

February 10, 2015

ERIE COUNTY COUNCIL – Regular Meeting

Fiore Leone, 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, Mr. Smith took the roll:

ROLL CALL

Members Present: Mr. Breneman (Via telephone)
Mr. DiMattio
Dr. Foust
Mr. Horton
Mrs. Loll
Mr. Leone

Members Absent: Mr. Fatica

Also Present: Joseph Maloney, CPA
Sue Ellen Pasquale, General Accounting Manager
James Sparber, Finance Director
Gary Lee, Director of Administration

**HEARING OF
THE PUBLIC**

Camille Wagner, Erie, PA; 12 West 30th Street, Erie, PA: Ms. Wagner spoke on the topic of prayer at Council meetings. She thanked members of Council for hearing what she has to say. Ms. Wagner has been following the discussion for a few weeks and discussed with friends. She went on to give an overview of an event she attended where a woman had the opportunity to address the attendees of this celebration. Ms. Wagner stated that this person did not speak on the celebration, but spoke of herself and drew attention to herself in an extremely inappropriate way which surprised and confused attendees, and the rest of the event was overshadowed by this behavior. Ms. Wagner commented that when she thinks of prayer at Council meetings, she asks herself what place does personal religion have in the decisions that are being made by County Council and what message does it send to the attendees who are citizens of the County who are representing minority religious groups or no religion at all. She felt that instead of delivering an invocation, her suggestion would be to observe a moment of silence for all in attendance. She then offered the remainder of her 3 minutes for a moment of silence for the attendees.

Pat Long, 2510 Dublin Road, Waterford Township, PA; Mr. Long is a member of the Waterford Township Sewer and Water Authority; he came to speak regarding his “no” vote on the developers agreement that occurred a couple of months ago. Mr. Long distributed a handout to Council members and went on to explain its contents. Page one was a map of Waterford Township and explained that there are water and sewer lines that belong to Waterford Borough and Waterford Township Sewer and Water Authority. He stated that Summit Township could not get a good water well in their township so they bought property in Waterford Township, put wells in, and pump water from Waterford Township into Summit Township. He further explained that Waterford Township and Waterford Borough have two separate water and sewer authorities. Page

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two was a map of Lake Erie watersheds. Page three of the handout was a letter from John Elliott of DevelopErie dated January 27, 2014, requesting water service of 110,000 gallons per day from the Waterford Municipal Authority be allocated to the KLN production facility. Mr. Long stated that from the very beginning, Mr. Elliott went to the wrong municipality and should have approached the Waterford Township Sewer and Water Authority to negotiate with the borough for any agreement. He feels this caused the majority of the problem.

Renee Vendetti, Erie, PA; Ms. Vendetti spoke regarding OCY and a woman who completed everything she was supposed to do. She stated that the caseworker was found to have not followed procedures and was written up for what was done to this woman. Ms. Vendetti was upset that the caseworker did not have to correct her wrongdoing and that she only received a write up. She felt that the caseworker needs to go back to the time of the wrongdoing and follow through so the woman could get her child back. Ms. Vendetti stated that OCY attended a custody hearing and they are not allowed to be at a custody hearing. She went on about the caseworker being taken off of another case because she did something wrong and feels that there is obviously a problem with the caseworker. She then stated that OCY gave respite care to the woman who has the child now and alleged that the respite care worker has a record for public drunkenness. She stated that the police were called to this respite worker's home and the children had to be removed. Ms. Vendetti commented that these types of issues should be looked into.

Maria Czulewicz, Erie, PA; Ms. Czulewicz stated that the corruption runs deep all around, that money is funneled through Rick Griffith to give to the Catholic Diocese for Prep, and a corrupt attorney is running OCY. She stated her son, who has never been involved with the agency, can't have his daughter. She is being adopted out. Ms. Czulewicz stated the corruption needs to stop and the courts throw away appeals and think that pro se litigants don't have rights in this country. She commented that pro se litigants get farther in the system than with a corrupt attorney that is bought and paid for and afraid to challenge OCY because they are a Catholic corporation that is run by the Diocese of Erie. Ms. Czulewicz stated that Council has done nothing about this since she began attending meetings in 2001.

