

FINANCE AGENDA

Erie County Council

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Jay Breneman, Chairman  
Dr. Kyle Foust, Vice Chairman  
Edward T. DiMattio, Jr.  
Phil Fatica  
André R. Horton  
Fiore Leone  
Carol J. Loll

August 6, 2015

4:00 p.m.  
Room 114A

1. Ordinance Number 74, 2015, "Authorizing The Incurring Of Nonelectoral Debt By The Issuance Of General Obligation Bonds, Series Of 2015 (The "Bonds") In The Aggregate Principal Amount Not To Exceed Twenty Six Million Five Hundred Thirty Thousand And 00/100 Dollars (\$26,530,000); Covenanting To Pay And Pledging Unlimited Taxing Power For The Payment Of The Bonds; Establishing A Sinking Fund And Appointing A Paying Agent, Sinking Fund Depository And Registrar In Respect Of The Bonds; Fixing The Form, Interest Rate, Maturity, Redemption And Other Provisions For The Payment Thereof; Accepting A Proposal For The Purchase Of The Bonds; Authorizing The Filing Of Required Documents With The Department Of Community And Economic Development; Ratifying And Directing Certain Actions Of Officers; Approving The Official Statement; And Making Certain Other Covenants And Provisions In Respect Of The Bonds." (FR 7-14-15)  
**Page 4**
2. Ordinance Number , 2015, "2015 Capital Project Fund Supplemental Appropriation Of \$1,643,612 And New Line Items For Various County Projects"  
**Page 38**
3. Ordinance Number , 2015, "2015 General Fund Budget Supplemental Appropriation Of \$11,031 And Creation Of Line Item For District Attorney SAUSA Project Grant"  
**Page 42**
4. Ordinance Number , 2015, "Library Fund Budget Supplemental Appropriation Of \$768 For Memorial Books"  
**Page 46**
5. Resolution Number , 2015, "A Resolution Authorizing the Receipt of 911 Subscriber and Consumer Fees for Local Use as Provided by 35 Pa.C.S. §5306.1 of Chapter 53 (911 Emergency Communication Services) of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes"  
**Page 49**
6. Ordinance Number , 2015, "Authorizing Acceptance By The Public Safety Department Of Harris XG-100M Mobile Radio Donated By NWPAERG"  
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7. Ordinance Number , 2015, "2015 Public Safety Fund Budget Supplemental Appropriation Of A Donation By The NWPA ERG With A Value Of \$11,207"  
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8. Ordinance Number , 2015, "2015 Public Safety Fund Budget Supplemental Appropriation Of A Portable Radio Donation By The NWPA ERG With A Value Of \$19,980.  
**Page 63**
9. Ordinance Number , 2015, "2015 Public Health Fund Budget Supplemental Appropriation Of \$49,540 To Public Health Preparedness Grant Bureau.  
**Page 69**
10. Resolution Number , 2015, "Approving the 2016-2018 Erie County Operational & Capital Plan"  
**Page 74**
11. Resolution Number , 2015, "Exonerating Taxes On Two Abandoned Trailers/Properties #31-001-020.1-020.1-013.33 And #31-001-020.2-013.86 In McKean Township"  
**Page 77**
12. Appointment of Adam J. Williams to a four-year term on the Human Relations Commission Board to represent Mr. Breneman's District.  
**Page 81**
13. Appointment of James Domino to an unexpired five-year term on the Erie County Gaming Revenue Authority to represent Mr. Leone's District.  
**Page 84**
14. Appointment of David Bagnoni to an unexpired five-year term on the Erie County Gaming Revenue Authority to represent Mrs. Loll's District.  
**Page 86**
15. Analysis of General Fund Unassigned Fund Balance.  
**Page 89**
16. Erie County Sheriff John Loomis will discuss the general training and approach of Deputies in their daily interactions with persons in crisis; especially those exhibiting mental health issues.
17. Erie County Probation Department Director Jeff Shaw will discuss low-risk, pre-trial detention practices, statistics and related efforts.

# Memo

**TO: Members of County Council  
Thomas Talarico, Solicitor  
Joseph Maloney, CPA**

**FROM: Douglas Smith, County Clerk**

**DATE: August 4, 2015**

**RE: Ordinance Number 74, 2015 in Finance Agenda**

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The version of Ordinance 74, 2015, "Authorizing the Incurring of Nonelectoral Debt...", included in today's agenda, was provided by bond attorney James Antoun. It represents the final version of the ordinance to be considered by Council Tuesday, August 11, 2015.

It differs from the version which received a first reading on July 14, 2015. The new version is included in today's agenda so Members and Council's professional partners may properly inspect the ordinance prior to passage.

It will be necessary, therefore, that a Member of Council make a motion to amend the ordinance prior to any vote which may take place at the August 11, 2015, Regular Meeting of Council.

Members of the County's Finance Team, Attorney Antoun, and representatives from Piper-Jaffray will be on hand to offer details on the changes as well as the financials.

*ORDINANCE NUMBER 74-2015*

**AN ORDINANCE OF  
THE COUNTY OF ERIE, PENNSYLVANIA  
ENACTED AUGUST 11 , 2015**

AUTHORIZING THE INCURRING OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2015 (THE "BONDS") IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY SIX MILLION FIVE HUNDRED THIRTY THOUSAND AND 00/100 DOLLARS (\$26,530,000); COVENANTING TO PAY AND PLEDGING UNLIMITED TAXING POWER FOR THE PAYMENT OF THE BONDS; ESTABLISHING A SINKING FUND AND APPOINTING A PAYING AGENT, SINKING FUND DEPOSITORY AND REGISTRAR IN RESPECT OF THE BONDS; FIXING THE FORM, INTEREST RATE, MATURITY, REDEMPTION AND OTHER PROVISIONS FOR THE PAYMENT THEREOF; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; AUTHORIZING THE FILING OF REQUIRED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; RATIFYING AND DIRECTING CERTAIN ACTIONS OF OFFICERS; APPROVING THE OFFICIAL STATEMENT; AND MAKING CERTAIN OTHER COVENANTS AND PROVISIONS IN RESPECT OF THE BONDS.

The County Council of the County of Erie, Pennsylvania, pursuant to the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 et seq., as amended (the "Debt Act") and Article II, § 1(C)(1) of the Home Rule Charter for the County of Erie hereby ORDAINS AND ENACTS the following Debt Ordinance:

**REVISED VERSION**

## ARTICLE 1 -- DEFINITIONS

Unless the context clearly indicates otherwise, the terms defined in the preamble hereto shall have the meanings assigned therein to such terms and the following terms shall, for all purposes of this Debt Ordinance, have the meanings hereby ascribed to them. The word "person," in addition to natural persons, shall mean and include corporations, associations and public bodies and their successors unless the context shall indicate otherwise.

"Authentication Date" shall mean that date, or those dates individual to respective Bonds, upon which the Sinking Fund Depository shall have executed and delivered a new and original instrument upon the transfer, exchange or other processing for registration of a Bond, thereby authenticating the same as, and to be, a valid and outstanding obligation of the County.

"Authorized Investments" means: (a) as to the proceeds of the Bonds: (i) United States Treasury bills; (ii) short-term obligations of the United States Government or its agencies or instrumentalities; (iii) deposits in savings accounts or time deposits or share accounts of institutions (including the Sinking Fund Depository) insured by the Federal Deposit Insurance Corporation, Federal Savings & Loan Insurance Corporation, or National Credit Union Share Insurance Fund, to the extent that such accounts are so insured, and, for any amounts above the insured maximum, if approved collateral as provided by law is pledged by the depository (including collateral pooled in accordance with the Act of August 6, 1971, P.L. 281, No. 72, relating to pledges of assets to secure deposits of public funds); and (iv) obligations of the United States of America or any of its agencies or instrumentalities backed by the full faith and credit of the United States of America, the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the Commonwealth, or of any political subdivision of the Commonwealth of Pennsylvania or any of its agencies or instrumentalities backed by the full faith and credit of the political subdivision; and (b) as to moneys at any time on deposit in the Sinking Fund: (i) obligations which are direct obligations of, or are fully guaranteed as to principal and interest by, the United States of America; (ii) direct general obligations of the Commonwealth of Pennsylvania, or in any securities in which the Commonwealth may, at such time, invest its moneys; or (iii) deposits at interest in time accounts, certificates of deposit or other interest bearing accounts of any bank, bank and trust company (including the Sinking Fund Depository), savings bank, savings and loan association or building and loan association. The authorization set forth above for investment in obligations of the United States of America includes money market funds invested solely in such obligations, including any such funds maintained by the Sinking Fund Depository. To the extent that any such deposits described in (b)(iii) above are insured by the Federal Deposit Insurance Corporation or similar Federal agency, they need not be secured. Otherwise, such deposits must be secured as public deposits or as trust funds. However, in all events the investments must be made in a manner consistent with sound business practice and, if required for prompt expenditure, must be held in demand deposits. In the event, from time to time, and to the extent such investments may periodically require valuation, their value is to be determined on the following bases (and if more than one basis applies, according to the lowest of them): (a) as to investments the bid and asked prices of which are published on a regular basis in The Wall Street Journal -- the arithmetic mean of the bid and asked prices for such investments so published on or immediately prior to such time of determination; (b) as to investments the bid and asked prices of which are not published on a regular basis in The Wall Street Journal -- the average bid price established for such investments by any

three nationally recognized government securities dealers at the time making a market in such investments or the average bid price published by a nationally recognized pricing service; and (c) as to time deposits, certificates of deposit and bankers' acceptances -- the face amount thereof, plus accrued interest.

"Bond Counsel" shall mean MacDonald Illig Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507.

"Bonds" shall mean the County of Erie, Commonwealth of Pennsylvania, General Obligation Bonds, Series of 2015 (or such other designations as may be appropriate), not to exceed the aggregate principal amount of \$26,530,000 which are hereinafter authorized to be issued, sold and delivered for purposes of undertaking the Project and which constitute instruments imposing an obligation upon the County for the repayment of money borrowed. The Bonds will be printed substantially in the form provided in Section 4.13 and will fall within the definition of "Security" set forth in, and otherwise will be governed by, Article 8 of the Uniform Commercial Code, to the extent permitted by, and consistent with, the Debt Act. Such term may include a single Bond or several Bonds.

"Clearing Fund" shall mean the demand deposit account established by the County with the Sinking Fund Depository for the purpose of facilitating settlement of the Bonds.

"County" shall mean the County of Erie, Pennsylvania.

"County Executive" shall mean the duly elected County Executive of the County.

"Dated Date" means that date or those dates, as the same may vary by series, upon which interest will begin to accrue on the Bonds, as determined and fixed by the Purchaser in the applicable Purchase Proposal.

"Debt Ordinance" shall mean this document, being the formal action taken by the County according to the requirements of Section 8103 of the Debt Act in order to authorize and incur the debt represented by the Bonds.

"Department" shall mean the Pennsylvania Department of Community and Economic Development, or its successor.

"DTC" shall mean The Depository Trust Company, New York, New York, the securities depository for the Bonds, and its successors.

"Finance Director" shall mean the duly appointed Finance Director of the County.

"First Interest Payment Date" shall mean that date upon which interest on the Bonds is first payable, as determined and fixed by the County and the Purchaser pursuant to the Purchase Proposal.

"Governing Body" shall mean the County Council of the County.

“Interest Payment Date” or “Interest Payment Dates” shall mean, singularly or jointly, March 1 and September 1 of each year during the term of the Bonds, commencing with the First Interest Payment Date.

“Mandatory Redemption Date” or “Mandatory Redemption Dates” means that date or those dates, if any, as the same may vary by series, of each year during the term of the Bonds, on which outstanding Bonds will be mandatorily redeemed by the County in accordance with the terms of the Bonds and the Purchase Proposal.

“Maturity Date” or “Maturity Dates” means those dates on which the Bonds mature in accordance with their terms, as determined and fixed by the County and the Purchaser pursuant to the Purchase Proposal.

“Optional Redemption Date” means that first date, as the same may vary by series, on which the outstanding Bonds may be redeemed, in whole or in part, at the option of the County, as determined and fixed by the County and the Purchaser pursuant to the Purchase Proposal.

“Paying Agent” shall mean The Bank of New York Mellon Trust Company, N.A., having corporate trust offices at 525 William Penn Place, 38th Floor, Pittsburgh, Pennsylvania 15259, and its successors. The Paying Agent shall perform the duties specified by this Debt Ordinance and contained in the Debt Act, and shall further act as Paying Agent, Sinking Fund Depository and registrar in respect of the Bonds, all according to the provisions of this Debt Ordinance, the Debt Act, the Paying Agent Agreement, and in compliance at all times with then current industry standards and practices.

“Paying Agent Agreement” shall mean the agreement to be executed between the County and The Bank of New York Mellon Trust Company, N.A., pertaining to the duties as Paying Agent, Sinking Fund Depository and registrar of the Bonds.

“Project” shall mean, collectively, (a) all costs related to engineering, design, bidding and construction of such capital projects as the County may designate, including but not limited to a public safety radio system; and (b) the payment of the necessary and proper costs of incurring indebtedness, including the cost of issuance and costs of sale in respect of the foregoing.

“Purchase Price” shall mean no less than 98.00% of the principal amount of the Bonds, plus net original issue premium, minus net original issue discount, together with accrued interest to the date of delivery of the Bonds.

“Purchase Proposal” shall mean the initial proposal of even date submitted to the County by the Purchaser, together with the written agreement for the purchase of the Bonds, to be presented by the Purchaser, and accepted by the County.

“Purchaser” shall mean Piper Jaffray & Co., 2525 East Camelback Road, Suite 925, Phoenix, Arizona 85016.

“Record Date” or “Record Dates” shall mean, singularly or jointly, February 15 and August 15 of each year during the term of the Bonds, as each such date precedes a respective Interest Payment Date.

“Redemption Price” shall mean 100% of the principal amount thereof, together with accrued interest to the date fixed for redemption.

“Registered Owner” or “Registered Owners” shall mean, singularly or jointly, the owner of the Bonds as appearing on the register kept by the Sinking Fund Depository, in its capacity as registrar of the Bonds.

“Sinking Fund” shall mean the sinking fund created pursuant to Section 3.02 of this Debt Ordinance in accordance with Section 8221 of the Debt Act.

“Sinking Fund Depository” shall mean The Bank of New York Trust Company, N.A., having corporate trust offices at 525 William Penn Place, 38th Floor, Pittsburgh, Pennsylvania 15259 and its successors. The Sinking Fund Depository shall perform the duties specified by this Debt Ordinance and contained in the Debt Act, and shall further act as Paying Agent and registrar in respect of the Bonds, all according to the provisions of this Debt Ordinance, the Debt Act, the Paying Agent Agreement, and in compliance at all times with then current industry standards and practices.

“Term Bonds” means that one or those several sets of Bonds, if any, stated to mature on a date certain, but which shall be mandatorily redeemed on specified anniversary dates in certain years preceding the date of maturity, as designated and fixed by the County and the Purchaser in the Purchase Proposal.

## ARTICLE 2 -- AUTHORIZATION OF DEBT

Section 2.01. Incurrence; Purpose; Project Completion Date. The County does hereby authorize and direct the incurrence of non-electoral debt for the purposes of the Project in an amount not to exceed the aggregate principal amount of \$26,530,000; such debt shall be evidenced by the Bonds, which shall be issued, sold and delivered according to the provisions of this Debt Ordinance and the Debt Act as general obligations of the County. Realistic cost estimates for the Project have been obtained by the County from persons qualified by experience, as required by Section 8006 of the Debt Act, which cost estimates are not less than the principal amount of the indebtedness authorized hereunder. The indebtedness to be incurred by the County hereunder is necessary for the completion of the Project. The realistic estimated useful life of the Project is in excess of 25 years. The County hereby reserves the right to undertake components of the Project in such order and at such time or times as it shall determine and to allocate the proceeds of the Bonds and other available moneys to the final costs of the Project in such amounts and order of priority as it shall determine; but the proceeds of the Bonds shall be used solely to pay the costs of the Project, as required by the Debt Act. The estimated completion date of the Project is March 31, 2018. Nothing contained herein shall prohibit the County, under proper enactment of an ordinance and compliance with all provisions of law, from amending, adding to, subtracting from, substituting for or otherwise altering the Project.

Section 2.02. Preparation of Debt Statement. The Finance Director (or his successor acting by reason of absence or incapacity) is hereby authorized and directed to prepare a debt statement of the County, including therewith a certification of the County's borrowing base, and to verify the same under oath or affirmation, all according to the requirements of the Debt Act.

Section 2.03. Proceedings Before the Department. Either the County Executive or the Finance Director (or their successors acting by reason of absence or incapacity) is hereby authorized and directed to prepare, execute and file with the Department all proceedings of the County relative to this incurrence of debt and to respond to all inquiries or requests and to perform all other actions necessary to enable the Department to certify its approval to issue, sell and deliver the Bonds.

Section 2.04. Stated Maturity Dates. The County hereby finds and determines that: (i) the Bonds are to be issued with: (1) a final stated maturity date which does not exceed the sooner to occur of forty years or the useful life of the Project; and (2) an initial stated installment or maturity of principal which has not been deferred beyond the later of two years from the date of issuance of the Bonds or one year following the date of expected completion of the Project; and (ii) the stated maturities, or principal installments subject to mandatory redemption, of the Bonds have been fixed either: (1) so as to amortize the Bonds on at least an approximately level debt service plan during the period specified for the payment of principal under Section 8142(b) of the Debt Act; or (2) in the alternative, in the event that a Schedule B has been properly completed and is attached to this Debt Ordinance and thereby incorporated by reference herein, so that the debt service on outstanding debt of the County (being the Bonds, together with the other outstanding debt of the County) will be brought more nearly into an over-all level annual debt service plan as set forth on such Schedule B.

### ARTICLE 3 -- SECURITY FOR DEBT; SINKING FUND

Section 3.01. General Obligation Covenant. The Bonds shall be general obligations of the County. The County hereby covenants with the owners of the Bonds from time to time to: (a) include in its budget for each year the amount necessary to service the debt on the Bonds for such fiscal year in which such sums are payable; (b) appropriate such amounts from its general revenues to the payment of such debt service; and (c) duly and punctually pay, or cause to be paid, from its Sinking Fund or from any other of its revenues or funds, the principal of and the interest on the Bonds on the dates, at the place, and in the manner stated in the Bonds, all according to the true intent and meaning thereof. For such budgeting, appropriation and payment of the Bonds, the County hereby irrevocably pledges its full faith, credit and taxing power. The maximum amounts of debt service hereby covenanted to be paid are set forth in Schedule A attached to this Debt Ordinance and incorporated by reference herein. As provided in the Debt Act, the foregoing covenants are specifically enforceable. Notwithstanding the foregoing, nothing contained herein shall prohibit or restrain the authorization, issuance, sale or delivery of additional general obligation bonds or notes of the County on parity with the Bonds upon adoption of an appropriate covenant to budget, appropriate and pay additional taxes and other revenues and funds for the payment and security of such additional obligations.

