

March 6, 2007

ERIE COUNTY COUNCIL – Public Hearing on FY 2007 Erie County Community Development Block Grant Program (CDBG)

Mr. Leone, Chairman, called to order a Public Hearing on FY 2007 Erie County Community Development Block Grant Program (CDBG) at 6:00 p.m. in the Erie County Council Chambers, Erie County Courthouse.

Members Present: Mr. Leone, Chairman
Mr. Augustine
Mr. Cleaver
Mrs. Loll
Mr. Mitchell

Members Absent: Mr. Giles, Vice Chairman
Mr. Foust

Also Present: Douglas R. Smith, County Clerk
Joseph T. Berdis, Planner IV, Department of Planning

Mr. Berdis stated the purpose of this hearing was to take comment on how the County proposes to utilize its FY 2007 CDBG allocation, which is anticipated to be approximately \$400,000. The County is entitled to CDBG funds each year under the provisions of the Commonwealth's CDBG Program and Act 179 of 1984. These funds are to be used to assist non-entitlement municipalities address community development needs which primarily benefit low-to-moderate income families.

Mr. Berdis advised Council that all 30 of the County's non-entitlement municipalities were sent an application package last May. To qualify for funding consideration, a municipality must show that its project is an "eligible" and "fundable" activity. Eligible activities include water, sanitary sewer and storm sewer construction; housing rehabilitation; curb and sidewalk replacement; street reconstruction; and handicapped accessibility improvements. Fundable activities are those projects which meet the National Objective of the program which is to benefit low-to-moderate income families. Mr. Berdis explained a low-to-moderate income family is one whose annual income does not exceed 80% of the medial income for Erie County, adjusted for family size.

According to Mr. Berdis, five eligible/fundable project applications were submitted to County Planning and ranked by the Planning Commission. Three of the five projects will be able to be funded. He proposed the 2007 Block Grant funds be used in the following manner:

Union City Municipal Authority Water Treatment Lagoon Sludge Removal Project will receive \$100,000. This project will involve the removal, hauling and disposal of approximately 300,000 gallons of sludge from the water treatment lagoon. This project will benefit all of Union City Borough which has 926 families consisting of 3,458 persons, 57% of whom are low-to-moderate income.

Mr. Berdis also proposed that \$93,300 go to the Union City Borough Brown Street Storm Sewer Construction Project. This will involve the installation of 1,250 feet of HDPE storm sewer pipe and 12 inlets along Brown Street in Union City Borough. The project will benefit 24 families, consisting of 60 persons, 81% of whom are low-to-moderate income.

The Waterford Borough East 6th Street Water Line Replacement Project will receive \$137,000 plus or minus. This project will involve the replacement of 1,500 feet of 4" line with 8" diameter water main, install three fire hydrants, and provide site restoration along East 6th Street in Waterford Borough. The project will benefit 65 families, consisting of 117 persons, 56% of whom are low to moderate income.

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Mr. Berdis reported that additionally, \$63,000 of the allocation will be set aside for program administration.

Mrs. Loll recalled at the last public hearing such as this, she had proposed that the higher government be contacted and advised of the importance of this program to these municipalities, and asked if that had been done. Mr. Berdis replied that it was his understanding that Council was planning to pass a resolution that would go to the Congressmen. Mrs. Loll suggested writing another letter because the government needs to know how important this funding is to the communities since these funds are always being reduced. Mr. Berdis pointed out that they do not yet have the figures for the 2007 allocation, but agreed with Mrs. Loll about the importance of this program, as it has been in existence for thirty years.

Mr. Mitchell suggested sending letters to Senators Specter and Casey. This funding gets cut every year, and he does not believe a blanket resolution should be sent. He noted individuals from CCAP would be meeting with the senators regarding CDBG funding. He felt a backup resolution to those representatives would be a good idea.

Mr. Cleaver asked Mr. Berdis how the situation is handled if the total dollar amount being requested is less than anticipated. Mr. Berdis replied that the Planning Commission ranked five projects with the anticipation they will have so much money to work with. That amount of money would fund the top three projects. If less money is provided, the third project on that list would receive less money.

Mr. Cleaver further questioned Mr. Berdis about the total dollar amount being more than anticipated. If that were to happen, Mr. Berdis stated the Planning Commission would then go to the fourth project on the list and offer the available money.

Adjournment

There being no further business, the public hearing adjourned at 6:09 p.m.

