

March 22, 2016

ERIE COUNTY COUNCIL – Regular Meeting

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

“We are a world that is lost and fallen, a bruised humanity, where violence seems a given, where people are oppressed. We long to know peace throughout the world. The people are filled with dread. No justice is found, no peace is in sight. We will fight battles to turn things around, as we are creatures of peace. Let us not forget to defend the defenseless, stand up for the powerless. We yearn for harmony again. It is a battle that we will win, as we long to know peace. Let us not forget it is not too late for us to recreate a world where justice reigns. We can imagine justice that circles around the earth, a world that we are doing our best to restore with a good foundation. We offer our praise to our Lord and work to bring justice. Amen”.

Roll Call

The County Clerk called the roll:

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

Members Absent: Mr. Leone

Also Present: Douglas R. Smith, County Clerk
Sue Ellen Pasquale, Manager of Accounting
James Sparber, Director of Finance
Kathy Dahlkemper, County Executive

**Hearing of
The Public**

Edison Nicholson, Executive Director of Youth Leadership Institute of Erie; Mr. Nicholson brought some of his students in the program to speak. They came to talk about Global Youth Service Day, an international day of service for young people across the globe. This will occur on April 16, 2016.

Crystal Lepak, Erie, PA; Ms. Lepak is the Youth Program Coordinator for Global Youth Service Day. The Youth Leadership Institute of Erie is the lead agency for Youth Service America and one of the big events to be put on by the Student Ambassador Leadership Team is Global Youth Service Day. There are over 135 countries involved in this project. The youth pick the projects and topics that they want to tackle. In Erie County, the youth (grades 6-12) have chosen to tackle five issues that they are concerned about – the veterans, the elderly, special needs, children and youth, homelessness and hunger, and the environment. There will be 500 to 1,000 youth in Erie County to complete these service learning projects. This includes engaging with the people that are part of the community and the issues at hand. They will be going to the Soldiers & Sailors Home and completing gardening projects, donating non-perishable and hygiene products to the Liberty House, fun and fit activities for people with special needs, and a coastal cleanup at Presque Isle. This is a great opportunity for the youth of Erie County to have a voice in the community. Erie is one of the top 16 cities in the country and will hopefully win the Skype from First Lady Obama.

March 22, 2016

Alan, President of Youth Leadership Institute of Erie; Alan read the following statement: “As we all know, service is an essential part of our community and that is why I am here today. My name is Alan and I’m the president of the Youth Leadership Institute of Erie. What makes our program special is its commitment to service by young teenagers all across the county. Our program focuses on service, learning, and leadership in which we apply positive things we learn from school into the real world. By doing so, we can impact a lot of students and the community itself. Our mission statement is to develop high school students into leaders who are informed and motivated in making the community better. We go through an eight week leadership development training class and after that, students are eligible to join the Student Ambassador Leadership Team. We analytically address a lot of the critical issues that our community faces. How many of you know of the hunger issue in Erie County and how almost one-fourth of the children in Erie struggle to get food. How many of you know of the teen violence that is in the city? What about education and drug trafficking? Our program provides insight to all of these issues for young people like myself. Our team of five different committees, executive board members, directors, and committee officers work together to address these issues. As President and head of the Student Ambassador Leadership Team, I hope to encourage more students across our area to join the leadership class next year. I also plan to expand our influence in the community by working with a lot more businesses, non-profits, and other key community leaders in the Erie area. The Youth Leadership Institute of Erie is also the backbone of the Global Youth Service Day in Erie on April 16th. We will be focusing on five different issues that we’ve identified that might be very important to us, such as giving Thank You cards to veterans, cleaning up Presque Isle, and beyond that. I wanted to end with my favorite quote by Ghandi, ‘The best way to find yourself is to lose yourself in the service of others.’. Through the Youth Leadership Institute, I found myself. I was able to broaden my horizons and see so much of what I could do to help make our community better. I strongly commend everyone for listening to what we have to say. We’re letting you know that we’re taking action actively within our community and your support towards our program, the Erie community, and service, is irreplaceable. I’m honored to represent our organization and am more excited than ever for Global Youth Service Day this year. Thank you.”.

Abigail Marleno, Member of Youth Leadership Institute of Erie; Ms. Marleno read the following statement: “I am the Service Learning Committee Chair for the Student Ambassador Leadership Team. I would like to talk about one of the topics that we are going to be focusing on for Global Youth Service Day which is Hunger and Homelessness. A couple of the projects we will be doing include making homemade goods for Emmaus Soup Kitchen. A lot of homeless people don’t get the homemade goods that we’re used to having. We will be making homemade chocolate chip cookies and peanut butter and jelly sandwiches. I would like to say that I don’t know a lot of the solutions for hunger because they are hard to come up with. I would like to go and speak to people who are frequent visitors to Emmaus Soup Kitchen and the City Mission and see what they would suggest to help them out. Thank you.”.

