

February 12, 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. in the Erie County Council Chambers, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited a prayer:

Let us pray, Almighty God, look upon us your servants that we may conduct ourselves with your satisfaction in our decisions and actions. Inspire us to obtain the virtues and qualities that will make us govern with dignity and pride. We ask this in the name of Jesus Christ, the son. Amen.

Following the prayer, 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
Jim Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Minutes

Mr. Leone moved to approve the minutes of the January 29, 2013 Regular Meeting. Mrs. Loll seconded, and the motion carried in a unanimous roll call vote.

Finance
Committee

Mr. Leone reported the Finance Committee met on February 7, 2013 and agreed to place Ordinance Number 7 on the agenda for a second reading along with first readings of Ordinances 10, 11, 12, 13 and 14; ordinances 10, 11, 12 and 14 may be moved to second readings. Also on the agenda are the possible adoption of Resolutions 6, 7, 8, several appointments to various boards and authorities and the possible approval of the sale of a parcel from the Repository for Unsold Properties.

Personnel
Committee

Dr. Foust reported the Personnel Committee met following the Finance Committee and agreed to place Ordinances 15, 16 and 17 on the agenda for first readings.

Mr. Giles'
Report

Mr. Giles reported the National Association of Counties held their Smart Justice Symposium from January 31 through February 2 and included the topics of Juvenile Justice Reform, Pre-trial Jail Population, Employing Ex-offenders and Work Force Program, Housing Issues of Correctional Population, Affordable Care Act and Jail Population, Combatting Child Sex Trafficking and Prison Population Realignment. Mr. Giles felt that the Honorable Lee Baca, the Sheriff of LA County was outstanding. He explained that in LA County the Sheriff is the warden. He noted that sheriffs have more responsibilities and power farther west. Alice Hill, the Deputy Secretary of U.S. Homeland Security was also very impressive.

Mr. Giles noted that Sr. Joan Chittister spoke at the Inaugural for the new president of Edinboro University. Sr. Joan spoke about a variety of issues. He hopes to connect Sr. Joan with the Deputy

Secretary of Homeland Security regarding the issue of foreign nationals being brought into the country being used, abused and treated very badly. Sr. Joan had some very dramatic tales and is frustrated because there is a treaty between countries globally and the United States is one of the few countries that has not signed off on the treaty. Mr. Giles is hopeful that both CCAP and NACo can assist. Alice Hill indicated this was a good strategy with a grass roots movement to help the issue move forward.

Mr. Giles requested the following be incorporated into the minutes:

Joe Giles, Council Chairman, participates in NACo Smart Justice Symposium

Washington DC – County Councilman Joe Gils explored justice and public safety priorities such as juvenile justice reform ,workforce development, jail population management and related jail healthcare issues at the 2013 National Association of Counties' (NACo) Smart Justice Symposium, held Jan.31-Feb. 2 in Los Angeles County, Calif.

Hosted by Los Angeles County, Giles discussed these critical priorities with justice and public safety experts from across the country and considered how county officials can best shape federal policies and funding levels to ensure that services for communities are efficient and effective.

Seven sessions were held over the two days addressing:

- The latest innovations and successes on juvenile justice reform
- Pretrial justice programs and how they can improve public safety and help counties better manage jail populations
- Workforce development plan and strategies to curb recidivism
- The new national health care law and how it relates to county jail populations
- Strategies to curb child sex trafficking, and
- The relationship between counties and their state in the management of jail populations.

The Smart Justice Symposium is part of NACo President Chris Rodgers' Presidential Smart Justice initiative which aims to build knowledge and capacity for successful justice policies and practices among the nation's counties. It also provides a closer examination of the need for intergovernmental collaboration and public private partnerships in an effort to create safer communities and spend taxpayer money more effectively.

Joe Giles said the NACo. Smart Justice Symposium was a great opportunity to hear directly from experts on many of the critical justice and public safety issues affecting counties across the country and said the critical matters explored at the meeting will improve and enhance public safety in states and local communities, as well as Erie County.

On January 31, 2013, the Council on Foreign Relations invited Mr. Giles to participate in a conference call with Hillary Rodham Clinton. He noted that this was an exciting experience, especially since this was near the end of Mrs. Clinton's tenure as Secretary of State.

Mr. Giles also reported that the filings regarding Mr. Beeman's lawsuit are still moving forward.