APPROVAL OF MINUTES

Dr. Foust moved to approve the minutes from the January 27, 2015 Regular Meeting. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

FINANCE COMMITTEE REPORT

Mr. Breneman stated that the Finance Committee met on Thursday, February 5, 2015, and agreed to move Ordinances 10, 14, 15, 16, 17, 18, and 19, 2015, Resolutions 9, 10, 11, 12, and 13, 2015, and two parcels for unsold property onto the agenda.

PERSONNEL COMMITTEE REPORT

Mr. Horton stated there was no personnel committee report.

OTHER REPORTS

Mrs. Loll read the following prayer: "As we wait for new life from the earth to come forth and blossom, dark is the world and cold as a winter morning, we look for the light of hope that shines. We pray that every nation on earth will know peace and rest. We listen for truth for it is more valuable than silver and gold. Let us follow a life of truth and the way of certainty and reality, working together as colleagues and good friends. Amen."

Motion to Amend Agenda

Dr. Foust made a motion to amend the agenda and move Ordinances 14, 15, 16, 17, 18, and 19 2015, to second readings. This was seconded by Mr. DiMattio and carried in a unanimous roll call vote.

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OLD BUSINESS

**Ord. 10, 2015 –
App. & Adopting
Amend. To Art.
Of Inc. of ECCCA**

Mr. Smith gave a second reading of Ordinance Number 10, 2015, “Approving and Adopting Amended and Restated Articles of Incorporation of the Erie County Convention Center Authority (The ‘Authority’) in the Form of Exhibit A Attached Hereto, and Authorizing the Filing Thereof in Accordance with the Provisions of Act 148 of 1999, As Amended and Supplemented, Known as the ‘Third Class County Convention Center Authority Act’ (Alternative Provision), 16 P.S. §2399.51 et.seq. (The ‘Act’)”. This was moved by Dr. Foust and seconded by Mr. DiMattio.

Mr. Leone stated that this is to comply with the law by the State and is part of the Convention Center Authority Act.

Ordinance Number 10, 2015, then carried in a unanimous roll call vote.

NEW BUSINESS

**Ord. 14, 2015 –
Gen. Fund Waiver
Of Purch. Code for
County Phone System**

Mr. Smith gave a second reading of Ordinance Number 14, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for Mandatory Software Upgrade to County Phone System and Upgrade for the Voicemail System”. This was moved by Dr. Foust, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 15, 2015 –
Capital Project
SA for County Phone
Upgrade Project**

Mr. Smith gave a second reading of Ordinance Number 15, 2015, “First 2015 Capital Project Fund Supplemental Appropriation of \$34,923 and Creation of New Line Items for County Telephone Upgrade Project”. This was moved by Dr. Foust, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

**Ord. 16, 2015 –
Gen. Fund Waiver of
Purch. Code for
Westlaw Subscription**

Mr. Smith gave a second reading of Ordinance Number 16, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for a Three Year Contract for Westlaw Subscription for Judges’ Library”. This was moved by Dr. Foust, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

**Ord. 17, 2015 –
Gen. Fund Waiver
Of Purch. Code for
3 yr Contract with
Eaton Corp.**

Mr. Smith gave a second reading of Ordinance Number 17, 2015, “2015 General Fund Budget Waiver of County Purchasing Code for Three Year Maintenance Agreement with the Eaton Corporation Covering Backup Generators”. This was moved by Mr. DiMattio and seconded by Dr. Foust.

Mr. DiMattio commented that the last two ordinances waiving the purchasing code are the result of proprietary issues and there really is not a choice but to waive the purchasing code.

Ordinance Number 17, 2015 then carried in a unanimous roll call vote.