Section 3.02. Creation of Sinking Fund; Authorization of Paying Agent Agreement. The County hereby creates the Sinking Fund for the payment of the Bonds, orders the establishment of the Sinking Fund to be held in the name of the County with the Sinking Fund Depository and identified by reference to the Bonds and covenants to maintain the Sinking Fund until the Bonds are paid in full. The County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity) is hereby authorized and directed to execute and deliver the Paying Agent Agreement in such form and with such terms and conditions as may be approved by such officer, with the advice of Bond Counsel, in order to provide for the services of the Sinking Fund Depository, Paying Agent and registrar for the Bonds. The execution of the Paying Agent Agreement shall be conclusive evidence of such approval, and the County Clerk (or the Finance Director acting by reason of the County Clerk's absence or incapacity) is hereby authorized and directed to affix thereto the corporate seal of the County and to attest the same.

Section 3.03. Deposits into Sinking Fund. The County covenants with the owners of the Bonds to withdraw from the general fund (or in the event debt service charges have been capitalized, from any Project fund hereafter established with the proceeds of the Bonds) and to deposit into the Sinking Fund on or before the appropriate Interest Payment Dates (or as and when otherwise due by the terms of the Bonds and in order to provide same-day, available funds for timely payment), amounts sufficient to pay on each such Interest Payment Date as set forth in Section 3.01 hereof the interest on the Bonds then outstanding, and the principal of the Bonds then maturing or subject to mandatory redemption. Either the County Executive or the Finance Director (or their successors acting by reason of absence or incapacity) is hereby authorized to make such withdrawals and deposits for the purposes herein set forth (according to the duties specified in Section 8223 of the Debt Act).

Section 3.04. Investment of Sinking Fund. All moneys in the Sinking Fund not required for prompt expenditure may be invested in Authorized Investments as permitted by Section 8224 of the Debt Act in accordance with written instructions of either the County Executive or the Finance Director (or their successor acting by reason of absence or incapacity), or in accordance with their telephonic instructions if subsequently confirmed in writing according to the reasonable practices and requests of the Sinking Fund Depository. Authorized Investments must mature or be subject to redemption, withdrawal or collection in their full amount at the option of the Sinking Fund Depository not later than the date upon which moneys are required to be paid to owners of the Bonds. All moneys in the Sinking Fund shall be applied exclusively to the payment of the Bonds as the same from time to time become due and payable. All moneys deposited into the Sinking Fund and all investments and proceeds thereof shall be subject to a perfected security interest for the benefit of the owners of the Bonds. Income received from any deposit or investment within the Sinking Fund shall remain within and be a part of the Sinking Fund and all such amounts may be applied in reduction or completion of any amount covenanted under Section 3.01 hereof to be deposited therein; provided, however, that the obligation of the County to pay the Bonds is and shall remain absolute and may not be satisfied or reduced merely by the deposit of moneys into the Sinking Fund or from the expectation of earnings thereon.

## ARTICLE 4 -- TERMS AND PROVISIONS OF THE BONDS

Section 4.01. Dates, Maturity Amounts and Interest Rates. The Bonds shall be identified by the Dated Date, shall be dated as of the Authentication Date, shall bear (or accrue) interest at the rates (or yields) payable (or compounded) on the appropriate Interest Payment Dates, and shall mature on the Maturity Dates (or be redeemed, mandatorily, on the appropriate Mandatory Redemption Dates, as provided in Section 4.03) and in the principal amounts (or maturity amounts) set forth in Section 3.01. The interest rates and principal amounts provided in Schedule A constitute maximum interest rates and principal amounts per maturity. The final interest rates and principal amounts with respect to the Bonds will be determined and fixed by the County and the Purchaser in accordance with the terms of the Purchase Proposal. For this purpose, the County Executive (or the Finance Director acting in the absence or incapacity of the County Executive), is hereby authorized and directed to fix the final interest rates and principal amounts of the Bonds.

Section 4.02. Optional Redemption. The Bonds scheduled to mature on a date after the Optional Redemption Date may be redeemed prior to maturity at the option of the Local Government Unit (a) in whole, on the Optional Redemption Date, if any, or on any date thereafter, or (b) in part, from time to time, on the Optional Redemption Date or on any date thereafter, by lot within a maturity, upon payment of the applicable Redemption Price.

Section 4.03. Mandatory Redemption. Term Bonds, if any, shall be redeemed prior to maturity by the Sinking Fund Depository without further authorization on the appropriate Mandatory Redemption Dates and in the appropriate principal amounts set forth in Article 1 and in Section 3.01 hereof upon payment of the applicable Redemption Price.

Section 4.04. Book-Entry Only System.

(a) The Bonds will be issued in the form of one fully registered bond for the aggregate principal amount of the Bonds of each maturity, which Bonds will be registered in the name of Cede & Co., as nominee of DTC. Initially, all of the Bonds will be registered in the name of Cede & Co., as nominee of DTC; provided that if DTC requests that the Bonds be registered in the name of a different nominee, the Sinking Fund Depository must exchange all or any portion of the Bonds for an equal aggregate principal amount of Bonds registered in the name of such nominee of DTC. No person other than DTC or its nominee is entitled to receive from the County or the Sinking Fund Depository either a Bond or any other evidence of ownership of the Bonds, or any right to receive any payment in respect thereof unless DTC or its nominee transfers record ownership of all or any portions of the Bonds on the Register (as such term defined in Section 4.08), in connection with discontinuing the book entry system.

(b) So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of the principal or redemption price of or interest on such Bonds will be made to DTC or its nominee in immediately available funds on the dates provided for such payments in this Debt Ordinance. Each such payment to DTC or its nominee will be valid and effective to discharge fully all liability of the County or the Sinking Fund Depository with respect to the principal or redemption price of or interest on the Bonds to the

extent of the sum or sums so paid. In the event of the redemption of less than all of the Bonds outstanding of any maturity, the Sinking Fund Depository will not require surrender by DTC or its nominee of the Bonds so redeemed, but DTC (or its nominee) may retain such Bonds and make an appropriate notation on the Bond certificate as to the amount of the partial redemption provided that DTC must deliver to the Sinking Fund Depository, upon request, a written confirmation of the partial redemption and thereafter the records maintained by the Sinking Fund Depository will be conclusive as to the amount of the Bonds of such maturity which have been redeemed.

(c) The County and the Sinking Fund Depository may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to Registered Owners under this Debt Ordinance, registering the transfer of Bonds, obtaining any consent or other action to be taken by Registered Owners and for all other purposes whatsoever; and neither the County nor the Sinking Fund Depository will be affected by any notice to the contrary. Neither the County nor the Sinking Fund Depository will have any responsibility or obligation to any participant in DTC, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any such participant, or any other person which is not shown on the Register as being Registered Owner, with respect to either (i) the Bonds; or (ii) the accuracy of any record maintained by DTC or any such participant; or (iii) the payment by DTC or any participant of any amount in respect of the principal or redemption price of or interest on the Bonds; or (iv) any notice which is permitted or required to be given to Registered Owners under this Debt Ordinance; or (v) the selection by DTC or any participant of any person to receive payment in the event of partial redemption of the Bonds; or (6) any consent given or other action taken by DTC as Registered Owner.

(d) So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all notices required or permitted to be given to the Registered Owners under this Debt Ordinance will be given to DTC as provided in the blanket representation letter delivered to DTC. In connection with any notice or other communication to be provided to Registered Owners pursuant to this Debt Ordinance by the County or the Sinking Fund Depository with respect to any consent or other action to be taken by Registered Owners, DTC will consider the date of receipt of notice requesting such consent or other action as the record date for the consent or other action, provided that the County or the Sinking Fund Depository may establish a special record date for such consent or other action. The County or the Sinking Fund Depository must give DTC notice of the special record date not less than 10 days in advance of such special record date.

(e) Any successor Sinking Fund Depository must, in its written acceptance of its duties under this Debt Ordinance, agree to take any actions necessary from time to time to comply with the requirements of the representation letter.

(f) The book-entry system for registration of the ownership of the Bonds may be discontinued at any time if either: (i) after notice to the County and the Sinking Fund Depository, DTC determines to resign as securities depository for the Bonds; or (ii) after notice to

DTC and the Sinking Fund Depository, the County determines that a continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interest of the County. In either of such events (unless in the case described in clause (ii) above, the County appoints a successor securities depository), the Bonds will be delivered in registered certificate form to such persons, and in such maturities and principal amounts, as may be designated by DTC, but without any liability on the part of the County or the Sinking Fund Depository for the accuracy of such designation. Whenever DTC requests the County and the Sinking Fund Depository to do so, the County and the Sinking Fund Depository must cooperate with DTC in taking appropriate action after reasonable notice to arrange for another securities depository to maintain custody of certificates evidencing the Bonds. The Bonds will also carry CUSIP numbers as a convenience to owners.

Section 4.05. Interest Payments; Accrual. The Bonds will bear interest, payable in arrears, initially on the First Interest Payment Date and then on each Interest Payment Date subsequent for the respective preceding period; provided, further, that interest may be paid from an Interest Payment Date next preceding the date of a Bond except when the date of such Bond is a date to which interest has been so paid, then from the date of such Bond, or when either (a) the date of such Bonds is prior to the First Interest Payment Date, or (b) no interest has been paid, then from the Dated Date.

Section 4.06. Record Date; Payments on Default. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any Interest Payment Date, Redemption Date or Maturity Date will be entitled to receive the amounts payable on such payment date notwithstanding the cancellation of such Bond upon any transfer or exchange thereof subsequent to the Record Date and prior to such payment date. When, if, and to the extent, the County defaults in the payment of any amount due, any moneys collected for such payment, as and when collected from time to time, may be paid to the persons in whose names Bonds are registered at the close of business on a Special Record Date established by the Sinking Fund Depository, notice of which must be mailed to all Registered Owners of Bonds not less than ten days prior to the Special Record Date.

Section 4.07. Funds for Payment. The Bonds will be payable at the offices of the Sinking Fund Depository in the coin or currency of the United States of America that is legal tender for the payment of public and private debts at the time and place of payment; provided, however, in the absence of written demand for such payment by the Registered Owner, received by the Sinking Fund Depository not later than the Record Date, all payments of the Bonds will be made by check or draft drawn on the Sinking Fund Depository and mailed, first class, postage prepaid, to the owner at the address that appears in the Register, following presentation at the offices of the Sinking Fund Depository.

Section 4.08. Registration and Transfer.

(a) The County shall cause a register (the "Register") to be kept with the Sinking Fund Depository in its capacity as Registrar, in which Register, subject to reasonable regulations, the County shall provide for the registration of Bonds and the registration of transfers and exchanges of Bonds. No transfer or exchange of any Bond shall be valid unless

made at the office of the Sinking Fund Depository and registered in the Register. The Bonds will be initially registered in accordance with instructions submitted to the Sinking Fund Depository by the Purchaser.

(b) Upon surrender for registration of transfer of any Bond, the County must execute, and the Sinking Fund Depository will authenticate and deliver in the name of the transferee or transferees, a new Bond or Bonds of any authorized denomination, of the same yield and maturity, and in the same principal amount, as the Bond so surrendered.

(c) Any Bond shall be exchangeable for other Bonds of the same interest rate and maturity in any authorized denomination equaling in the aggregate the same principal amount as the Bond or Bonds presented for exchange. Upon the surrender of any Bond for exchange, the County shall execute, and the Sinking Fund Depository shall authenticate and deliver in exchange therefor, the new Bond or Bonds that the Registered Owner making the exchange shall be entitled to receive. All Bonds issued upon any registration of a transfer or exchange as described herein shall be valid obligations of the County, evidencing the same indebtedness and entitled to the same benefits under this Debt Ordinance as the Bonds surrendered for such registration of transfer or exchange. All Bonds so surrendered shall be cancelled and may be destroyed by the Sinking Fund Depository.

(d) Every Bond presented or surrendered for registration of transfer or exchange shall be duly endorsed or accompanied by a written instrument of transfer duly executed by the owner thereof or his duly authorized agent or legal representative, each in form and with guaranty of signature satisfactory to the County and the Sinking Fund Depository. No service charge shall be imposed on any Registered Owner for any transfer or exchange of any Bond, but the County may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds. Neither the County nor the Sinking Fund Depository shall be required to: (i) issue, or register the transfer or exchange of, any Bond during a period of 15 business days before any date of selection of Bonds to be redeemed; or (ii) register the transfer or exchange of any Bond after it has been selected for redemption.

Section 4.09. Execution and Authentication. The Bonds shall be executed on behalf of the County by the County Executive (or by the Finance Director acting by reason of the County Executive's absence or incapacity) and shall have a facsimile of the corporate seal of the County affixed thereto and duly attested by the County Clerk. The Bonds shall be authenticated by the manual execution of a certificate of authentication by a duly authorized officer of the Sinking Fund Depository. No Bond shall be valid until such certificate of authentication shall have been duly executed and such authentication shall be the conclusive and only proof that any Bond has been issued pursuant to, and is entitled to any benefits conferred under, the provisions of this Debt Ordinance. To the extent that any one signature on a Bond (including the signature of the officer of the Sinking Fund Depository) is manual, all other signatures may be by facsimile.

Section 4.10 Notices; Selection of Bonds for Redemption.

(a) Notice of any redemption shall be given by first class mail, postage prepaid, not less than 30 nor more than 60 days prior to the applicable redemption date, to the Registered Owners of Bonds to be redeemed at the addresses which appear in the Bond register on the fifth business day preceding the date selected for the mailing of such notice. Neither failure to mail such notice nor any defect in the notice so mailed or in the mailing thereof with respect to any one Bond shall affect the validity of the proceedings for the redemption of any other Bond. If the County shall have duly given notice of redemption and shall have deposited funds for the payment of the Redemption Price of the Bonds with the Sinking Fund Depository, interest on such Bonds shall cease to accrue after such redemption date. Notices of redemption shall be dated and shall state: (i) the redemption date; (ii) the Redemption Price; (iii) if less than all outstanding Bonds are to be redeemed, the identification numbers and the respective principal amounts (or maturity amounts) of the Bonds to be redeemed; (iv) the applicable CUSIP numbers of the Bonds called for redemption (if then generally in use, but shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in the notice and that reliance may be placed only on the identification numbers printed on the Bonds); (v) that on the redemption date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (vi) that such Bonds are to be surrendered for payment at the principal corporate trust office of the Sinking Fund Depository.

(b) If less than all Bonds maturing on any one date are to be redeemed at any time, the Sinking Fund Depository shall select by lot the Bonds to be redeemed at such time. Any portion of any Bond of a denomination larger than \$5,000 may be redeemed, but only in the principal amount (or maturity amount) of \$5,000 or any integral multiple thereof. Prior to selecting Bonds for redemption, the Sinking Fund Depository shall assign numbers to each \$5,000 portion of any Bond of a denomination larger than \$5,000 and shall treat each portion as a separate Bond in the denomination of \$5,000 for purposes of selection for redemption. Upon surrender of any Bond for redemption of a portion thereof, the Sinking Fund Depository shall authenticate and deliver to the owner thereof a new Bond or Bonds of the same maturity and in any authorized denominations requested by the owner in a principal amount (or maturity amount) equal to the unredeemed portion of the Bond surrendered.

Section 4.11. Temporary Bonds. The County may execute, and upon request the Sinking Fund Depository, shall authenticate and deliver in lieu of definitive bonds one or more printed, lithographed or typewritten bonds substantially in the form described below in Section 4.13 with appropriate omissions, variations and insertions. Until exchanged for bonds in definitive form, such bonds shall be valid obligations entitled to the benefit of this Debt Ordinance. The County may prepare, execute and deliver to the Sinking Fund Depository, and thereupon, upon the presentation and surrender of any Bond or Bonds in temporary form, the Sinking Fund Depository shall authenticate and deliver, in exchange therefor, a bond or bonds in definitive form of the same maturity for the same aggregate principal amount as the bond or bonds in temporary form surrendered. Such exchange shall be made by the County at its own expense and without making any charge therefor.

Section 4.12. Bonds Lost or Destroyed. Upon receipt by the County and the Sinking Fund Depository of evidence satisfactory to both of them that any outstanding Bond has been mutilated, destroyed, lost or stolen, and of indemnity satisfactory to both of them, the County may, in its discretion, execute, and thereupon the Sinking Fund Depository shall authenticate and deliver, a new Bond of the same maturity and of like tenor in exchange and substitution for, and upon surrender and cancellation of, the mutilated Bond, or in lieu of and in substitution for the Bond so destroyed, lost or stolen. The County may, for each new Bond authenticated and delivered under the provisions of this Section, require the payment of expenses, including counsel fees. Any Bond issued under the provisions of this Section in lieu of any Bond alleged to be destroyed, lost or stolen shall constitute an original additional and independent contractual obligation on the part of the County, whether or not the Bond so alleged to be destroyed, lost or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Debt Ordinance with all other Bonds issued hereunder, and all limitations and debt limits imposed by the Debt Act shall be increased to the extent necessary to validate such new Bonds.

Section 4.13. Form of the Bonds. The Bonds shall be executed in substantially the following form, with such appropriate changes, additions or deletions as may be approved by the County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity), in the manner provided in Section 4.11, and such execution shall constitute approval by the County. The opinion of Bond Counsel is authorized and directed to be printed upon the Bonds.



UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO THE COUNTY OR ITS AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC) ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

This Bond is one of a duly authorized series of bonds, designated "General Obligation Bonds, Series of 2015" of the County (the "Bonds"), issued in accordance with the Local Government Unit Debt Act of the General Assembly of the Commonwealth of Pennsylvania, Act of December 19, 1996 (P.L. 1158, No. 177, as amended (the "Debt Act"), pursuant to all the terms and provisions of the formal action of the County (the "Debt Ordinance"), and with the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania.

Interest payable on any Interest Payment Date will be paid to the person in whose name this Bond is registered at the close of business on the February 15 or August 15 (the "Record Date") immediately preceding the applicable Interest Payment Date. Any interest which is not deposited with the Sinking Fund Depository on or before any Interest Payment Date for payment to the Registered Owner of record on the Record Date will forthwith cease to be payable to such Registered Owner on the Record Date, and will be paid to the person in whose name this Bond is registered on a Special Record Date for the payment of such defaulted interest to be fixed by the Sinking Fund Depository, notice of which shall be given to all Registered Owners not less than 10 days prior to the Special Record Date.

The Bonds maturing on and after \_\_\_\_\_, are subject to redemption at the option of the County prior to their stated Maturity Dates, as a whole or in part (by lot within a maturity) on \_\_\_\_\_, or on any date thereafter, upon payment of the Redemption Price of 100% of the principal amount thereof, together with interest accrued to the date fixed for redemption.

