

November 5, 2014

**ERIE COUNTY COUNCIL – Budget Public Hearing**

Dr. Foust, Chairman, called to order a Public Hearing in regards to the budget at 6:00 p.m. at the Erie County Courthouse, County Council Chambers, Erie, PA. There being no public comment, the meeting adjourned at 6:01 p.m.

**ERIE COUNTY COUNCIL – Regular Meeting**

Dr. Foust, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Erie County Courthouse, County Council Chambers, Erie, PA. Following the Pledge of Allegiance, Mrs. Loll then recited the following prayer:

“With the upcoming celebration of Thanksgiving, let us remember all the things we are thankful for. We are in a position to do so much for so many, for this we are thankful. The work that we do helps many children, families and individuals and we are thankful for the opportunity to be able to do this. We can’t do it alone without the loyal employees that we have. We are thankful for them. Like the first Thanksgiving, we didn’t do it alone and we are aware of that and thankful for the support. We would like to thank all that we work with every day and continue to be supported by each other.”.

**ROLL CALL**

Members Present: Dr. Foust, Chairman  
Mr. Leone, Vice Chairman  
Mr. Breneman  
Mr. DiMattio  
Mr. Fatica  
Mr. Horton  
Mrs. Loll

Members Absent: None.

Also Present: Douglas R. Smith, County Clerk  
Joseph Maloney, CPA  
Sue Ellen Pasquale, General Accounting Manager  
James Sparber, Finance Director  
Gary Lee, Director of Administration

Mr. Horton welcomed members of the audience from the Global Youth Leadership Program, a program started by Mr. Edison Nicholson. Mr. Horton stated that there are a couple hundred students that are involved with projects and they are looking to learn how County government works. Mr. Horton explained that Council is available anytime if they have questions and thanked them for attending.

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**HEARING OF  
THE PUBLIC**

Dan Zmijewski, City of Erie, 4<sup>th</sup> Ward; Mr. Zmijewski wanted to address Council regarding the Ringling Brothers performance at the Erie Insurance Arena. He stated that he stood with protestors to educate himself with the facts concerning circus animal treatment. Mr. Zmijewski commented that the animals are not trained to perform through positive reinforcement, but are put through a process that instills fear and breaks their soul. One of the favorite implements of the animal trainers is a bull hook, which is a wooden staff with a sharp metal hook on the end and is used to beat the animals. Stun guns, pitch forks, baseball bats and ax handles are all often used to control the animals. These devices are used in ways that if applied to a family dog, the person would go to jail. Mr. Zmijewski stated that in the next few weeks, they would be engaging Council members with factual documentation of the culture that does not reflect the values of Erie County. They are seeking an outright ban on wild animal performances, or at the very least a prohibition on bull hooks and other instruments of abuse.

**APPROVAL OF  
MINUTES**

Mr. Leone moved to approve the minutes from October 21, 2014. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

**COUNTY EXECUTIVE  
AND/OR HER  
DESIGNEE**

Mr. Lee stated there was no report this evening.

**FINANCE  
COMMITTEE  
REPORT**

Mr. Fatica reported that the Finance Committee met on October 30, 2014, and agreed to move the following items onto the agenda: under New Business - Ordinances 124 through 147, along with Resolution 61, 2014. Mr. Fatica also asked for the possible movement of Ordinances 143, 144, 146 and 147 to second readings, and the addition of Resolutions 62 and 63.

**PERSONNEL  
COMMITTEE  
REPORT**

Mr. DiMattio reported that the Personnel Committee did not meet as there was nothing on the agenda.

**OTHER REPORTS**

Mr. Breneman wanted to remind everyone that next Tuesday is Veterans Day. He wanted to emphasize that there are some misconceptions of Veterans Day that tends to get mixed in with Memorial Day. Veterans Day is a time to recognize the men and women who served and are in our communities. He would also like to recognize that they have something to offer as they are often community oriented and citizen oriented, and they come with a host of skills. Mr. Breneman stated that a lot of businesses in the area are hurting for skilled workers and the military is looking at cutting its forces by nearly 100,000 over the rest of this decade. Mr. Breneman felt it was important for the County to be an attractor for returning military members, not only those from the Erie area, but also for those who are leaving the military and looking to move. It's nothing new for a military member to go to a new community or rise to a new challenge. Businesses have tax credits available to hire veterans and they come back with the GI bill and can go to school and use the VA guaranteed home loan to buy a house. A lot of communities are looking for taxpayers and homeowners. If veterans are encouraged to move to an area where there tends to be an American Legion or VFW within walking distance, it gives the veteran a chance to connect with other veterans and become seeded members of that community. He asked that everyone thank a vet for their service, but also tell them that they have a place in our community and they still have something to offer and we are here ready and willing to help facilitate what they need.

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Dr. Foust explained that all ordinances that are first readings will be read into the record tonight. Council will move some to a second reading out of timeliness to take advantage of grants, etc. and they will be disposed of tonight. Regarding the budget ordinances, he asked Mr. Smith to read each of those into the record one by one without any interruption, and then resume the standard procedure of dispensing with the rest of the agenda.

**Motion to Amend  
Agenda**

Mr. Fatica made a motion to amend tonight's agenda and add Resolutions 62 and 63 as items Z and AA on the agenda. This was seconded by Mr. Leone and carried in a unanimous roll call vote.