Chairman Horton offered facilitation of a meeting for them as he used to be the Interim Director at the Upper Room and anytime the group would like to meet, he asked that they reach out to him and he will do what he can to make that happen.

Approval of Minutes

Dr. Foust made a motion to approve the minutes from the March 8, 2016 regular meeting. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

Reports of County Officials

County Executive Dahlkemper commended the young people and the Institute for doing such great work and congratulated them for what they are doing. She stated that today, the Administration finished a pilot project that was started with one representative from the different departments under her supervision called Icehouse. It is a leadership program where they came together for six weeks and got to meet people from other departments and learn what those departments do. They got to use their own creative abilities to look at issues and problems and come up with solutions. Today they presented the solutions to the County Executive and how they can help to move things along. She was encouraged by what she saw and that they want to take what they learned and

March 22, 2016

solve the problems throughout their departments. There is now a lot of collaboration between departments and they can work together with the resources they have to create something bigger. She then discussed her representation on NaCO and will be going to a Heroin Opioid Epidemic Task Force meeting on April 7th in Washington. They will be looking at how counties and cities can work more collaboratively to attack this epidemic. She continues to have a lot of conversations around the county and the state to make sure that Pennsylvania's issues and message is taken to that Task Force. She stated that she will report back to Council following the meeting. She then stated that last week she went to Harvard with the City of Erie, Kathy Wyrosdick of Planning, and four members from the city, to look at how they can deal with blight issues. This was focused on the city but one of the things that Kathy Wyrosdick and the County Executive brought to that meeting was that some of these issues really go beyond the city of Erie and they need to look at some of these solutions on how to deal with it as a County.

Dr. Foust stated that the Finance Committee met on March 17, 2016, and agreed to place Ordinances 19 through 22, 2016, Resolution 9, 2016, a board appointment, and sale of parcels on the agenda, with a possible second reading of Ordinances 20 and 21.

Mr. Breneman stated that the Personnel Committee met immediately following the Finance Committee meeting and agreed to place Ordinance Number 18, 2016, on the agenda.

Mrs. Loll reading the following report:

“On the 14th of this month, I attended the Assessment Board meeting. In order to settle the situation about the Sight Center of NWPA, Scott Maas will visit the property himself. Hopefully this will end the questions about the exemption. There were questions about new businesses or expansion of one so Awareness Ministries and Maria House will be asked to come in to be questioned. It was discussed, and the new floating bar on a barge at the dock will not be taxable as boats are not taxable.

On the 16th of this month, I attended the Drug and Alcohol Advisory Board Meeting. They have been conservative during the fiscal year because the State budget has not been passed so they have not spent much money. They recently received \$5.2 million and do not have the time to spend it responsibly, so they are requesting that the excess amount be held and used in the next budget. They have been mandated to have someone available for all five of the emergency rooms 24-7 for the benefit of pregnant mothers and veterans who present with drug and/or alcohol or behavioral health needs. There won't be enough money to cover this mandate, so it will come in helpful if allowed to use it in the next budget year.

They are trying to educate doctors to limit pain medication by asking for old unused prescriptions to be turned in, and not writing a new prescription until received and checking if the patient is getting prescriptions from another doctor as well. Also, they are educating the public that when a relative dies, the unused prescriptions should be turned in to the proper authorities. The Department also has a Student Assistance Program that the majority of schools are not using, because they do not want to admit that their district has a problem with drugs and/or alcohol or behavioral problems. I suggested that the School Resource Officers may be a contact to identify and report a student for this service. It is all paid for by the program so it does not cost the school anything. I contacted John Loomis, our Sheriff, about this and he was quite receptive. He was going to contact the department and get information as to the use of the School Resource Officers. Sheriff Loomis did contact me this afternoon and told me that the deputies are well trained in that and that they are willing to follow through with this.

On Saturday, I, along with Ed DiMattio, attended the Edinboro Fire Department Initiation of Officers, recognition of members, dinner.

This afternoon I attended a tour of the new Courtyard by Marriott Hotel at the Bayfront.”

March 22, 2016

Mrs. Fatica reported that she was asked by some constituents to look into training First Responders to deal with the population on the Autism spectrum. Special considerations are very important with this group. Mrs. Fatica met with Matthew Exley, Emergency Management Coordinator for Millcreek Township. Matthew agreed to look into this further and discuss it with other municipalities and Erie County Public Safety. It was also discussed that additional information would be provided to the public through government access programming.