The Bonds maturing \_\_\_\_\_ of the years \_\_\_\_, \_\_\_\_ and \_\_\_\_ are subject to mandatory redemption prior to their stated Maturity Date, on \_\_\_\_\_ of the years \_\_\_\_, \_\_\_\_, and \_\_\_\_ upon payment of the Redemption Price of 100% of the principal amount thereof, together with interest accrued to the date fixed for redemption.

If less than all Bonds maturing on any one date are to be redeemed at any time, the Bonds to be called for redemption at such time will be chosen by the Sinking Fund Depository, by lot.

Notice of redemption of any Bond will be given to the Registered Owner of such Bond by first class mail, not less than 30 nor more than 60 days prior to the redemption date, all in the manner and upon the terms and conditions set forth in the Debt Ordinance. A portion of a Bond

of a denomination larger than \$5,000 may be redeemed, and in such case, upon the surrender of such Bond, there will be issued to the Registered Owner thereof, without charge, a registered Bond or Bonds for the unredeemed balance of the principal amount of such Bond, all as more fully set forth in the Debt Ordinance. If notice of redemption is duly given, the Bonds or portions thereof specified in that notice shall become due and payable at the applicable Redemption Price on the designated redemption date, and if, on such date, moneys are held by the Sinking Fund Depository for the payment of the Redemption Price of the Bonds to be redeemed, together with interest to the date fixed for redemption, then from and after such date interest on that Bonds will cease to accrue.

The County, pursuant to recommendations made by the Committee on Uniform Security Identification Procedures, has caused CUSIP numbers to be printed on the Bonds, and has directed the Sinking Fund Depository to use such numbers in notices of redemption and other notices, if any, as a convenience to the Registered Owners of the Bonds. No representation is made as to the accuracy of such numbers either as printed on the Bonds or as contained in any notice and reliance may be placed only on the identification number printed hereon.

This Bond may be transferred or exchanged only on the Register maintained by the County at the offices of the Sinking Fund Depository upon surrender hereof by the Registered Owner at such office duly endorsed by, or accompanied by a written instrument of transfer duly executed by, the Registered Owner or the duly authorized agent or legal representative of the Registered Owner, in each case, in form and with a guaranty of signature satisfactory to the County and the Sinking Fund Depository. No service charge will be imposed on any Registered Owner of any Bond for any transfer or exchange of any Bond, but the County may require payment of any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bonds.

The County is not required to register the transfer or exchange of any Bond: (a) during the period of 15 business days before any date of selection of Bonds to be redeemed or (b) after such Bond has been selected for redemption.

Subject to the provisions of this Bond and of the Debt Ordinance, the Sinking Fund Depository may treat the Registered Owner of this Bond as the absolute owner hereof, for all purposes, whether or not this Bond is overdue, and neither the County nor the Sinking Fund Depository will be affected by any notice to the contrary.

This Bond is hereby declared to be a general obligation of the County. The County hereby covenants with the Registered Owner of this Bond to include the amount necessary to pay the debt service hereon, in each fiscal year for which such sums are due, in its budget for that year, to appropriate such amounts from its general revenues to the payment of the debt service and to duly and punctually pay or cause to be paid from its Sinking Fund or any other of its revenues or funds the principal of this Bond and the interest hereon on the dates, at the place and in the manner stated herein, according to the true intent and meaning hereof.

It is hereby certified that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent

to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the County, is within every debt and other limit applicable to the County prescribed by the Constitution and the laws of the Commonwealth of Pennsylvania; that the County has established with the Sinking Fund Depository a Sinking Fund for this Bond and will deposit therein amounts sufficient to pay the principal of and interest on this Bond when due and payable; and that for the prompt and full payment of all obligations under this Bond, the full faith, credit and taxing power of the County are hereby irrevocably pledged.

No recourse shall be had for the payment of the principal of or the interest on this Bond, or for any claim based hereon, against any officer, agent, attorney or employee, past, present or future, of the County, as such, either directly or through the County, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise; all such liability of such officers, agents or employees is hereby renounced, waived and released as a condition of and as consideration for the issuance and acceptance of this Bond.

IN WITNESS WHEREOF, the County has caused this Bond to be duly executed in its name by the facsimile signature of the County Executive, together with a facsimile of its corporate seal affixed hereto duly attested by the facsimile signature of its County Clerk, and dated as of the Authentication Date.

ATTEST:

COUNTY OF ERIE

\_\_\_\_\_  
County Clerk

By: \_\_\_\_\_  
County Executive

[SEAL]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds authorized by the within-mentioned Debt Ordinance.

The opinion contained herein is that of MacDonald Illig Jones & Britton, LLP, Bond Counsel, of Erie, Pennsylvania, executed counterparts of which, dated the date of delivery of and payment for the Series of Bonds of which this Bond is one, is on file at the offices of the Sinking Fund Depository.

The Bank of New York Mellon Trust  
Company, N.A.  
as Sinking Fund Depository,  
Paying Agent and Registrar

AUTHENTICATION DATE:

\_\_\_\_\_  
Authorized Officer

\_\_\_\_\_, 2015

[TEXT OF OPINION OF BOND COUNSEL]

**ASSIGNMENT**

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

Please insert Social Security  
or other identifying number  
of assignee

\_\_\_\_\_

Please print or typewrite name(s) and address including postal zip code of transferee(s)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

\_\_\_\_\_ Agent  
to transfer the within Bond on the books kept for registration thereof, with full power of  
substitution in the premises.

Dated \_\_\_\_\_

Signature(s) Guaranteed:

\_\_\_\_\_

\_\_\_\_\_

NOTICE: Signature(s) must be  
guaranteed by a member firm of  
an approved Signature Guarantee  
Medallion Program.

NOTICE: The signature(s) to  
this assignment must  
correspond with the name(s) as  
written upon the face of the  
Bond, in every particular,  
without alteration or  
enlargement, or any change  
whatever.

\_\_\_\_\_

\_\_\_\_\_

## ARTICLE 5 -- CONCERNING THE SINKING FUND DEPOSITORY

Section 5.01. Maintenance of Sinking Fund. The Sinking Fund Depository will maintain the Sinking Fund as a separate account and will, without further authorization other than as herein contained, pay, from moneys therein, the principal of, interest on and premium, if any, on the Bonds, as and when due, to the Registered Owners thereof.

Section 5.02. Unclaimed Funds. The Sinking Fund Depository shall return to the County all moneys deposited and held in a Sinking Fund for the payment of Bonds which have not been claimed by the Registered Owners after two years from the date when payment is due, except where such funds are held for the payment of outstanding checks, drafts or other instruments of the Sinking Fund Depository. Nothing in this Section or by reason of any action taken hereunder shall relieve the County of its liability for payment to the Registered Owners of un-presented Bonds.

Section 5.03. Registration Agents. In the event the Bonds are qualified by the Purchaser or are otherwise determined to be eligible for the deposit, book-entry, withdrawal, and other related services of DTC (or another or additional recognized bond registration agent performing similar services), the Sinking Fund Depository shall undertake and perform those additional duties which may be required of it in order to enable DTC (or other similar agent) to perform such services for its participants, including the processing of transfers of registration within necessary time periods, the payment of Bonds by acceptable fund transfers, and the delivery of adequate redemption and other payment notices.

Section 5.04. Liability of Sinking Fund Depository. The Sinking Fund Depository may exercise any of the powers or perform any duty hereunder by or through attorneys, agents, receivers or employees, and it shall not be answerable or accountable for any act, default, neglect or misconduct of any such attorney, agent, receiver or employee, if reasonable care has been exercised in its appointment and retention, nor shall the Sinking Fund Depository be otherwise answerable or accountable under any circumstances whatever in connection with such powers or duties, except for its own gross negligence or willful misconduct. The Sinking Fund Depository shall be protected and shall incur no liability in relying, acting or proceeding in good faith upon any notice, request, order, certificate, report, opinion, statement, affidavit, voucher, or other paper or document believed by it to be genuine and to have been signed, passed or presented by the proper person, nor be bound to make any investigation into the matters stated therein. The Sinking Fund Depository may, however, at any time in its discretion, require of the County full information and advice as to the above as well as to the performance of any of the covenants, conditions and agreements in this Debt Ordinance and may further make or cause to be made independent investigations concerning its affairs at the expense of the County. The Sinking Fund Depository may consult with legal counsel to be selected and employed by it and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance with the opinion of such counsel.

Section 5.05. Ownership of Bonds. The Sinking Fund Depository, in its individual capacity or as a fiduciary, may become the owner of Bonds with the same rights it would have if it were not the Sinking Fund Depository. The Sinking Fund Depository may also engage in, or be interested in, any financial or other transaction with the County not in derogation of the rights of the Registered Owners of the Bonds.

Section 5.06. Interpretation. The Sinking Fund Depository may construe any of the provisions of this Debt Ordinance insofar as the same may appear to be ambiguous or inconsistent with any other provision hereof, and any construction of any such provisions hereof by the Sinking Fund Depository made in good faith shall be binding upon the Registered Owners of the Bonds.

Section 5.07. Fees and Expenses. The Sinking Fund Depository shall be paid such initial and periodic fees for its services and reimbursed for such expenses as are specified in those proposals and other such communications made to and received by the County in connection with the Bonds, if any, or, in all events, according to its usual, customary and reasonable schedule of fees and other charges.

Section 5.08. Removal; Resignation. The Sinking Fund Depository shall serve in such capacity at the will of the County and may be removed, at any time, with or without cause, by the appointment of a qualified successor and upon 60 days written notice to the Registered Owners of the Bonds and to the Sinking Fund Depository. The Sinking Fund Depository may at any time resign and be discharged of the trust hereby created by giving not less than 60 days written notice to the County and the Registered Owners, specifying the date when the resignation will take effect, in the manner required for bond redemption notices in Section 4.10 hereof. The resignation will take effect upon the day specified in such notice, unless a successor sinking fund depository was previously appointed by the County as hereinbefore provided, in which event, such resignation will take effect immediately on the appointment of the successor. Any corporation or association into which the Sinking Fund Depository, or any additional or appointed alternate or successor to it, may be merged or converted or with which it, or any additional or appointed alternate or successor to it, may be consolidated, or any corporation or association resulting from any merger, conversion or consolidation to which the Sinking Fund Depository shall be a party, or any corporation or association to which the Sinking Fund Depository, or any additional or appointed alternate or successor to it, sells or otherwise transfers all or substantially all of its corporate trust business shall be the successor Paying Agent hereunder, without the execution or filing of any paper or any further act on the part of the parties hereto, anything herein to the contrary notwithstanding.

Section 5.09. Duties upon Default. If the County fails or refuses to make any required deposit in the Sinking Fund, the Sinking Fund Depository: (a) independent of events and actions of Registered Owners, any trustee or any court or administrative or judicial officer undertaken or occurring pursuant to the provisions of Article 6 hereof, must notify the Department of such failure or refusal, in order to facilitate an inspection of the Sinking Fund by the Department pursuant to the Debt Act and, (b) in conjunction with such events and actions under Article 6 hereof, may, and upon request of the Registered Owners of 25% in principal amount of outstanding Bonds and upon being indemnified against cost and expense, shall, exercise any

remedy provided in Article 6 of this Debt Ordinance, in the Debt Act, or at law or in equity, for the equal and ratable benefit of the Registered Owners of the outstanding Bonds, and must disburse all funds so collected equally and ratably to the Registered Owners thereof, pursuant to the requirements of the Debt Act.

## ARTICLE 6 -- DEFAULTS AND REMEDIES

Section 6.01. Failure to Budget Debt Service. If the County fails or refuses to make adequate provision in its budget for any fiscal year for the sums payable in respect of the Bonds, then at the suit of the Registered Owner of any Bond, the Court of Common Pleas of Erie County shall, after a hearing held upon such notice to the County as the Court may direct, and upon a finding of such failure or neglect, by writ of mandamus require the County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity) to pay into the Sinking Fund the first tax moneys or other available revenues or moneys thereafter received in such fiscal year by County until the sum on deposit in the Sinking Fund shall equal the moneys that should have been budgeted or appropriated for the Bonds.

Section 6.02. Failure to Pay Principal or Interest. If the County fails or neglects to pay or cause to be paid the interest or principal on any of the Bonds, as the same becomes due and payable, and such failure shall continue for 30 days, the Registered Owner thereof shall, subject to any appropriate priorities created under the Debt Act, have the right to recover the amount due in an action in assumpsit in the Court of Common Pleas of Erie County. The judgment recovered shall have an appropriate priority upon the moneys next coming into the treasury of the County.

### Section 6.03. Trustee for Registered Owners.

(a) If the County defaults in the payment of the principal of or the interest on the Bonds after the same shall become due, and such default shall continue for 30 days, or if the County fails to comply with any provision of the Bonds or this Debt Ordinance, the Registered Owners of 25% in aggregate principal amount of the Bonds then outstanding, by an instrument or instruments filed in the office for the recorder of deeds of Erie County, signed and acknowledged in the same manner as a deed to be recorded, may appoint a trustee, who may be the Sinking Fund Depository, to represent the Registered Owners of all such bonds or notes, and such representation shall be exclusive for the purposes herein provided.

(b) Such trustee may, and upon written request of the Registered Owners of 25% in principal amount of the Bonds then outstanding and upon being furnished with indemnity satisfactory to it, must, in his or its own name take one or more of the actions set forth below and the taking of such actions will preclude similar action whether previously or subsequently initiated by individual Registered Owners of the Bonds:

(i) By mandamus or other suit, action or proceeding at law or in equity, enforce all rights of the Registered Owners of the Bonds or require the County to carry out any other agreement with the Registered Owners of the Bonds;

(ii) Bring suit on the Bonds without the necessity for producing the same;

(iii) Petition the Court to levy, and the Court is hereby empowered to levy, after a hearing upon such notice to the owners of assessable real estate as the court may prescribe, the amount due before or after the exercise of any right of acceleration on the Bonds plus estimated costs of collection upon all taxable real estate and other property subject to *ad valorem* taxation within the County, in proportion to the value thereof as assessed for tax purposes, and the trustee may collect, or cause the County to collect, such amounts as by foreclosure of a mortgage or security interest on the realty or other property if not paid on demand. Any assessment levied pursuant hereto shall have the same priority and preference as against other liens or mortgages on the real estate or security interests in fixtures thereon or other property as a lien for unpaid taxes;

(iv) By suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owners of the Bonds;

(v) After 30 days prior written notice to the County, declare the unpaid principal of all the Bonds to be, and it shall thereby become, forthwith due and payable with interest at the rates stated in the Bonds until final payment (and, if all defaults shall be made good, then to annul such declaration and its consequences).

(c) If the Sinking Fund Depository is willing to serve and exercise the powers conferred upon a trustee appointed by this Section 6.03, no trustee appointed in the manner provided in this Section shall have the powers herein set forth unless the appointment under this Section was executed by or pursuant to the authority of the Registered Owners of a principal amount of such Bonds sufficient to remove such originally appointed trustee.

(d) Proof of ownership of Bonds and of execution of instruments relative thereto shall be made according to the provisions of Section 8114 of the Debt Act.

Section 6.04. Costs of Suits or Proceedings. In any suit, action or proceeding by or on behalf of the Registered Owners of defaulted Bonds, the fees and expenses of a trustee or receiver, including operating costs of a project and reasonable counsel fees, shall constitute taxable costs, and all such costs and disbursements allowed by the court shall be deemed additional principal due on the Bonds, and shall be paid in full from any recovery prior to any distribution to the Registered Owners of the Bonds.

Section 6.05. Distribution of Moneys Realized for Registered Owners. Moneys or funds collected for the Registered Owners of defaulted Bonds shall, after the payment of costs and fees as provided in Section 6.04, be applied by the trustee or receiver as follows:

(a) Unless the principal of all the Bonds shall have become or have been declared due and payable, (i) to the payment to the Registered Owners entitled thereto of all installments of interest then due in the order of their respective due dates and, if the amount available shall not be sufficient to pay any installment in full, then to the payment ratably,

according to the amounts due on such installment, to the Registered Owners entitled thereto, without any discrimination or preference; and (ii) to the payment to the Registered Owners entitled thereto of the unpaid principal of any Bonds which shall have become due, whether at stated Maturity Dates or by call for redemption, in the order of their respective due dates, and if the amount available shall not be sufficient to pay in full all the Bonds due on any date, then to the payment ratably, according to the amounts of principal due on such dates, to the Registered Owners entitled thereto without any discrimination or preference;

(b) If the principal of all the Bonds shall have become or shall have been declared due and payable, to the payment of the principal and interest then due and unpaid upon the Bonds without preference or priority of principal over interest or interest over principal, or of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably according to the amounts due respectively for principal and interest, to the Registered Owners entitled thereto without any discrimination or preference.

## ARTICLE 7 -- AMENDMENTS AND MODIFICATIONS

Section 7.01. Amendments Without Consent. Notwithstanding any other provision of this Debt Ordinance, the County may, from time to time and at any time, enact, execute, file with the Department and deliver to the Sinking Fund Depository, who shall accept the same, debt ordinances amending, modifying or supplemental hereto, as shall not be inconsistent with the terms and provisions hereof and which shall not adversely affect the rights of the Registered Owners of the Bonds (which modifying or supplemental debt ordinances shall thereafter form a part hereof), for the following purposes: (a) to cure any ambiguity, formal defect or omission in this Debt Ordinance; (b) to grant or confer upon the Sinking Fund Depository for the benefit of the Registered Owners of the Bonds any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred thereupon; (c) to add to this Debt Ordinance additional covenants and agreements thereafter to be observed by, or to surrender any right or power herein reserved to or conferred upon, the County; or (d) to amend the definition of the Project and change the purposes of the Bonds, in compliance with all provisions of the Debt Act.

Section 7.02. Amendments With Consent. With the consent of the Registered Owners of not less than 66 2/3% in outstanding principal amount of the Bonds, the County may, from time to time and at any time, enact, execute, file with the Department and deliver to the Sinking Fund Depository, who shall accept the same, debt ordinances amending, modifying or supplemental hereto for the purpose of adding any provision to or changing in any manner or eliminating any of the provisions of this Debt Ordinance or of modifying in any manner the rights of the Registered Owners of the Bonds; provided, however, that no such modifying or supplemental debt ordinance shall: (a) extend the fixed maturity date of any Bond, or reduce the principal amount thereof, or reduce the rate or extend the time of payment of interest thereon, or reduce any premium payable upon the redemption thereof, without the consent of the Registered Owner of each Bond so affected; or (b) reduce the aforesaid percentage of Bonds, the Registered Owners of which are required to consent to any such modification or supplement, without the consent of the Registered Owners of all Bonds then outstanding. It shall not be necessary for the

consent of the Registered Owners to approve the particular form of any proposed modification or supplement if such consent shall approve the substance thereof.

