

March 8, 2016

ERIE COUNTY COUNCIL – Regular Meeting

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

“Let us pray. As we survey the land, we feel small and insignificant. Let us not forget that we are not alone. Count the blessings you have in this day. Get up and make the most of this time, for you don’t know what comes tomorrow. Help us to step up and stand tall against our goliaths. That victory may be won. Let us not allow the death of compassion or righteousness. Let us ask ourselves what we are willing to do to provide our share of the answer. What sacrifices we are willing to make, what we are willing to freely give to make our small part of the world better for all in need. We pray in the name of our Lord. Amen.”.

**Roll Call**

The County Clerk called the roll:

Members Present: Mr. Breneman  
Mr. DiMattio  
Mrs. Fatica  
Dr. Foust  
Mr. Leone  
Mrs. Loll

Members Absent: Mr. Horton

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

**Presentation of Citation**

Mr. DiMattio presented a citation to the Greenfield Township Volunteer Fire Company. Mr. DiMattio stated that when he was elected to office, Greenfield Township’s fire department had two volunteers at their fire department. They missed calls continually and lacked staff. In the last two years, they have built up to 25 members. In a time when volunteer fire departments are having a horrible time trying to get volunteers, Greenfield has bucked that trend. In addition to that, in the last two years, they have not missed a call, which is unheard of in some of the largest volunteer fire departments. Because of that, they were awarded from the Pennsylvania Emergency Health Services Council the Pennsylvania EMS Agency of the Year. They were the leading volunteer fire department out of 1,300 departments in the state of Pennsylvania. Mr. DiMattio expressed that this is quite an accomplishment and applauded the members. Chief Kevin Bartlett commented that they are trying to provide the best, most competent and fastest service to their community that they can provide. In the last two years, Chief Bartlett stated that they have managed to not only take care of their own community, but supply mutual aid to ten different departments – three of them in New York State.

**Hearing of The Public**

Marvin Cross, Waterford Township; Mr. Cross wanted to bring attention to contractors coming in from out of state to do paving work. He stated that they come in and operate strictly on a cash basis and pay no taxes here. They go to asphalt plants and get material and look for people, specifically the elderly. They do inferior work and are here through the whole season. Mr. Cross does not feel that this is fair to the local businesses that do pay their taxes. He commented that these contractors use illegal plates on their vehicles and are running scams. He stated that this

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affects the local March 8, 2016 contractors and would like for the County to possibly look into this issue somehow and stop these “travelers”.

Randy Barnes, Harborcreek Township; Mr. Barnes wanted to discuss the failure of the inland port project and the concern of whether the County and taxpayers will get the \$3 million back lent to DevelopErie in 2006. There were provisions in the agreement to get quarterly updates and Council would vote once a year on the project but not much of that took place. Mr. Barnes stated that on February 19<sup>th</sup>, there was a meeting held and a new rail study was presented. He stated the study began in November of 2014 and ended in February of 2016. He then commented that not one business person came forward and stated that the inland port project was necessary to preserve and create jobs. He also stated that when County Executive Dahlkemper was in Congress, she brought back \$494,000 for the inland port. Taxpayers won't get that money back because it was a grant and could be spent in any way. He stated that when organizations come before Council asking for money, they should be diligent in being a good liaison by doing research, looking at the books, and making sure the idea is solid before investing taxpayer dollars.

#### **Approval of Minutes**

Mr. Leone made a motion to approve the minutes from the February 23, 2016 regular meeting. This was seconded by Dr. Foust and carried in a unanimous roll call vote.

#### **Reports of County Officials**

Dr. Foust stated that the Finance Committee met on March 3, 2016, and agreed to place Ordinances 12, 16, and 19, 2016, Resolution 8, 2016, and a board appointment to the agenda.

Mr. DiMattio stated that the Personnel Committee met immediately following the Finance Committee meeting and agreed to place Ordinance Numbers 11, 14 and 15, 2016, on the agenda for a second reading, along with Ordinances 17 and 18, 2016 under New Business.

Mr. DiMattio also stated that he attended last month's meeting of the Waterford Borough Council. There is a new president and vice president and it appears that Waterford is not going to shy away from the traffic light, they will get their second traffic light. Mr. DiMattio stated that he also met with VisitErie at their board meeting. At that time, they took a tour of the new hotel and parking area. Things are moving along very well and the most noteworthy part, of the two retail spaces in the parking ramp, they have six tenants that have applied for those two spaces. There are very stringent rules as a tenant, including remaining open 12 months and not seasonally. Mr. DiMattio feels there will be a lot of interest for the rest of those spaces.