Ann M. Bruno, Council Secretary

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Minutes from Feb. 6 and Feb. 13, 2007 Reg. Mtgs. Approved. Agenda Amended. Smokefree Air Act Delete Section 9C adopted. First Rdg. MDJ Video Arraignment Prjct. Capital Prjcts. S.A. Courthouse Security Grant adopted. PH S.A. Donations for Nurse Family Partnership adopted. App. Pilot between County and Village at Luther Square adopted. Exonerating taxes on abandoned trailers in North East Twp, Fairview Twp, Union City Area, Corry Area, and Gen. McLane adopted. Urging Commonwealth to Legalize Table Games adopted. Sant Ram, M.D, appt'd to Board of Health. Kimberly A. Oakes appt'd OCY Advisory Brd.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Leone called to order a Regular Meeting of the Erie County Council at 7:00 p.m. in the Erie County Council Chambers, Erie County Courthouse. Following the Pledge of Allegiance, the County Clerk called the roll:

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Members Present: Mr. Leone, Chairman
Mr. Augustine
Mr. Cleaver
Mr. Foust
Mrs. Loll
Mr. Mitchell

Members Absent: Mr. Giles, Vice Chairman

Also Present: Douglas R. Smith, County Clerk
Joseph P. Maloney, Council CPA
Thomas Talarico, Council Solicitor
Sean Wiley, Director of Administration
Stephanie Freeman, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Hearing of
The Public

Maria Foster, 2301 Peach Street, Erie, expressed her disappointment in Channel 24 for their inaccuracy in reporting no one was bothered by the smoking ban. In New York City and Buffalo, over 2,000 jobs have been lost. It has also come to her attention that the American Cancer Society gives money to politicians to promote a smoking ban. She also stated that Pennsylvania is fourth in adopting children to other countries. She showed a "court summary" to Council stating it was predated and signed by Kathleen Walczak and her supervisor. This should say recommendation to the court. These hearings are mock hearings and a disgrace to the judicial system.

Kenneth Przepierski, 640 East 12th Street, wished to retract a statement he made at the last council meeting regarding Sue Weber's office receiving raises. He spoke with Ms. Weber, who explained the matter to him, and he extended his apologies to her. Mr. Przepierski stated he believes the toxic environment at OCY is now chaotic because nothing has changed, and the situation has gotten worse. The position of Ombudsman has hit a roadblock. After 7 years of investigation at OCY, there is no list of what has been corrected. He addressed Mr. Cleaver noting the 600 pages of regulations for gaming and gambling, and asked if Council is planning to override state legislation.

Tom Wiza, 556 Lone Pine Court, Erie, approached Council to mention points of concern regarding the continued plans by Erie County Government, the Department of Human Services and Erie County Care Management to destroy Case Management Support Services. Last week, Case Management received notice that the two remaining services will not be contracted for in 2007-2008. He believes there has been deceit and manipulative behavior on the part of County government. There are many questions, if left unanswered, will result in a crash of at least the mental retardation program and the various other services in Erie County.

Renee Vendetti, Erie, referred to Ordinance 5, 2007 which approved the webmaster. If Council would review Ordinance 5, there were raises given out. This was not on the agenda, and wonders if it was "slid under the table." She also referred to Resolution 7, 2006 regarding the ombudsman position and reconfiguration of the OCY advisory board. Mr. DiVecchio did not sign it. On the agenda is an appointment for the advisory board, but stated the by-laws indicate a vacancy will be filled through the appointment of the County Executive, not Council. Council does not follow their own rules. Council passed the smoking ban, it was an improper motion, and now Mr. DiVecchio wants to appeal Judge Bozza's decision. This is taxpayer's money being spent.

Dan Galena, 2325 Happy Valley Road, East Springfield, wished to commend Sean Wiley, the Director of Administration, for his constant and continuous courtesies to the general public. Mr. Wiley always makes an effort to say hello to the common citizen, and he represents Mr. DiVecchio very well. Mr. Galena then asked for an explanation of the ordinances on the agenda for this evening's meeting.

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Minutes

Mr. Foust moved to approve the minutes of the Regular Meetings of February 6, 2007 and February 13, 2007. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Mr. Spaulding's
Report

Mr. Spaulding presented the following report to Members of Council in caucus regarding the Workforce Development Initiative:

County Council appropriated funding in 2006 and again in 2007 to support a joint workforce development initiative co-funded by the Workforce Development Board (WIB) and implemented by the Erie Regional Chamber and the CareerLink.

The mission of the program is to identify Erie County based companies that are having difficulty in finding qualified workers for current vacancies and matching those positions with qualified individuals or through area training providers. The program was launched late last year and has reached the point where we can provide a progress report.

While the attached report provides company information for your respective Council District, the following is a summary of county wide results through January 2007.

