

October 7, 2014

ERIE COUNTY COUNCIL – Regular Meeting

Dr. Foust, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Erie County Courthouse, County Council Chambers, Erie, PA. Following the Pledge of Allegiance, Mrs. Loll recited the following prayer:

“Let us pray. As the budget work draws near, let us plan it well, as not to squander what is in our care or waste what we receive from the hard work of our constituents. Bless the families of our county, the children, women, and men that they may understand that we know the sacrifice they give, that the services we provide be the best we can offer. We ask this in the name of our Savior. Amen.”.

ROLL CALL

Members Present: Dr. Foust, Chairman
Mr. Leone, Vice Chairman
Mr. Breneman
Mr. DiMattio
Mr. Fatica
Mr. Horton
Mrs. Loll

Members Absent: None.

Also Present: Douglas R. Smith, County Clerk
Joseph Maloney, CPA
Sue Ellen Pasquale, General Accounting Manager
James Sparber, Finance Director

Dr. Foust welcomed those in attendance, including students from Girard and McDowell High School.

**PRESENTATION OF
CITATION TO DR.
ERIC MIZUBA**

Mrs. Loll presented a citation to Dr. Eric Mizuba in appreciation of his athletic exploits, which included a swim across Lake Erie in 2012, and a swim across Lake Winnepesaukee in 2014. The purpose was to raise awareness of those with disabilities. Dr. Mizuba thanked Council for the recognition and explained that he did both of these events for the communities that he is involved with. He stated the citation is a reflection of his efforts, but the efforts of his family, with his wife in the kayak next to him during all those hours, all the training, and his children who had dinner ready when they got home. Dr. Mizuba stated that the power everyone has as individuals can have an effect on people in the community. He commented that one individual can affect the lives of many. Dr. Mizuba had a saying when times were tough during his swims, “one step at a time, one stroke at a time, all journeys begin with the power of one”. He stated it wouldn’t have been

October 7, 2014

possible without the tremendous support of his family and those around him and he again thanked Council for the recognition for he and his family.

**HEARING OF
THE PUBLIC**

None.

**APPROVAL OF
MINUTES**

Mr. Leone moved to approve the minutes from the November 19, 2013 regular meeting, and the September 23, 2014, regular meeting. This was seconded by Mr. Fatica. Mr. Leone asked why the November 19, 2013 meeting minutes were just now being approved. Mr. Maloney explained that due to some formatting issues and time constraints, there was a continued delay. The approval of both sets of minutes then carried in a unanimous roll call vote.

**COUNTY EXECUTIVE
AND/OR HER
DESIGNEE**

Mr. Sparber stated there was no report this evening.

**FINANCE
COMMITTEE
REPORT**

Mr. Fatica reported that the Finance Committee met on October 2, 2014, and agreed to move the following items onto the agenda: under New Business: Ordinance 116, and the possible adoption of Resolutions 56, 57, 58, 59, and 60, as well as the possible reappointment of Dr. Margaret Smith to the Children & Youth Advisory Board, and the Sale of Parcels.

**PERSONNEL
COMMITTEE
REPORT**

Mr. DiMattio reported on the Personnel Committee meeting that immediately followed the Finance Meeting on October 2, 2014. He stated that the Personnel Committee agreed to add the following item to the agenda: under Old Business, second readings of Ordinances 114 and 115, 2014.

Dr. Foust explained the process of the meeting, including the difference between old and new business.

OLD BUSINESS

Ord. 114, 2014 –
Public Health Rev.
Exp. Of \$50 &
Creation of Per Diem
Line for PH
Preparedness

Mr. Smith gave a second reading of Ordinance Number 114, 2014, “2014 Public Health Fund Budget Revised Expenditures of \$50 and Creation of a New Line Item for Per Diem Line for Public Health Preparedness”. This was moved by Mr. Leone, seconded by Mr. Fatica, and carried in a unanimous roll call vote.

Ord. 115, 2014 –
D&A SA of \$50,473
For D&A Admin. &
Waiver of Personnel
Code to Est. New
Salary for D&A
Director

Mr. Smith gave a second reading of Ordinance Number 115, 2014, “First 2014 Drug & Alcohol Fund Budget Supplemental Appropriation of \$50,473 for Drug & Alcohol Administration and Waiver of Personnel Code to Establish New Salary for the Director of Drug and Alcohol”. This was moved by Mrs. Loll and seconded by Mr. Leone.

October 7, 2014

Mr. Leone then moved to amend the ordinance to reflect a salary of \$55,000, amend the exhibits to reflect this change, and change Supplemental Appropriation to Revised Expenditures. Mr. Horton seconded this motion to amend.

Mr. DiMattio commented that his colleagues know how he feels about this and he stated he will not be voting in favor of Mr. Leone's amendment. He is not in favor of spending more money at the County level, but explained that most of this money comes from the State of Pennsylvania. He commented that drug and alcohol issues in Erie County are at a very large scale. He felt it is very important that the right person is hired for the job as the County tries to fight some of these problems and concerns. He further commented that Council has, in the past, appropriated more money for jobs that do not entail the kind of work that the Drug and Alcohol Department does and feels that in this case, the salary should be set at what it was originally asked for at \$65,000.

Mr. Leone stated he understood Mr. DiMattio's reasoning, but commented that the starting salary of this position is less than \$48,000 per year. Even if an employee has been there for a long period of time, he understands that they gain seniority and also an increase every year. This is strictly a starting salary and Council has never really gone to the bottom level of a starting salary. Council is starting this salary above the current starting salary level. That is the reason why he felt that \$55,000 is more than appropriate. It's been done for many other positions and Mr. Leone believes that this is the way it has to be. By going to the \$65,000 range in this particular case, you open a Pandora's box because Council is in budget session now and there probably won't be one department head that won't come in and tell us that each and every one of their employees don't deserve an increase or change in salary.

