 by the New York State Office of Alcoholism and Substance Abuse Services as part of a State award to Jewish Family Services, Inc., and

WHEREAS, no County funds will be required for Erie County to accept these New York State funds to serve individuals or families affected by gambling disorders, and

WHEREAS, the New York State Office of Alcoholism and Substance Services has identified Jewish Family Services, Inc., as the recipient of this award through a statewide Request for Proposals process, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Jewish Family Services, Inc., in 2006.

NOW, THEREFORE, BE IT

RESOLVED, that the 2006 appropriation, contract and funds reservation for Jewish Family Services, Inc. (GL 516010), be increased by \$108,424 in the Operating Fund accounts of the Erie County Department of Mental Health to provide gambling addiction treatment services for the period January 1, 2006 through December 31, 2006. The source of these funds being NYS Office of Alcoholism and Substance Abuse Services State Aid dollars (GL 406860), and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2006 appropriation, contract and funds reservation (100000309, line 2) for the period January 1, 2006 through December 31, 2006, for Jewish Family Services, Inc., by an amount not to exceed \$108,424, 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.

(4-0)

4. COMM. 22E-14 (2006)

COUNTY EXECUTIVE

WHEREAS, the Centers for Disease Control and Prevention (CDC) has awarded funding to upgrade state and local public health preparedness and response capabilities relative to bioterrorism, and

WHEREAS, the Erie County Department of Health has received a continuation grant award in the amount of \$ 950,265 from New York State Health Research, Inc. (HRI) to plan and develop response capacity to a bioterrorism event in collaboration with New York State, and

WHEREAS, the Erie County Department of Health has received a grant award in the amount of \$150,000 from New York State Health Research, Inc. (HRI) to develop a plan under the Cities Readiness Initiative (CRI) for Erie County, and

WHEREAS, the Erie County Department of Health has received funding through the Western New York Public Health Alliance in the amount of \$75,488 to provide services relative to establishing a Rural Advanced Practice Center for Excellence in Public Health Preparedness, and

WHEREAS, the eight (8) Counties of Western New York comprised of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming have joined together as the Western New York Public Health Alliance for the purpose of protecting the public health through regional planning and cooperation, and

WHEREAS, the eight (8) Counties of the Western New York Public Health Alliance have designated Erie County as the lead county for the purpose of coordination of the Bioterrorism Plan and are desirous of contracting to provide certain deliverables which are required by Health Research Inc. contract, and will pay Erie County a portion of their State grant for these services, and

WHEREAS, in order to efficiently meet the requirements of this award, it is necessary to implement staffing adjustments which include the creation of one full time position of Administrative Clerk, JG 7, Step 0, B100 number 2406, one full time position of Data Processing Control Clerk, JG 5, Step 0, B100 number 2405, and one part time position of Public Health Preparedness Medical Director, JG 18, Step 5, B100 number 2423, and the deletion of one full-time position of Principal Clerk, JG 6, position number 7403, and one regular part time Regional Medical Director, JG 18, position number 7828, and

WHEREAS, it is necessary to reallocate the Regional Coordinator position number 7827, from JG 11 to JG 13, as indicated on B100 control number 2422, and

WHEREAS, it is necessary to recruit in Job Group 18, Step 5, for the position of Public Health Preparedness Medical Director (PT) in order to secure and retain a qualified and experienced candidate.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is hereby designated as the lead agency for the WNYPHA for the purposes of coordinating the provision of certain deliverables required by the HRI contract, and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into agreements with the following counties for the purpose of coordinating the regional plan at the following rates to be paid by the said counties to Erie County:

Allegany County	\$ 4,500
Cattaraugus County	\$ 9,896
Chautauqua County	\$15,475
Genesee County	\$ 8,500
Niagara County	\$21,985
Orleans County	\$ 7,500
Wyoming County	\$ 7,500

and be it further

RESOLVED, that the County Executive is authorized to accept the continuation grant award from HRI in the amount of \$950,265, and be it further

RESOLVED, that the County Executive is authorized to accept the grant award from HRI to develop a Cities Readiness Initiative plan for Erie County in the amount of \$150,000 and be it further

RESOLVED, that the County Executive is authorized to enter into an agreement with WNYPHA, Inc. in the amount of \$75,488 for the purpose coordinating the development for the Rural Advanced Practice Center for Excellence in Public Health Preparedness, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budget:

