

November 6, 2013

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles, 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. Do you feel it, the spirit of God is among us. Every time we gather there is Jesus. Let us take a look around and see what God has done it is obvious that the hand of God is on this place. He has been our strength, our anchor, our influence. Let’s not be angry about everything, we are never going to change the part of the world we live in by standing still. Let us be the ones that stand up and say I am going to do something. Amen.”

Roll Call

The County Clerk called the roll:

Members Present: Mr. Giles, Chairman
Mr. Cleaver, Vice Chairman
Mr. DiMattio
Mr. Fatica
Dr. Foust
Mr. Leone
Mrs. Loll

Members Absent: None.

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

Thank you to
Election Office
Staff

Mr. Giles indicated deep appreciation for the people who handle the election process. He stated there was a temporary new board because of the new ballot. These people all volunteered to do this and it was an eye opener for them to see the kind of challenges the staff goes through. He also commented that there were new staff in the Election Office and it was a new experience for those people. He wanted to express Council’s gratitude for all the effort and work put into the election.

Presentation of
Citation to
Erie Independence
House

Mr. Giles then presented a citation to Mr. Ryan Millimaci, President of the Board of Erie Independence House. They are celebrating their 35th Anniversary this year. He stated that this organization hosted a reception as a part of the Tall Ships Festival in September. Mr. Giles expressed gratitude for the work that they do in helping disabled individuals in the community, as well as the appreciation Council has in providing resources and working together with this organization.

Hearing of
The Public

None.

November 6, 2013

Approval of
Minutes

Dr. Foust moved to approve the minutes from the October 15, 2013 Regular Meeting. Mr. Leone seconded this motion and it passed in a unanimous roll call vote.

Finance
Committee

Mr. Leone stated that the Finance Committee met last Wednesday, October 30, 2013, and discussed the following ordinances: Items A through R are the first reading of budget ordinances; the first reading of Ordinance 112 amending Ordinance 60 (possible second reading); first reading of ordinance 114, 115, 116 (possible second reading), 117 (possible second reading), 118 (possible second reading), 119 (possible second reading), 120 (possible second reading); possible adoptions of Resolutions 48, 49, 50, 51, 52, 53; possible appointment of Bob Williams to the Redevelopment Authority and Renee Wright to the OCY Advisory Board; possible approval of sale of parcels.

Personnel
Committee

Dr. Foust deferred to Mr. DiMattio for his report as Mr. DiMattio chaired the Personnel Committee meeting. Mr. DiMattio reported that the Personnel Committee met immediately following the Finance Committee. At that time, they discussed the second reading of Ordinance 93; first reading of Ordinance 121, 122, 123, and 124 (possible second reading).

Report by
Chairman Giles

Mr. Giles asked that the Budget meeting schedule for 2013 be incorporated into the minutes:

2013 BUDGET SCHEDULE & MEETINGS

Monday October 14- Get ad copy from Maloney; send to Times & Journal

Sunday October 20- Budget advertisement appears in Times and Corry Journal

Tuesday, October 22

4:00 Drug & Alcohol
MH/MR
HealthChoices
Children & Youth
4:45 Erie County Care Mgt.

Wednesday, October 23

4:00 Controller
4:15 Personnel/Veterans
4:25 GECAC
4:40 EMTA
4:50 Conservation District
5:05 Humane Society
5:15 Fireman's Association
5:25 Cooperative Extension

Thursday, October 24

4:00 County Executive
Solicitor, Operations
4:20 Coroner
4:35 DA
4:50 PD
5:05 Sheriff
5:20 PRM
5:40 Gaming

November 6, 2013

Monday, October 28

4:00 Court Administration
Adult Probation
Juvenile Probation
Domestic Relations
District Judges
4:45 Corrections

Tuesday, October 29

4:00 Clerk of Courts
4:10 Register of Wills
4:20 Recorder of Deeds
4:30 Prothonotary
4:50 Public Safety
5:15 Library
5:30 Planning

Wednesday October 30

4:00pm Finance/Personnel Meeting
4:30 Tax Claim
4:45 Assessment
5:00 Finance
5:10 Health

Budget ordinances appear on finance agenda (provide order for Maloney)

Monday, November 4

Open

Tuesday November 5

Election Day

Wednesday November 6

5:30 Possible budget discussions
6:00 Budget Hearing
6:30 Caucus Meeting
7:00 Regular Meeting

