

June 11, 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 North East Borough Building, 31 West Main Street, North East, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited the following:

Let us pray. Loving God. Open our eyes to see the beauty of our county. Open our ears to the messages from the constituents. Open our minds to the challenge of our duties. Open our lives to the best of our friends and colleagues.

Lord, you have taught us to be patient and kind. Let us rejoice in the right. Continue to help us to learn from your love and good. 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
James Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Dr. Foust's Remarks

Dr. Foust thanked everyone for attending and welcomed them to the Borough of North East. He thanked Mayor Gregory and Borough Council, as well as the Borough Manager for allowing Council to utilize this facility. He invited everyone back for the Cherry Festival in June and the Wine Festival in late September.

Presentation to Sharon Drayer

Mr. Giles stated a presentation will be made to a long time valued employee, Sharon Drayer, who has been an Erie County employee for 30 years.

Mr. Smith explained that Mrs. Drayer recently retired after thirty years of service, some part-time, some full-time. She has taught him a lot over the last ten years. There have been some difficult elections, but Mrs. Drayer jumps in and faces tough moments. He hopes she enjoys her retirement.

Dr. Foust stated that Mrs. Drayer has been a valued employee and it has been a treasure to have her handling the elections. He wished her luck. Mr. Fatica noted that the last election was interesting, but through Mrs. Drayer's efforts, professionalism and dedication, the recount was satisfactorily handled. He noted that the recount process, the integrity of the process and the transparency of the process were there, and every vote does count, and was counted. Both sides at the end embraced the decision by embracing each other. There was no fraud or deception, and that can be attributed to Mrs. Drayer. Her heart was always in the job. He stated she will be missed and it was his pleasure to know and work with her. Mr. Giles stated on behalf of the Election Board, it has been a remarkable tenure of service. He noted Mrs. Drayer is not only a

June 11, 2013

Presentation to
Sharon Drayer

constituent of Dr. Foust, but of every member of Council. She has been a part of the transition from lever machines to the electronic machines. Mrs. Drayer recalled her history with the office and stated she will miss the job. Mr. Leone noted that he has known Mrs. Drayer for a long time and she will be missed. He stated her knowledge is second to none as far as the election process is concerned. Many times the state would call her for information which speaks volumes. She will be difficult to replace. Mrs. Drayer stated she not only took part in the election process but participated on many boards involved in the election process. Mrs. Loll stated that Mrs. Drayer is the epitome of an employee that knows their job and does it well. Mr. Cleaver wished to echo his colleagues' comments. On a scale of one to ten, Mrs. Drayer is an 11 ½. He wished her success in retirement. Mr. DiMattio commented that every time he has had a question in the five months he has been a member of Council, Sharon would help him. A round of applause followed. Mr. Giles then presented Mrs. Drayer with gift and a pen and pencil gift set from members of Council.

Minutes

Mr. Cleaver moved to approve the minutes of May 28, 2013. Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Leone reported the Finance Committee met last Thursday, June 6th and placed Ordinances 46, 47 and 48 on the agenda for a second reading and Ordinances 51 and 52 for a first reading. Also on the agenda for possible adoption are Resolutions 24 and 25 and the possible sale of parcels from the repository. Resolution 26 will be added to agenda along with Ordinance 55.

Personnel
Committee

Mr. DiMattio reported the Personnel Committee met following the Finance Committee and agreed to place on the agenda Ordinances 49 and 50 for a second reading along with a first reading of Ordinances 53 and 54.

Mr. Leone's
Report

Mr. Leone reported that today the County Governance Committee of the County Commissioners Association of Pennsylvania held a conference call. One of the issues discussed involves an amendment to the County Pension Law to clarify the cost of living adjustments and providing language which states that cost of living adjustments "may be calculated for the year awarded and do not need to be calculated retroactively to the date of the last cost of living adjustment." Mr. Leone explained that the stock market went down in 2008 and no cost of living increases were given in 2009, 2010, 2011 and 2012. Unfortunately, Act 46 of the State of Pennsylvania states that cost of living increases must be retroactive. Mr. Leone does not believe that any retirement system, all of which are having some kind of problems, will be able to gain what has already been lost. Mr. Leone is trying to make a change so that a single of cost of living increase can be given.

