

May 18, 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, Mrs. Loll gave the Optional Prayer/Invocation:

“God, we would like to say a special prayer for the fallen soldiers and honor their memory and the sacrifices they made for our most precious gift – freedom. We want to remember their achievements, their courage and their dedication. They fought and died to preserve this land of hopes and dreams. We want to pray for these men and women who possessed the courage, pride, determination, selflessness, dedication to duty and integrity – all the qualities to serve a cause larger than one’s self. We have awarded them medals, added their names to monuments and named buildings for them, but nothing can ever replace the hole left behind by a fallen service member, and no number of medals and ribbons can repay the sacrifice they made. So we are sending a prayer for them. God bless our troops and God bless America. Amen.”.

Mr. Smith then took the roll:

ROLL CALL

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

Members Absent: None.

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

PRESENTATION OF CITATION

Councilman Breneman presented a citation to Mr. Ken Kensill, the president of the Vietnam Veterans of America Chapter 435. Mr. Breneman stated that as a relatively new veteran, it means a lot to be able to present the citation to Mr. Kensill and the Erie County Vietnam Veterans Organization for their

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work with Vietnam Veterans and the memorials done to commemorate those who served during the Vietnam conflict. Mr. Breneman stated that these veterans came home under not the best situations, but continue to this day proving to be stewards of citizenship and community leadership. Mr. Breneman stated this is something that he looks up to the work that the Vietnam era veterans continue to do in the community and everyone can take pride in the fact that they have accomplished so much and continue to accomplish a lot in the community. He commented that the citation is more than a way of saying we remember you, it's a way of saying thank you for all that you continue to do. Mr. Kensill responded with thanks and added that he is only as good as his membership and over the last 25 years he has been blessed. He then thanked County Council for the citation and recognition.

**HEARING OF
THE PUBLIC**

Randy Barnes, Harborcreek Township, commented that over the last year he has been addressing Council about some uncomfortable topics including the inland port project and that \$8 million has been spent on this "fiasco". Mr. Barnes then commented on the \$26 million that will be spent on the Next Generation Radio Project. Mr. Barnes stated that Council made some decisions in 2009 and he would like to learn more about the radio console that was put in and wondered how it was paid for and how much was spent because it sounds like this console will be taken "south of the casino" and is junk. Mr. Barnes wondered how long the Next Generation Radio project will last and questioned whether the fireman in Union City cross into the Crawford County line, how will they communicate? Mr. Barnes feels this is a state issue and did not understand why the state government isn't involved. He then changed topics and discussed the General Authority and that the names of the board members are not confidential information. He also wanted to know what the trip to Europe cost was and asked if Council has received any information on this.

Jason Brendel, McClelland Avenue, Erie, PA; Mr. Brendel thanked Council for allowing him to speak about one thing the County did many years ago, that being the establishment of the Erie County Human Relations Commission. He stated that it has failed. He cited the 2014 Human Rights Commission and Equality Federation report card for Erie, where it is listed 57th out of 100 cities regarding the LGBT community and diversity in Erie. Erie is also last in diversity with elected officials, businesses, and inclusivity of LGBT and minority communities, and he questioned why Erie is last. Mr. Brendel is also bringing the National Gay Blood Drive to Erie. The FDA recommended, in 2014, that the LGBT community would have to abstain from sexual activity for one year in order to donate blood. Mr. Brendel felt that is discriminatory and stated that the FDA, CDC, and National Team for the National Gay Blood drive are in dialogue to lift that ban and allow the LGBT community to donate blood without having to wait one year. Mr. Brendel stated that the National Gay Blood Drive will be coming to Erie on July 11th, 2015 and he is asking that the entire community to come and donate on behalf of the LGBT citizens.

Mike Englehart, a business development manager for Tate Communications, a radio provider. He wanted to introduce himself to Council and provide information (distributed) and provide himself as a resource. He has been in the business for 41 years and they are planning on responding to the RFP that will come out in

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September. He stated that this RFP which should drive the costs of the system down from the budgetary number shown presently.