Bio- Terrorism

8/31/06 to 8/30/07

		Cost Center 1272010				
	HS127	BT0607	BTECREG0607	BTCRI0607	BTREGION0607	BTWNYPHA0607
REVENUE						
414000	Federal Aid	\$855,239	\$95,026	\$150,000	\$0	\$0
	Other					
479100	Contributions	<u>0</u>	<u>0</u>	<u>0</u>	<u>75,356</u>	<u>75,488</u>
	TOTAL	<u>\$855,239</u>	<u>\$95,026</u>	<u>\$150,000</u>	<u>\$75,356</u>	<u>\$75,488</u>
EXPENSES						
500000	Personnel	\$444,038	\$32,861	\$54,012	\$26,059	\$53,920
502000	Fringe Benefits	171,832	12,749	20,895	10,109	21,568
505000	Supplies	35,871	30,574	49,393	24,245	0
510000	Travel	28,500	4,601	5,000	3,649	0
516010	Contractual	40,000	0	0	0	0
530000	Other Expenses	54,406	14,241	1,500	11,294	0
561410	Equipment	8,180	0	6,500	0	0
980000	DISS Charges	<u>72,412</u>	<u>0</u>	<u>12,700</u>	<u>0</u>	<u>0</u>
	TOTAL	<u>\$855,239</u>	<u>\$95,026</u>	<u>\$150,000</u>	<u>\$75,356</u>	<u>\$75,488</u>

RESOLVED, that one full time position of Administrative Clerk, JG 7, Step 0, B100 number 2406, one full time position of Data Processing Control Clerk, JG 5, Step 0, B100 number 2405, and one part time position of Public Health Preparedness Medical Director, JG 18, Step 5, B100 number 2423 are hereby created, and be it further

RESOLVED, that one full-time position of Principal Clerk, JG 6, position number 7403, and one regular part time Regional Medical Director, JG 18, position number 7828 are hereby deleted, and be it further

RESOLVED, that the Erie County Legislature authorizes the establishment of a variable minimum in Job Group 18, Step 5, for the position of Public Health Preparedness Medical Director – part time, and be it further

RESOLVED, that one position of Regional Coordinator, position number 7827, is hereby reallocated from JG 11 to JG 13, as indicated on B100 control number 2422, and be it further

RESOLVED, that sufficient funds are available in the grant budgets to cover these positions, and be it further

The following personnel detail is hereby submitted:

Title: Administrative Clerk JG: 7
Step: 0 Annual Salary: \$30,587
Fringe Benefit Cost: \$12,235
Fiscal impact on the budget for the remaining portion of the fiscal year: None
Position will be filled from: Civil Service

Title: Data Processing Control Clerk JG: 5
Step: 0 Annual Salary: \$26,535
Fringe Benefit Cost: \$10,620
Fiscal impact on the budget for the remaining portion of the fiscal year: None
Position will be filled from: Civil Service

Title: Public Health Preparedness Medical Director (PT) JG: 18
Number of hours to be worked: 19 Hourly wage: \$51.44
Fringe Benefit Cost: \$6.69/hr
County's Share: 0
Manner in which position will be filled: Recruited from recent ECMC Emergency Fellowship

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.
(4-0)

5. COMM. 22E-16 (2006)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a grant from the New York State Health Department in the amount of \$220,542.00 for the period 10/1/06 through 9/30/07, with an option for two one-year extensions, and

WHEREAS, this grant authorizes the creation of one full-time position of Supervising Public Health Sanitarian, JG: XI, Step 0, as indicated on B100 control number 2433, and 10 part time positions of Enforcement Officer, JG XV, Step 0, as indicated on B100 control number 2434 to manage the increased requirements of the grant, and

WHEREAS, this grant also authorizes the deletion of one full-time position of Senior Investigating Public Health Sanitarian, JG: X, position number 8822 as indicated on B100 control # 2433 and

WHEREAS, over 300,000 people in the United States die of causes directly related to smoking, and

WHEREAS, most smokers start using tobacco before the age of eighteen, and

WHEREAS, the Health Department's Environmental Health Unit is responsible for the enforcement of the New York State Clean Indoor Air Act that prohibits smoking in most public indoor places and the New York State Adolescence Tobacco Use and Prevention Act that prohibits the sale of tobacco products to persons under the age of eighteen, and

WHEREAS, the County desires to subcontract with various Police agencies, other security agencies in Erie County and the Wellness Institute of Greater Buffalo and Western New York, Inc. to conduct checks of facilities to ascertain compliance with the Clean Indoor Air Act and to conduct checks of merchants who sell tobacco products by using underage operatives who will attempt to purchase tobacco products, and

WHEREAS, the County desires to contract for the services of a software/database developer to develop and maintain a program that will be able to integrate information collected from existing tablet computers into a new data base and to further integrate the developed system with existing State Health Department requirements and conduct the associated training.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended contract with the New York State, and be it further

RESOLVED, that one full-time position of Senior Investigating Public Health Sanitarian, JG: X, position number 8822 is hereby deleted, and be it further