Mr. Leone is also looking for the adoption of Plan Valuation Methodologies that better recognize long term market cycles. These issues come up time and again. They are also looking into some type of deferred and defined type of compensation plan. He understands this may not be palatable for many retirees, but he does not know how the pension plans can continue. For example, last year Philadelphia needed \$5 billion for the annual required contribution; this is not their shortfall. This \$5 billion is for that one year. He noted there are different smoothing systems ranging from five to twenty years. Erie County has stayed with the five year system. In a 20 year system, the ARC keeps being passed on.

Other issues discussed during this conference call were the election and the CCAP Summer Conference.

June 11, 2013

Mr. Leone's
Report

Many times, people ask why Council Members belong to organizations such as the County Commissioners Association of Pennsylvania or the National Association of County Commissioners. Mr. Leone does not believe the news media puts out positive information to the public with respect to these memberships. He noted that the NACo Board has a prescription program that provides a break to many citizens who may not have prescriptions, but people are not aware of this program. An individual can receive as much as 20% off. This has not been advertised properly and there are a lot of people who could use this prescription card.

Mr. Leone pointed out that, for quite a few years, Mr. Giles has been a member of NACo as one of two representatives from the State of Pennsylvania; this is a big feather in his hat and unfortunately, at the end of the year, Erie County will not have that clout within that organization. "The NACo Board of Directors has approved a proposal to add to other medical services to the association prescription program. The services include lab, imaging, hearing aids and exams, vision and diabetic supplies. The cost for residents to receive the discounted services is \$6.95 per month or \$69.00 per year for an individual and \$8.95 per month or \$79.00 per year for a family. The discounts available through the program include lab at 20-70%, imaging 40-75%, hearing and aids, free exams and 35% off hearing aids, vision 35% off retail eye ware and 15% off contact lenses and 15% off retail or 5% off promotional or lasik and PRK and diabetic supplies 24% average savings, up to 75%. A dental program which is now available in 64 counties will continue as a separate program."

Mr. Leone stated that this is the reason why Erie County belongs to associations such as the National Association of Counties. He believes it is necessary to continue those particular programs.

Mr. Giles'
Report

Mr. Giles referred to Mr. Leone's comments regarding NACo and the expansion of the drug card program. He noted this is still a work in progress since the contract with CareMark has not expired yet, but negotiations are moving forward. The goal of NACo was to combine the dental program which is a fee program with the free prescription drug card program. At this point, it doesn't look like this merge can happen, instead, they are working to expand the prescription drug program. Many of the services Mr. Leone mentioned have no added fee. The idea is to try to keep the drug card program cost free. Those negotiations should be completed by mid-July.

Mr. Giles further reported that NACo is intimately involved in Washington politics. The Office of Management and Budget has sent notice to every federal department and every agency under their control. It asks for every department looking forward to fiscal 2015 to present a budget that is reduced by ten percent. He explained it would be seven percent, followed by at least another seven percent and then followed by ten percent. Eventually, everyone will see a dramatic impact in an area they care about. People do not normally translate what happens in Washington to a local level, but there is a connection. NACo gets to the heart of the issue, produces a response and plugs it into the system.

OMB to Agencies: Reduce Budgets by 10 Percent for FY2015
by Hadi Sedigh on 6/7/2013 7:10PM
Category: Finance and Intergovernmental Affairs

As the U.S. Senate and U.S. House of Representatives continue on vastly different paths in their efforts to pass FY2014 spending bills, the White House's Office of Management and Budget (OMB) has already turned its attention to the FY2015 budget, asking federal agencies to reduce their budgets

June 11, 2013

Mr. Giles'
Report

for that year by 10 percent. The OMB's request doubles the five percent cuts it sought from agencies for the FY2014 budget as the office continues its efforts to meet the terms of the 2011 Budget Control Act (BCA).