Thursday November 7

Open

Thursday, November 14

4:00pm finance/personnel meeting
Possible budget discussion meeting immediately following

Saturday November 16

Joe Maloney's at 9am

Tuesday, November 19

4:00 Public Hearing
4:30 Caucus
5:00 regular Meeting

*Hearings must be after October 31

November 6, 2013

Mr. Giles'
Report

Mr. Giles stated that on September 24, 2013, he was a part of the re-opening of the Erie Insurance Arena. He was asked to speak to the audience and asked that his comments be included in the minutes of today's meeting. Mr. Giles did note that he, along with Mayor Sinnott and Attorney Roger Richards, were invited to speak. During his comments, he stated that while thanks were being given to the elected officials and politicians, there were three people who deserved special recognition for their roles in the initial phases of this project. They were Joe Maloney, Sue Ellen Pasquale and Roger Richards. He stated specifically that without the efforts of Mr. Maloney and Mrs. Pasquale in the early stages, as well as with many other capital projects in the County, these initiatives would not have come to fruition.

“Good evening, this is an exciting evening. We have heard from Mayor Sinnott on behalf of the City, and Attorney Roger Richards on behalf of the Convention Center Authority. On behalf of Erie County, we are pleased to participate in this program. The County's financial participation was critical to the renovation of the Erie Insurance Arena, formerly the Tullio Civic Center.

The County is proud and pleased to participate in this investment in the vitality of our community. This project is not simply bricks and mortar, light fixtures, new cushions on seats, and carpeting. It is an investment in the life and vitality of our County. The seats are packed with lively fans. The streets are busy with grandparents and their grandkids. Restaurants, parks and stores are busy, all a tribute to our belief in the life and vitality of our community.

To remind everyone, Erie has a long history of investment in our heritage and culture. Our philharmonic orchestra is celebrating its 100th anniversary of continuous performances. The Erie Playhouse is in its 96th season, leading the country in the top five community theaters. The Erie Art Museum, with its new expanded facility, is celebrating its 94th year. We have a respected, longstanding set of traditions surrounding our investment in regional assets. Tonight, we celebrate the newly restored arena. Our gratitude to all who have made this possible – the City of Erie, the Convention Center Authority, the County of Erie, and the staff, who maintain and care for this outstanding new facility.

There are three people who deserve your deep gratitude and respect. They are not politicians, they are not elected officials. They have been actively involved in this project and deserve special recognition tonight. They are Joe Maloney, Chief Financial Advisor to the County, and Sue Ellen Pasquale, Director of Accounting for the County. Their skills and talents and dedication have enabled us to participate and provide critical County support for this project. They have provided their talents on this project, and many other capital projects, within our County. Like so many public or private projects, there is always a key person who organizes, directs, and energizes a project. For the arena project, this person is Attorney Roger Richards. His enthusiasm, contacts, and vision have made all of this happen. He was the person who convened all of the various governmental and non-governmental entities. Our community, our County, have all been well served by these three individuals. Their dedication, vision and work have guaranteed the success of this project. We are here today with real gratitude for them and the many others who ‘make things happen’.

Lastly, the spirit of public-private partnerships remains a key to the success of this project. Erie Insurance has provided significant direct financial support. To their corporate and individual support, we are very grateful.

To all, a large applause, as we remember that this is and always will be a commitment to Erie, our community, and the demonstration of our belief in its vitality.”

November 6, 2013

Mr. Giles also asked that the Erie County Convention Center Authority press release regarding the expansion be included in the minutes. It is as follows:

“809 French Street
Erie, PA 16501
(814) 453-7117
(814) 455-9931 fax
www.erieevents.com

FOR IMMEDIATE RELEASE

Contact: John “Casey” Wells, Executive Director
(814) 480-6012 casey@erieevents.com

LOUIS J. TULLIO ARENA TO UNDERGO \$42 MILLION RENOVATION & EXPANSION

Erie, PA – The Erie County Convention Center Authority has announced a \$42 million renovation and expansion of the Louis J. Tullio Arena. The project involves renovating the existing arena and adding new portions to the north, south and west to create a state-of-the-art, multi-use entertainment complex with improved interior spaces and a landscaped outdoor park. The project is scheduled to begin in February, 2011 and be completed in the fall of 2012. The ECCCA entered into an agreement with Friday/Sink Combs Dethlefs, Joint Venture Architects to handle the design work. Sink Combs Dethlefs is an internationally renowned sports facility design firm who has worked on dozens of large arena projects including the Sovereign Bank Arena, HP Pavilion, Ford Center, and the Copps Coliseum. Sink Combs Dethlefs is joined in the Joint Venture by Friday Architects/Planners, a Philadelphia based firm with an established 40 year reputation developing inventive design solutions for community, public, recreation and sports clients. Friday also has a successful record working on prior state administered projects. “We are thrilled with the selection of such an experienced design team which will allow us to intelligently reuse space and creatively redesign our facility,” said John “Casey” Wells, Executive Director of the ECCCA.