- Number of companies currently participating with CareerLink 191
- Number of companies referred from the Chamber database 26
- Number of training plans created for participating companies 13
- Training funding received through the WIB \$128,760.00
- Individuals receiving training 671

We expect an updated report at the end of March which will detail specific information about the types of jobs being filled and the related skill requirements. I am available to meet with you individually to go over the report in more detail.

Finance
Committee

Mr. Foust reported the Finance Committee met Thursday, March 1, 2007, and agreed to place on the agenda for a second reading, Ordinance Number 23, 2007, as well as first readings for Ordinances 24, 25, and 26 of 2007. Resolutions 12, 13, 14, 15, 16, 17, and 18 of 2007 have been placed on the agenda for possible adoption, and the possible appointment of Sant Ram, M.D. to the Erie County Board of Health and Kimberly A. Oakes to the OCY Advisory Board.

Mr. Leone's
Comments

Mr. Leone wished to explain to Mr. Galena the ordinances on the agenda for this evening. Part of the reason the full finance agenda packet is not provided is that these ordinances are yet to be adopted, and if Council had to provide this huge finance packet to every interested citizen, there wouldn't be enough money in the county budget. Mr. Leone believes the ordinances are self-explanatory. The second reading of Ordinance 23, 2007, is to amend the County Smokefree Air Act of 2006. Council is trying to correct the smoking ban as far as geriatric centers are concerned. It's a simple correction, and although the smoking ban is not currently in effect due to the question of its legality, Council wanted to make sure that in the event it does become legal, the ordinance will be correct.

Ordinance 24, 2007 referring to MDJ video arraignment and creation of new line items, is very simple. Council is attempting to have video conferencing for the district judges so prisoners will not have to go their offices which will result in a large tax savings to the community. Ordinance 25 is the capital projects for courthouse security grant. A grant has been retained and it will be used as far as courthouse security is concerned. Ordinance 26 refers to funds from the Health Department and those funds must be used under Act 315 in order to double the amount of those funds for the Health Department, and there must be the creation of another line item.

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Mr. Leone's
Comments

Mr. Leone referred to Ms. Vendetti's remarks regarding the webmaster ordinance providing raises. This did not give raises to anybody. The webmaster is a program, a contracted service. It is funding being implemented for the website to improve it and provide easier access to the community. This is also a tax savings to the community.

Mr. Leone addressed the accusations regarding lying and deceit and so forth being brought up at Council meetings. This goes on week after week. Mr. Leone suggested that material be sent to the District Attorney's Office and hopes that those individuals making these accusations can justify them. He cautioned these individuals should be very careful in what they say.

Mrs. Loll's
Report

Mrs. Loll reported that she attended the Erie County Board of Health meeting on February 26, 2007. During that meeting, a resolution was passed endorsing the voluntary elimination of trans fatty acids in public food establishments. After lengthy discussion, it was decided this would be a voluntary decision on the part of food establishments. Another resolution passed involving the endorsement of calorie labeling in public food establishments. It is hoped these establishments will provide the calorie amount of any portions the public may purchase.

Dr. Ruffa was in attendance at this meeting as well, and he presented detailed information on the need for an addiction medicine clinic in Erie County. He spoke on this issue at length and was very informative. Mrs. Loll advised the Board there could be a problem with the potential receipt of \$250,000 from gaming monies for this issue that the Board is hoping to receive. An authority will be formed to determine what grants they might receive or how they might go about finding money for this project. Mrs. Loll believes in this project and feels it would be beneficial for people released from prison. She has referred to this as a "Day Reporting Center," and it would be a place for these individuals on medication to be monitored. A resolution was passed proposing the adoption of a local health regulation resolution to establish an addiction medicine clinic in Erie County. All of these resolutions passed unanimously, and, most likely, some, and perhaps all, of these resolutions will be forwarded to Council for their review.

Mrs. Loll also reported that tattooing regulations were passed previously, and the Health Department has not had the staff to implement this. However, the registered tattoo facilities have now been visited and have received the regulations. Inspections will begin within the next two to three weeks.

Mr. Foust's
Report

Mr. Foust submitted the following report:

On February 16, 2007 Mr. Foust attended HANDS 40th Anniversary Celebration.

On February 27, 2007 Mr. Foust attended a Gaming Committee teleconference with DCED. Also, on February 27th, Mr. Foust was a celebrity bartender at Molly Brannigan's to raise money for the St. Patrick's Day parade.

On March 1, 2007 Mr. Foust attended the joint meeting of County and City Council regarding the gaming funds and LERTA exemptions.

