

December 6, 2011 Agenda Amended. Revis. Fee Sched. For PH Svcs adopted; PH Revis. Expend. adopted; Estab. Exempt from Licen. Of Retail Food Fac. Adopted; Planning SA for PennDOT Spec. Studies adopted. First Rdg. Amend. Ord. 113, 2010 & Admin. Code. Appointed Officials' Salaries Ords. Adopted. Approval of MDJ leases adopted. PILOT btwn. Erie Cnty, Erie City, Erie SD & Hamot UPMC adopted. Implem. Of Erie Americans with Disab. Act Transition Plan adopted; Appt of Firm to Perform Audit for Erie Cnty adopted; Motion to lift restric. On Conserv. Dis. Budget approved. Sale of Parcels from Repos. approved. Amend. Ord. 117 ECCM budget apprvd.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Leone, Chairman, 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, Erie, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited a prayer.

Roll Call

The County Clerk called the roll:

Members Present: Mr. Leone, Chairman
 Mr. Beeman
 Mr. Cleaver
 Dr. Foust
 Mr. Giles
 Mrs. Loll

Members Absent: Mr. Fatica, Vice Chairman

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

Finance Committee

Dr. Foust reported the Finance Committee met on December 1, 2011 and agreed to place Ordinances 118, 119, 120 and 122 on the agenda for second readings. The Committee also agreed to place Ordinance Number 125 on the agenda for a first reading along with the possible adoption of Resolutions 51 through 61 along with a motion to remove the restriction on the Conservation District's budget and the possible approval of sale of parcels from the repository for unsold properties.

Personnel Committee

Mr. Cleaver reported the Personnel Committee met on December 1, 2011 and agreed to place Ordinances 126 through 134 on the agenda. These pertain to salaries in the budget and will be moved to second readings.

Mr. Giles' Report

Mr. Giles reported that the County Commissioners Association of Pennsylvania held its final wrap up conference from November 19 through the 22nd in Hershey, Pennsylvania. This is a critical meeting since this meeting sets the strategic plan, the action plan, and the budget for the organization for 2012. As this is the 125th year of the organization, this was an important meeting. It began with Lieutenant Governor Jim Cauley and ended with the Governor wrapping up the conference on Tuesday. Mr. Giles noted many opportunities existed to discuss the relationship between counties and issues such as Marcellus drilling or financial matters that have a serious impact on counties.

Secretary of the Department of Public Welfare Alexander was present as well and Mr. Giles had the opportunity to sit near him. When the Secretary received his budget July 1, he was to find \$440 million in the budget from July 1 to June 30 of the following year described as waste, fraud and abuse. There had been reports that this hasn't been very successful. Mr. Giles asked the Secretary where the Commonwealth was in terms of that goal. The Secretary indicated that about \$30 million has been found. Mr. Giles pointed out that approximately \$410 million needs to be found in the second half of the fiscal year.

Mr. Giles also pointed out that when speaking of the Department of Public Welfare, people tend to think of food stamps and cash. The bulk of what the Department of Public Welfare handles are programs for the elderly, for abused and neglected children, for drug and alcohol, for mental retardation, mental health, and a variety of programming that is funneled largely through federal money matched by state money and matched by some degree to the counties that provide those services. Mr. Giles noted there is a great deal of anxiety surrounding this issue because the Secretary was given unprecedented authority to do whatever he wanted in an effort to make his balanced budget by June 30, 2012. Mr. Giles wondered how the Secretary would find the remaining \$410 million. Funding could be altered, whether it is nursing homes or programs for delinquent children, and the Secretary does not even have to report back to the Governor himself. The legislature gave him total control to make his budget work.