The Pittsburgh based construction-management firm, Turner Construction Company, will oversee the construction of the \$42 million project. The firm will provide agency construction management services, supervising the contractors who perform the actual construction work. Turner, which is the largest builder of sports facilities in the country, has supervised over 35 arena/events center projects including Citizens Bank Arena in Ontario, Canada, Lucas County Arena in Toledo, Ohio, Peoria Civic Center in Peoria, Illinois, and Madison Square Garden in New York City, New York. “Their arena experience, not only with renovating facilities, but renovating facilities while they still operate, set them apart,” Wells commented.

The scope of the construction/renovation includes numerous design improvements, with the most significant being the addition of arena seating and circulation areas. To allow for these new areas, the existing arena will expand from 152,000 sq. ft. to a total area of 218,000 sq. ft. New seating capacities will increase to 6,500 for hockey, 6,750 for basketball and nearly 9,000 for concerts. The project also includes larger lobby spaces, expanded concourses with restroom and concession areas, additional ticketing box offices, private suites, club amenities, administrative offices, mechanical rooms, training areas, new locker rooms and a team store. On the exterior, the arena will undergo a complete facelift and look like a brand new building. The facility will boast numerous windows and brick accents and will feature a welcoming multi-story glass entrance. A new, flexible landscaped plaza will also be created and will link the arena to Jerry Uht Ballpark and the Warner Theatre.

The Tullio Arena, which draws over 20,000 visitors a month, is the home of three Erie sports teams: the OHL Erie Otters, the NBA D-League Erie BayHawks, and the SIFL Erie Explosion. In addition to sporting events, the arena is also a performance venue for concerts, tournaments, ice shows and other special events. The ECCCA, which also manages the Bayfront Convention Center, the Warner Theatre and Jerry Uht Ballpark, will now focus on large sporting events and concerts in the arena. Improved arena facilities will give the sports teams a tremendous advantage in better player recruitment and retention. Erie BayHawks President Matt Bresee comments, “It’s a great opportunity to create a better experience for the fans and a better experience all around. The new facility will put us in a better position to seek NBA exhibition games.” On the hockey side, Shawn Waskiewicz, assistant general manager for the Erie Otters said, “It’s something we’ve been waiting a long time for and we’re very happy. It’s one of the best places to play in the OHL, and it’s only going to get better now. In the future, we will certainly bid for the OHL All Star Game and Memorial Cup championships.” Music fans will also have a loud reason to cheer. The increase in concert seating will attract larger, national

November 6, 2013

touring concerts to the Erie area. "With more seats, the bands will be bigger and production will be larger," said Stu Green, promoter from Magic City Productions, who promoted the first concert in the facility, The Beach Boys in June 1983.

Governor Ed Rendell has pledged \$32 million over the next two years for the project, with an additional \$10 million in funding coming from an Erie County capital-improvement bond that will provide the local share of funding. "We need to build a facility that compares to, or outshines, other venues in our market size. This funding will allow us to develop a premier arena with a strong competitive edge. We are deeply committed to bringing world-class facilities and entertainment to the Erie area," said John "Casey" Wells, Executive Director of the Erie County Convention Center Authority.

The Tullio Arena was built for \$9.3 million in 1983. Double-digit inflation forced a scale back of the original designs and only minor improvements have been made over the years.

A gallery of architectural views and project updates can be found on the Erie County Convention Center Authority's website at http://www.erieevents.com/about/tullio_arena_renovation.htm

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2nd Reading
Ord. 93

Mr. Smith gave a second reading of Ordinance Number 93, 2013, "2013 Children & Youth Services Fund Budget of Salary Adjustment for New Superintendent of Edmund L. Thomas Center (Personnel Committee). This was moved by Dr. Foust and seconded by Mr. DiMattio. Mr. Giles noted his understanding in doing this because of the hierarchy and salary set accordingly. He cautioned as Council begins reviewing budget ordinances and completion of the budget, that any time we begin to change the salaries in the year prior to having negotiations and re-setting contracts is very difficult. He stated his instinct is that this is a bad time to do this because where you set the marker is where you set the negotiations. Timing is not necessarily good to be doing this, but given the nature of this request, it should move forward. This was approved by unanimous roll call vote.