Section 7.03. Acceptance of Amendment. The Sinking Fund Depository shall accept any amending, modifying or supplemental debt ordinance which the County is authorized to execute hereunder upon delivery of the following: (a) the amending, modifying or supplemental debt ordinance, duly executed with proof of filing with the Department; and (b) an opinion of Bond Counsel to the effect that: (i) such amending, modifying or supplemental debt ordinance was properly enacted, executed and delivered pursuant to: (1) the provisions of Section 7.01 hereof or (2) the provisions of Section 7.02 hereof with the consent of the Registered Owners of the Bonds as required hereunder, and (ii) the enactment, execution and delivery of such debt ordinance complies with all applicable requirements of law, including the Debt Act.

Section 7.04. Effect of Amendment. Upon the execution of any amending, modifying or supplemental debt ordinance pursuant to the provisions of this Article, this Debt Ordinance shall be and be deemed to be amended, modified and supplemented in accordance therewith, and the respective rights, limitation of rights, obligations, duties and immunities of parties hereunder shall thereafter be determined, exercised and enforced hereunder subject in all respects to such amendments, modifications and supplements, and all the terms and conditions of any such debt ordinance shall be and be deemed to be part of the terms and conditions of this Debt Ordinance for any and all purposes.

Section 7.05. Notice of Amendment. Notice, including a summary description, of any amending, modifying or supplemental debt ordinance once effectuated shall be confirmed promptly to all Registered Owners, and shall be given to Standard and Poor's Corporation and to Moody's Investors Service in the same manner provided for notices of redemption in Section 4.10.

#### ARTICLE 8 -- DISCHARGE OF DEBT ORDINANCE

If the County shall pay or cause to be paid unto the Registered Owners the principal, interest and, if any, the premium with respect to the Bonds, at the times and in the manner stipulated therein, then this Debt Ordinance and the estate and rights hereby granted shall cease, determine and be void, and thereupon the Sinking Fund Depository shall release, cancel and discharge the lien and obligations of this Debt Ordinance and deliver to the County any funds or documents at the time subject to the lien of this Debt Ordinance which may then be in its possession; provided, however, that until such time as full and complete payment is so made, this Debt Ordinance shall be and remain in full force and effect.

Bonds, for the payment or redemption of which cash and/or Eligible Securities which upon maturity will yield funds in the full amount required therefor shall have been deposited with the Sinking Fund Depository, whether upon or prior to the Maturity Date or the Redemption Date of such Bonds, shall be deemed to be paid within the meaning of this Article, provided, however, that if such Bonds are to be redeemed prior to their Maturity Dates, notice of such redemption shall have been duly given or adequate provision shall have been made therefor.

## ARTICLE 9 -- TAX AND SECURITIES LAW COVENANTS

Section 9.01. Tax Compliance in General. The County hereby states its intention to comply with all the provisions of Sections 103 and 141 through 150, inclusive, of the Internal Revenue Code of 1986, as amended (the "Tax Code") with respect to the Bonds. The County represents and covenants that it has undertaken and performed, and will undertake and perform, or, as appropriate, discontinue, upon the instruction of Bond Counsel, all those acts necessary and proper to the maintenance of the exclusion of the interest on the Bonds from the gross income of the Registered Owners thereof conferred by said Sections of the Tax Code, as interpreted by applicable regulations, rulings or other pronouncements of the Secretary of the United States Department of the Treasury.

Section 9.02. Not a Private Activity Bond; Taxing Powers. The County covenants that the Bonds are not an issue: (a)(i) more than 10 percent of the proceeds of which are to be used for any private business use, and (ii) the payment of the principal of, or the interest on, more than 10 percent of the proceeds, directly or indirectly, is (1) secured by any interest in property used or to be used for a private business use, or payments in respect of such property, or (2) to be derived from payments in respect of property, or borrowed money, used or to be used for a private business use; nor (b) the proceeds of which, in an amount exceeding the lesser of five percent of such proceeds, or \$5,000,000, are to be used to make or finance loans to persons other than governmental units. The County certifies that it is a political subdivision and governmental unit with general taxing powers.

Section 9.03. Covenants Regarding Non-Arbitrage and Rebate. The County hereby covenants that (a) it will make no use of the proceeds of the Bonds during the term thereof that would cause such Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Tax Code and it will comply with the requirements of all Tax Code sections necessary to insure that the Bonds are described in Tax Code Section 103(a) and not described in Tax Code Section 103(b) throughout the term of said Bonds; and (b) if the gross proceeds of the Bonds, other than amounts held in a debt service fund for said Bonds, are (to the extent permitted by the Tax Code and the regulations thereunder) invested at a yield which exceeds the yield on the Bonds, and if no exception to rebate applies, the County will calculate and pay amounts representing excess investment income thereon (the "Rebate Amounts") in the manner required by Tax Code Section 148(f) and the regulations thereunder. The obligation to remit the Rebate Amounts and to comply with all other requirements of this Section 9.03 shall survive the defeasance and payment in full of the Bonds.

Section 9.04. Information Reporting. The County Executive or the Finance Director shall prepare, or cause to be prepared, and shall execute and submit IRS Form 8038-G according to all the requirements for information reporting contained in Section 149(e) of the Tax Code.

Section 9.05 Securities Law Compliance in General. The County hereby states its intention to comply, and to facilitate compliance by the Purchaser and other related parties, with all the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"),

including for this purpose the related body of securities disclosure and anti-fraud laws; the County represents and covenants that it has undertaken and performed, and will undertake and perform, or, as appropriate, discontinue, upon appropriate instructions of Bond Counsel or otherwise, all those acts necessary and proper to achieve compliance with the Rule, as interpreted by applicable regulations, rulings or other pronouncements of the Securities and Exchange Commission, or other appropriate regulatory body.

Section 9.06. Official Statement.

(a) The County acknowledges that preparation of the Official Statement by the Purchaser was done on its behalf and for its benefit, as an agent, and that, in particular, while matters of style and format may have originated with the Purchaser, all substantive data and information was provided by the County. The County, upon review as to completeness and accuracy, hereby deems the Preliminary Official Statement final as of its date, and certifies the Preliminary Official Statement did not and does not, as of its date and as of this date, contain any untrue statements of a material fact or omit to state any material fact which should be included therein in order to make the statements contained therein, in the light of the circumstances under which they were made, not misleading, as required by statute, regulation or substantive law. The distribution of the Preliminary Official Statement by the Purchaser is hereby ratified and approved.

(b) The County hereby covenants to provide a final Official Statement to the Purchaser within seven business days of this date. The County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity) is hereby authorized and directed to execute the same with such completions therein from the preliminary document as may be necessary and, provided further, that execution of a certificate concurrently upon, or subsequent to, preparation of the final Official Statement, including any settlement certificate, by the County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity), regarding the truth and accuracy of the final Official Statement is tantamount to execution of the original document and full and sufficient authority for the printing of one or more conformed signatures therein. The County hereby covenants that the same representations regarding finality and completeness made regarding the Preliminary Official Statement will be true of the final Official Statement as of its date and as of Settlement. The Purchaser is authorized to use the final Official Statement in connection with the sale of the Bonds.

Section 9.07. Continuing Disclosure. The County will execute and deliver a Continuing Disclosure Certificate under which it will agree to provide or cause to be provided (a) annual financial information and operating data, and (b) timely notice of the occurrence of certain material events with respect to the Bonds. The Purchaser's obligation to purchase the Bonds is conditioned upon its receipt of the Continuing Disclosure Certificate, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the Purchaser.

## ARTICLE 10 -- SALE OF BONDS; SETTLEMENT

Section 10.01. Award to Purchaser. After due consideration of sundry factors, including professional assistance and current market conditions, the Governing Body hereby determines that a negotiated private sale of the Bonds is in the best financial interest of the County. The Bonds are hereby awarded and sold at private sale by negotiation to the Purchaser at the Purchase Price, in accordance with all the terms of the Purchase Proposal, which is hereby accepted, approved and incorporated by reference into this Debt Ordinance. The County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity) is authorized and directed to sign such Purchase Proposal, return it to the Purchaser, and file a copy of the same with the records of the County.

Section 10.02. Delivery of Bonds. The County Executive (or the Finance Director acting by reason of the County Executive's absence or incapacity) is hereby authorized and directed to deliver the Bonds to the Sinking Fund Depository for authentication and thereafter to the Purchaser against confirmed receipt of the Purchase Price thereof.

Section 10.03. Clearing Fund. Either the County Executive or the Finance Director, (or their successors acting by reason of absence or incapacity) is hereby authorized and directed to establish with the Sinking Fund Depository, in the name of the County, the Clearing Fund to facilitate the settlement of the Bonds. The Purchase Price shall be deposited into the Clearing Fund immediately upon receipt, and either the County Executive or the Finance Director, (or their successors acting by reason of absence or incapacity) are hereby authorized and directed to transfer and invest funds, to pay all necessary, usual and proper costs of issuance of the Bonds, to execute and deliver such documents and to do all such other acts, upon advice of Bond Counsel, as are reasonable and necessary to ensure a satisfactory settlement of the sale of the Bonds and a proper application of the proceeds of the Bonds to the Project.

Section 10.04 Intentionally Omitted.

Section 10.05. Expeditious Settlement; Authority. Notwithstanding any other provision of this Debt Ordinance, the County Executive and the Finance Director (or their successors acting by reason of absence or incapacity) are each authorized, directed and empowered to undertake and perform, or cause to be undertaken or performed, all such ordinary duties of the County (and the same are hereby specifically approved) which may be required under, or reasonably contemplated by, the Purchase Proposal, including, without limitation, application and qualification for certain bond ratings and/or policies of bond insurance and establishment of bank accounts with authorized depositories for the deposit and management of Bond proceeds, purchase of necessary investments, retention of professionals, bond printing, and execution and delivery of such certificates, orders and agreements as may be necessary, in the opinion of Bond Counsel to settlement of the sale of the Bonds. The County Executive and the Finance Director (or their successors acting by reason of absence or incapacity) are each further authorized, directed and empowered on behalf of the County to execute any and all agreements, papers and documents and to do or cause to be done any and all acts and things necessary or proper for the carrying out of the purposes of this Debt Ordinance. The acts of either the County Executive or the Finance Director (or the acts of either of their successors acting by reason of absence or incapacity) are authorized acts of the County to effect the foregoing purposes.

## ARTICLE 11 -- MISCELLANEOUS

Section 11.01. Ratification. The action of the County's officers and agents in advertising a summary notice of this Debt Ordinance, as required by law, is ratified and confirmed. The advertisement of the enactment notice of this Debt Ordinance is hereby directed.

Section 11.02. Contract. This Debt Ordinance shall be a contract with the Registered Owners.

Section 11.03. Inconsistencies. All prior ordinances, resolutions, or other official acts or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 11.04. Statutory References. All references to specific provisions of statutory law herein contained may be read and interpreted by reference to amended, successor or replacement laws, but only to the extent consistent with the intent and clear meaning of this Debt Ordinance. All inconsistencies shall be resolved with recognition of, and in favor of, the rights of the owners of the Bonds, whose rights shall not be impaired.

Section 11.05. Benefited Parties. Nothing in this Debt Ordinance, expressed or implied, is intended or shall be construed to confer upon, or to give to, any person or corporation, other than the County, the Sinking Fund Depository, the Registered Owners of the Bonds, and the Insurer, any right, remedy or claim under or by reason of this Debt Ordinance or any covenant, condition or stipulation hereof; all of the covenants, stipulations, promises and agreements in this Debt Ordinance contained by and on behalf of the County shall be for the sole and exclusive benefit of such persons.

Section 11.06. Severability. If any one or more of the covenants or agreements provided in this Debt Ordinance to be performed on the part of the County or the Sinking Fund Depository shall for any reason be held to be illegal or invalid or otherwise contrary to law, then such covenant or covenants or agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements, but shall in no way otherwise affect the validity of this Debt Ordinance.

Section 11.07. No Personal Liability. No covenant or agreement contained in the Bonds or in this Debt Ordinance shall be deemed to be the covenant or agreement of any member, officer, agent, attorney or employee of the County in his individual capacity, and neither the members of the Governing Body nor any appointed or elected official shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

Section 11.08. Counterparts. This Debt Ordinance may be executed in multiple counterparts, each of which is regarded for all purposes as an original; but the counterparts constitute one and the same instrument.

Section 11.09. Payment of Costs of Issuance. The County hereby authorizes the payment the costs of issuing the Bonds at the time of delivery of the Bonds to the Purchaser, such costs being estimated in the Purchase Proposal.

[SIGNATURE APPEAR ON THE NEXT PAGE]

Duly Adopted by the County Council of the County of Erie, in lawful session assembled,  
on August 11, 2015.

[SEAL]

COUNTY COUNCIL OF THE COUNTY OF  
ERIE, PENNSYLVANIA

By \_\_\_\_\_  
Fiore Leone, Chair

Attest:

\_\_\_\_\_  
Phil Fatica, Vice Chair

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Kyle W. Foust

\_\_\_\_\_  
Edward T. DiMatteo

\_\_\_\_\_  
Jay Brenneman

\_\_\_\_\_  
Carol J. Loll

\_\_\_\_\_  
Andre R. Horton

Approved by:

\_\_\_\_\_  
County Executive

1445111

**SCHEDULE A**

**DEBT SERVICE  
AND PRINCIPAL AMORTIZATION SCHEDULE**

| <b>Year</b>  | <b>Principal</b>       | <b>Coupon</b> | <b>Interest</b>        | <b>Debt Service</b>    |
|--------------|------------------------|---------------|------------------------|------------------------|
| 2016         | \$1,075,000.00         | 6.00%         | \$1,494,523.33         | \$2,569,523.33         |
| 2017         | 1,210,000.00           | 6.00%         | 1,527,300.00           | 2,737,300.00           |
| 2018         | 1,285,000.00           | 6.00%         | 1,454,700.00           | 2,739,700.00           |
| 2019         | 1,360,000.00           | 6.00%         | 1,377,600.00           | 2,737,600.00           |
| 2020         | 1,445,000.00           | 6.00%         | 1,296,000.00           | 2,741,000.00           |
| 2021         | 1,530,000.00           | 6.00%         | 1,209,300.00           | 2,739,300.00           |
| 2022         | 1,620,000.00           | 6.00%         | 1,117,500.00           | 2,737,500.00           |
| 2023         | 1,720,000.00           | 6.00%         | 1,020,300.00           | 2,740,300.00           |
| 2024         | 1,820,000.00           | 6.00%         | 917,100.00             | 2,737,100.00           |
| 2025         | 1,930,000.00           | 6.00%         | 807,900.00             | 2,737,900.00           |
| 2026         | 2,045,000.00           | 6.00%         | 692,100.00             | 2,737,100.00           |
| 2027         | 2,170,000.00           | 6.00%         | 569,400.00             | 2,739,400.00           |
| 2028         | 2,300,000.00           | 6.00%         | 439,200.00             | 2,739,200.00           |
| 2029         | 2,435,000.00           | 6.00%         | 301,200.00             | 2,736,200.00           |
| 2030         | 2,585,000.00           | 6.00%         | 155,100.00             | 2,740,100.00           |
| <b>Total</b> | <b>\$26,530,000.00</b> |               | <b>\$14,379,223.33</b> | <b>\$40,909,223.33</b> |

**SCHEDULE B**

**PROOF OF COMPLIANCE  
WITH LOCAL GOVERNMENT UNIT DEBT ACT SECTION 8142(b)**

**Not Applicable.**

**CERTIFICATE**

I, the undersigned, County Clerk of the County of Erie, Erie County, Pennsylvania, do hereby certify that the foregoing and attached is a true and correct copy of an Ordinance of said County of Erie which was duly enacted by the affirmative vote of a majority of the members of the County Council of the County of Erie at a meeting thereof duly called and held on August 11, 2015, with said members voting in the following manner:

| <u>COUNTY COUNCIL</u>   | <u>Vote</u> |
|-------------------------|-------------|
| Fiore Leone, Chair      | _____       |
| Phil Fatica, Vice Chair | _____       |
| Kyle W. Foust           | _____       |
| Edward T. DiMatteo      | _____       |
| Jay Brenneman           | _____       |
| Carol J. Loll           | _____       |
| Andre R. Horton         | _____       |

I hereby further certify that proper notices before and after its adoption were duly published, as required by law, in a newspaper of general circulation, published or circulating in said County of Erie, and that the same was duly recorded in the Ordinance Book of said County of Erie, and that said Ordinance has not been amended, modified or rescinded and is still in full force and effect.

**WITNESS** my hand and the seal of the County of Erie this 11th day of August, 2015.

**COUNTY OF ERIE**

(COUNTY SEAL)

By \_\_\_\_\_  
County Clerk

**ORDINANCE NUMBER , 2015**

**2015 Capital Project Fund Budget Supplemental Appropriation Of  
\$1,643,612 And New Line Items For Various County Projects**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter, and certified by the County Executive that this supplemental appropriation of \$1,643,612 and the creation of new line items in the 2015 Capital Project Fund Budget for various County projects, are hereby approved as outlined on the attached Exhibits A and B.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 Capital Projects Fund  
 Supplemental Appropriation of \$1,643,612  
 and Creation of New Line Items  
 For Various County Projects**

| <u>Account Title</u>                   | <u>Account Number</u> | <u>Amount</u>      |
|--|-----------------------|--------------------|
| <u>Total Revenue</u>                   |                       |                    |
| Fund Balance Appropriated              | 080-080010-099500     | (1,643,612)        |
| Total Revenue                          |                       | <u>(1,643,612)</u> |
| <u>Total Expenditures</u>              |                       |                    |
| Courthouse Boiler Project              | 080-080560-004140*    | 70,000             |
| Courthouse Renovations                 | 080-080570-004060*    | 203,812            |
| Library Geothermal Replacement Project | 080-080791-004060     | 864,800            |
| Prison Capital Improvements            | 080-080824-004060*    | 350,000            |
| Health Department Renovations          | 080-080830-004060*    | 70,000             |
| Pleasant Ridge Manor East              | 080-080835-004060*    | 10,000             |
| Planning Renovations                   | 080-080870-004060*    | 75,000             |
| Total Expenditures                     |                       | <u>1,643,612</u>   |

\* Denotes creation of a new line item.

Exhibit B  
List of Capital Projects

|  |                         |
|--|-------------------------|
| Replacement of one Courthouse Boiler                 | 70,000                  |
| New Library Boiler to Replace Geothermal System      | 864,800                 |
| Moving Planning to old CamTech space                 | 75,000                  |
| Moving Tax Claim to vacated Planning space           | 140,000                 |
| Renovations to Assessment Office                     | 63,812                  |
| Replace Prison Kitchen Floor & New Kitchen Equipment | 350,000                 |
| Health Dept. basement & first floor renovations      | 70,000                  |
| Pleasant Ridge Manor East Study                      | 10,000                  |
| <b>Total Cost of Projects</b>                        | <b><u>1,643,612</u></b> |

To: Kathy Dahlkemper, County Executive  
County Council Members

From: Luigi Pasquale

Date: July 28, 2015

RE: Ordinance request to appropriate Capital Projects fund balance

The Administration has been working on several capital projects which will be funded by the remaining proceeds from the airport expansion project that will be returned to the County. The attached ordinance requests that six of the projects move forward before the funds are returned.