Mr. DiMattio reported that he attended the town hall meeting in Union City and he felt it was noteworthy and incredibly important to realize that without a current budget at the State level for 2015-2016, and 2016-2017, Union City, by the first week of June, 2016, will have spent all of their cash reserves in addition to the grant money they received for their infusion back in December, 2015. With no budget currently, and pushing back the budget for 2016-2017, Union City may not open in September. Union City School District will not be alone in this and it will become a terrible problem statewide and within Erie County. Mr. DiMattio felt these are things that Council needs to be very much aware of. Union City has been very diligent in what they have done to get to June 2nd to make sure that the seniors will be able to graduate. He stated that people have asked why sports couldn't be cut and save a few dollars but when there are students who are depending on scholarships because of the spring sports, the school can't cut the sports. He felt it is important that everyone contact their state legislators and the governor. He commented that the state budget hasn't really affected many people, but now the children are being used as pawns in this issue and moving forward, people are going to start screaming because it will affect them on a daily basis when their kids can't go to school. Union City is the first one to come out on this issue and it will happen elsewhere in Erie County and in Pennsylvania.

Chairman Horton commented on the Heroin Task Force meeting that the County Executive spoke of and he stated he is very glad that she will be participating in this effort. He stated that every day when he walks into the courthouse, he has the number "62" in his mind and that is the number of heroin overdoses last year in Erie County. This is a number that no one should be comfortable with because there are 62 sets of parents, 62 sets of siblings, grandparents and loved ones. He is working with Human Services Director DiMattio and is part of the local Heroin Task Force and this problem is not one that has escaped himself or Erie County.

OLD BUSINESS

Ord. 18, 2016 – GF SA For Creation of PT position in CE Office

Mr. Smith gave a second reading of Ordinance Number 18, 2016, "Eighth 2016 General Fund Budget Supplemental Appropriation of \$16,453 for Creation of Part Time Communications and Public Relations Administrator". This was moved by Mr. Breneman and seconded by Mrs. Fatica.

Dr. Foust stated that he does not support this ordinance and made that clear in the Finance meeting a few weeks ago and in Caucus this evening. Council took this position out of the budget as a full time position last December. This is a position the County had almost eight years ago and Council removed the position from the budget and didn't see the utility of it. Council is constantly asking departments to do more with less and have talked about budgetary problems across the state and although new positions have been put back in, they are described as "mission critical". He did not feel that this position comes close to that. While he will stand by his votes of taking positions out last December regarding the budget, he felt it is easy to make a greater case for putting a Diversity position back in as there is a lack of diversity in Erie County government. The grant writer position could lead to some opportunities in Health, and the Planning positions were a surprise in being removed, but they could help with the blight issues that the County Executive spoke of earlier. Dr. Foust commented that in the grander scheme of things, even though he wouldn't be in favor of bringing those positions back, there is an easier justification to make for those positions that are more mission critical. In light of the fact of having to raise taxes last December, and it probably won't be the last time, and the continuing almost endless budget impasse in Harrisburg, which has not stopped visiting the County just yet, as long as there is no budget in

March 22, 2016

place in Harrisburg, he can't see the justification in this position and he encouraged his colleagues to do the same.

Mr. DiMattio commented that he earlier spoke about Union City who furloughed 18 teachers and other employees to make it to June 2nd. The County is asked to do more with less and he finds it very difficult to support the people of Union City and at the same time approve a position here. He stated that with what is going on in Harrisburg and the possibility that there might not be a budget until November for last year, and if that's the case, the County could be borrowing money again this summer to fulfill County obligations. At this point, he stated he could not support this position.

Mr. Breneman stated that with careful consideration over this position, he had to take those very points into consideration. Because of the huge impact that County services and County government has on the very well-being of people in the County, the County needs to be able to communicate more effectively to the citizens. The impact that the financial stalemate and gridlock in Harrisburg has upon County services is something that with better communication from the County to the citizens could perhaps push along some of the issues in Harrisburg. He further stated that as one of the largest employers in the County, the County has so many services that impact the people and too often, people are not aware of where the tax dollars go, are not aware of the services available to them, and the issues that the County faces that impact the ability to serve them. Mr. Breneman stated that the County should be better able to communicate with the citizens. He stated that Council could always remove this position later if it shows not to be fruitful, but felt he is willing to at least try it knowing that option is there.

Mrs. Fatica agreed that communication is probably the most important thing. The County is providing services that people need to be aware of what they are and how they can access them. She stated that in addition to making sure that people know what's available and where their tax dollars are going, they also need to know where to get these services and what the County does. The most important thing she felt the County could do is be able to communicate and have someone with the responsibility to get the message out.