First Readings

Mr. Smith gave a first reading of the following Ordinances:

Ordinance Number 94, 2013, "2014 Erie County Care Management Budget"

Ordinance Number 95, 2013, "2014 Domestic Relations Fund Budget"

Ordinance Number 96, 2013, "2014 Planning Fund Budget"

Ordinance Number 97, 2013, "2014 Library Fund Budget"

Ordinance Number 98, 2013, "2014 Public Health Fund Budget"

Ordinance Number 99, 2013, "2014 Public Safety Fund Budget"

Ordinance Number 100, 2013, "2014 Pleasant Ridge Manor Fund Budget"

Ordinance Number 101, 2013, "2014 Pleasant Ridge Manor Depreciation Reserve Fund Budget"

Ordinance Number 102, 2013, "2014 Health Choices Fund Budget"

Ordinance Number 103, 2013, "2014 Drug & Alcohol Fund Budget"

Ordinance Number 104, 2013, "2014 Children & Youth Services Fund Budget"

Ordinance Number 105, 2013, "2014 Mental Health/Mental Retardation Fund Budget"

Ordinance Number 106, 2013, "2014 Liquid Fuels Fund Budget"

Ordinance Number 107, 2013, "2014 Gaming Fund Budget"

Ordinance Number 108, 2013, "2014 Debt Service Fund Budget"

Ordinance Number 109, 2013, "2014 Employee Fringe Benefit Fund Budget"

Ordinance Number 110, 2013, "2014 General Fund Budget"

Ordinance Number 111, 2013, "2014 Real Estate Tax Levy"

Second Readings

Dr. Foust asked to move Ordinances 112, 113, 116, 117, 118, 119, 120, and 124 to second readings. This was seconded by Mr. Fatica and passed in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 112, 2013, "Amending Ordinance Number 60, 2013". This was moved by Mr. Leone, seconded by Mr. DiMattio and passed in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 113, 2013, "Tenth 2013 Public Safety Fund Budget Supplemental Appropriation of \$8,390 for HMRF Grant". This was moved by Mr. Leone, seconded by Dr. Foust, and passed in a unanimous roll call vote.

November 6, 2013

ICA w/City &
County to Assume
Dispatch Svcs at
911 Center

Mr. Smith gave a first reading of Ordinance Number 114, 2013, "Amending the Intergovernmental Cooperation Agreement with the City of Erie for the County of Erie to Assume Dispatch Services for the City of Erie Through the 911 Call Center at the Erie County Public Safety Building".

Purchase of
Vehicle by Adult
Probation

Mr. Smith gave a first reading of Ordinance Number 115, 2013, "2013 General Fund Budget Revised Expenditures of \$28,000 and Creation of Line Items for Purchase of Vehicle by Adult Probation Using Supervision Fees".

Gen. Fund. SA
For Purchases App.
By Cty Rec Imp
Committee

Mr. Smith gave a second reading of Ordinance Number 116, 2013, "Twenty-Seventh 2013 General Fund Budget Supplemental Appropriation of \$46,000 for Purchases Approved by County Records Improvement Committee". This was moved by Mr. Fatica, seconded by Dr. Foust, and passed in a unanimous roll call vote.

Liq Fuels Emerg
Funds for UC Borough

Mr. Smith gave a second reading of Ordinance Number 117, 2013, "2013 Liquid Fuels Fund Budget Revised Expenditures of \$8,002 in Emergency Funds for Repair of Tornado Damage in Union City Borough". This was moved by Mr. DiMattio, seconded by Dr. Foust, and passed in a unanimous roll call vote.

Planning SA for
CDBG Pgms

Mr. Smith gave a second reading of Ordinance Number 118, 2013, "Fifth 2013 Planning Fund Budget Supplemental Appropriation of \$290,000 and Creation of Line Items for CDBG Programs". This was moved by Mr. Fatica, seconded by Dr. Foust, and passed in a unanimous roll call vote.

For the benefit of new members in the audience, Mr. Giles noted that these actions are discussed during the Finance and Personnel Committee meeting where the ordinances are picked apart and discussed at length by Council members.