**NEW BUSINESS –**

**FIRST READINGS**

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

Ordinance 124, 2014, "2015 Erie County Care Management Budget"  
Ordinance 125, 2014, "2015 Domestic Relations Fund Budget"  
Ordinance 126, 2014, "2015 Planning Fund Budget"  
Ordinance 127, 2014, "2015 Library Fund Budget"  
Ordinance 128, 2014, "2015 Public Health Fund Budget"  
Ordinance 129, 2014, "2015 Public Safety Fund Budget"  
Ordinance 130, 2014, "2015 Pleasant Ridge Manor Fund Budget"  
Ordinance 131, 2014, "2015 Pleasant Ridge Manor Depreciation Reserve Fund Budget"  
Ordinance 132, 2014, "2015 HealthChoices Fund Budget"  
Ordinance 133, 2014, "2015 Drug & Alcohol Fund Budget"  
Ordinance 134, 2014, "2015 Children & Youth Services Fund Budget"  
Ordinance 135, 2014, "2015 Mental Health/Intellectual Disabilities Fund Budget"  
Ordinance 136, 2014, "2015 Liquid Fuels Fund Budget"  
Ordinance 137, 2014, "2015 Gaming Fund Budget"  
Ordinance 138, 2014, "2015 Debt Service Fund Budget"  
Ordinance 139, 2014, "2015 Employee Fringe Benefit Fund Budget"  
Ordinance 140, 2014, "2015 General Fund Budget"  
Ordinance 141, 2014, "2015 Real Estate Tax Levy"  
Ordinance 142, 2014, "Approving A Certain Refunding Project And The Financing Thereof, Briefly Describing The Same; Stating The Maximum Aggregate Principal Amount Of The Refunding Bonds To Be Issued By The Erie County Convention Center Authority To Be Secured By A Certain Refunding Guaranty Agreement Of The County Of Erie As Described Herein And Stating That The Debt Thereunder Is To Be Incurred As Lease Rental Debt As Defined In The Pennsylvania Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 *Et Seq.*, As Amended; Authorizing And Directing Officers Of The County To Prepare And Verify A Debt Statement Required By Section 8110 Of The Debt Act And A Borrowing Base Certificate And Directing The County Clerk To File Such Statement And Certificate, Together With A Certified Copy Of This Ordinance And Proofs Of Publication, With The Pennsylvania Department Of Community And Economic Development And To Pay Any Necessary Filing Fees; Authorizing And Directing The Manner Of Approval, And The Execution And Delivery, Of The Refunding Guaranty Agreement By The County; Stating The Maximum Annual Amounts Of Principal And Interest To Be Paid Under The Refunding Guaranty Agreement, Covenanting The Payment Thereof And Pledging The Full Faith, Credit And Taxing Power Of The County Therefor; Undertaking To Provide Certain Continuing Disclosures, If Necessary; Authorizing The Officials Of The County To Take Other Appropriate Action; Repealing All Ordinances Inconsistent Herewith And Stating The Effective Date Of This Ordinance."

A motion to amend the agenda by moving Ordinances 143, 144, 146, and 147 to a second reading was made by Mr. Fatica, seconded by Mr. Horton, and carried in a unanimous roll call vote.

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**SECOND READINGS**

Mr. Smith gave a second reading of Ordinance Number 143, 2014, "Fifth 2014 Library Fund Budget Supplemental Appropriation of \$47,310 in State Aid for District Services Purchase of Literacy Software". This was moved by Mr. DiMattio, seconded by Mr. Leone, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 144, 2014, "Sixth 2014 Library Fund Budget Supplemental Appropriation of \$6,427 in *Library Broadband Technology Connectivity Project Grant Funds*". This was moved by Mr. DiMattio, seconded by Mr. Leone, and carried in a unanimous roll call vote.

Mr. Smith gave a **first reading** of Ordinance Number 145, 2014, "First 2014 Capital Project Fund Supplemental Appropriation of \$886,069 and Creation of Line Item for Various Capital Projects in 2015 Budget".

Mr. Smith gave a second reading of Ordinance Number 146, 2014, "Approving Amendment of North East Township and North East School District LERTA Ordinance". This was moved by Mr. Fatica, seconded by Mr. Leone, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 147, 2014, "2014 General Fund Budget Release of \$65,000 for Erie County Firefighters Association Grant". This was moved by Mr. DiMattio, seconded by Mr. Breneman, and carried in a unanimous roll call vote.

**RESOLUTIONS**

Mr. Smith gave a reading of Resolution Number 61, 2014, "Approving Water Well Lease, and Easement Agreement Between the County of Erie, Fairview Township, and the Fairview Water Authority". This was moved by Mrs. Loll, seconded by Mr. Horton and carried in a unanimous roll call vote.

Mr. Smith gave a reading of Resolution Number 62, 2014, "A Resolution to Approve the Independent Auditor's Report of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2013". This was moved by Mr. Breneman, seconded by Mr. Fatica and carried in a unanimous roll call vote.

Mr. Smith gave a reading of Resolution Number 63, 2014, "A Resolution to Approve an Amendment of the By-Laws of the Erie Area Council of Governments Dated November 5, 2014". This was moved by Mr. Leone and seconded by Mr. Fatica. Mr. Breneman commented on his attendance at the Erie Area Council of Government meeting that was held earlier today. He stated that the EACOG is at a transitional point and we will see the changes with that over the next six months. At today's meeting, it was learned that two of the 11 municipalities have withdrawn their membership to the COG. He stated that this was not because of any wrongdoing by the organization, but felt that the benefits are there and money is saved and after a point in time, municipalities may forget why they're members. Hopefully, they will come back into the fold and we'll be able to grow the COG to more municipality membership. He stated that the amendment to the by-laws is to provide additional notice to the COG, and actually reflects the same desire for prior notice as the other programs that the COG provides.

Resolution 63, 2014 then carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 7:23 p.m.

Deneé M. Breter, Council Secretary  
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