In a memorandum sent to the heads of federal departments and agencies on May 29, OMB Director Sylvia M. Burwell alluded to a "challenging period of budgeting" before asking agencies to reduce their FY2015 spending proposals in order to "provide the President with the options needed to make the hard choices necessary to adhere to the BCA's discretionary funding levels." Burwell expressed OMB's recognition that "agencies will identify the most effective way to implement" the requested cuts.

That said, in line with President Obama's desire to end the sequester, OMB's memorandum asked agencies to exclude across-the-board reductions from their proposals. OMB also warned against reductions to mandatory spending in appropriations bills, shifting of costs to other parts of the Federal budget and reclassifications of spending from discretionary to mandatory. Burwell instead encouraged agencies to meet reduction goals by making efforts to "reduce fragmentation, overlap, and duplication, and increase effectiveness."

Mr. Giles pointed out that the new NACo Executive Director is very technologically savvy and has revised the staffing of NACo so that everyone working on a particular project is connected to those handling the research. This is a much more effective system.

Mr. Giles further reported that on tonight's agenda, the issue of the Block Grant Program has been added because it is the first time the state has allowed counties the opportunity to be flexible. Mr. Giles explained that, previously, funding was already designated for certain areas. This resolution urges the support of the Governor and the State to create a more flexible program. This is the first attempt at this flexibility which is important for local jurisdictions. There is an effort to create this flexibility in other counties providing every county the ability address their particular issues in the human services area.

Mr. Giles also reported that CCAP held its meeting in Burkes County on June 6 and 7. The topic generated around the conference in Erie. Much has changed since Erie last hosted the conference in 1994. The program is moving forward and everything will be ready for the first weekend in August.

Mr. Leone wished to point out that the prescription drug card also provides a discount for pet medications. He believes this could be useful information to many people. Mr. Giles stated that when a new contract with CareMark is reached regarding the drug card program, more details will be added along with a promotional package for each county.

Agenda
Amended

Dr. Foust moved to amend the agenda to include Ordinance Number 55, 2013, a supplemental appropriation for Tuberculosis Grant and to further move this ordinance to a second reading since this grant must be accepted before June 30th. Dr. Foust also moved to add Resolution Number 26, 2013 regarding the flexibility of accepting the Human Services Block Grant funding. Mr. Leone seconded, and it carried in a unanimous roll call vote.

C&Y Comm.
Justice Prgrm

Mr. Smith gave the second reading of Ordinance Number 46, 2013, "2013 Children & Youth Services Fund Budget Revised Expenditures And Creation Of Line Item For Community Justice Program." Mr. Leone moved to adopt; Mr. DiMattio seconded, and it carried in a unanimous roll call vote.

Sheriff Radio
System

Mr. Smith gave the second reading of Ordinance Number 47, 2013, "Fifteenth 2013 General Fund Budget Supplemental Appropriation Of \$68,621 For Sheriff Office Radio System." Mrs. Loll moved to adopt; Mr. Fatica seconded and it carried in a unanimous roll call vote.

June 11, 2013

Donation From
Friends of the Lib.

Mr. Smith gave the second reading of Ordinance Number 48, 2013, "Fourth 2013 Library Fund Budget Supplemental Appropriation Of \$18,001 Donation From Friends Of The Library For Adult And Children's Programming." Mr. Leone moved to adopt; Mr. Cleaver seconded. Dr. Foust acknowledged Ms. Rennie's presence at the meeting and wished her luck as the new Erie County Library Director on behalf of Council. Mr. Giles added that all of the communications that Ms. Rennie has forwarded in her tenure have been a treasure. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Juvenile Court
Master Position

Mr. Smith gave the second reading of Ordinance Number 49, 2013, "Sixteenth 2013 General Fund Budget Supplemental Appropriation Of \$9,033 In Savings And Change In Juvenile Court Master Position." Dr. Foust moved to adopt; Mr. DiMattio seconded.

Mr. Leone moved to amend the exhibit to reflect a salary without the 4.2% increase. Mrs. Loll seconded, and the motion to amend failed a roll call vote of 3-4, Mr. DiMattio, Mr. Fatica, Dr. Foust and Mr. Giles voting no.