The above amendments then carried in a 6-1 roll call vote, with Mr. DiMattio voting no.

Ordinance Number 115, 2014, as amended, carried in a 6-1 roll call vote, with Mr. DiMattio voting no.

NEW BUSINESS

Ord. 116, 2014 –
Gen. Fund. SA of
\$12,555 for Ct. Admin.
Release of Divorce
Masters Restricted
Fund Balance

Mr. Smith gave a first reading of Ordinance Number 116, 2014, "Thirty-Second 2014 General Fund Budget Supplemental Appropriation of \$12,555 for Court Administration to Release Divorce Masters Restricted Fund Balance".

RESOLUTIONS

Res. 56, 2014 –
Approving Rev. to
Erie County FY 2012
CDBG Pgm.

Mr. Smith gave a reading of Resolution Number 56, 2014, "Resolution Approving a Revision to Erie County's FY 2012 Community Development Block Grant Program". This was moved by Mrs. Loll, seconded by Mr. Horton, and carried in a unanimous roll call vote.

October 7, 2014

Res. 57, 2014 –
Adopting a CDBG
Sec. 3 Plan for Cty.
Of Erie, & on Behalf
Of Edinboro Boro,
Girard Twp., McKean
Twp., & NE Boro

Mr. Smith gave a reading of Resolution Number 57, 2014, “Resolution Adopting a Community Development Block Grant (CDBG) Program Section 3 Plan for the County of Erie and the County of Erie ‘On Behalf Of’ Edinboro Borough, Girard Township, McKean Township, and North East Borough”. This was moved by Mrs. Loll, seconded by Mr. Horton, and carried in a unanimous roll call vote.

Res. 58, 2014 –
County of Erie Fair
Housing Res.

Mr. Smith gave a reading of Resolution Number 58, 2014, “County of Erie Fair Housing Resolution”. This was moved by Mrs. Loll, seconded by Mr. Breneman.

Dr. Foust commented that, because as part of the Human Relations Commission, there is an anti-discrimination section regarding sexual orientation, HUD now requires the County to make sure that the CDBG is in alignment with what is in the HRC, and that is something that most communities do not have. He stated that, to this Council’s credit and the community’s credit, it was passed some 15 years ago.

Resolution Number 58, 2014 then carried in a unanimous roll call vote.

Res. 59, 2014 –
Exonerating Taxes
In Washington Twp.

Mr. Smith gave a reading of Resolution 59, 2014, “Exonerating Taxes on One Abandoned Trailer/Property #45-031-047.3-001.27 in Washington Township”. This was moved by Mr. DiMattio, seconded by Mrs. Loll.

Dr. Foust explained that these exonerations appear on almost all agendas. The taxing bodies including the local school districts and local municipalities exonerate the taxes and Council is the last body to do so.

Resolution Number 59, 2014 then carried in a unanimous roll call vote.

Res. 60, 2014 –
Exonerating Taxes
In McKean Twp.
& Gen. McLane
School District

Mr. Smith gave a reading of Resolution 60, 2014, “Exonerating Taxes on Two Abandoned Trailers/Properties #31-009-016.8-003.83 and #31-013-047.3-003.86 in McKean Township and the General McLane School District. This was moved by Mrs. Loll, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

**BOARD/
AUTHORITY
APPOINTMENTS**

Mr. DiMattio moved to approve the reappointment of Dr. Margaret Smith to the Children and Youth Advisory Board for a four year term. This was seconded by Mr. Leone and carried in a unanimous roll call vote.

SALE OF PARCELS

Mr. Leone moved to approve the sale of parcel from repository for unsold property at Index Number #33-016-019.0-268.13. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

Dr. Foust commented to the audience that this meeting was a shorter meeting and if they wanted to see a longer meeting, they are welcome to attend the meeting at the end of November.

October 7, 2014

Mr. Leone also commented to the audience that it may have been a short meeting, but quite a bit of time goes into the preparation for the meetings. He explained that a caucus is held the Thursday before a regular meeting where a considerable amount of time is spent on discussion of ordinances and resolutions in order to determine how they will vote. Most Council members know how they are going to vote when the regular meeting is held.

Dr. Foust also stated that any differences they may have are ironed out for the most time at caucus. Sometimes things do get end up getting decided at the regular meeting.

Mr. Horton commented that this is his first term on Council and in the first few months have been quite knowledgeable. He stated he has learned a lot and has experienced a lot of things. The one thing that never changes is that whenever students walk through that door and come down to see their County government at work, it excites him and it is one of the reasons he wanted to be a part of Council. He thanked the audience for coming to the meeting and he asked them to encourage their classmates to attend in the future.

Mr. Fatica noted that the citation given to Dr. Mizuba earlier this evening is proof that Council is aware of what happens in Erie County outside of the courthouse. He commented that good deeds are rewarded and recognized by the greater community. He thanked Mrs. Loll for preparing the citation and recognizing Dr. Mizuba's efforts.

Dr. Foust also commented that the finance and personnel agenda, as well as a summary and supporting documents for the ordinances and resolutions, along with Council minutes once approved, are available on line and available to the community for viewing.

There being no further business, the meeting adjourned at 7:30 p.m.

Deneé M. Breter, Council Secretary
