

January 13, 2015

ERIE COUNTY COUNCIL – Regular Meeting

Fiore Leone, Chairman, called to order a Regular Meeting of the Erie County Council at 7:01 p.m. at the Erie County Courthouse, County Council Chambers, Erie, PA. Following the Pledge of Allegiance, Mr. Smith took the roll.

ROLL CALL

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

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

Prior to Hearing of the Public, Chairman Leone commented that at the Reorganization Meeting, he wanted to commend two of the Council members, Phil Fatica, who was the Finance Chairman and did an excellent job, and Mr. DiMattio, who was the Personnel Chair. Chairman Leone apologized for not recognizing them at the Reorganization Meeting.

**HEARING OF
THE PUBLIC**

Randy Barnes, Harborcreek Township; Mr. Barnes stated he has been coming to the meetings for a little over a year discussing economic development. He felt that it is important to discuss because we all have to learn from our mistakes. He discussed the Milliken Report that came out today which ranked Erie as one of the worst performing cities regarding economic development, and Pennsylvania had the largest number of cities that fell in the ranking. He then went on to discuss that DevelopErie sold the IP property for \$1 million. He commented that instead of selling the property in Albion that was overpaid for, the taxpayers now have no access to the property at the IP site. He then discussed the \$3 million loan the County gave to DevelopErie, a quarter of which was used to buy property in Harborcreek, plus another \$1.4 million on that property. Erie Bank also lent DevelopErie \$550,000 against that property. He wanted to know how a bank can lend that money against a piece of property where the taxpayers have already put up \$750,000 for the property, which is the assessed value. He also noted that the senior vice president of that branch was the board president of DevelopErie in 2013. He has asked Council to learn from these mistakes.

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**APPROVAL OF
MINUTES**

Mr. Fatica moved to approve the minutes from the November 18, 2014, December 16, 2014, and January 8, 2015, meetings. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

**REPORTS OF
COUNTY OFFICIALS**

Mr. Lee stated there was no report.

Mr. Breneman stated that the Finance Committee met on Thursday, January 8, 2015, and agreed to move Ordinances 1 through 5, 2015, Resolutions 1 through 3, 2015, and three board appointments and three board reappointments to the agenda.

Mr. Horton stated that the Personnel Committee met immediately following the Finance Committee meeting on Thursday, January 8, 2015, and agreed to move Ordinances 6 through 9, 2015, to the agenda. Mr. Horton also stated that subcommittee including Mr. DiMattio and Mr. Breneman (as well as Mr. Horton) had a brief discussion and elected not to delve into the pay grade issues until after the union negotiations are concluded. He stated the intent is to add Mr. Callan and Mr. Lee to the discussions.

Mrs. Loll read the following prayer: "At the start of creation, God spoke 'Let there be light'. He divided earth from heaven, and created night and day. He made sunbeams and created energy. Peaceful evenings, bright tomorrows, all began with 'Let there be...'. When he made us as his children, sending us throughout the land, He commanded 'Have dominion – care for earth, it's in your hands.'. Let us not hurt this world we've been given; let us not harm earth, sky, or sea. Let us not forget it's a creation we are charged to care for. I ask this in the name of our Lord. Amen."

Dr. Foust stated that the Radio System Committee, including himself, Mr. Fatica, Mrs. Loll, Mr. Sparber and Mr. Maloney, met prior to caucus, and wanted to move forward with deliberations. One thing discussed was that since the Committee is comfortable with the plan as presented as far as how the system will be built and what types of equipment will be purchased ultimately, it was recommended that a resolution be passed tonight and as the agenda is amended, Resolution 4 will be added, which is in support for the Next Generation Radio Project Phase I initiation. This will allow the Administration to go forward with some basic steps to get this project moving forward. It will also not commit the County to a particular figure that has to be funded or where those funds would be coming from to be able to pay for the different parts of the project, but it will allow the project to immediately proceed at a very basic level.

Chairman Leone reminded the Salary Committee for elected officials that this must be completed by February 17, 2015, as that is the date when potential candidates will begin taking out petitions. He stated it will be a little hectic, but there is a time schedule. He further commented that the members who would get a raise, if proposed, are the members running for office, but they are not the ones who will vote on it.

**Motion to Amend
Agenda**

Dr. Foust made a motion to amend the agenda and move Ordinances 1, 3, 4, 5, 6, 8, and 9 to second readings, and add Resolution Number 4, 2015, to the agenda. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

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NEW BUSINESS

**Ord. 1, 2015 –
OCY Rev. Exp.
For Creation of
Line**

Mr. Smith gave a second reading of Ordinance Number 1, 2015, “2015 Children and Youth Services Fund Budget Revised Expenditures for Creation of *Lutheran Service Society* Court Ordered Placement Line”. This was moved by Mr. Breneman, seconded by Mr. Fatica, and carried in a unanimous roll call vote.

**Ord. 2, 2015 –
Gen. Fund Waiver
Of Purch. Code for
Next Gen. Radio
System Consulting
Contract**

Mr. Smith gave a first reading of Ordinance Number 2, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for Next Generation Radio System Consulting Contract”.

**Ord. 3, 2015 –
Gen. Fund Waiver
Of Purch. Code for
CJUCM agmt.
b/w CCAP & County**

Mr. Smith gave a second reading of Ordinance Number 3, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for Implementation of Criminal Justice Unified Case Management Agreement between CCAP and the County of Erie”. This was moved by Mrs. Loll, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 4, 2015 –
Gen. Fund Waiver of
Purch. Code for 4 yr
Agmt. w/ES&S &
The County**

Mr. Smith gave a second reading of Ordinance Number 4, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for Implementation of a Four Year Voting Machine Firmware Agreement between Election Systems & Software and the County of Erie”. This was moved by Mr. DiMattio, seconded by Dr. Foust and carried in a unanimous roll call vote.