Mr. Giles also noted that there was discussion about counties taking over the County Assistance Office with the state providing revenue to operate those. Those promises have been made in the past. The County is not even fully funded for the salaries for the Common Pleas Court judges. He noted there is a lot of anxiety as to how the state will affect a balanced budget between now and June 30, 2012. There have been rumors about Children Services programs or nursing homes and elderly. Each month brings a new rumor. Mr. Giles believes that there will be an inevitable impact. Much of the money received by the county is funded through federal resources. When looking at the county budget, less than one-third of the money the county receives comes from property taxes. The rest of the money comes from federal and state resources. If those begin to shrink, an inevitable impact will be seen by agencies, and counties do not have the resources to make up those differences. Mr. Giles believes that counties will be left with the task of deciding whether to take care of indigent elderly in the nursing home or a delinquent juvenile or a person dependent on others due to mental retardation

Mr. Giles reported that a benefit to working with CCAP is that counties have insurance pools. Erie County takes advantage of property through PCorp, workman's compensation through PComp, and the benefit in doing this is that the producer and product are all very comfortable to county government and county government services. Because of the performance of the PCorp Board and the members of PCorp, Erie County will get a dividend in Erie County. He also noted that those counties that hired a full time risk manager will receive a five percent discount on their dividend; prior years had been a two percent discount. The group is interested in ensuring that risk managers are present to make sure policies and procedures are followed properly.

Mr. Giles congratulated Mr. Leone, who has been appointed by the Governor to serve as a representative on the State's PA Local Government Commission. This is the first time in Mr. Giles' memory that anybody from Erie County has served on the Local Government Commission which is a policy driven body that deals with issues, whether cities, boroughs, townships or counties.

Mr. Leone's
Comments

Mr. Leone explained that the purpose of the Local Government Advisory Commission is to start looking into some of the challenges facing local government. He feels it is the intent of the Governor by putting this committee together to determine what those problems are and what challenges counties will face in the coming year. Mr. Leone is happy to say that he will serve in this capacity.

2012 Revis. Fee
Schedule for
PH Svcs

Mr. Smith gave a second reading of Ordinance Number 118, 2011, "2012 Revised Fee Schedule For Public Health Services." Dr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

PH Revis. Expend.
Creat. OT Line Item
In PH Prep. Grant

Mr. Smith gave a second reading of Ordinance Number 119, 2011, "2011 Public Health Fund Budget Revised Expenditures In The Amount Of \$870 And Creation Of An Overtime Line Item In The Public Health Preparedness Grant." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Estab. Exempt
Licens. Of Retail
Food Facilities

Mr. Smith gave a second reading of Ordinance Number 120, 2011, "Establishing Exemption From Licensure Of Retail Food Facilities." Dr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Planning SA
PennDOT Stud.

Mr. Smith gave a second reading of Ordinance Number 122, 2011, "Fourth 2011 Planning Fund Budget Supplemental Appropriation Of \$49,500 For PennDOT Special Studies." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Agenda
Amended

Mr. Giles moved to amend the agenda to include Ordinance Number 135, 2011, Amending Ordinance Number 117, 2011, '2012 Erie County Care Management Budget'." Dr. Foust seconded, and the motion to amend carried in a unanimous roll call vote.

Amend. Ord.
117, 2011

Mr. Smith gave a second reading of Ordinance Number 135, 2011, Amending Ordinance Number 117, 2011, '2012 Erie County Care Management Budget'." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

First Rdg.

Mr. Smith gave a first reading of Ordinance Number 125, 2011, "Amending Ordinance Number 113, 2010 And The Administrative Code Of Erie County Article III, Section 1 Purchasing Code."

Agenda
Amended

Mr. Giles moved to include Ordinances 126, 127, 128, 129, 130, 131, 132, 133, and 134 as second readings to be voted on with one vote. Dr. Foust seconded the motion. Mr. Leone explained that there is no change in these salary ordinances from 2011 to 2012, but they must be approved by law and Council must approve the salaries. He called for a vote on the motion to amend and it carried in a unanimous roll call vote.