Dr. Foust then commented that the points of Mrs. Fatica and Mr. Breneman are well taken and heartfelt, but there is no connection between the creation of part time communications and public relations administrator and educating the public. If things are not known, it's not because the County doesn't have one more person to express that message. He felt there are a lot of ways that the message is given out and if this comes out on the losing side and it passes, Dr. Foust stated he will take Mr. Breneman up on his challenge that if the fruits of this position do not produce come December then it should be removed from the next budget.

Ordinance Number 18, 2016, then passed in a 4-2 vote, with Dr. Foust and Mr. DiMattio voting no.

**Ord. 19, 2016 –
Restriction of Grant
Funding to EMTA**

Mr. Smith gave a second reading of Ordinance Number 19, 2016, "2016 Unrestricted Gaming Fund Budget Restriction on Grant Funding to EMTA". This was moved by Dr. Foust and seconded by Mr. DiMattio.

Dr. Foust highly encouraged his colleagues to support this ordinance. The full regionalization of local funding match for EMTA and Board appointments is certainly an issue whose time has come. As he stated in an Op-Ed a few weeks ago, if the County regionalizes something and is essentially administered through the County, that doesn't mean that the City somehow loses. When the region wins, the City wins as well. Two good examples of this are 911 services and when calls come in to the 911 center, the City calls are not given any less priority. As Mr. Breneman pointed out in a Facebook post a few weeks ago, County library services are another good example. At one time, those were administered through the School District of the City of Erie and since they have come under the County's wing, they have not only been stabilized but expanded and improved over the years, and again, the City has not lost out. In this instance, with the local match and the Board appointments, they can become fully regional for the first time and will allow the City, Millcreek

March 22, 2016

and Harborcreek pivot and use those resources on more pressing matters. As mentioned earlier, Dr. Foust stated that just yesterday the Mayor was trumpeting a new anti-blight initiative and different measures that would be coming forward. To his own admission, the primary hurdle to be able to implement those initiatives is to be able to find funding for them. The County is trying to help them find \$260,000 extremely quickly that would be available to fund those particular services. The EMTA issues are not about busses and routes, it's about how to service what is funded and who will have accountability of Board appointments based on that funding. County government has offered to fully fund the local match now and into the future to stabilize services. County government or whatever municipality would fully fund the local match should have the full say as to who serves on the Board. Who would want it any other way? The way EMTA is currently funded is cobbled together, volunteer contributions from a handful of municipalities as well as the County of Erie. Outside of the City of Erie, none of those municipalities are required to contribute anything and none are required to contribute at any particular level. The City's contribution has gone up and down over the course of 30 years based on what they can afford. What happens in the future if these municipalities decide that their budgets are too tight and they can't afford to contribute for transit services – those services would be cut. The County can't allow such an important service to be held hostage to such an uncertain funding mechanism. The proposal that is on the table from the County does away with this very poor business model. The Council ordinance today, if passed, sends yet another fierce signal that Erie County government will not continue to fund or participate in the status quo. Let no one believe that Erie County government somehow wants the busses to stop. Far from it, Council has included in the 2016 budget sufficient resources to fully fund EMTA throughout this whole year and has committed to doing that into the future, if we can get to some sort of agreement with the City. Dr. Foust further stated that this money could be released almost immediately with a proper vote if the County can engage the City officials and come to some sort of agreement, but they have not responded to the County's numerous requests through Solicitor Talarico. When the Deputy Secretary for Local and Area Transportation of PennDOT was in town on February 19th, City representatives were invited to that meeting. Not one showed up. Last week when the solicitors from all interested parties were asked to meet with Mr. Fauver about more political and legal issues, again the City backed out at the last minute. The time for delay is over. Either an agreement is reached or each party goes their separate ways. The County has stepped up to the plate in good faith and he hopes the City does so soon. If the region is to survive and thrive, business needs to be done in a different and more cost effective way. The ordinance this evening is yet another step in that direction and he encouraged his colleagues to vote in the affirmative.