RESOLVED, that one full time position of Supervising Public Health Sanitarian, JG XI, and 10 part time positions of Enforcement Officer, JG XV are hereby created. The following personnel detail is hereby submitted:

Title: Supervising Public Health Sanitarian	Funding: 100% State Reimbursed
Step: 0	Civil Service: Yes
JG: XI	Civil Service List: Recall List
Annual Salary: \$41,870	
Annual Benefits: \$16,750	

Title: Enforcement Officer – Part Time	County Share: 0
JG: XV	
Number of Hours to be Worked: 19 hrs or less/wk	
Manner in which position to be filled: Retired law enforcement officers	
Fringe Benefits: 13%	

and be it further

RESOLVED, that the County Executive is hereby authorized to subcontract with the various police agencies, other security agencies and the Wellness Institute of Greater Buffalo and Western New York, Inc. to conduct checks of facilities to ascertain compliance with the Clean Indoor Air Act and to conduct compliance checks of merchants by using underage operatives to attempt to purchase tobacco products to carry out this project, and be it further

RESOLVED, that police agencies will be reimbursed at the rate of \$45.00 per compliance check, and be it further

RESOLVED, that the Wellness Institute of Greater Buffalo and Western New York, Inc. will be reimbursed at a sum not to exceed \$4,000 per year, and be it further

RESOLVED, that the Erie County Executive is hereby authorized to contract for computer software/database developer from qualified individuals, in an amount not to exceed \$9,999, and be it further

RESOLVED that the subcontracts with the Wellness Institute of Greater Buffalo and Western New York, Inc., various police agencies and other security agencies are special services which must be

provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

RESOLVED, that one half of the fines collected by the Health Department for the sale of tobacco products to minors be returned to the participating police agencies where the violation occurred to be used for educational programs designed to prevent adolescents from smoking as provided in Article 13-F of the New York State Public Health Law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Department of Health, the Department of Personnel, the Division of Budget, Management and Finance, the Office of the Comptroller and the Department of Law.
(4-0)

6. COMM. 22E-24 (2006)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a WIC Program funded by a grant from the New York State Department of Health which pays for 100% of expenses incurred, and

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 enter into lease agreements with the following community agencies:

St. Simon's Episcopal Church	\$7,800/year	11/1/06-10/31/07
200 Cazenovia	(with option for two one-year extensions)	
Buffalo, NY 14210	(\$7,200/year previous yearly cost)	
Concerned Ecumenical Ministry	\$1,800/year	9/1/06-8/31/07
286 Lafayette	(with option for two one-year extensions)	
Buffalo, NY 14210	(\$1,200/year previous yearly cost)	

to be utilized as a WIC distribution sites, and

WHEREAS, the written lease agreements for each site were approved as to form by the Erie County Attorney and reviewed by the following: WIC Director, NYS Department of Health Field Representative, Commissioner of Health, and Director of Finance, Management and Budget.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to enter into lease agreements with St. Simon's Episcopal Church and Concerned Ecumenical Ministry, 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.

(4-0)

7. COMM. 22E-33
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received funding from the Urban Area Security Initiative Grant (UASI) for the purpose of providing respirator fit testing services to public health, police, fire, and EMS first responders, and

WHEREAS, first responders are required to utilize respiratory protection when responding to chemical, biological, radiological and other emergencies, and

WHEREAS, police, fire and EMS personnel are vital partners with the Department of Health in responding to such emergencies, and

WHEREAS, OSHA regulations require that respirators be fit tested to assure proper functioning, and

WHEREAS, in order to effectuate this program it will be necessary to create two part-time positions of Medical Office Assistant in the Health Department as indicated on B100 # 2448.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of two part-time positions of Medical Office Assistant, at an hourly rate of \$12.06.

The following personnel detail is hereby submitted:

TITLE: Medical Office Assistant – Part Time
JG: IV
NUMBER OF HOURS TO BE WORKED: 19/wk

HOURLY RATE: \$12.06
COUNTY'S SHARE: 0
MANNER IN WHICH POSITION WILL BE FILLED: Advertised
FRINGE BENEFITS: 13%

and be it further

RESOLVED, that the Erie County Legislature hereby approves the following budget:

Respirator Fit Testing Program
SAP TITLE: 127RFT0607
12/1/06 – 11/30/07

REVENUE

SAP	REVENUE	Amount
	UASI 2005	<u>\$33,533</u>
	Total	<u>\$33,533</u>

SAP	EXPENSE	Amount
500020	Salary	\$24,038
502000	Fringe:	3,125
510000	Local Mileage	2,670
505800	Medical & Health Supplies	200
510200	Training & Education	1,000
505000	Office Supplies	<u>2,500</u>
	Total	<u>\$33,533</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 Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.
(4-0)

CYNTHIA E. LOCKLEAR
CHAIRMAN