Mr. Giles'
Report

Mr. Giles further noted that there was a request on the part of Council to the Gaming Authority. He asked that their response be included in the minutes:

February 11, 2013

Thomas S. Talarico
Talarico & Niebauer
558 West Sixth Street
Erie, Pennsylvania 16507

RE: Erie County Gaming Revenue Authority

Dear Tom:

Please be advised that I write to you as Solicitor to the Erie County Gaming Revenue Authority ("ECGRA"). I have been asked to respond to your January 22, 2013 correspondence to Perry Wood, ECGRA Executive Director.

I understand that you wrote on behalf of Erie County Council, and with respect to Council's request for more information pertaining to how the Authority has distributed gaming funds during calendar years ending December 31, 2011 and December 31, 2012.

In order to assist you with this endeavor, I have enclosed various documents for your review. The documents include: (1) the Funding Framework, as approved June 10, 2010, and (2) as updated and adopted July 26, 2012; (3) the 2011-2012 Annual Report to the Community; and (4) a Cumulative Grants Report from 2007 -2012. The Cumulative Grants Report provides the most level of detail as to grant recipients and the program through which they have received funding. All of the supplied information, and more, is available for public access through the website, www.ecgra.org.

Additionally, and as you are aware, the Authority annually presents County Council with ECGRA's Annual Report and Final Audit. Currently, ECGRA is preparing the 2012 -2013 Annual Report. Copies will be made available to Council at such time that it is complete. The FY 2012 Audit won't be finalized until later in 2013. A copy will be provided upon completion of the same. These reports and audits should provide County Council with additional information

Lastly, I hope that the enclosed documents provide Council with sufficient information to answer their inquiry. Should Council have further questions, or require further information, please do not hesitate to contact Perry or myself. I remain,

Very truly yours,

KNOX McLAUGHLIN GORNALL & SENNETT, P.C

/s/ Timothy S. Wachter

Enclosures

cc: Mr. Joseph Giles, Chairman, Erie County Council
Mr. Chuck Peters, Chairman,
Erie County Gaming Revenue Authority
Mr. Perry Wood, Executive Director, Erie County
Gaming Revenue Authority

Mr. Giles reported that the U.S. Health and Human Services Department has released a new change to the rules and regulations regarding the sprinkler regulations that were to take effect August of this coming year for nursing homes. There has been a great deal of pressure from nursing homes around the country that cannot afford the sprinkler regulations or do not have enough time to implement the changes. An opportunity at the local level is going to be provided to extend that two or three years in terms of impact to local nursing homes. It would appear there is an attempt to make the rules and regulations more reasonable to complete. This is a good piece of news for Erie County in the effort to make a decision regarding both Pleasant Ridge Manor East and West and dealing with the sale of beds. Mr. Giles is confident the extension will move forward and there is ample opportunity to apply for the extension.

Dr. Foust's
Comments

Dr. Foust noted that in the CCAP Update regarding long term care, especially Medicaid funding, there are increases in funding so despite fears that it would continue to decrease, even some cheering for a decrease, that has not occurred. Mr. Giles expressed his agreement and noted that in all the debates at the federal level there are two things that seem to be respected. Children's issues are on the list of items that would not be affected and issues that affect the elderly along with Medicaid. He believes this seems to be a bi-partisan agreement. Mr. Giles cautioned that the Governor's proposed budget is the beginning of the debate and not the end. It involves the sale of liquor stores, the curious change in transportation rules and the gas tax as well.

Act 13 Highway
Bridge Improve
Grant

Mr. Smith gave a second reading of Ordinance Number 7, 2013, "First 2013 Planning Fund Budget Supplemental Appropriation Of \$396,325 And Creation Of Line Items For *Act 13 Highway Bridge Improvement Grant*." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Agenda Amended Mr. Leone moved to make second readings of Ordinances 10, 11, 12 and 14. Mr. Fatica seconded, and it carried in a unanimous roll call vote.