**Ord. 5, 2015 –
Gen. Fund Waiver of
Purch. Code for Purchase
Of Voting Machine
Maint. From ES&S**

Mr. Smith gave a second reading of Ordinance Number 5, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for the Purchasing of Voting Machine Maintenance from Election Systems & Software”. This was moved by Dr. Foust, seconded by Mr. Fatica, and carried in a unanimous roll call vote.

**Ord. 6, 2015 –
D&A Fund Rev.
Exp. For D&A
Administration**

Mr. Smith gave a second reading of Ordinance Number 6, 2015, “2015 Drug & Alcohol Fund Budget Revised Expenditures of \$12,958 for Drug and Alcohol Administration”. This was moved by Mr. Breneman, seconded by Dr. Foust, and carried in a unanimous roll call vote.

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**Ord. 7, 2015 –
OCY Rev. Exp.
For OCY
Administration**

Mr. Smith gave a first reading of Ordinance Number 7, 2015, “2015 Children & Youth Services Fund Budget Revised Expenditures of \$3,402 for Children and Youth Administration”.

**Ord. 8, 2015 –
Approval of
Agmt. b/w County
& PSSU, Local 668,
SEIU**

Mr. Smith gave a second reading of Ordinance Number 8, 2015, “Approval of Agreement between the County of Erie and PSSU, Local 668, SEIU”. This was moved by Mrs. Loll, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

**Ord. 9, 2015 –
Approval of
Agmt. b/w County
& Erie County Det.
Assoc.**

Mr. Smith gave a second reading of Ordinance Number 9, 2015, “Approval of Agreement between the County of Erie and the Erie County Detectives Association”. This was moved by Mr. Fatica, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

RESOLUTIONS

**Res. 1, 2015 –
3rd Amend. To
Lease b/w Crown
Castle & County**

Mr. Smith gave a reading of Resolution Number 1, 2015, “Approving a Third Amendment to the Lease Agreement between Crown Castle GT Company, LLC, and Erie County Government”. This was moved by Mrs. Loll, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

**Res. 2, 2015 –
Approval of ECCCA
Capital/Op. Budget**

Mr. Smith gave a reading of Resolution Number 2, 2015, “Approval of the 2015 Operating/Capital Budget of the Erie County Convention Center Authority”. This was moved by Mrs. Loll and seconded by Mr. DiMattio.

Chairman Leone stated that he would be abstaining from a vote on this resolution due to a conflict of interest.

The resolution then carried in a 6-0-1 vote, with Chairman Leone abstaining.

**Res. 3, 2015 –
In Support of
Cleaning PA’s
Streams & Rivers**

Mr. Smith gave a reading of Resolution 3, 2015, “In Support of Cleaning Pennsylvania’s Streams and Rivers”. This was moved by Mrs. Loll and seconded by Dr. Foust.

Dr. Foust commented that he was approached by members of the environmental community as there is a new governor coming on board and new general assembly and this will urge the governor and the state delegation in Erie to keep in mind that cleaning streams and rivers is extremely important to society in general, but on a very practical matter, this is extremely important to Erie County and to Pennsylvania as far as attracting visitors whether they be fisherman, recreational people, etc. Dr. Foust added that no matter what legislation is passed, keeping in mind the environment has positive benefits for Pennsylvania. He did not think that another county has

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adopted this similar resolution and they are urging all counties across the Commonwealth to do this.

Mr. DiMattio added that the way the resolution is written, he would not have a problem with it. He commented that there has been action at the federal level with the Clean Water Act that could have some very detrimental effect to municipalities within Erie County with water runoff and things of that nature. Because the resolution is not in support of that, he did not have a problem with it.

Mr. Horton stated that this resolution is awesome and it also helps with the efforts that the County Executive and local officials have undertaken to declare parts of the bay and lake as a marine sanctuary and he is pleased to support the resolution.

Resolution 4, 2015, then carried in a unanimous roll call vote.

**BOARD &
AUTHORITY
APPOINTMENTS**

Dr. Foust made the motion to approve the following appointments:

- Appointment of David M. Hallman, Jr. to an unexpired five-year term on the Erie Regional Airport Authority.
- Appointment of Dale E. Barney to a five-year term on the Erie County Gaming Revenue Authority to represent Mr. Horton’s District
- Appointment of Donald Brown to the Erie County Care Management Board for a four-year term to represent Mr. Horton’s District
- Reappointment of Deborah Phillips, John Mason, and Paul Pangratz to three-year terms on the Erie County Agricultural Land Preservation Board

Mrs. Breter asked Mr. Smith about adding Resolution 4, 2015, prior to the appointments, and Mr. Smith clarified Resolution 4, 2015, would be read into the record following the vote on the appointments.

Dr. Foust’s motion was seconded by Mrs. Loll, and carried in a unanimous roll call vote.

**Res. 4, 2015 –
In Support of
Next Gen. Radio
Project Phase I**

Mr. Smith gave a full reading of Resolution 4, 2015, “In Support of Next Generation Radio System Project Phase I Initiation.

WHEREAS, the Radio Project Committee of Erie County Council supports the Next Generation Radio Project and;

WHEREAS, improved technology and equipment will provide the means for optimal job performance by Erie County’s first responders and 911 Operations and;

WHEREAS, the completion of the Next Generation Radio Project will mean enhanced safety for all Erie County citizens; and

THEREFORE, BE IT RESOLVED by the County Council of the County of Erie that work immediately begin on Phase I of the Next Generation Radio Project, including a financial timeline which will provide a roadmap to the amount of funding required for 2015 and beyond.”.

This was moved by Dr. Foust, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 7:27 p.m.

Deneé M. Breter, Council Secretary