Mrs. Fatica met with Bill Haggerty, Executive Director of Emergycare. He asked her to be a member of their Advisory Board, which she accepted. She stated that the public hearings for the Next Generation Radio System were well attended. At this point, the five vendors that have been identified will be submitting their proposals on March 15<sup>th</sup>. They expected around 45 days to review those proposals, and the implementation period would hopefully begin May 1, 2016, through December 31, 2017.

Mrs. Loll read the following report:

“On February 25<sup>th</sup> I attended the Metropolitan Planning Commission Meeting at the Admiral Room in Blasco Library. A copy of the by-laws was distributed to the members to go over for outdated information to update them as they have not been amended since January, 1972. The Municipal Solid Waste Plan was reported on. It has been difficult to maintain the locations for recycling as the public is using it as a dump for garbage and not properly disposing of the E-waste. All the sights that accepted E-waste are not doing it anymore. To dispose of E-waste, it must be taken to a collection site and a fee paid. The Greenways Grant Program – Align with Community Health was discussed. The Planning Department will be working with the Health Department on this. A survey was sent out to all municipalities to get a picture of needs and municipal matters. Not all were returned so another mailing will be going out.

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I attended the Next Generation Radio information meeting at Perry Hi-Way Hose Company on March 7<sup>th</sup>. There was a recap of the process that has already happened to implement the system. It was assured that the system would be 95% for 95% of the time. The problem areas are some underground spaces. The frequencies are mostly in place, they have 14. There are 27 possible tower locations that can be used, once the need is determined. The design is being put in place and the bids for the steel, radios, and building sheds will be written once the need is established. There will be user agreements for the equipment given to the fire companies, emergency EMS and first responders. This agreement will place the responsibility of the repair, maintenance and replacement with the user. There has been a \$2.6 million fire grant applied for with four fire companies as sponsors. If it is received, it will be applied to the cost of the system. A Public Safety Advisory Committee has been formed with a subcommittee on communications being formed. Anyone interested in being on that committee is asked to call and express their interest. There was a question and answer period at the end, and one question was if mutual aid was needed from other counties and/or states will they be able to communicate. They have already planned for this and yes they will be able to interface.”.

Mr. Leone stated that he indicated at the last meeting that he would continue to review some of the problems at the Human Relations Commission. One of the problems is lack of staff. There are other problems, but he is going to continue to monitor and review its progress and report to Council when he is ready to make a recommendation. He does not want anyone to misunderstand his intention in this area. The Human Relations Commission is a necessary and vital part of this community. His intent is to improve the Human Relations Commission. He also met with the new President Judge on March 1<sup>st</sup> and they discussed many issues pertaining to the Courts. One of the changes delegated by the State and the Department of Human Services was providing all Domestic Relations Offices in the Commonwealth a document management system. In an effort to implement this system, there were changes made to individual job responsibilities, hence the change in classification via Ordinances 14 and 15 on the agenda tonight. Mr. Leone stated they also discussed his resistance to vote for more staff in the District Justice offices. Another discussion involved the Central Court and the dangers it presents to the public. The change in the Planning Department has caused some changes in the offices. The Planning Department is now located above the Library in the old Camtech offices. The old Planning office is being renovated to accommodate the Tax Claim Bureau, and a system will eventually be set up that would clear the area around Central Court and allow the plaintiffs and defense witnesses to have separate areas to wait in until called upon. Mr. Leone stated that in conclusion, he is appointing a commissioner to the Human Relations Commission Board, Mr. James Wandless, as his representative. As he stated previously, he will continue to monitor the Human Relations Commission and make periodic reports.

#### **OLD BUSINESS**

**Ord. 11, 2016 –  
Pub. Health Rev.  
Revenue & Exp.  
RE: Refugee Health  
Case Coordinator**

Mr. Smith gave a second reading of Ordinance Number 11, 2016, “2016 Public Health Fund Budget Revised Revenue and Expenditures of \$59,097 for Release of Restricted Funds for Refugee Health Case Coordinator”. This was moved by Mr. Leone, seconded by Mrs. Fatica, and carried in a unanimous roll call vote.