Mr. Giles called for a vote on the ordinance and it carried in a roll call vote of 5-2, Mr. Cleaver and Mr. Leone voting no.

PH Change in
Title for Position

Mr. Smith gave the second reading of Ordinance Number 50, 2013, "2013 Public Health Fund Budget Change In Title For Position Number #018020-006." Mr. Fatica moved to adopt; Mr. Leone seconded. Mr. Fatica wished to make everyone aware that through this ordinance, an epidemiologist is being lost and replaced with a social worker. The epidemiologist tracks sexually transmitted diseases; however, the state is okay with this. He will vote for this, but believes this situation should be monitored. Mr. Giles pointed out that this is being done at the request of the state. Mr. Fatica understands the state wants this done, but he does not believe the state understands what an epidemiologist does, tracking people with syphilis, and he doesn't believe this should be handled by a social worker. Mr. Giles called for a vote on the ordinance, and it carried in a unanimous roll call vote.

First Readings

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 51, 2013, "2013 Revised Fee Schedule In Tax Claim"

Ordinance Number 52, 2013, "Seventeenth 2013 General Fund Budget Supplemental Appropriation Of \$810 And Creation Of Line Item For Storage Of Veteran's Records & Materials"

Ordinance Number 53, 2013, "2013 Public Health Fund Budget Revised Expenditures Of \$1,884, Change In Position Title And Change In Allocation In Environmental Health And Beach Grant Bureaus" (Personnel Committee)

Ordinance Number 54, 2013, "2013 Appointed Official's Retainer Assistant County Solicitors"

FY 2012 CDBG
Program

Mr. Smith gave a reading of Resolution Number 24, 2013, "Resolution Approving A Revision To Erie County's FY 2012 Community Development Block Grant Program." Mrs. Loll moved to adopt; Mr. Fatica seconded and it carried in a unanimous roll call vote.

June 11, 2013

Exon. Taxes
In McKean Twp

Mr. Smith gave a reading of Resolution Number 25, 2013, "Exonerating Taxes On One Abandoned Trailer/Property In McKean Township And The General McLane School District." Mrs. Loll moved to adopt; Mr. DiMattio seconded, and it carried in a unanimous roll call vote.

Sale of Parcels
Approved

Dr. Foust moved to approve the sale of parcels from the Repository for Unsold Properties at Index Numbers: 14-010-016.0-134.00
15-021-024.0-505.00
15-021-024.0-507.00
15-021-024.0-508.00
17-040-021.0-133.00
18-051-021.0-122.00

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

PH SA for
Tuberculosis Grant

Mr. Smith gave a second reading in its entirety of Ordinance Number 55, 2013, "Third 2013 Public Health Fund Budget Supplemental Appropriation of \$22,463 For Tuberculosis Grant." Mrs. Loll moved to adopt; Mr. Leone seconded. Mr. Giles reminded everyone that the reason he had this ordinance read in its entirety is because this is the first time it appeared at a public meeting as an agenda item. As indicated in prior discussion, if \$12,000 of this grant is not expensed by June 30th, it would be lost and therefore, this is a matter of expediency. Mr. Giles called for a vote on the ordinance and it carried in a unanimous roll call vote.

In Sprt. Of
HB 461

Mr. Smith gave a reading of in its entirety of Resolution Number 26, 2013, "In Support Of House Bill 461 Human Services Block Grant Expansion." Mr. Leone moved to adopt; Dr. Foust seconded. Mr. Fatica stated that it is Council's hope that other counties will follow with similar resolutions. Mr. Giles stated that he met with several government officials to advance this issue; there is a lot of support in both the House and Senate as well as the Governor's Office. Beginning to allow some flexibility in human services block grants is a critical piece of this legislation. He called for a vote on the resolution and it carried in a unanimous roll call vote.

Mr. Giles reminded office staff that all Senators and House Members should receive a copy of this particular resolution immediately tomorrow morning.

Thank You
North East

Dr. Foust thanked North East Borough for their hospitality.

Adjournment

There being no further business, the meeting adjourned at 7:45 p.m.

Ann M. Bruno, Council Secretary