The Camtech space has remained vacant for several years. The Planning Department will move to the space and the overcrowded Tax Claim/Revenue Department will move into the vacated Planning space. The Cooperative Extension needs to move out of Pleasant Ridge Manor East and will relocate to the ground floor of the Health Department. Renovations will also be made to the reception area/waiting room at the Health Department.

Two of those projects, replacing a Courthouse boiler and the purchase of a Library boiler/chiller package are very time sensitive. This equipment needs to be ordered right away due to a 8-10 weeks lead time in receiving the equipment. We need to have the equipment installed in time for the fall/winter heating season.

The Prison kitchen floor is coming apart and needs to be replaced to avoid injury. Several of the appliances need to be replaced since they are twenty years old and are used several times per day.

In order to move forward with these projects, we are asking County Council to approve the appropriation of the Capital Projects fund balance. Please note that the General Fund may need to temporarily transfer cash to the Capital Projects Fund until the Airport money is available to fund these projects. At that time the Capital Projects Fund will repay the cash advance from the General Fund.

Please let me know if you have any questions.

**ORDINANCE NUMBER . 2015**

**\_\_\_\_\_ 2015 General Fund Budget Supplemental Appropriation Of \$11,031 And  
Creation Of Line Item For District Attorney SAUSA Project Grant**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter; certified by the County Executive that this Supplemental Appropriation of \$11,031 and the creation of line item in the 2015 General Fund Budget, for the District Attorney's *Erie County SAUSA Project* Grant, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 General Fund Budget  
 Supplemental Appropriation of \$11,031  
 and Creation of a New Line Item for  
 District Attorney "Erie County SAUSA  
 Project" grant**

| <u>Account Title</u>      | <u>Account Number</u> | <u>Amount</u>   |
|---------------------------|-----------------------|-----------------|
| <u>Total Revenue</u>      |                       |                 |
| PCCD Grant                | 001-003400-051400*    | (11,031)        |
| Total Revenue             |                       | <u>(11,031)</u> |
| <u>Total Expenditures</u> |                       |                 |
| Overtime                  | 001-003400-001100     | 9,402           |
| FICA                      | 001-003400-001200     | 720             |
| Workers Compensation      | 001-003400-001230     | 17              |
| Retirement                | 001-003400-001240     | 892             |
| Total Expenditures        |                       | <u>11,031</u>   |

\* Denotes creation of a new line item

May 11, 2015

Honorable Kathy Dahlkemper  
Erie County Executive  
Courthouse  
140 West 6th Street  
Erie, Pennsylvania 16501-1011

Dear Ms. Dahlkemper:

I am pleased to inform you that the Pennsylvania Commission on Crime and Delinquency approved your application for federal Project Safe Neighborhoods-Western District funds. Your award is as follows with special condition(s) listed at the end of this letter:

Subgrant Number: 2010-SW-01-25939  
(Use on all correspondence)  
Project Title: "Erie County SAUSA Project"  
Project Period: 4/1/2015 - 9/30/2015  
Award: Federal Funds: 2010-SW: \$11,031.00  
CFDA No: 16.609  
Federal Award No.: 2010-GP-BX-0077

Implementation of the project must commence within 60 days of the effective start date or written notification should be given to the Commission stating reasons for failure to begin on the anticipated start date. Projects not operational within 90 days require an additional written statement explaining the delay. Where warranted, the Commission may extend the implementation date further; however, it retains the right to cancel any project not implemented in 90 days rather than approve the extension. The award does not obligate the Pennsylvania Commission on Crime and Delinquency to fund this project beyond the current period.

This subgrant is hereby offered to you on the condition that you comply in administering your program, with all the representations contained in your application, as amended, including the Standard Subgrant Conditions that have been incorporated by reference and with the special condition(s) listed at the end of this letter. The current version of PCCD's Standard Subgrant Conditions (Revised September 2012) is available at [www.pccd.pa.gov](http://www.pccd.pa.gov) under the Grant Information link.

Your prompt attention to any condition(s) requiring action on your part will ensure the timely release of subgrant funds, however, failure to satisfy those condition(s) may result in cancellation of this subgrant.

The reporting requirements for this subgrant may be found by navigating to the Reporting Requirements page under the Project tab in Egrants. Failure to follow the reporting requirements may cause an interruption in receipt of subgrant funds.

The award of this subgrant will become effective when an appropriate officer of your organization accepts it by signing and returning one copy of this letter to PCOD. Attention: Grants Management.

It is vital for project staff to review the Applicant's Manual to ensure that this program will be conducted in accordance with all guidelines. Questions regarding subgrant matters will be welcomed by our staff. If you have programmatic questions, please contact Mr. Robert Ardner at (717) 265-8456 or email [rdardner@pa.gov](mailto:rdardner@pa.gov). Should you have fiscal questions, please contact Mr. Gregory J. Harhigh at (717) 265-8506 or email [gharhigh@pa.gov](mailto:gharhigh@pa.gov). They may also be reached toll-free at 1-800-692-7292. The Commission and its staff wish you success in conducting this project.

Sincerely yours,

Derin Myers, Director  
Office of Financial Management and  
Administration

CC: Mr. Jack Daneri  
Ms. Susan Ellen Pasquale  
Ms Jennifer Sasso

**ORDINANCE NUMBER , 2015**

**Library Fund Budget Supplemental Appropriation Of \$768 For  
Memorial Books**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter; certified by the County Executive that this 2015 Library Fund Budget supplemental appropriation of \$768 for **Memorial Books**, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 Library Fund Budget  
 Supplemental Appropriation of \$768  
 For Memorial Books**

| <u>Account Title</u>      | <u>Account Number</u> | <u>Amount</u> |
|---------------------------|-----------------------|---------------|
| <u>Total Revenue</u>      |                       |               |
| Memorial Books            | 054-017100-098530     | (768)         |
| Total Revenue             |                       | <u>(768)</u>  |
| <u>Total Expenditures</u> |                       |               |
| Memorial Books            | 054-017100-003260     | 768           |
| Total Expenditures        |                       | <u>768</u>    |

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ERIE COUNTY PUBLIC LIBRARY INTEROFFICE MEMORANDUM

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**TO:** TRACEY FUGAGLI  
**FROM:** MARY RENNIE, EXECUTIVE DIRECTOR *MR*  
**SUBJECT:** ORDINANCE REQUEST  
**DATE:** 7/30/2015

I am submitting a request for an exhibit for an ordinance to appropriate funds received from the Erie Community Foundation and the German Heritage Society. This money is earmarked for materials and library collections. The money has already been received and deposited in the Memorial Books revenue line.

We had budgeted \$3000 in the Memorial Books Revenue Line as part of the 2015 budget process, so the remaining money should be appropriated as follows:

| Account name          | Account number    | Amount |
|-----------------------|-------------------|--------|
| Revenue:              |                   |        |
| Memorial Books        | 054-017100-098530 | \$768  |
| Expense:              |                   |        |
| Main - Memorial Books | 054-017100-003260 | \$768  |

Thank you for your help. Please let me know if you need any additional information.

**RESOLUTION NUMBER   , 2015**

**A Resolution Authorizing the Receipt of 911 Subscriber and Consumer Fees  
for Local Use as Provided by 35 Pa.C.S. §5306.1 of Chapter 53 (911  
Emergency Communication Services) of Title 35 (Health and Safety) of the  
Pennsylvania Consolidated Statutes**

**WHEREAS**, the Act of June 29, 2015, amending Chapter 53 (911 Emergency Communications Services) of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, provides for the establishment, administration, and funding of 911 systems in the Commonwealth; and

**WHEREAS**, 35 Pa.C.S. §5306.1 establishes a fund in the State Treasury to be known as the 911 Fund, consisting of fees and consumer charges collected by providers of 911 communications services and sellers of prepaid wireless telecommunications service; and

**WHEREAS**, 35 Pa.C.S. §5306.1 at subsection (h) requires the governing body of each county, to be eligible to receive funds from the 911 Fund, to adopt a resolution authorizing acceptance of the funds; and

**WHEREAS**, Erie County has determined that it wishes to receive funds from the 911 Fund established pursuant to 35 Pa.C.S. §5306; and

**NOW THEREFORE**, having provided public notice as required by 35 Pa.C.S. §5306.1(h), the County Council of the County of Erie enacts Resolution No. \_\_\_\_ of 2015 as follows:

1. The County Council of Erie County, finding that it is in the best interests of Erie County, hereby enacts this Resolution authorizing receipt of funds from the 911 Fund established pursuant to 35 Pa.C.S. §5306.1.
2. The fees collected pursuant to this Resolution shall be used by Erie County for the provision of 911 services in the County, as described in Chapter 53 (911 Emergency Communications Services) of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes.
3. The County Council of Erie County directs the County Clerk to notify the Pennsylvania Emergency Management Agency of the enactment of this resolution by Erie County, as required by 35 Pa.C.S. §5306.1(h).

**RESOLUTION NUMBER , 2015**

**A Resolution Authorizing the Receipt of 911 Subscriber and Consumer Fees for Local Use  
as Provided by 35 Pa.C.S. §5306.1 of Chapter 53 (911 Emergency Communication Services)  
of Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes**

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this resolution was  
passed on this \_\_\_\_ day of \_\_\_\_\_, 2015 by a vote of \_\_ to \_\_.

APPROVED BY:

\_\_\_\_\_  
Fiore Leone, Chairman  
Erie County Council

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

Date: \_\_\_\_\_

---

## 911 SAMPLE RESOLUTION FOR RECEIPT OF FUNDS

Act 12 of 2015 (formerly HB 911), the rewrite of the 911 Emergency Communications Services Act, requires each county to adopt a resolution indicating its acceptance of the funds (see section 5306.1(h)). A sample resolution is follows, and is posted to CCAP's 911 Funding and Systems Reform web page.

Several points for consideration:

- The attachment is a sample resolution, and both the resolution and the process for its adoption should be reviewed with the county solicitor.
- Section 5306.1(h) requires adoption of a resolution or ordinance. The reference to ordinance relates to two cities that separately qualify for funding under the act (Allentown and Bethlehem), and counties instead need simply to adopt a resolution.
- Section 5306.1(h) requires prior public notice of the intent to adopt the resolution, but does not specify the timing or location of public notice. We suggest following the provisions of the Ordinances and Resolutions section of the County Code (16 P.S. 509) or Second Class County Code (16 P.S. 2508), each of which requires publication of notice "at least once in one newspaper of general circulation in the county not more than sixty days nor less than seven days prior to passage," either complete as proposed or in summary form. Home rule counties should consult the county's charter.
- The relevant section of Act 12 takes effect August 1, 2015, and the first payments under the Act are anticipated this fall. Consequently, we suggest waiting until the effective date of the section, but not delaying action much beyond that.

The county is required to send a copy of the adopted resolution to the Pennsylvania Emergency Management Agency. The resolution should be sent to:

Morine Carter  
Executive Secretary for 911  
2605 Interstate Drive  
Harrisburg, PA 17110  
Desk line: 717-651-2730  
Alternate line: 717-651-2224  
Fax (Executive Office): 717-651-2040  
Fax (911): 717-651-2282  
[mocarter@pa.gov](mailto:mocarter@pa.gov)

**ORDINANCE NUMBER , 2015**

**Authorizing Acceptance By The Public Safety Department Of  
Harris XG-100M Mobile Radio Donated By NWPAERG**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Section 3B(1) of the Erie County Home Rule Charter, that acceptance of a Harris XG-100M Mobile Radio, donated to the Department of Public Safety by the North West Pennsylvania Emergency Response Group (NWPAERG), is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll



# COUNTY OF ERIE



Kathy Dahlkemper  
County Executive

John R. Grappy  
Director of Public Safety

**Department of Public Safety**  
**2880 Flower Road Erie, PA 16509**  
Office (814) 451-7920 • Fax (814) 451-7930  
Web Site: [www.ecdops.org](http://www.ecdops.org)

July 24, 2015

County Council Members:

Re: Acquisition of Harris XG-100M Mobile Radio – Donated Asset

The Harris XG-100M mobile radio was requested and approved by the Northwest Pennsylvania Emergency Response Group (NWPARG) as a donated asset to the County of Erie. This mobile radio was intended to be installed in the new F-350 Pickup Truck that was purchased by the County in 2015 utilizing HMRF Grant Funds.

The mobile radio has the capability to operate on the current public safety radio system frequencies (Lo Band, VHF, and UHF) and will be compatible and fully functional on the Next Generation Radio System.

The value of this mobile radio including installation is approximately \$8,100.00. There will be minimal maintenance costs associated with the mobile radio, and will be maintained by our in-house radio technical staff.

For your consideration, this proposal will be placed on the agenda for the next finance committee meeting scheduled on Thursday, August 6, 2015. Upon your review, if you have any questions or immediate concerns that I may be able to address or provide additional clarification, please do not hesitate to contact me at my office or email.

Thank you in advance for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "John R. Grappy".

John R. Grappy  
Director

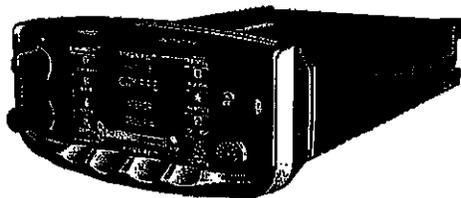


Unity® XG-100M  
Mobile  
Full-Spectrum  
Multiband

## ULTIMATE PERFORMANCE IN ONE RADIO

**Unity XG-100M: The Truly  
Interoperable Solution for P25  
Multiband Performance**

The Unity XG-100M full-spectrum multiband radio's user-centric design delivers unprecedented interoperability, ease of use, and advanced capabilities in a radio that users can depend on for years to come. By supporting both digital APCO P25 secure and analog FM communications across the VHF, UHF, and 700/800 MHz bands in a single radio, responders can communicate with multiple jurisdictions and agencies operating on multiple frequencies and systems. In addition, the XG-100M supports Harris' Enhanced Digital Access Communications System (EDACS®) and ProVoice™ 800 MHz trunking and the receipt of Low Band VHF (30-50 MHz) frequencies. Designed to scan continuously across all bands, voice modes, and encryption types, the XG-100M provides users exceptional capability and interoperability in a rugged radio that meets the requirements of mission-critical communications. An optional vehicular repeater is available to extend network connectivity for portable radios and provide added user safety.



Standard features found on the Unity XG-100M include:

- > AMBE+2™ Vocoder – provides noise cancellation capability and enhances audio quality
- > Active Noise Cancellation – with built-in microphone that combines with the hand held microphone to suppress noise
- > Built-in GPS – for position tracking and rapid response for emergencies
- > Rugged for Field Use – built to exceed MIL-STD-810G for durability

**HARRIS®**  
assuredcommunications®

Built upon Harris' long history of fielding mission-critical software-defined radios that support evolving customer requirements through software-only upgrades, the Unity XG-100M allows flexibility for future growth.

[harris.com](http://harris.com)

## FUTURE READY

The Unity XG-100M is an investment that agencies can rely on as transitions occur to P25 technology. The mobile supports P25 conventional and trunked operation, wideband and narrowband channels, and its software-defined architecture allows field upgrading to operating modes such as P25 Phase 2. With a 3-year standard radio warranty, the Unity XG-100M is a future-proof investment.

## SUPERIOR AUDIO EXPERIENCE

Using the CH-100 control unit, the XG-100M features Harris' proprietary noise suppression capability to provide clear and crisp voice quality in high-noise environments. The CH-100 is designed with a built-in microphone and advanced signal processing technology that work with the hand held microphone for built-in noise suppression. The AMBE+2 vocoder optimizes the quality of communications and controls distortions to provide one of the best audio experiences available.

## NEXT-GENERATION USER INTERFACE

The user-centric design of the XG-100M with the CH-100 control unit offers significant capability and flexibility beyond push-to-talk:

- > Large full-color display with resistive touch control
- > Intuitive menu-driven graphical user interface
- > Menu color coding to assist user operation
- > Large knobs and buttons for channel select, volume control, and emergency calls
- > Front-panel programming

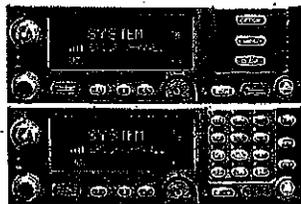
## ADVANCED FEATURES

The XG-100M delivers the advanced features required by critical communication users.

- > Multiple Mixed Systems Zones allows users to communicate across multiple types of systems: analog conventional, P25 trunked, and P25 conventional. Zones composed of multiple systems are created and users can assign knob positions to channels and talkgroups on these disparate systems.
- > Command Tactical Zone allows users to create custom zones to communicate with radios not part of preset zones, regardless of frequency and with no need for programming through computer interfaces. Custom zones provide up to 48 additional channel assignments.
- > GPS provides quick and accurate unit location information to dispatchers via the radio network.



## ACCESSORIES



The XG-100M operates with a full complement of Harris accessories. Several control units are highlighted below. All are available in front or remote mount designs.

The CH-100 control unit incorporates a large 4.3-inch touchscreen color display that includes a powerful graphical user interface and a built-in microphone that works with the hand held microphone to support noise suppression. Wireless audio accessories for the CH-100 are supported by Bluetooth® technology. For security purposes, pairing management is controlled from the radio interface, and Bluetooth can be disabled, if desired.

The CH-721 control unit is a more traditional unit with a 3-line 12-character alphanumeric display. The control unit is available in Scan (limited keypad) or System (full keypad) models and supports 800 MHz EDACS and ProVoice trunking operation. The Scan model has large menu selection buttons. The System model has a 12-button keypad to allow advanced operations without the need for a DTMF microphone. The front panel also has an ambient light sensor for automatic display dimming.

The HHC-731 Hand Held Controller provides the advanced features of the CH-721 System control unit, including siren and light bar control, in a compact package. The ruggedized design meets a full range of environmental specifications and supports 800 MHz EDACS and ProVoice trunking operation. The 3-line 12-character alphanumeric display is backlit for use in low-light areas. The small size of the HHC-731 makes it ideal for covert operations and use in space-constrained environments.