Agenda
Amended

Mr. Foust moved to amend the agenda to include Ordinances 25 and 26 for a second reading. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

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Amending
Smokefree Air
Act to Delete
Section 9C

Mr. Smith gave a second reading of Ordinance Number 23, 2007, "Amending Erie County Smokefree Air Act of 2006 to Delete Section 9 C Regarding Nursing Homes." Mr. Foust moved to adopt; Mrs. Loll seconded and it carried in a unanimous roll call vote.

First Rdg.

Mr. Smith gave a first reading in title only of Ordinance Number 24, 2007, "Seventh 2007 General Fund Budget Supplemental Appropriation for MDJ Video Arraignment Project and Creation of New Line Items."

S.A. for Courthouse
Security

Mr. Smith gave a second reading of Ordinance Number 25, 2007, "2007 Capital Projects Fund Supplemental Appropriation for Courthouse Security Grant and Creation of a New Line Item." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Donations for Nurse
Family Partnership

Mr. Smith gave a second reading of Ordinance Number 26, 2007, "Fourth 2007 Public Health Fund Budget Supplemental Appropriation for Donations for Nurse Family Partnership Program and Creation of New Line Items." Mr. Cleaver moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Approving Pilot Agrmt.
Erie County & Village at
Luther Square

Mr. Smith gave a reading of Resolution Number 12, 2007, "Approving a Pilot (Payment In Lieu of Taxes) Agreement between The County of Erie and the Village at Luther Square." Mr. Foust moved to adopt; Mr. Augustine seconded, and it carried in a unanimous roll call vote.

Ms. Freeman explained this was a program in lieu of taxes. The Village at Luther Square is not required to pay the county any money, but has made this offer to the county.

Exonerating Taxes on
Abandoned Properties
North East Twp.

Mr. Smith gave a reading of Resolution Number 13, 2007, "Exonerating Taxes on Seven (7) Abandoned Trailers/Properties in North East Township." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes on
Abandoned Properties
Fairview Twp.

Mr. Smith gave a reading of Resolution Number 14, 2007, "Exonerating Taxes on Eight (8) Abandoned Trailers/Properties in Fairview Township." Mr. Cleaver moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes on
Abandoned Properties
Union City School District

Mr. Smith gave a reading of Resolution Number 15, 2007, "Exonerating Taxes on Nine (9) Abandoned Trailers/Properties in Union City Area School District." Mr. Mitchell moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes on
Abandoned Properties
Corry Area School District

Mr. Smith gave a reading of Resolution Number 16, 2007, "Exonerating Taxes on Thirty-Nine (39) Abandoned Trailers/Properties in Corry Area School District." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes on
Abandoned Properties
General McLane Area

Mr. Smith gave a reading of Resolution Number 17, 2007, "Exonerating Taxes on Fifty-Five (55) Abandoned Trailers/Properties in General McLane School District." Mr. Mitchell moved to adopt; Mr. Augustine seconded, and it carried in a unanimous roll call vote.

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Urging
Legalization
Table Games

Mr. Smith gave a reading of Resolution Number 18, 2007 "Urging the Commonwealth to Legalize Table Games To Make Pennsylvania Gaming More Competitive With Other States." Mr. Cleaver moved to adopt; Mrs. Loll seconded.

Mr. Cleaver stated that without a doubt gambling is a big success in Erie County. He believes that it is inevitable that table games are not far away. The purpose of this resolution is to put a fire under the legislators and the Governor to move this issue along. This means jobs for Erie County; it also means tax breaks for Erie County, and this is one of the reasons Mr. Cleaver wanted this resolution placed on the agenda.

Mr. Foust stated he will vote for this resolution. However, despite all the positive effects that seem to be occurring from gambling at the moment, there are some severe negative consequences that this county will have to consider. He pointed out that Mr. Mitchell spoke quite eloquently about those issues in caucus the other day. Council also needs to urge the state to be very cautious when going about this because it will not be a rosy picture all of the time.

With all due respect to his colleagues, Mr. Mitchell stated he will vote no for this resolution for basically one major reason. He feels right now gambling is in the test stage in Erie County, and this area is experiencing all the positives in the gambling situation. At some point, Erie County will have to address the total impact of gambling on this county.

Mr. Leone called for the vote on Resolution Number 18, 2007, and it carried in a roll call vote of 5-1, Mr. Mitchell voting no.

Sant Ram, M.D.
Appt'd. to Health
Board

Mr. Foust moved for the appointment of Sant Ram, M.D. to the Erie County Board of Health. Mr. Augustine seconded, and it carried in a unanimous roll call vote.

Kimberly A. Oaks
Appt'd. to OCY
Advisory Board

Mr. Foust moved for the appointment of Kimberly A. Oakes to the OCY Advisory Board. Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting was adjourned at 7:44 p.m.

Ann M. Bruno, Council Secretary