John Renwick; President, ATU Local 568, EMTA; Erie, PA; Mr. Renwick urged Council to hold its ground with regard to more board members on the EMTA Board. He feels that the County deserves more board members. Mr. Renwick commented that Council needs to look at what is going on at EMTA as it is not the fact that an employee was killed, but it is the fact that no one currently on the board cares that an employee was killed. He asked that Council fight for more board members and he would support Council 110%. He stated that they need the County and influence throughout the County if EMTA wants to grow. He also mentioned the Jake Schwab Health and Safety Bill 1082 and asked that Council pass a resolution in support of this bill which would provide OSHA standards for all public workers.

Mr. Leone then advised the audience about the Powerpoint presentation and that it will show what is going on during the meeting. He explained that anyone who calls in to speak will receive 5 minutes to address Council, and anyone else would have 3 minutes. He also explained that first reading ordinances would not be voted on at the meeting, but that an ordinance given a second reading would then get voted on.

APPROVAL OF MINUTES

Dr. Foust moved to approve the minutes from the May 5, 2015 Regular Meeting, which was seconded by Mr. Horton, and carried in a unanimous roll call vote.

REPORTS BY COUNTY OFFICIALS

None.

FINANCE COMMITTEE REPORT

Mr. Breneman reported that the Finance Committee met on May 14, 2015, and agreed to place the following on the agenda: Ordinances 64-65, 2015, and Resolution 31, 2015, along with two board appointments and a sale of parcel.

PERSONNEL COMMITTEE REPORT

Mr. Horton stated that the Personnel Committee met immediately following the Finance Meeting and agreed to add Ordinance Number 63, 2015 to the agenda for a second reading, as well as Ordinance Numbers 66, 67, 68, and 69, 2015 for first readings. He further stated that the Pay Plan Committee continues to meet and stated that they will be contacting Gannon University to obtain some labor statistics to help with their discussions. He stated they will be meeting next week and hope to have a comprehensive report in the near future.

OTHER REPORTS

Mr. DiMattio stated that Shawn Graves, who addressed Council a few weeks ago, organized their annual 4-H auction at Sparrow Pond, which included all of Erie County. Mr. DiMattio stated it began at 9 a.m. until 3 p.m. and had approximately 300 donations and was an excellent success.

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Dr. Foust stated that the County Executive and Council needs to take a very hard look at the EMTA issue. He commented that he has been a real strong proponent of regionalizing boards and authorities, and been willing to absorb the cost that the City in the past has had to put out to make it more regional. He felt that there is in an impasse as Council awaits Mr. Grack's response regarding a resolution, but if there isn't any interest in the City's part to move forward on this particular issue, Dr. Foust has talked to a lawyer who is quite familiar with the issue. Dr. Foust feels that Council needs to reject the Charter as it exists either outright or with suggestions from Council. Mr. Leone has put forth proposals as well and Dr. Foust feels that the County could absorb the cost the City has to bear right now and make it a County authority which would make it regionalized automatically, and move forward. Dr. Foust is not interested in approving the Charter or appropriating funds for EMTA if the Charter is used as it exists. Dr. Foust felt that if the roles were reversed, that is what the City's stance would be. Dependent on Mr. Grack's response, if they come back with a plan of action that is not acceptable to Council, Dr. Foust felt that Council should move forward with the County Executive's cooperation as well and bring down an ordinance or resolution as there really isn't any mechanism to amend that Charter until Council votes on it one way or another.

Mr. Fatica thanked Mr. Renwick for reminding Council regarding the OSHA issue and stated that Rep. Harkins is very much involved in that Bill and has support to see that this happens for all public workers. Mr. Fatica then stated that the first meeting of the Public Safety Advisory Board meeting would be held tomorrow.

Chairman Leone stated that he has spoken with Dr. Foust previously regarding regionalization of EMTA and that a copy of the Charter has been given to Mr. Smith to find out what has to be done because the Charter is antiquated and has to be changed. Chairman Leone emphasized that he does not want to create a problem, but he does believe that EMTA should be regionalized and that some type of a change regarding the Charter is needed. He asked that Mr. Smith confirm the time schedule on renewing the Charter so he can contact the solicitor. Dr. Foust felt that it might be June or July, 2016 and there is a strong reason to move forward rather quickly.