## GENERAL SPECIFICATIONS

### Dimensions (H x W x D):

Radio Only (50W):  
2.0 x 6.9 x 9.7 in.  
(50 x 175 x 247 mm)

RU and CH-721 CU  
(Includes Knobs):

2.4 x 6.9 x 12.8 in.  
(60 x 175 x 325 mm)

CH-721 CU (Remote):

2.4 x 7.0 x 4.0 in.  
(60 x 175 x 100 mm)

RU and CH-100 CU

(Includes Knobs):

3.3 x 7.0 x 11.6 in.  
(84 x 178 x 295 mm)

CH-100 CU (Remote):

3.3 x 7.0 x 2.8 in.  
(84 x 178 x 71 mm)

### System Voltage:

10.8 to 16.6 VDC Negative  
Ground

### Operating Temperature

#### Range:

-22 to +140°F (-30 to +60°C)

### Relative Humidity:

Per MIL-STD-810G

### Altitude:

Operational: 15,000 ft  
(4,572 m)  
In Transit: 40,000 ft  
(12,192 m)

### Channel/Talkgroup Capacity:

CH-100: 12,500 (1,250 per  
mission plan)

CH-721: 1,250

### Speaker:

External, 15W

### Control Unit Options

CH-100: Touchscreen, 16-bit  
color, 480 pixels x 272 pixels,  
4.3 in., sunlight readable LCD

CH-721: System and Scan  
models available, 3-line 12-  
character alphanumeric  
display

HHC-731: Ruggedized and  
compact design, provides

CH-721 features, 3-line 12-  
character alphanumeric display

### Options and Accessories

Remote and front mount kits,  
hand held controller, mobile  
mic, DTMF mic, desk mic,  
desktop control station, and  
vehicular repeater

# EXCEPTIONAL OPERATION FOR CRITICAL COMMUNICATIONS

## TRANSMITTER

### TYPICAL PERFORMANCE SPECIFICATIONS

Frequency Range (MHz):  
Rated RF Power (W):  
Rated RF Power Talkaround (W):  
Frequency Stability (-30 to +60°C) (ppm):  
Modulation Limiting (kHz):  
Audio Response (dB):  
Spurious and Harmonics (dBc):  
FM Hum and Noise @ 25 kHz (dB):  
@ 12.5 kHz (dB):  
Audio Distortion (%):  
Project 25 Modulation Fidelity (%):  
Project 25 Adjacent Channel Power (dBc):  
Emission Designators:

### FULL-SPECTRUM MULTIBAND\*

136-174 (VHF), 380-520 (UHF), 762-870 (700/800)  
VHF: 5-50, UHF: 5-50, 700: 2-30, 800: 2-35  
VHF: 5-50, UHF: 5-50, 700: 2-30, 800: 2-35

±0.5  
2.5, 4, 5 (FM)

+1/-3

-70, FCC Part 90

VHF-low: 48.2, VHF: 48.8, UHF: 48.6, 700/800: 48.0  
VHF-low: 47.1, VHF: 45.9, UHF: 46.2, 700/800: 44.4

<1.0

<1.00

>70

11K0F3E, 8K4F1E, 8K4F1D, 12K00G1E, 12K00G1D, 14K0F3E

\*VHF product is compliant with applicable FCC narrowbanding mandate below 512 MHz.

## RECEIVER

### TYPICAL PERFORMANCE SPECIFICATIONS

Frequency Range (MHz):  
Channel Spacing (kHz):  
Sensitivity (12 dB SINAD) (dBm):  
P25 Reference Sensitivity (5% BER) (dBm):  
Adjacent Channel Rejection @ 25 kHz (dB):  
P25 Adjacent Channel Rejection @ 12.5 kHz (dB):  
Intermodulation (dB):  
Spurious and Image Rejection (dB):  
FM Hum and Noise @ 25 kHz (dB):  
@ 12.5 kHz (dB):  
Rated Speaker Audio Output Power (W):  
Audio Distortion (%):

### FULL-SPECTRUM MULTIBAND\*

30-50 (VHF low), 136-174 (VHF), 380-520 (UHF), 762-870 (700/800)

12.5, 20, 25

VHF-low: -121.5, VHF: -122.1, UHF: -121.8, 700/800: -121.2

VHF-low: -121.5, VHF: -122.1, UHF: -121.8, 700/800: -121.2

VHF-low: 80.6, VHF: 82.5, UHF: 77.4, 700/800: 77.0

VHF: 63.9, UHF: 62.9, 700/800: 61.9

VHF-low: 81.9, VHF: 81.9, UHF: 81.8, 700/800: 82.5

VHF-low: 86.6, VHF: 83.0, UHF: 92.4, 700/800: 94.4

VHF-low: 49.5, VHF: 54.8, UHF: 48.2, 700/800: 52.0

VHF-low: 46.6, VHF: 54.6, UHF: 45.0, 700/800: 44.9

15W RMS into 4 ohm

<1.0 @ rated power

## ENVIRONMENTAL SPECIFICATIONS

| STANDARD            | PARAMETER                     | METHODS & PROCEDURES        |
|---------------------|-------------------------------|-----------------------------|
| MIL-STD-810*        | Low Pressure                  | 500.5, Proc. I, II          |
|                     | High Temperature              | 501.5, Proc. I, II          |
|                     | Low Temperature               | 502.5, Proc. I, II          |
|                     | Temperature Shock             | 503.5, Proc. I              |
|                     | Solar Radiation               | 505.5, Proc. II             |
|                     | Blowing Rain**                | 505.5, Proc. I              |
|                     | Humidity                      | 507.5, Proc. II             |
|                     | Salt Fog                      | 509.5, Proc. I              |
|                     | Blowing Dust                  | 510.5, Proc. I              |
|                     | Vibration (Minimum Integrity) | 514.6, Proc. I, Category 24 |
|                     | Shock (Functional/Basic)      | 516.6, Proc. I              |
|                     | Shock (Transit Drop)          | 516.6, Proc. IV             |
| U.S. Forest Service | Vibration Stability           | Par. 2, 15                  |

\*Also meets equivalent superseded MIL-STD-810D, -E, and -F.

\*\*CH-100 and CH-721 control units meet IP-65/MIL-STD-810, XG-100M radio unit meets IP-54

## DIGITAL OPERATION

| PROTOCOL               | P25  |
|------------------------|--|
| Encoding Method:       | AMBE+2™ Enhanced Full Rate & Enhanced Half Rate                            |
| Data Rate (kbps):      | 9.6  |
| Modulation:            | Phase 1 TX: C4FM; RX: C4FM & WCQPSK<br>Phase 2 TX: HCPM; RX: WCQPSK        |
| Encryption Algorithms: | AES (FIPS-140-2 certified), DES-OFB, DES-CFB                               |
| Encryption Keys:       | 128 keys (64 AES, 64 DES)  |
| Encryption Keying:     | Harris Keyloader, P25 Conventional and Trunked OTAR, KVL-3000+ with CH-100 |

## REGULATORY DATA

| FREQUENCY RANGE (MHz) | RF OUTPUT (W) | FREQUENCY STABILITY (ppm) | FCC TYPE ACCEPTANCE NUMBER | APPLICABLE FCC RULES | INDUSTRY CANADA CERTIFICATION NUMBER | APPLICABLE INDUSTRY CANADA RULES | NTIA CERTIFICATION NUMBERS |
|-----------------------|---------------|---------------------------|----------------------------|----------------------|--------------------------------------|----------------------------------|----------------------------|
| 30-50                 | 0.009         | 0.5                       | AQZ-XG-100M00              | 80, 90               | 122D-XG100M00                        | RSS-119                          | NA                         |
| 136-174               | 50            | 0.5                       | AQZ-XG-100M00              | 22, 80, 90           | 122D-XG100M00                        | RSS-119                          | I/F 12/9982                |
| 156-162               | 50            | 0.5                       | AQZ-XG-100M00              | 22, 80               | 122D-XG100M00                        | RSS-119                          | I/F 12/9982                |
| 380-520               | 30            | 0.5                       | AQZ-XG-100M00              | 22, 90               | 122D-XG100M00                        | RSS-119                          | I/F 12/9952                |
| 763-775               | 30            | 0.5                       | AQZ-XG-100M00              | 90                   | 122D-XG100M00                        | RSS-119                          | NA                         |
| 793-805               |               |                           |                            |                      |                                      |                                  |                            |
| 806-824               | 35            | 0.5                       | AQZ-XG-100M00              | 90                   | 122D-XG100M00                        | RSS-119                          | NA                         |
| 851-869               |               |                           |                            |                      |                                      |                                  |                            |



Technical specifications are subject to change without notice. Product sales are subject to applicable U.S. export control laws.

**HARRIS®**

Public Safety and Professional Communications  
221 Jefferson Ridge Parkway  
Lynchburg, VA 24501 USA

1-800-368-3277 (+1-434-455-6403)

[www.pspcharris.com](http://www.pspcharris.com)

[harris.com](http://harris.com)

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ProVoice is a trademark of Harris Corporation.  
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**ORDINANCE NUMBER , 2015**

**\_\_\_\_\_ 2015 Public Safety Fund Budget Supplemental Appropriation Of  
A Donation By The NWPA ERG With a Value of \$11,207**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter and certified by the County Executive that this 2015 Public Safety Fund Budget supplemental appropriation of Audio/Visual System equipment and services with a value of \$11,207, donated by the Northwest Pennsylvania Emergency Response Group(NWPA ERG), is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 Public Safety Fund Budget  
 Supplemental Appropriation of \$11,207  
 For Donation of Audio/Visual Upgrade  
 by Dobil Laboratories from NWP AERG**

| <u>Account Title</u>      | <u>Account Number</u> | <u>Amount</u>   |
|---------------------------|-----------------------|-----------------|
| <u>Total Revenue</u>      |                       |                 |
| Donation                  | 063-018040-098580     | (11,207)        |
| Total Revenue             |                       | <u>(11,207)</u> |
| <u>Total Expenditures</u> |                       |                 |
| Professional Fees         | 063-018040-002520     | 11,207          |
| Total Expenditures        |                       | <u>11,207</u>   |

# COUNTY OF ERIE



Kathy Dahlkemper  
County Executive

John R. Grappy  
Director of Public Safety

**Department of Public Safety**  
**2880 Flower Road Erie, PA 16509**  
Office (814) 451-7920 • Fax (814) 451-7930  
Web Site: [www.ecdops.org](http://www.ecdops.org)

July 27, 2015

County Council Members:

Re: Acquisition of Audio / Visual Upgrade by Dobil Laboratories – Donated Asset

The Audio / Visual system upgrade, as performed by Dobil Laboratories was requested and approved by the Northwest Pennsylvania Emergency Response Group (NWPARG) as a donated asset to the County of Erie. This upgrade/ maintenance work will provide additional years of service and support operations at our facility.

The current audio / visual system within the Erie County Department of Public Safety was installed in 2008, in conjunction with the construction of the Public Safety Complex. This audiovisual system supports the needs of the Emergency Operations Center, 9-1-1 Dispatch/Call taking, and administrative areas of the facility.

Since the time of installation, further audio / visual needs had arisen. These include:

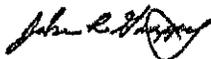
- Ability to view / display Computer Aided Dispatch for situational awareness
- Ability to display web browser / internet in EOC or PSAP
- Display of Port Authority / Lake Erie bay cameras, as access is granted
- Misc. reprogramming changes
- Security camera access to A/V system
- General maintenance of overall system

The value of the work performed, including hardware, is approximately \$11,206.25. Additional maintenance of the existing system may be required in the future.

For your consideration, this proposal will be placed on the agenda for the next finance committee meeting scheduled on Thursday, August 6, 2015. Upon your review, if you have any questions or immediate concerns that I may be able to address or provide additional clarification, please do not hesitate to contact me at my office or email.

Thank you in advance for your consideration.

Respectfully,



John R. Grappy  
Director

## Request for Acceptance of Donated Asset to the County

**Asset Description:** Technical services for review/repair/upgrade of existing audio visual system at the Erie County Department of Public Safety, Emergency Management Department, Emergency Operations Center and 9-1-1 Call Center.

**Agency or Person Donating the Asset:** NWPAERG - Northwest PA Emergency Response Group

**Asset Value:** \$ 11,206.25

**Purpose of Asset:** Technical services will allow existing Audiovisual system to be better utilized. System reviewed for current operation/repairs made/visc enhancements performed to allow system to function in alignment with our current operations.

**Estimated Useful Life:** Life of existing system - A/V Related

**Please List Future Annual Operating Costs Associated with the Acceptance of this Asset:**

| Description  | Amount |
|--------------|--------|
| N/A          | N/A    |
|              |        |
|              |        |
|              |        |
|              |        |
|              |        |
|              |        |
| <b>Total</b> |        |

**Department Receiving Asset:** Public Safety - Emergency Management

**Contact Person:** Dale Robinson

**Contact Phone Number:** 451-7922

\_\_\_\_\_  
(Date of Acceptance)

\_\_\_\_\_  
(County Executive or Designee Signature)

cc: General Accounting  
Purchasing  
Department

\_\_\_\_\_  
(Council Signature)

**ORDINANCE NUMBER , 2015**

**2015 Public Safety Fund Budget Supplemental Appropriation Of A  
Portable Radio Donation By The NWPA ERG With a Value of \$19,980**

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter and certified by the County Executive that this 2015 Public Safety Fund Budget supplemental appropriation of six 800MHZ Harris Portable Radios with a value of \$19,980, donated by the Northwest Pennsylvania Emergency Response Group(NWPA ERG), is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 Public Safety Fund Budget  
 Supplemental Appropriation of \$19,980  
 For Donation of Six 800 MHZ Harris  
 Portable Radios from NWPAERG**

| <u>Account Title</u>      | <u>Account Number</u> | <u>Amount</u>          |
|---------------------------|-----------------------|------------------------|
| <u>Total Revenue</u>      |                       |                        |
| Donations                 | 063-012020-098580     | (19,980)               |
| Total Revenue             |                       | <u><u>(19,980)</u></u> |
| <u>Total Expenditures</u> |                       |                        |
| All Other Supplies        | 063-012020-003330     | 19,980                 |
| Total Expenditures        |                       | <u><u>19,980</u></u>   |



# COUNTY OF ERIE



Kathy Dahlkemper  
County Executive

John R. Grappy  
Director of Public Safety

**Department of Public Safety**  
**2880 Flower Road Erie, PA 16509**  
Office (814) 451-7920 • Fax (814) 451-7930  
Web Site: [www.ecdops.org](http://www.ecdops.org)

July 24, 2015

County Council Members:

Re: Acquisition of Harris XG-75 Portable Radios – Donated Asset

The Harris XG-75 portable (6) radios were requested and approved by the Northwest Pennsylvania Emergency Response Group (NWPARG) as a donated asset to the County of Erie. This radio cache will provide access into the Commonwealth of Pennsylvania OpenSky 800 MHZ PASTARNET Statewide Radio System, and support interoperable communications to various State and County Governments.

Equipment includes one (1) Pelican-style case and six (6) portable radios with accessories, contained in water resistant cases for rapid field deployment. Accessories include antennas, belt clips, batteries, and lapel microphones. The radio cache will be available for deployment to authorized users within the NWPARG in support of interoperable communications to Commonwealth of Pennsylvania agencies operating on the PA State Radio Network - STARNET.

The value of the radio cache including accessories is approximately \$19,980. There will be minimal maintenance costs associated with the portable radios, and will be maintained by our in-house radio technical staff.

For your consideration, this proposal will be placed on the agenda for the next finance committee meeting scheduled on Thursday, August 6, 2015. Upon your review, if you have any questions or immediate concerns that I may be able to address or provide additional clarification, please do not hesitate to contact me at my office or email.

Thank you in advance for your consideration.

Respectfully,

John R. Grappy  
Director



Harris Corporation, RF Communications  
 Public Safety and Professional Communications  
 221 Jefferson Ridge Parkway  
 Lynchburg, Virginia 24501  
 Phone: 1-800-368-3277  
 Fax: 321-409-4393

To: Kals Asp  
 Erie County 911  
 2880 Flower Road  
 Erie, PA 16509

Phone: 814-451-7937  
 Email: [kasp@eriecountygov.org](mailto:kasp@eriecountygov.org)

Date: 03/10/15  
 Point of Contact: Roger Kohr  
 Title: Area Sales Manger  
 Phone: 717-930-1036  
 Email Address: [roger.kohr@harris.com](mailto:roger.kohr@harris.com)  
 Quote created by: Lori Miller  
 phone: 717-930-1028

Quote Name: Erie County 911 XG-75P Portable Radio Quote #15-329

| Rider C Item                            | Part Number | Description  | Qty | List Price | Discount | Sale Price | Extended Sale      |
|---|-------------|--|-----|------------|----------|------------|--------------------|
| <b>XG-75 Portable Radio Equipment</b>   |             |  |     |            |          |            |                    |
| 1.5.2.1.1                               | EVXG-PF78B  | PORTABLE,XG-75,764-870MHZ,SYS,BLK-GRY<br><i>Radio Package includes the following features and accessories:</i> | 6   | Rider C    | Rider C  | \$2,771.40 | \$16,628.40        |
|   | MAEV-NPL7Y  | Feature,OTAR OpenSky   | 6   |            |          |            |                    |
|   | EV-PL4U     | Feature, Single-Key DES Encryption   | 6   |            |          |            |                    |
|   | MAEV-NPL8D  | Feature,256-AES,OTP Encryption   | 6   |            |          |            |                    |
|   | MAEV-PKGOS  | Feature Package,OpenSky Trunking   | 6   |            |          |            |                    |
|   | MAEV-PA2U   | Battery,LI-Polymer,3600 mAH  | 6   |            |          |            |                    |
|   | MAEV-NNC5K  | Antenna,764-870MHz,Flexible End-Fed Gain   | 6   |            |          |            |                    |
|   | MAEV-NHC2G  | Belt Clip,Standard,P7300   | 6   |            |          |            |                    |
| <b>XG-75 Portable Radio Equipment</b>   |             |  |     |            |          |            |                    |
| 1.6.6.1                                 | YNSZPA      | Portable radio Programming   | 6   | \$63.50    | Rider C  | \$63.50    | \$381.00           |
| <b>XG-75 Portable Radio Accessories</b> |             |  |     |            |          |            |                    |
| 6.1                                     | MAEV-NAE9D  | Speaker Microphone   | 6   | \$135.00   | 26       | \$99.90    | \$599.40           |
| 6.1                                     | EV-PA3S     | BATTERY,AA CLAMSHELL   | 6   | \$75.00    | 26       | \$55.50    | \$333.00           |
| 6.1                                     | MAEV-CH4B   | Charger, 6-Bay   | 1   | \$750.00   | 26       | \$555.00   | \$555.00           |
| <b>TOTAL</b>                            |             |  |     |            |          |            | <b>\$18,496.80</b> |

**Terms and Conditions:**

- 1 Acceptance of this quote in the form of an order released to Harris constitutes acceptance of the Terms and conditions, pursuant to the Pennsylvania Statewide Voice/Data Radio System Equipment Contract No. 4400065698 (Legacy Contract # 5320-06) Harris MBP# 26908
- 2 These items/technical data are controlled by the United States government and cannot be exported from the United States or shared with a Foreign National without prior approval from the United States government. Delivery is dependent on receipt of an export license, when applicable.
- 3 Installation, programming, or other services are itemized separately and are not included in the Equipment pricing.
- 4 Pricing valid 60 days from quotation date unless otherwise noted.

**Purchase Order requirements:**

Purchase Order Issued to Harris Corporation - PSPC, 221 Jefferson Ridge Parkway, Lynchburg, VA 24501

The Purchase Order should include the following references:

Quote Name, Contract, and/or MBP# reference

All orders must contain valid model number, quantity, and price for each item

Frequencies must be supplied with order if applicable

Requested Delivery Date; If related to Grant Funding, important to provide Grant name, Agency, deadline and product receipt deadline, when applicable.