Appt Off.
Salary

Mr. Giles moved to adopt the following ordinances:

Ordinance Number 126, 2011, "2012 Appointed Official's Salary Ordinance – Director Of Administration"

Ordinance Number 127, 2011, "2012 Appointed Official's Salary Ordinance – Director Of Personnel"

Ordinance Number 128, 2011, "2012 Appointed Official's Salary Ordinance – County Solicitor"

Ordinance Number 129, 2011, "2012 Appointed Official's Salary Ordinance For Assistant County Solicitors"

Ordinance Number 130, 2011, "2012 County Council Solicitor's Retainer"

Ordinance Number 131, 2011, "2012 Appointed Official's Salary Ordinance – County Clerk"

Ordinance Number 132, 2011, "2012 Appointed Official's Salary Ordinance – Director Of Finance"

Ordinance Number 133, 2011, "2012 Appointed Official's Salary Ordinance – Public Defender"

Ordinance Number 134, 2011, "2012 Appointed Official's Salary Ordinance – Full Time And Part Time Assistant Public Defenders"

Dr. Foust seconded the motion and it carried in a unanimous roll call vote.

MDJ Leases

Mr. Giles moved to adopt the following resolutions:

Resolution Number 51, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Paul G. Urbaniak with Joseph Feghali Located at 1021 Parade Street, Erie, Pennsylvania"

Resolution Number 52, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Sue Mack with Redinger Realty, Inc. of Erie Located at 824 East 6th Street, Erie, Pennsylvania"

Resolution Number 53, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Joseph Lefaiver with Susan L. Adiutori of Erie Located at 460 East 26th Street, Erie, Pennsylvania"

Resolution Number 54, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Dominick D. DiPaolo with Park Place Business Square of Erie Located at 1563 West 38th Street, Erie, Pennsylvania"

Resolution Number 55, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Brenda Nichols with Corry Federal Credit Union Located at 728 Worth Street, Corry, Pennsylvania"

Resolution Number 56, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Mark R. Krahe with Borough of Wesleyville Located at 3421 Buffalo Road, Erie, Pennsylvania"

Resolution Number 57, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Gerard J. Alonge with North East Township Located at 10300 West Main Road, North East, Pennsylvania"

Resolution Number 58, 2011, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Susan Strohmeier with Greene Township Municipality Located at 9333 Tate Road, Erie, Pennsylvania"

Dr. Foust seconded the motion. Mr. Giles stated that most of the leases are existing leases for current district judges. One of the issues driving the debate for the renewal of leases is that since the offices must be connected to the state, the costs to move to another facility and rewire would be prohibitive. These leases have been negotiated by the administration.

Mr. Leone called for a vote on the resolutions and it carried in a unanimous roll call vote.

December 6, 2011

Apprvl of PILOT
Btwn Cnty,Cty,
Erie SD & Hamot
UPMC

Mr. Smith gave a reading of Resolution Number 59, 2011, "Approval Of Payment In Lieu Of Taxes (PILOT) Agreement Between The County Of Erie, The City Of Erie, The School District Of The City Of Erie, And UPMC Hamot." Dr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Erie Cnty Amer.
W/Disability Act
Transition Plan

Mr. Smith gave a reading of Resolution Number 60, 2011, "Implementation Of County Of Erie Americans With Disabilities Act Transition Plan." Mr. Giles moved to adopt; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Appt. of Firm to
Perform Audit

Mr. Smith gave a reading of Resolution Number 61, 2011, "Appointment Of Firm To Perform Comprehensive Single Audit For Erie County And For Related Funds For The Year Ending December 31, 2011." Mr. Giles moved to adopt; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Restric. On
Conserv. Dist.
Grant

Dr. Foust moved to remove the restriction on the 2012 Erie County Grant of \$80,000 to the Erie County Conservation District contained in Gaming Fund Budget Action Sheet Number 5. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Sale of Parcels

Dr. Foust moved to approve the Sale of Parcels from Repository for Unsold Properties at Index Numbers:
06-022-097.0-007.00
11-010-046.0-014.00
15-021-023.0-207.00
16-030-043.0-217.00
50-001-006.1-001.23
50-001-006.1-001.34

Mrs. Loll seconded, and it carried in a roll call vote of 5-1, Mr. Cleaver voting no.

Adjournment

There being no further business, the meeting adjourned at 7:34 p.m.

Ann M. Bruno, Council Secretary