OLD BUSINESS

Mr. Smith gave a second reading of Ordinance Number 63, 2015, "Adding Veterans Affairs Department to the Administrative Code of Erie County, Previously Amended by Ordinance Number 152, 2014". This was moved by Mr. Breneman, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

MOTION TO AMEND AGENDA

Mr. Breneman made a motion to amend the agenda and move Ordinances 64 through 66, 2015, to second readings. This was seconded by Dr. Foust and carried in a unanimous roll call vote. Chairman Leone then clarified for the audience that these ordinances would now have second readings and be voted on.

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NEW BUSINESS

**Ord. 64, 2015 –
GF SA of \$24,166
Rel. of Reg. of Wills
Fees**

Mr. Smith gave a second reading of Ordinance Number 64, 2015, “Twenty-Sixth 2015 General Fund Budget Supplemental Appropriation of \$24,166 for Release of Register of Wills Automation Fees”. This was moved by Mrs. Loll, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 65, 2015 –
Library Rev.
Revenue & Exp.
& Creation of
Color Copy Fee
Line**

Mr. Smith gave a second reading of Ordinance Number 65, 2015, “2015 Library Fund Budget Revised Revenue and Expenditures of \$250 and Creation of *Color Copy Fees* Line”. This was moved by Mrs. Loll, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

**Ord. 66, 2015 –
PH Rev. Revenue
& Exp. Of \$62,325
From Elim. Of
Clerical Positions
& Creation of
Spec. Proj. Sec.**

Mr. Smith gave a second reading of Ordinance Number 66, 2015, “2015 Public Health Fund Budget Revised Revenue and Expenditures of \$62,325 from Elimination of Two Clerical Positions and Creation of Two Special Project Secretary Positions”. This was moved by Mrs. Loll, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**Ord. 67, 2015 –
Planning SA of
\$12,363 for Change
In Dir. Of Planning
Position**

Mr. Smith gave a first reading of Ordinance Number 67, 2015, “First 2015 Planning Fund Budget Supplemental Appropriation of \$12,363 for Change in Director of Planning Position”.

**Ord. 68, 2015 –
GF SA of \$12,363
For Tx. To 2015
Planning Budget**

Mr. Smith gave a first reading of Ordinance Number 68, 2015, “Twenty-Seventh 2015 General Fund Budget Supplemental Appropriation of \$12,363 for Transfer to 2015 Planning Fund Budget”.

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**Ord. 69, 2015 –
GF SA of \$6,843
For Dir. Of Admin.
Salary Increase**

Mr. Smith gave a first reading of Ordinance Number 69, 2015, “Twenty-Eighth 2015 General Fund Budget Supplemental Appropriation of \$6,843 to Align Salary for Director of Administration with Responsibilities and Salaries of Direct Reports”.

**Res. 31, 2015 –
App. Appts. Of
Deputy Tax
Collectors in
Erie County**

Mr. Smith gave a reading of Resolution Number 31, 2015, “Approving the Appointment of Deputy Tax Collectors in Erie County”. This was moved by Mrs. Loll, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**BOARD/AUTHORITY
APPOINTMENTS**

Dr. Foust moved to approve the appointment of David Cord to a five-year term on the Erie County Hospital Authority. This was seconded by Mr. DiMattio and carried in a unanimous roll call vote.

Dr. Foust moved to approve the appointment of Charlene M. Kerr to an unexpired five-year term on the Erie Metropolitan Transit Authority. This was seconded by Mr. Fatica and carried in a unanimous roll call vote.

**SALE OF
PARCELS**

Dr. Foust moved to approve the sale of parcel from repository for unsold property at Index Number #47-026-081.0-006.00. This was seconded by Mrs. Loll and carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 7:33 p.m.

Deneé M. Breter, Council Secretary