Shipping will default to Best Way, 5 day ground, unless otherwise specific. Special shipping/delivery instructions (ex. Delivery lift gate required?) must be noted if applicable. Non Standard packing will be billed to the customer.

Bill to and Ship to addresses must be included. If account number is available, please provide. If you have not ordered from Harris (or an authorized Harris dealer) before, please provide contact information to enable account setup.



Harris Corporation, RF Communications  
 Public Safety and Professional Communications  
 221 Jefferson Ridge Parkway  
 Lynchburg, Virginia 24501  
 Phone: 1-800-368-3277  
 Fax: 321-409-4393

To: Kale Asp  
 Erie County 911  
 2880 Flower Road  
 Erie, PA 16509

Phone: 814-451-7937  
 Email: [kasp@eriecountygov.org](mailto:kasp@eriecountygov.org)

Date: 04/08/15  
 Point of Contact: Roger Kohr  
 Title: Area Sales Manger  
 Phone: 717-930-1036  
 Email Address: [roger.kohr@harris.com](mailto:roger.kohr@harris.com)  
 Quote created by: Lori Miller  
 phone: 717-930-1028

Quote Name: Erie County 911 XG-75P Portable Vehicular Charger Quote #15-370

| Rider C<br>Item                         | Part Number | Description                       | Qty | List Price | Discount | Sale Price | Extended Sale   |
|---|-------------|-----------------------------------|-----|------------|----------|------------|-----------------|
| <b>XG-75 Portable Radio Accessories</b> |             |                                   |     |            |          |            |                 |
| 6.1                                     | MAH2-VC4PB  | Charger, VC4000, Tri-Chemistry    | 6   | \$150.00   | 26       | \$111.00   | \$666.00        |
| 6.1                                     | MAH2-NPS0X  | Power Adapter Kit, VC4000 Charger | 6   | \$35.00    | 26       | \$25.90    | \$155.40        |
| <b>TOTAL</b>                            |             |                                   |     |            |          |            | <b>\$821.40</b> |

**Terms and Conditions:**

- 1 Acceptance of this quote in the form of an order released to Harris constitutes acceptance of the Terms and conditions, pursuant to the Pennsylvania Statewide Voice/Data Radio System Equipment Contract No. 4400005698 (Legacy Contract # 5820-06) Harris MBP# 25908
- 2 These items/technical data are controlled by the United States government and cannot be exported from the United States or shared with a Foreign National without prior approval from the United States government. Delivery is dependent on receipt of an export license, when applicable.
- 3 Installation, programming, or other services are itemized separately and are not included in the Equipment pricing.
- 4 Pricing valid 60 days from quotation date unless otherwise noted.

**Purchase Order requirements:**

Purchase Order issued to Harris Corporation - PSPC, 221 Jefferson Ridge Parkway, Lynchburg, VA 24501

The Purchase Order should include the following references:

Quote Name, Contract, and/or MBP# reference

All orders must contain valid model number, quantity, and price for each item

Frequencies must be supplied with order if applicable

Requested Delivery Date; If related to Grant Funding, Important to provide Grant name, Agency, deadline and product receipt deadline, when applicable.

Shipping will default to Best Way, 5 day ground, unless otherwise specific. Special shipping/delivery instructions (ex. Delivery lift gate required?) must be noted if applicable. Non Standard packing will be billed to the customer.

Bill to and Ship to addresses must be included. If account number is available, please provide. If you have not ordered from Harris (or an authorized Harris dealer) before, please provide contact information to enable account setup.

ORDINANCE NUMBER , 2015

2015 Public Health Fund Budget Supplemental Appropriation Of \$49,540 To Public Health Preparedness Grant Bureau

**BE IT ENACTED** by the County Council of the County of Erie pursuant to Article II, Sections 3B(1), 3B(2)(f) and Article VIII, Section 8 of the Erie County Home Rule Charter, and certified by the County Executive, that this supplemental appropriation of \$49,540 to the Public Health Preparedness Grant Bureau of 2015 Public Health Fund Budget, is hereby approved as outlined on the attached Exhibit A.

This ordinance shall be effective immediately upon adoption.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
Fiore Leone, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Phil Fatica, Vice Chairman

\_\_\_\_\_  
Jay Breneman

Approved by:

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
André R. Horton

\_\_\_\_\_  
Carol J. Loll

**Exhibit A  
 2015 Public Health Fund Budget  
 Supplemental Appropriation of \$49,540  
 For Public Health Preparedness Grant**

| <u>Account Title</u>      | <u>Account Number</u> | <u>Amount</u>   |
|---------------------------|-----------------------|-----------------|
| <u>Total Revenue</u>      |                       |                 |
| Grant                     | 056-018011-051300     | (49,540)        |
| Total Revenue             |                       | <u>(49,540)</u> |
| <u>Total Expenditures</u> |                       |                 |
| Overtime                  | 056-018011-001100     | 6,000           |
| FICA                      | 056-018011-001200     | 459             |
| Workmen's Compensation    | 056-018011-001230     | 11              |
| Retirement                | 056-018011-001240     | 570             |
| Travel Work Required      | 056-018011-002010     | 5,000           |
| Professional Fees         | 056-018011-002520     | 37,500          |
| Total Expenditures        |                       | <u>49,540</u>   |

# ERIE COUNTY DEPARTMENT OF HEALTH

ecdh.org



Melissa C. Lyon, MPH  
Director

Kathy Dahkemper  
County Executive

Date: July 14, 2015

TO: James Sparber, Director  
Erie County Finance Department

CC: Kathy Dahkemper, County Executive  
Gary Lee, Director of Administration  
Tracey Fugagli, Asst. Manager of Finance  
Mathew Elwell, Public Health Preparedness Coordinator  
Chelsey Ricketts, ECDH Fiscal Officer

FROM: Melissa C. Lyon, MPH, Director  
Erie County Department of Health

RE: Request for Ordinance to Increase the Public Health Preparedness Bureau (056-018011)

The Public Health Preparedness grant is receiving \$88,543.20 in SAF funds for the 07/01/15 – 06/30/16 grant year for Ebola related activities.

For the 2015 County Budget we are requesting:

1. To increase the Revenue Grant line (056-018011-051300) in the PHP bureau by \$49,540.00.
2. To increase the Travel line item (056-018011-002010) in PHP by \$5,000.00.
3. To increase the Professional Fees line item (056-018011-002520) in PHP by \$37,500.00.
4. To increase the Overtime line item (056-018011-001100) in PHP by \$6,000.00
5. To increase the FICA line item (056-018011-001200) in PHP by \$459.00.
6. To increase the Workmen's Compensation line item (056-018011-001230) in PHP by \$11.00.
7. To increase the Retirement line item (056-018011-001240) in PHP by \$570.00.

The PHP program is 100% State Grant funded.

Thank you for your support and assistance. If you have any questions, please contact me at ext. 6701.

Appendix C

**BUDGET SUMMARY**

Erie County Department of Health  
 SAP# 410069881  
 July 1, 2015 - June 30, 2016

| CATEGORIES                | Original Budget   | Amendment Type & Number | Total Budget      |
|---------------------------|-------------------|-------------------------|-------------------|
| I. PERSONNEL SERVICES     | 225,738.80        | -                       | 225,738.80        |
| II. CONSULTANT SERVICES   | 36,000.00         | -                       | 36,000.00         |
| III. SUBCONTRACT SERVICES | 25,000.00         | -                       | 25,000.00         |
| IV. PATIENT SERVICES      | -                 | -                       | -                 |
| V. EQUIPMENT              | -                 | -                       | -                 |
| VI. SUPPLIES              | 6,658.78          | -                       | 6,658.78          |
| VII. TRAVEL               | 10,933.62         | -                       | 10,933.62         |
| VIII. OTHER COSTS         | 8,965.00          | -                       | 8,965.00          |
| <b>TOTAL</b>              | <b>313,296.20</b> | <b>-</b>                | <b>313,296.20</b> |



**RESOLUTION NUMBER \_\_\_\_\_, 2015**

**Approving the 2016-2018 Erie County  
Operational & Capital Plan**

**WHEREAS**, Erie County Council is required to formally respond to the County Executive's Three Year Operational and Capital Plan by September 1<sup>st</sup> of each year; and

**WHEREAS**, County Executive Dahlkemper has submitted a 2016-2018 Operational & Capital Plan for Council's review by the required deadline of July 1<sup>st</sup>; and

**WHEREAS**, Erie County Council has crafted a response to the County Executive's proposed Operational & Capital Plan, which includes certain recommendations for the course of County government over the next three years.

**NOW, THEREFORE, BE IT RESOLVED** that the County Executive's 2016-2018 Operational & Capital Plan, is hereby approved. Attached hereto as Exhibit A, is County Council's Response and Recommendations.

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this resolution was passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by a vote of \_\_\_\_ - \_\_\_\_.

APPROVED BY:

\_\_\_\_\_  
Fiore Leone, Chairman  
Erie County Council

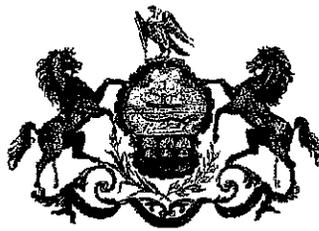
\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

Date: \_\_\_\_\_



Fiore Leone, Chairman  
Phil Fatica, Vice Chairman

**COUNTY OF ERIE**  
**Office of County Council**  
Erie County Courthouse  
140 West Sixth Street, Room 114  
Erie, Pennsylvania 16501-1081  
Telephone: (814) 451-6303  
Fax: (814) 451-6350  
Douglas R. Smith, County Clerk

Jay Breneman  
Edward T. DiMattio, Jr.  
Dr. Kyle Foust  
André R. Horton  
Carol Loll

### **Erie County Council Response to 2016-2018 Operational and Capital Plan**

The Erie County Home Rule Charter calls for the annual creation of a Three-Year Plan and a response by Erie County Council to that document. We have reviewed the Plan and the goals therein, and pledge our vigorous efforts to aid in the completion of the public's business with integrity and professionalism.

#### **Mission:**

To carry out the legislative responsibilities of County government as to be a positive force in the community wide effort to make Erie County a preferred place to live, work, and raise a family; further, to assure that all county services are provided in an equitable and cost effective manner.

#### **Recommendations:**

After a careful review of the 2016-2018 Three Year Plan, Erie County Council, as the legislative body for the County and in the best interest of taxpayers, recommends the following:

1. We recommend that the Administration in their plan place the financial information of each department directly after the information of that department. The information at the end could be just an overview of the funding.
2. Most of the goals of each department lack measurability; they need to be attainable and more descriptive regarding the anticipated outcome.
3. Erie County should hasten the expansion of a unified GIS system, serving as a repository and dispensary of multi-source data from all County Departments and collaborative universities, municipalities, authorities, and non-profits for the leveraging of cross-sector data to inform research, business, services, and citizens.
4. Ongoing discussion with state legislators and the Governor's Office regarding real long-term funding solutions for E911. While the Commonwealth has extended the current funding formula for E911, County expenses continue to grow in this area.
5. With the roll-out of Managed Long Term Services & Supports (MLTSS) by Governor Wolf's administration, it is vital to remain vigilant and ready for the impact on the operation of Pleasant Ridge Manor.
6. We commit ourselves to work with the administration to continue and complete the Next Generation Radio System.

**EXHIBIT A**

**Erie County Council Response –  
2016-2018 Operational & Capital Plan  
Page Two**

7. To continue to negotiate and work with the City of Erie and EMTA to change the makeup of the Board to better suit Erie County as a whole.
8. To continue to work on a fair and equitable Pay Plan for all employees of Erie County government.
9. We recommend that Erie County government implement a Day Reporting Center for low risk offenders. This will help with the economic impact of the numbers of repeat offenders returning to the County jail and introduce offenders back into society as productive citizens.
10. To continue to support and expand the Youth Jobs Program.
11. We recommend that the Home Rule Charter, the Administrative Code and the Personnel Code be visited and updated to better suit the today's government.
12. Every service provided by Erie County is affected by violence and crime in any municipality, and the aftermath is paid for by all County citizens. We must act in a unified and collaborative manner, utilizing best practices and research-informed decisions to immediately reduce the current level of violence and to mitigate future instances of violence.
13. With the massive cut in personnel by the Armed Forces, there is a great onus upon the County to ensure a successful transition to civilian life by returning Erie veterans, and to make Erie County a destination for relocating veterans who bring with them the civic-responsibility, strength, and skill-sets our communities need. The new Department of Veterans Affairs, under its future Director, must develop new methods for readying and developing those transitioning opportunities.
14. We will continue to make the access to County Council, and government as a whole, better along with continuing transparency and availability to the people of Erie County.
15. Assisting boroughs, townships and cities, whenever feasible in planning, economic development and the sharing of municipal services as a means of cutting costs.

**Conclusion:**

We stand at a crossroad whereby the County of Erie needs to take the lead in moving our entire region forward for the betterment of all, while protecting and serving all persons with equal consideration. We have the capability and the responsibility to ensure the civic, cultural, environmental, economic, recreational, and historic vitality and resilience of our region is strengthened for generations to come.

Erie County Council hereby accepts County Executive Kathy Dahlkemper's Three Year Plan. It is the platform from which Council will vigorously and diligently fund mandated and non-mandated services at the most reasonable cost possible. Budgetary challenges at the state level remain which automatically impact county budgets and delivery of services. County government must be ready to act should state funds be curtailed. The County simply cannot afford to replace state funds with local funds. Erie County should not be expected to increase its taxes while state budgets remain flat.

While this response includes input from all current members of Erie County Council, it does not reflect the totality of their views; nor does this response affirm a commitment to any particular set of policies by all members. It is based solely on current information and recommendations by the Administration, and is therefore subject to change as warranted.

Erie County Council hereby adopts the 2016-2018 Three Year Plan subject to the statements contained herein. Erie County Council will continue to keep the interests of the taxpayers first and foremost in mind as it conducts the business of government. We ask all employees and elected officials in all branches of County government to join us in this endeavor.

**EXHIBIT A**

**RESOLUTION NUMBER . 2015**

**Exonerating Taxes On Two Abandoned Trailers/Properties #31-001-020.1-013.33,  
And #31-001-020.2-013.86 In McKean Township**

**WHEREAS**, McKean Township approved the exoneration of taxes on certain abandoned trailers/properties at their regular meeting held on July 16, 2015.

**NOW THEREFORE, BE IT RESOLVED** by the County Council for the County of Erie that the taxes on the abandoned trailers/properties: parcels #31-001-020.1-013.33 and #31-001-020.2-013.86 as outlined on the attached Exhibits A and B are hereby exonerated.

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this resolution was passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by a vote of \_\_\_\_ - \_\_\_\_.

APPROVED BY:

-----  
Fiore Leone, Chairman  
Erie County Council

-----  
Kathy Dahlkemper  
County Executive

ATTEST:

Date: \_\_\_\_\_

-----  
Douglas R. Smith  
County Clerk

Date: \_\_\_\_\_



**McKEAN TOWNSHIP SUPERVISORS**

9231 Edinboro Road • P.O. Box 62  
McKean, Pennsylvania 16426

(814) 476-7414  
FAX (814) 476-1257

**RESOLUTION NO. 1372**

**A RESOLUTION** of the Township of McKean, County of Erie, Commonwealth of Pennsylvania, exonerating delinquent real estate taxes on removed, abandoned, or destroyed mobile homes situated in McKean Township.

**WHEREAS**, the Erie County Department of Finance has determined through the Assessment Department to delete real estate taxes on mobile homes which have been removed, abandoned, or have been destroyed to the extent that they are of little value or for other reasons which make them worthless.

**THEREFORE, BE IT RESOLVED AND ENACTED**, and it is hereby resolved and enacted by the Board of Township Supervisors of the Township of McKean, County of Erie, Commonwealth of Pennsylvania that the following removed, abandoned, or destroyed mobile homes be exonerated of delinquent real estate taxes in the total amount of \$19.30.

- |    |                                  |         |
|----|----------------------------------|---------|
| 1. | Index No. 31-1-20.1-13.33---2010 | \$5.41  |
| 2. | Index No. 31-1-20.2-13.86---2011 | \$13.89 |

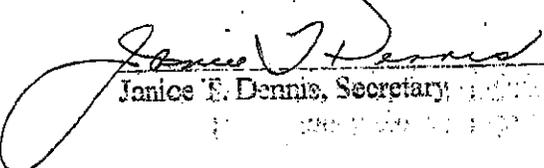
Enacted this 16<sup>th</sup> day of July, 2015  
By the McKean Township Supervisors

  
Janice T. Dennis, Chair

  
Kenneth C. Neuburger

  
Brian P. Cooper

ATTEST:

  
Janice E. Dennis, Secretary

RUN DATE: 07-02-15  
 RUN TIME: 10:37:19  
 RUN USER: mkalisze

ERIE COUNTY TAX CLAIM BUREAU  
 140 W. 6TH STREET, RM 110  
 ERIE, PA 16501-1011

PAGE NUM: 1  
 RPT ID: TCB\_STMT

(814) 451-6206

OWNER: PEROVICH GARY  
 134 KEITHWOOD DR  
 VALENCIA PA 16059

PARCEL: 31-001-020.1-013.33  
 LOCATION: 6601 STERRETTANIA RD TRL LOT 92  
 DESCRIPTION:

A.V.  
 0

DISTRICT: MCKEAN TOWNSHIP

----- STATEMENT OF ACCOUNT -----

| TAX YEAR 2010                                    | FACE  | PENALTY | INTEREST | COST  | TOTAL             | PAID/EXON | BALANCE |
|--|-------|---------|----------|-------|-------------------|-----------|---------|
| =====  |       |         |          |       |                   |           |         |
| COUNTY   | 21.18 | 2.12    | 9.43     | 91.00 | 123.73            | 27.15     | 96.58   |
| TWP/BORO/CIT                                     | 3.50  | 0.35    | 1.56     | 0.00  | 5.41              | 0.00      | 5.41    |
| LIBRARY  | 0.00  | 0.00    | 0.00     | 0.00  | 0.00              | 0.00      | 0.00    |
| SCHOOL   | 0.00  | 0.00    | 0.00     | 0.00  | 0.00              | 0.00      | 0.00    |
| SCHOOL LIBRA                                     | 0.00  | 0.00    | 0.00     | 0.00  | 0.00              | 0.00      | 0.00    |
|  |       |         |          |       |                   |           | =====   |
|  |       |         |          |       | BALANCE DUE 2010  |           | 101.99  |
|  |       |         |          |       | =====             |           |         |
| IF PAID BY 07-31-2015 (INTEREST CHANGES MONTHLY) |       |         |          |       | TOTAL BALANCE DUE |           | 101.99  |

**EXHIBIT A**

RUN DATE: 07-02-15  
RUN TIME: 10:40:14  
RUN USER: mkalisze

ERIE COUNTY TAX CLAIM BUREAU  
140 W. 6TH STREET, RM 110  
ERIE, PA 16501-1011

PAGE NUM: 1  
RPT ID: TCB\_STMT

(814) 451-6206

OWNER: BROCKLEHURST DAVID P  
99 MCCORMICK RD  
JACKSON CENTER PA 16133

PARCEL: 31-001-020.2-013.86  
LOCATION: 6601 STERRETTANIA RD LOT 30 TRL  
DESCRIPTION:

A.V.