Gen Fund SA for
Act 137

Mr. Smith gave a second reading of Ordinance Number 119, 2013, "Twenty-Eighth 2013 General Fund Budget Supplemental Appropriation of \$30,000 for Act 137". This was moved by Mr. Leone, seconded by Mr. Cleaver, and passed in a unanimous roll call vote.

Amending Admin
Code – Purchasing
Code

Mr. Smith gave a second reading of Ordinance Number 120, 2013, "Amending the Administrative Code of Erie County, Article III, Section 1(L)3, Purchasing Code – Sale of Surplus Property Previously Amended by Ordinance Number 35, 2013". This was moved by Mr. Leone, seconded by Dr. Foust, and passed in a unanimous roll call vote.

Non-Barg Employee
Pay Plan

Mr. Smith gave a first reading of Ordinance Number 121, 2013, "2014 Non-Bargaining Employees Pay Plan".

Prison Mgmt Pay
Plan

Mr. Smith gave a first reading of Ordinance Number 122, 2013, "2014 Prison Management Pay Plan".

Public Health
Revised Rev & Expend
& Reorg of Personnel

Mr. Smith gave a first reading of Ordinance Number 123, 2013, "2013 Public Health Fund Budget Revised Revenue & Expenditures of \$74,129 and Reorganization of Personnel Due to Reduction in Tobacco Grant Funding".

November 6, 2013

Public Health Revised Rev
& Exp – Lead Grant
Funding

Mr. Smith gave a second reading of Ordinance Number 124, 2013, “2013 Public Health Fund Budget Revised Revenue & Expenditures of \$60,122 and the Loss of a Position Due to Termination of Lead Grant Funding”. This was moved by Dr. Foust, seconded by Mr. Leone, and passed in a unanimous roll call vote.

Resolutions

Mr. Cleaver moved to adopt the following resolutions:

Resolution Number 48, 2013, “Approving the Petition to Compromise and Settle Delinquent Taxes, Penalties, and Interest Pursuant to 72 P.S. §5551, et.seq.”

Exonerating
Taxes

Resolution Number 49, 2013, “Exonerating of County Taxes on Parcel Number 160-030-043.0-124.00”

Resolution Number 50, 2013, “Exonerating Taxes on One Abandoned Trailer/Property in Millcreek Township and the Millcreek Township School District”

Resolution Number 51, 2013, “Exonerating Taxes on One Abandoned Trailer/Property in Fort LeBoeuf School District and Summit Township”

Resolution Number 52, 2013, “Exonerating Taxes on One Abandoned Trailer/Property in the Union City Borough and the Union City Area School District”

Resolution Number 53, 2013, “Exonerating Taxes on One Abandoned Trailer/Property in Waterford Borough and the Fort LeBoeuf School District.”

Mr. Leone seconded and it carried in a unanimous roll call vote.

Appointments

Mr. Giles asked for a motion to approve the appointments of Mr. Bob Williams to the Erie County Redevelopment Authority and Ms. Renee Wright to the Children & Youth Advisory Board. The motion was moved by Mr. Cleaver and seconded by Dr. Foust. Mr. Leone commented that he spoke with the Director of Children & Youth and she stated that it was not necessary for him to make an appointment this month. Mr. Leone stated that he would like to review these appointments as to the time they started and when they end. He stated that he is not opposed to making these appointments, but asked to table these appointments for further review, which was seconded by Mrs. Loll. The motion passed by a 5 to 2 vote, with Mr. Giles and Mr. Cleaver voting no.

Sale of Parcels

Dr. Foust moved to approve the Sale of Parcel from Repository for Unsold Properties at Index Number 18-050-025.0-134.00. This was seconded by Mr. Leone and passed in a unanimous roll call vote.

Prior to adjournment, Mr. Giles commented that there will be committee set up to review the opportunity to get the County out of the civil service hiring system. He stated he has all the information from CCAP and it is a fairly easy process. He noted that if anyone wanted to serve on the three member committee, they could let him know. He stated that he thought it could be completed by the end of the year and he has paperwork that will be distributed to the committee members. He stated that there has been a lot of difficulty with the civil service process and hiring of employees for the County. He felt that the process would not be terribly complicated. Mr. Giles stated that anyone from the Administration would be welcome to participate in the discussions as well.

There being no further business, the meeting adjourned at 7:37 p.m.

Deneé M. Breter, Council Secretary