Mr. Breneman wanted to point out that as a city taxpayer himself and someone who represents one-third of the city along with Mr. Leone and Chairman Horton, with Council wanting to take this regional asset and have the region pay for it, which is better financially for all the taxpayers, and the City failing to do anything towards making it happen or rebuff it, it sends a message that perhaps they are all talk and no action. Mr. Breneman feels that as a city taxpayer, he would hope that the tax dollars are going towards some sort of return of time and effort. Seeing so much gridlock in Harrisburg, he would hate to see that here at the local level. He stated in the Army there was a term that was used called "sandbagging", when something is purposely delayed or slowed down. This is a detriment to the City and the City officials themselves and they are hurting the taxpayers by doing this. He commented there is nothing new or secretive or difficult to comprehend about what the County is trying to do, and yet it has been over a year and the City has failed to even try to negotiate or come forward to say they agree or disagree with this or that so let's work it out. The City has failed to take any sort of action on it whatsoever and the only action they were able to take was the last City Council president appointed some other Council members to a sub-committee, but beyond that he is really disappointed in his elected officials in City government. He hopes that they do not delay and waste more time as a decision cannot be made at the last minute, particularly when it involves a service that is so needed in the community. He commented that they should lead, follow, or get out of the way. He stated if only the hash tag "do your job" wasn't already taken, it would fit here.

Mr. DiMattio commented that everyone needs to understand that the County stands firm in its resolve as to how this needs to be taken care of and it does need to become truly regional. He

March 22, 2016

further stated that many in the City would lead one to believe that the County is trying to take something. The County is not taking anything. EMTA belongs to Erie County and the City is part of Erie County – it's all one. It is about doing the right thing and doing things lean and most cost effectively and he feels it is the right thing to do at the right time.

Chairman Horton stated that he concurs with his colleagues and feels this is an ideal whose time has come. He believes that the rise in tide should lift all boats and this is a no brainer. He commented that he remains optimistic that in the weeks to come things will come into clearer view. He hopes that the City counterparts will at least come to the table to move this item forward. The operation of EMTA has been honorable, as has been Council, which all members have carried themselves in an honorable way befitting of the office, and have been very, very transparent in moving this item forward. He is not here to make an appeal to the citizenry or to the City legislators, but he did comment that a rising tide should lift all boats. He stated this is not about operations, it is about funding and the County being prepared to take on that responsibility. He believes that September 16th is looming large and he is confident that the City will come to the table and get this issue resolved. He would not like to see any type of hysteria amongst the citizenry that somehow operations are going to stop, because that is not the case.

Ordinance Number 19, 2016, then carried in a unanimous roll call vote.

NEW BUSINESS

Mr. Breneman moved to amend the agenda and move Ordinance Numbers 20 and 21, 2016 to second readings. This was seconded by Dr. Foust and carried in a unanimous roll call vote.

Ord. 20, 2016 – Library SA for Data Proc. Line

Mr. Smith gave a second reading of Ordinance Number 20, 2016, "First 2016 Library Fund Budget Supplemental Appropriation of \$33,208 for District Data Processing Line". This was moved by Mr. DiMattio, seconded by Dr. Foust, and carried in a unanimous roll call vote.

Ord. 21, 2016 – Cap. Proj. SA & Creation of Line From JAG for PS Radio Project

Mr. Smith gave a second reading of Ordinance Number 21, 2016, "First 2016 Capital Projects Fund Budget Supplemental Appropriation of \$20,263 and Creation of Line Item from Justice Assistance Grant for Public Safety Radio Project". This was moved by Mr. Breneman, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

Ord. 22, 2016 – GF SA & Creation Of Fees Line for County Wellness

Mr. Smith gave a first reading of Ordinance Number 22, 2016, "Ninth 2016 General Fund Budget Supplemental Appropriation of \$1,125 and Creation of Fees Line Item for County Wellness Activities".

Res. 9, 2016 – Hosp. Auth. Tax Exempt Note – Barber Ctr. Project

Mr. Smith gave a reading of Resolution Number 9, 2016, "Erie County Hospital Authority Not to Exceed \$2,800,000 Tax Exempt Note (Dr. Gertrude A. Barber Center, Inc. Project)". This was moved by Dr. Foust, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

March 22, 2016

**BOARD/AUTHORITY
APPOINTMENT**

Dr. Foust moved to reappoint Ms. Gerri Newara to a four-year term as the East County representative to the Board of Tax Assessment Appeals. Dr. Foust stated that Ms. Newara represents both his and Mr. DiMattio's district. He has known her for four or five years and she has done an excellent job. He stated that Mrs. Loll is the liaison to the Assessment Board and stated that Ms. Newara is in line to become the next Chair of the Board. He encouraged his colleagues to vote yes on her reappointment.

The appointment was seconded by Mr. DiMattio and carried in a unanimous roll call vote.

SALE OF PARCELS

Dr. Foust moved to approve the Sale of Parcels from Repository for Unsold Property at Index Numbers 07-035-050.1-001.74 and 27-041-140.0-005.00. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

There being no further business, the meeting adjourned at 7:54 p.m.

Deneé M. Breter, Council Secretary