\$700,000 PRM
Ltr of Credit Mr. Smith gave a second reading of Ordinance Number 10, 2013, "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 Lease Rental 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." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

PS Revis. Revenue
& Exp. For
CALAMP Mr. Smith gave a second reading of Ordinance Number 11, 2013, "2013 Public Safety Fund Revised Revenue And Expense Of \$127,501 And Creation Of Line Item For Payment To CALAMP Wireless Network Expended In 2012 But Budgeted In 2013." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

PH Creation
Of Line Item
Eviron. Svcs Mr. Smith gave a second reading of Ordinance Number 12, 2013, "First 2013 Library Fund Budget Supplemental Appropriation Of \$10,001 For Donation From Friends Of The Library." Dr. Foust 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 13, 2013, "First 2013 Public Health Fund Budget Supplemental Appropriation Of \$2,000 And Creation Of Line Item In Environmental Services."

Elected Officials
Salary Mr. Smith gave a second reading of Ordinance Number 14, 2013, "2014-2017 Elected Officials' Salaries Ordinance." Mr. Fatica moved to adopt; Mrs. Loll seconded.

Mr. Fatica, Chairman of the Elected Officials' Salary Committee, thanked Mrs. Loll and Mr. Leone who were members of the Committee. He reported that the salary increases for the next four years will be set at 0, 0, 2%, 2%. Mr. Giles expressed gratitude to Mr. Maloney for providing the background work. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

First Rdgs. Mr. Smith gave first readings of the following ordinances:

Ordinance Number 15, 2013, "2013 Public Safety Fund Budget Revised Expenditures For Change In Salary For Communications Specialist Position"

Ordinance Number 16, 2013, "Second 2013 Planning Fund Budget Supplemental Appropriation Of \$141,466 For Change In Planner Grades And Reduction Of Indirect Costs"

Ordinance Number 17, 2013, "Sixth 2013 General Fund Budget Supplemental Appropriation Of \$100,096 For Reduction In Transfer To Planning Fund"

Apprvg Solicitor
Contract for Sheriff Mr. Smith gave a reading of Resolution Number 6, 2013, "Approving Solicitor Contract Submitted By The Office Of The Sheriff." Mr. Fatica moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Apprvg. Solicitor
Contract for Coroner

Mr. Smith gave a reading of Resolution Number 7, 2013, "Approving Solicitor Contract Submitted By The Office Of The Coroner." Dr. Foust moved to adopt; Mr. Fatica seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Auth. Amend Grant
Funds with PA DCED

Mr. Smith gave a reading of Resolution Number 8, 2013, "Authorization to Amend Grant Funds with The Pennsylvania Department of Community and Economic Development Emergency Shelter Grant Program." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Appointments
Approved

Mr. Fatica moved to approve the following appointments:

Appointment of Matthew J. McLaughlin to a five year term on the Erie County Community Services Financing Authority to represent Ms. Loll's District

Reappointment of Anita Marcoline to a five year term on the Erie County Community Services Financing Authority to represent Mr. Cleaver's District

Reappointment of Daniel J. Heher to a five year term on the Erie County Community Services Financing Authority to represent Mr. Leone's District

Appointment of Edward T. DiMattio to a four year term on the Erie County Planning Commission

Reappointment of Carol J. Loll to a four year term on the Erie County Planning Commission

Reappointment of Joseph F. Giles to a four year term on the Erie County Planning Commission

Reappointment of Charles Caryl to a five year term on the Erie County General Authority/Erie County Community Services Financing Authority to represent Mr. DiMattio's District

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

Appointments
Approved

Mr. Fatica moved to approve the following appointments:

Appointment of Melinda Moffit to a three year term on the Erie County Drug & Alcohol Advisory Board to represent Mr. Giles' District

Appointment of Jack Hewitt to a three year term on the Erie County Drug & Alcohol Advisory Board to represent Mr. Fatica's District

Mr. Leone seconded, and it carried in a roll call vote of 6-1-0, Mr. DiMattio abstaining.

Sale of
Parcel

Dr. Foust moved to approve the Sale of Parcel from Repository for Unsold Properties at Index Number: 14-10-23-154. Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Mr. Giles'
Comments

Mr. Giles stated that he spoke with Doug Hill, Executive Director of CCAP, and he has received communication from Mr. Fatica and Mrs. Loll regarding the CCAP Conference this summer. He advised members that the details of the conference will not occur until after the early part of March.

As a side note, Mr. Leone reported that the company handling the golf tournament was unable to reserve Lawrence Park. They are considering Whispering Woods, but Erie Golf Course or Downing are possibilities as well. A facility that can cater a luncheon is a requirement.

Adjournment

There being no further business, the meeting adjourned at 7:30 p.m.

Ann M. Bruno, Council Secretary