0

DISTRICT: MCKEAN TOWNSHIP

----- STATEMENT OF ACCOUNT -----

| TAX YEAR 2011 | FACE  | PENALTY | INTEREST | COST  | TOTAL            | PAID/EXON | BALANCE |
|---------------|-------|---------|----------|-------|------------------|-----------|---------|
| =====         |       |         |          |       |                  |           |         |
| COUNTY        | 58.08 | 5.81    | 20.13    | 61.00 | 145.02           | 0.00      | 145.02  |
| TWP/BORO/CIT  | 9.60  | 0.96    | 3.33     | 0.00  | 13.89            | 0.00      | 13.89   |
| LIBRARY       | 0.00  | 0.00    | 0.00     | 0.00  | 0.00             | 0.00      | 0.00    |
| SCHOOL        | 0.00  | 0.00    | 0.00     | 0.00  | 0.00             | 0.00      | 0.00    |
| SCHOOL LIBRA  | 0.00  | 0.00    | 0.00     | 0.00  | 0.00             | 0.00      | 0.00    |
|               |       |         |          |       |                  |           | =====   |
|               |       |         |          |       | BALANCE DUE 2011 |           | 158.91  |

IF PAID BY 07-31-2015 (INTEREST CHANGES MONTHLY)

=====

|                   |        |
|-------------------|--------|
| TOTAL BALANCE DUE | 158.91 |
|-------------------|--------|

**EXHIBIT B**



**COUNTY OF ERIE, PA**

**Fiore Leone, Chairman**  
**Phil Fatica, Vice**

**Members of Erie County Council**

Erie County Courthouse  
140 West Sixth Street, Room 114  
Erie, Pennsylvania 16501-1081

**Jay Breneman**  
**Edward T. DiMattio, Jr.**  
**Dr. Kyle Foust**  
**André R. Horton**  
**Carol Loll**

**MEMORANDUM**

**TO:** County Council Members  
**FROM:** Jay Breneman, County Council  
**DATE:** August 3, 2015  
**RE:** Human Relations Commission Board

I ask for your support in the appointment of Adam J. Williams , 5333 Lake Pleasant Road, 16509, to the Human Relations Commission. He has expressed an interest in serving on this Commission and I believe he will be a valuable asset. He will be replacing Tom Wellington as Mr. Wellington does not reside in my Council District.

This full four-year term will expire August 12, 2019. Mr. Williams' resume is attached for your review.

Thank you for your attention to this matter.

# Adam J. Williams

5333 Lake Pleasant Road | Erie, PA 16509 |

Adam@ErieBusinessLaw.com

## WORK EXPERIENCE

### **THE LAW OFFICE OF ADAM J. WILLIAMS**

Erie, PA

*Attorney*, February 2011 to Present

- Handling all matters as general practice attorney, including business, real estate, employment, family & criminal law

### **ERIE COUNTY COURT OF COMMON PLEAS, HON. JOHN J. TRUCILLA**

Erie, PA

*Judicial Law Clerk*, March 2010 to August 2011

- Researched and drafted legal opinions and orders involving family law, juvenile and criminal appeals
- Assisted Judge with preparation for hearings and trials involving juvenile delinquency and dependency, child custody, various family law motions, and criminal issues

### **KPMG, LLP**

Pittsburgh, PA

*State and Local Tax Associate*, March 2009 to March 2010

- Researched and drafted memoranda and tax decision matrices involving state and local tax issues in all 50 states
- Researched, prepared and filed Pennsylvania sales and use tax refund claims for over \$500,000
- Performed pre-merger and pre-acquisition due diligence projects for several power and utilities companies
- Researched and claimed over \$500,000 of federal and state tax credits for various clients
- Assisted with research and drafting of 2010 Pennsylvania State Tax Handbook

### **KPMG, LLP**

Pittsburgh, PA

*State and Local Tax Intern*, June 2008 – December 2008

- Researched and developed 50 state summary tables on various state tax issues
- Assisted with updating 2009 Pennsylvania State Tax Handbook

### **Neighborhood Legal Services Association**

Pittsburgh, PA

*Bankruptcy Intern/ Certified Legal Intern*, January 2007 – August 2007

- Prepared complaints, answers, appeals, motions and bankruptcy petitions and schedules
- Handled all issues for clients throughout bankruptcy proceedings

### **The Quinn Law Firm**

Erie, PA

*Intern*, January 2005 – August 2005

- Assisted attorneys with Judicial Lien Free Tax Sale, including review of title searches and service on lien holders
- Shadowed attorneys at various proceedings

## EDUCATION

### **University of Pittsburgh School of Law**

JD, December 2008; Dean's Scholarship recipient; Member of Pittsburgh Law Review

GPA: 3.35/4.00

### **University of Pittsburgh Joseph M. Katz School of Business**

MBA, December 2008; Katz Scholarship recipient; GPA: 3.66/4.00

### **Penn State Erie, The Behrend College**

BS in Management, May 2005, magna cum laude, Lawrence & Elizabeth Held Scholarship recipient; GPA: 3.82/4.00

## PUBLICATIONS

- *Pennsylvania Tax Handbook* - Drafted, edited and updated various chapters of annual publication by KPMG, LLP. Received acknowledgement in 2009, 2010, and 2011 Editions. Available in Erie County Law Library.
- Student Note: *Fixing The "Undue Hardship" Hardship: Solutions for the Problem of Discharging Educational Loans Through Bankruptcy* 70 U. Pitt L. Rev. 217 (2008)

## BAR ADMISSIONS AND MEMBERSHIPS

- Commonwealth of Pennsylvania, 2009; Pennsylvania and Erie County Bar Associations, Member

## Wright, Lana

---

**From:** Breneman, Jay  
**Sent:** Saturday, August 01, 2015 2:13 PM  
**To:** Wright, Lana; Breter, Denee  
**Subject:** Fw: Human Relations Committee  
**Attachments:** adam.williams.resume.7.15.pdf

Search is over. Attached is my candidate. Please add to agenda and draft a thank you to the outgoing member. I think I sent one to my former OCY rep if that helps.

Thanks!

In service,  
Jay Breneman  
Erie County Council  
[www.JayBreneman.org](http://www.JayBreneman.org)

----- Original message-----

**From:** Adam Williams  
**Date:** Sat, Aug 1, 2015 13:13  
**To:** Breneman, Jay;  
**Subject:** Human Relations Committee

Jay,

I am writing to express my interest in the upcoming opening on the Erie County Human Relations Commission. I have attached my resume.

During the summer after my first year of law school, I interned with Southwest Pennsylvania Legal Services, where I assisted low-income citizens with various matters, including landlord/tenant issues. I continued this experience the following summer when I was an intern at Neighborhood Legal Services in Pittsburgh. In addition to representing low-income tenants in housing disputes, I advised clients on employment matters, and represented individuals filing for protection under the Bankruptcy Code.

I think my background and education makes me particularly well-suited to serve on the Commission. Please do not hesitate to contact me if you need any additional information.

Sincerely,  
**Adam J. Williams, Esq.**  
Shapira, Hutzelman, Smith & Walsh  
305 West 6th Street | Erie, PA | 16507  
(814) 452-6800  
[Adam@ErieBusinessLaw.com](mailto:Adam@ErieBusinessLaw.com)  
[www.eriebusinesslaw.com](http://www.eriebusinesslaw.com)  
Facebook: [www.facebook.com/eriebusinesslaw](http://www.facebook.com/eriebusinesslaw)  
Twitter: @ErieBusinessLaw



# COUNTY OF ERIE

OFFICE OF COUNTY EXECUTIVE

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**Kathy Dahlkemper**  
COUNTY EXECUTIVE

**MEMORANDUM**

**TO:** Members of County Council

**FROM:** Kathy Dahlkemper,   
County Executive

**DATE:** August 4, 2015

**RE:** Erie County Gaming Revenue Authority

As County Executive, I hereby convey notice of the appointment of Mr. James Domino to the Erie County Gaming Revenue Authority upon the recommendation of Chairman Fiore Leone. Mr. Domino will fill the unexpired term of Mr. Tony Logue. The term will expire on December 31, 2018.

Thank you.

cmc

cc: Douglas Smith, Clerk  
File

**M E M O R A N D U M**

**TO:** Kathy Dahlkemper, County Executive

**FROM:** Fiore Leone, Chairman  
Erie County Council

**DATE:** July 30, 2015

**RE:** Erie County Gaming Revenue Authority

Mr. James Domino was appointed to ECGRA by Carol Loll earlier this year to replace Dr. Lynn Corder. However, Mr. Domino currently resides in my district. My appointment, Attorney Tony Logue, has resigned from ECGRA. In the interest of consistency, I would request that Mr. James Domino continue his appointment on ECGRA as my appointee, to fill the unexpired term of Tony Logue. This term would expire on December 31, 2018.

Thank you for your attention to this matter.

cc: Members of County Council



# COUNTY OF ERIE

## OFFICE OF COUNTY EXECUTIVE

---

**Kathy Dahlkemper**  
COUNTY EXECUTIVE

**MEMORANDUM**

**TO:** Members of County Council

**FROM:** Kathy Dahlkemper,   
County Executive

**DATE:** August 4, 2015

**RE:** Erie County Gaming Revenue Authority

As County Executive, I hereby convey notice of the appointment of Mr. David Bagnoni to the Erie County Gaming Revenue Authority upon the recommendation of Councilwoman Carol Loll. Mr. Bagnoni will fill the unexpired term of Mr. James Domino. The term will expire on December 31, 2015, at which time Mr. Bagnoni will be eligible for reappointment to a first full term.

Thank you.

cmc

cc: Douglas Smith, Clerk  
File

**MEMORANDUM**

**TO:** Kathy Dahlkemper, County Executive  
**FROM:** Carol Loll, County Council  
**DATE:** July 30, 2015  
**RE:** Erie County Gaming Revenue Authority

Mr. David Bagnoni is willing to serve on the Erie County Gaming Revenue Authority. I am, therefore, requesting your support for his appointment to fill the unexpired term of James Domino, which expires 12-31-15. Mr. Bagnoni would be eligible for reappointment to his first full term at that time.

Thank you for your attention to this matter.

cc: Members of County Council

David M. Bagnoni

6840 Haskell Dr.

Fairview, Pa. 16415

David currently is in his 9<sup>th</sup> year as an educator for the University of Phoenix instructing classes in law enforcement, security, and security management. Past employment includes the Erie Police Department and the Erie Regional Airport Authority. David holds a Master's of Science in administration from Mercyhurst University and has served on several local organization's board. He is presently married with two children and resides in Fairview Pa.

|   |
|---|
| <b>County of Erie</b><br><b>Analysis of General Fund Unassigned Fund Balance</b><br><b>FYE 12/31/15</b><br><b>As of July 31, 2015</b> |
|---|

Projected Ending 2015 Unassigned Fund Balance 31,878,943

**Less: Appropriations from Unassigned Fund Balance**

|  |          |
|--|----------|
| Ordinance #13 of 2015 Supp Approp for Correction of Asst Public Defender Salary                      | (8,557)  |
| Ordinance #21 of 2015 Supp Approp for Assessment Bureau County Portion of Erie Insurance Appraisal   | (8,250)  |
| Ordinance #28 of 2015 Supp Approp to Establish Assistant Clerk of Records in Clerk of Courts         | (6,015)  |
| Ordinance #36 of 2015 Supp Approp to Establish Vacation Line in Public Safety                        | (12,000) |
| Ordinance #43 of 2015 Supp Approp to Assessment for GIS Training                                     | (38,277) |
| Ordinance#51 of 2015 Supp Approp for Pcorp Grant for Safety Improvements at the Prison               | (12,616) |
| Ordinance#52 of 2015 Supp Approp for increase in MDJ Stuck-Lewis rent                                | (8,208)  |
| Ordinance#62 of 2015 Supp Approp for Additional Benefits for Voter Registration                      | (17,369) |
| Ordinance#64 of 2015 Supp Approp for Release of Register of Wills Automation Restricted Fund Balance | (24,166) |
| Ordinance#68 of 2015 Supp Approp for Change in Director of Planning                                  | (12,363) |
| Ordinance #71 of 2015 Supp Approp for Children and Youth 13 Positions                                | (56,927) |
| Ordinance#81 of 2015 Supp Approp for Additional Temporary Staff for Sheriff's Office                 | (11,451) |
| Ordinance#83 of 2015 Supp Approp Correction of OCY Ordinance #71                                     | (203)    |

Total Appropriations from Unassigned Fund Balance (216,402)

**Plus: Appropriations to Unassigned Fund Balance**

|  |        |
|--|--------|
| Ordinance # 172 of 2014 for 2015 Supp Approp for Director of Procurement Salary                        | 519    |
| Ordinance #11 of 2015 Supp Approp for Supervisor of Custody Conciliation                               | 3,241  |
| Ordinance #27 of 2015 Supp Approp for Change in Court Reporter Salary                                  | 26,656 |
| Ordinance #29 of 2015 Supp Approp to Establish First Deputy Prothonotary and Eliminate Assistant Clerk | 34,391 |
| Ordinance#48 of 2015 Supp Approp to Eliminate the Director of Strategic Initiatives Position           | 4,119  |
| Ordinance#49 of 2015 Supp Approp to Unrestrict and Establish Director of Veterans Affairs              | 42,052 |

Total Appropriations to Unassigned Fund Balance 110,978

Estimated General Fund Unassigned Fund Balance to date 31,773,519

**Summary**

|  |                   |
|--|-------------------|
| Total Budgeted General Fund Expenditures and Transfers         | 95,980,897        |
| Less: Pass Thru Grants Originally Budgeted in the General Fund | (151,000)         |
| Net Budgeted General Fund Expenditures and Transfers           | <u>95,829,897</u> |

|  |            |
|--|------------|
| One Month's Expenditures and Transfers | 7,985,825  |
| Two Month's Expenditures and Transfers | 15,971,650 |

Difference between Estimated GF Unassigned Fund Balance and One Month of Expend & Transfers 23,787,694

Difference between Estimated GF Unassigned Fund Balance and Two Months of Expend & Transfers 15,801,870

County of Erie General Fund  
 Current Budget  
 As of July 31, 2015

| DEPT<br>NO | DEPT<br>NAME       | ORIGINAL<br>2015 BUDGET | 2015 BUDGET<br>CHANGES | CURRENT<br>2015 BUDGET |
|------------|--------------------|-------------------------|------------------------|------------------------|
| 001000     | CONCIL & ELECTIONS | 1,395,504               | 22,369                 | 1,417,873              |
| 001100     | COUNTY CONTROLLER  | 342,060                 |                        | 342,060                |
| 001990     | COUNTY EXECUTIVE   | 261,251                 | 1,000                  | 262,251                |
| 002010     | COMM REL ECON DEV  | 1,052,804               | (66,251)               | 986,553                |
| 002100     | COUNTY SOLICITOR   | 162,629                 |                        | 162,629                |
| 002190     | PERSONNEL          | 302,722                 |                        | 302,722                |
| 002300     | FINANCE            | 3,945,441               | 46,527                 | 3,991,968              |
| 002400     | ADMIN/ OPERATIONS  | 5,408,822               | 24,597                 | 5,433,419              |
| 002601     | HUMAN SRVC SHARED  | 76,532                  |                        | 76,532                 |
| 002700     | OTH GEN GOVT       | 8,770,139               | 65,000                 | 8,835,139              |
| 002810     | COUNTY TECH DEPT   | 2,043,399               |                        | 2,043,399              |
| 003000     | COURTS             | 5,230,680               | (29,897)               | 5,200,783              |
| 003100     | MDJ'S              | 2,797,090               | 31,765                 | 2,828,855              |
| 003200     | CLK RECORD         | 2,813,419               | (4,210)                | 2,809,209              |
| 003290     | SHERIFF            | 3,145,193               | 11,451                 | 3,156,644              |
| 003390     | DISTRICT ATTY      | 3,070,760               | 115,720                | 3,186,480              |
| 003500     | CORONER            | 663,932                 |                        | 663,932                |
| 003600     | PUBLIC DEFENDER    | 1,450,275               | 8,557                  | 1,458,832              |
| 004000     | ADULT PROBATION    | 5,285,162               | 32,234                 | 5,317,396              |
| 004100     | CORRECTIONS        | 17,461,177              |                        | 17,461,177             |
| 004190     | JUVENILE PROBATION | 3,295,709               |                        | 3,295,709              |
| 005200     | VETERANS AFFAIR    | 303,636                 | (42,052)               | 261,584                |
| 009000     | GRANTS TO ORGANZ   | 151,000                 |                        | 151,000                |
| 020000     | TRANSFERS          | 26,551,561              | 81,493                 | 26,633,054             |
|            | Total              | 95,980,897              | 298,303                | 96,279,200             |

County of Erie General Fund  
 Monthly Reconciliation of  
 Changes to Fund Balance Appropriated  
 001-000990-099500  
 As of July 31, 2015

|  |                  |
|--|------------------|
| Appropriations from Fund Balance per Excel | (216,402)        |
| Appropriations to Fund Balance per Excel   | 110,978          |
| Net Appropriations per Excel               | <u>(105,424)</u> |

Less: Pending Ordinances for Council Approval

|                              |          |
|------------------------------|----------|
| Total Net Pending Ordinances | <u>0</u> |
|------------------------------|----------|

|   |                  |
|---|------------------|
| Net change to Fund Balance Appropriated | <u>(105,424)</u> |
|---|------------------|

|                      |                  |
|----------------------|------------------|
| FMS Budget T Balance | <u>(105,424)</u> |
|----------------------|------------------|

0

|  |
|--|
| <b>County of Erie</b><br><b>Comparison of Change in Monthly General Fund</b><br><b>Fund Balance Appropriated for the Years</b><br><b>2015 and 2014</b> |
|--|

Change in appropriated General Fund fund balance as follows:

| Month  | 2015      | 2014      |
|--|-----------|-----------|
| January  | (4,797)   | 10,012    |
| February   | 18,406    | (99,797)  |
| March  | 16,376    | 787,236   |
| April  | (38,277)  | (45,988)  |
| May  | (16,188)  | (110,372) |
| June   | (69,290)  | (1,083)   |
| July   | (11,654)  | (56,301)  |
| August   |           | (15,733)  |
| September  |           | (5,231)   |
| October  |           | (85,855)  |
| November   |           | (600,000) |
| December   |           | (469,035) |
| Total Change in Appropriated Fund Balance Year to Date | (105,424) | (692,147) |