

Revised Minutes
Charter Review Commission
Human Services, Education, Recreation and Culture Committee
March 13, 2006

Attendance: Commissioners Donna E. Rice, Ronald Smith, Joan Lillis and George Arthur.
Commission Analyst Hank Bromley
Guests: Commission Peter Reese, County Attorney Larry Rubin,
ECMCC Executive Director Michael Young

Absent: Commissioner Jeanne Ebersole

The meeting of the Committee was called to order at 8:15 AM

Committee Chair Rice introduced Michael Young, Executive Director of ECMCC. Mr. Young briefly explained the changes to the charter requested in memo dated 1/27/06. Mr. Rubin stated that ECMCC's proposed language includes and exceeds language called for under NYS law. Commissioners Smith and Reese expressed concern about including specific language in the charter now which would only activate should the 'public benefit corporation' fail.

After additional discussion it agreed that Mr. Young would compose language which would:

- Eliminate incidental language currently included throughout the charter referring to ECMC (and other names)
- Consolidate all charter reference to ECMC, ECMCC, etc. under a single heading entitled ECMCC
- State that ECMCC is a public benefit corporation which is governed under NYS law
- The county infirmary will be included in the ECMCC organization
- If ECMCC fails and dissolves back into Erie County jurisdiction:
 - The Board of Directors will be immediately dissolved
 - The legislature, county executive and county manager will direct the Commissioner of Health to appoint a five member 'control board' which will operate the hospital for a period not to exceed 120 days. During that time, a new organizational structure appropriate for the county strategic plan and fiscal environment will be created by the 'control board' for approval by the county legislature, county executive and county manager.
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It was also discussed that even though ECMCC is a state designated regional trauma center for multiple WNY counties, the hospital receives no state or other county funds to cover the associated costs for this service. Medicaid payments have yielded a \$1.8 million shortfall for this service. Mr. Young requested that a letter be sent from the Commission to all appropriate state officials requesting state funding.

Commissioner Smith then distributed summary documentation of the response from ECC concerning their proposed charter changes. Mr. Rubin expressed concern over the huge financial liability and burden incorporating this language would mean for the taxpayers and cautioned the committee on this topic. Commissioners will review the documents for the next meeting

Commission Arthur moved to approve the minutes of the 2/27/06 and 3/6/06 meetings. Commissioner Lillis seconded and it was approved.

The next meeting will be Tuesday, 3/21/06

The meeting was adjourned at 10:00 AM

Respectfully submitted,
Ronald P. Smith, Commissioner