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**Ord. 18, 2015 –
Public Health
Fund SA \$11,805
For Comm. Health
Needs Assmt. For
Erie County**

Mr. Smith gave a second reading of Ordinance Number 18, 2015, “First 2015 Public Health Fund Budget Supplemental Appropriation of \$11,805 for Community Health Needs Assessment for Erie County”. This was moved by Mr. Horton, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**Ord. 19, 2015 –
2016-2019 Elected
Officials’ Salaries**

Mr. Smith gave a second reading of Ordinance Number 19, 2015, “2016-2019 Elected Officials’ Salaries Ordinance”. This was moved by Dr. Foust, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

RESOLUTIONS

**Res. 9, 2015 – App.
Erie Co. PA ADA
Transition Plan**

Mr. Smith gave a reading of Resolution Number 9, 2015, “Approving the Erie County, Pennsylvania, ADA Transition Plan”. This was moved by Mr. DiMattio, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**Res. 10, 2015 – In
Support of 911
Funding & System
Reform**

Mr. Smith gave a reading of Resolution Number 10, 2015, “In Support of 911 Funding & System Reform”. This was moved by Dr. Foust and seconded by Mr. DiMattio.

Dr. Foust then commented that he was originally going to amend the resolution slightly to make it a little bit stronger, but he received information from Doug Hill, Executive Director of CCAP. Dr. Foust was concerned that the resolution really didn’t hit home and the most important thing about 911 funding system reform is restructuring how the funds are collected and returned to the County. Without that, Dr. Foust was concerned that whatever increases are passed at the State level that can be recouped, if the County continued to collect only on the landlines and then have to apply for grants on wireless line funds, the County would increasingly get a larger portion of a smaller pie and not really make any progress. Dr. Foust stated that Mr. Hill reassured him that the bill as it is presented in the legislature right now really does seek to have a strong restructuring of the funding system over and above and will help with recouping funding so the County won’t suffer as consolidation of the public safety system progresses.

Mr. Leone commented that the funding received from 911 funds at the present time is adequate. He stated that the County spends almost \$2 million of County taxpayer funds when originally it was designed to be funded by the State. Mr. Leone stated that technology is moving so fast and the County may never be able to catch up with it or fund it properly no matter who funds it one way or another. Mr. Leone did believe that one of the reasons this bill has to pass, and this resolution recommends to the State legislature to pass it, is that in June, 2015, cell phone costs will die unless the legislators at the State level extend that fund.

Resolution 10, 2015, then carried in a unanimous roll call vote.

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Res. 11, 2015 – In Support of Waiving Penalty on Parcel

Mr. Smith gave a reading of Resolution Number 11, 2015, “In Support of Waiving the Penalty on Parcel #21-032-024.0-015.00”. This was moved by Mr. Horton, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

Res. 12, 2015 – Exonerating Taxes Corry SD & City Of Corry

Mr. Smith gave a reading of Resolution Number 12, 2015, “Exonerating Taxes on One Abandoned Trailer/Property #06-006-014.0-013.41 in the Corry Area School District and the City of Corry”. This was moved by Mr. DiMattio, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

Res. 13, 2015 – Exonerating Taxes Ft. LeBoeuf SD & Waterford Twp

Mr. Smith gave a reading of Resolution Number 13, 2015, “Exonerating Taxes on One Abandoned Trailer/Property #47-011-027.2-007.47 in the Fort LeBoeuf School District and Waterford Township”. This was moved by Mr. DiMattio, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

SALE OF PARCELS

Dr. Foust moved to approve the possible sale of parcels from repository for unsold property at index numbers: 1-010-028.0-218.00 and 15-020-036.0-309.00. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

Prior to adjournment, Dr. Foust recognized Troop 54 from Erie, who were in attendance to work on their citizenship in the community merit badge, with one of the actions to attend a meeting such as this. Dr. Foust and Council thanked them for their attendance and hoped that they were able to learn a little bit about County government.

Mr. Leone also explained to the audience that Council is well prepared prior to the regular meeting because discussion occurs at Caucus the Thursday prior to the regular meeting.

Mr. Horton also advised them that there were agendas available for the audience.

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

Deneé M. Breter, Council Secretary