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**Ord. 12, 2016 –  
PRM Ltr of Credit  
Ordinance**

Mr. Smith gave a second reading of Ordinance Number 12, 2016, “An Ordinance of the County of Erie, Pennsylvania, (The ‘County’) Authorizing and Directing the Execution and Delivery of a Guaranty Agreement for the Benefit of Pleasant Ridge Manor (‘Pleasant Ridge’) and Compliance with the Provisions Thereof and Incurring Nonelectoral Debt Thereby; Approving a \$700,000 Letter of Credit Agreement from Pleasant Ridge to PNC Bank, National Association; Directing the Proper Officers of the County to Take Necessary Actions; and Repealing All Inconsistent Ordinances”. This was moved by Mrs. Loll, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Ord. 14, 2016 –  
Dom. Rel. SA of  
\$2,235 for Change  
In Positions**

Mr. Smith gave a second reading of Ordinance Number 14, 2016, “First 2016 Domestic Relations Fund Budget Supplemental Appropriation of \$2,235 from Change in Positions”. This was moved by Dr. Foust, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Ord. 15, 2016 –  
GF SA of \$738  
For Tx to Dom. Rel.**

Mr. Smith gave a second reading of Ordinance Number 15, 2016, “Sixth 2016 General Fund Budget Supplemental Appropriation of \$738 for Transfer to Domestic Relations”. This was moved by Mrs. Loll, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**NEW BUSINESS**

Dr. Foust made a motion to moved Ordinances 16 and 17, 2016, to second readings. This was seconded by Mr. Leone and carried in a unanimous roll call vote.

**Ord. 16, 2016 – GF  
SA for Stonegarden  
Grant FY 2015-2017**

Mr. Smith gave a second reading of Ordinance Number 16, 2016, “Seventh 2016 General Fund Budget Supplemental Appropriation of \$122,783 and Creation of Line Items for Stonegarden Grant FY 2015-2017”. This was moved by Mrs. Loll, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**Ord. 17, 2016 – ECCM  
SA for Creation of  
New Position**

Mr. Smith gave a second reading of Ordinance Number 17, 2016, “First 2016 Erie County Care Management Budget Supplemental Appropriation of \$50,040 and Creation of Intellectual Disabilities Incident Management and Investigation Position”. This was moved by Mr. Leone, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**Ord. 18, 2016 – GF  
SA For Creation of  
PT position in CE  
Office**

Mr. Smith gave a first reading of Ordinance Number 18, 2016, “Eighth 2016 General Fund Budget Supplemental Appropriation of \$16,453 for Creation of Part Time Communications and Public Relations Administrator”.

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**Ord. 19, 2016 –  
Restriction of Grant  
Funding to EMTA**

Dr. Foust moved to amend Ordinance Number 19, 2016, to reflect a change in the dates and amount of funding restriction. This ordinance is being amended to restrict half of this year’s funding to EMTA rather than just the final quarter. The amount changes to \$184,065. This was seconded by Mr. Leone and the amendment carried in a unanimous roll call vote.

Mr. Smith gave a first reading of Ordinance Number 19, 2016, “2016 Unrestricted Gaming Fund Budget on Grant Funding to EMTA”.

**Res. 8, 2016 –  
Urging Gen. Assembly  
To Restore Funding  
To Human Svcs. Pgms.**

Mr. Smith gave a reading of Resolution Number 8, 2016, “A Resolution Urging the General Assembly and Administration to Restore Funding for Human Services Programs to Historic Levels, and to Put Mechanisms in Place to Assure Any Future Budget Impasse or Budget Delay Does Not Become a Burden on Erie County and Its Constituents”. This was moved by Mr. Leone, seconded by Dr. Foust.

Dr. Foust commented that he would anticipate this passing unanimously. Year in and year out, the State repeals back from their responsibilities to fund important Human Services programs and Erie County steps up to the plate in many ways to fill those funding holes, but that can only go on so long. He stated that our State officials on both sides of the aisle need to step up and not only fix this particular problem but the general budget problem.

Mr. Leone commented that he would like the Clerk to not only copy the Erie delegation, but also CCAP.

Resolution 8, 2016, then carried in a unanimous roll call vote.

**BOARD/AUTHORITY  
APPOINTMENT**

Mr. Leone moved to approve the appointment of James Wandless to the Erie County Human Relations Commission. This was seconded by Dr. Foust and carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 7:33 p.m.

Deneé M. Breter, Council Secretary  
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