

July 9, 2013

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Waterford Borough Building, 30 South Park Row, Waterford, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited the following:

Let us pray. God of wisdom, truth and order, love and duty. Grant us vision to lead with a clear mind. God of every living creature, of the entire human race; may our knowledge be extended for good, knowing that all the earth is a neighborhood. Make us free to dare and to dream. we call and you hear. We will hold tight to your hand, your love and direction will comfort and guide us. Thank you God, for loving and caring for this world in which we dwell. In this age when life is changing, teach us, Lord to understand that to leave it to someone else change for the better will not happen. We need to get fed up and fix what is wrong ourselves. We ask this in the name of the Lord, Jesus Christ, Amen.

Roll Call

The County Clerk called the roll:

Members Present: Mr. Giles, Chairman
Mr. Cleaver, Vice Chairman
Mr. DiMattio
Mr. Fatica
Dr. Foust
Mr. Leone
Mrs. Loll

Members Absent: None

Also Present: Douglas R. Smith, County Clerk
Joseph Maloney, Council CPA
Thomas Talarico, Council Solicitor
James Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Hearing of the Public

Shawn Graves, Erie County Cooperative Extension, is the 4-H educator for Erie County. He informed Council that last year 4-H reached over 2500 kids throughout Erie County with many different projects. He noted that 4-H is more than just cows and pigs; this organization provides education through public speaking, internet, and computers at neighborhood centers such as JFK, Booker T. Washington as well as school enrichment. 4-H does have its traditional programs as well. He advised Council that this is a strong youth organization working for the County of Erie. Mr. Giles noted that along with financial backing, the County also provides office space for the Erie County Cooperative Extension. The property at Lake Pleasant and Gore Roads is part of an unresolved issue.

Bill Welch, spoke regarding the change in the bus route on State Street which he feels is a disaster. He spoke with the Metropolitan Planning Organization and discovered that agency was unaware of this change taking place, neither was the Mayor's Roundtable aware, and City Council didn't know. The Planning Department did not know about this and no public hearings were held. Mr. Welch pointed out the Social Security Office is on State Street, as well as day care and senior centers. This is affecting handicapped individuals. He believes the way this changed happened is wrong. These people were told to use the LIFT system which will cost money. Mr. Welch believes that Council has the power of the purse and can help this situation.

July 9, 2013

Mr. DiMattio's
Comments

Mr. DiMattio thanked the residents of Waterford and the Waterford Borough for allowing Council to use their facility this evening. It is nice to be in Waterford and have the opportunity to go to the people.

Mr. Giles'
Comments

Mr. Giles' welcomed Kathy Dahlkemper to the meeting this evening along with Jim McCall.

Minutes

Mr. Leone moved to approve the minutes of the Regular Meeting of June 11, 2013. Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Leone reported the Finance Committee met on July 3, 2013 and agreed to place Ordinances 51, 52, and 54 on the agenda for a second reading. Also on the agenda are Ordinances 56, 57, 58, 59, 60 and 61 for first readings along with Resolutions 27, 28 and 29. The possible of appointments of Stephanie Lewis and Dr. William Garvey to the Library Board and the possible approval of the sale of parcels from the Repository for Unsold Properties have also been placed on the agenda. Discussion was held to move Ordinances 56, 57 and 62 to second readings.

Personnel
Committee

Dr. Foust reported the Personnel Committee met immediately following the Finance Committee and agreed to place Ordinances 53 and 54 on the agenda for second readings along with Ordinance 62, a first reading which will be moved to a second reading.

Mr. Giles'
Report

Mr. Giles reported that the Erie County Gaming Revenue Authority met on June 13, 2013 with its auditors. A copy of the audit should have been forward to Mr. Maloney, Ms. Pasquale and Mr. Sparber for their internal review. Mr. Giles explained that the Gaming Authority's fiscal year ends on March 31st and this date was based on the final payment of revenue monies that would come to the Authority. He noted there were no problems with the audit and offered copies to Members of Council for their review.

On June 20, 2013, the Economic Development Corporation did a similar review process of their audit. There has been some difficulty moving the Inland Port Project forward causing some extraordinary expenses; however, these are at a manageable level.

Mr. Giles further reported that the PComp Retreat and Board meeting was held from June 26-28 at Seven Springs. He explained this is a type of subsidiary of the County Commissioners through which the county receives its Workman's Comp Insurance. There was a great deal of information provided at this meeting. Approximately 37 counties fall under this umbrella. Mr. Giles complimented the administration because the experience MOD has gone down for the third year in a row and this has an impact on the premium for the upcoming year. All other counties have had a good year and the possibility of distributing a dividend to all counties has been discussed. The dividend returned will be pro-rated by the length of time in the program and baseline premium. The projected rates also look promising and are expected to be lower than the current year. Mr. Giles stated that this cannot be done without the commitment on the part of the administration to make sure that claims are handled in a timely fashion and that the staff is properly trained. The Risk Manager position automatically qualifies for a 5% discount. The benefit of having this position exceeds the cost.

Mr. Giles also reported that on July 8, 2013 the Almshouse Cemetery held its annual meeting at Pleasant Ridge Manor. He explained that a memorial service is held every other year on September 11th at the Almshouse Cemetery for those people who have no family or friends and are left in the care and custody of Erie County. At this point there are 14 people who will be remembered at the service this year. Many volunteers are involved in the program from a variety of religious denominations. A service was being held on September 11, 2001 when the terrorist attack was happening in New York

July 9, 2013

Mr. Giles'
Report

and has been held on this date ever since. Mr. Giles also explained that a bell is rung after the announcement of each name during the ceremony and two years ago there was some difficulty in obtaining the bell normally borrowed from the firefighters. At the board meeting, Dave Brugger, who helped to renovate this site, donated a bell hand casted and designed by his brother to be used for this purpose at all future ceremonies. Mr. Giles presented the bell and noted this was a very nice gesture.

Mr. Giles then reported that today he attended the Regional Meeting of the County Commissioners Association held in Clark, Pennsylvania in Mercer County. Erie County hosted this meeting in January. Doug Hill, Executive Director of CCAP, provided an update on the state budget. He indicated that there has been an effort to improve the 911 funding in a temporary manner. Mr. Giles noted that CCAP is working on legislation to condense the three funding streams for 911 because, as everyone is aware there is a shortage of funding on the landline side due to the increasing use of cellphones. There is optimism that this issue will move forward and some improvement will be seen. Also as part of the budget, he noted that funding for human services is flat and there has not been any reductions; however, there was a slight increase for juvenile detention issues and for nursing homes. There is also discussion about changing the name of the Department of Public Welfare to the Department of Human Services. The cost to change the stationary was a concern.

Mr. Giles noted that in the House version of the Transportation Bill there is an increase of 3% mandatory to a 10% mandatory. On the operational side, the increase could be as high at 15%. That goal may be achieved in increments of 10% per year. This situation should be monitored as the ratio on the part of local government will likely increase.

Mr. Giles stated that overall, the budget does look good, but the House and Senate will have to reconvene to adopt the Fiscal Code. He believes that all of the issues in the budget are interrelated.

Agenda Amended

Mr. Leone moved to amend the agenda to include Ordinances 56, 57 and 62 for second readings. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Revis. Fee Schedule
In Tax Claim

Mr. Smith gave a second reading of Ordinance Number 51, 2013, "2013 Revised Fee Schedule In Tax Claim." Mr. Leone moved to adopt; Mr. Fatica seconded.

Mr. Leone moved to amend the face sheet of the ordinance to change the effective date from June 11, 2013 to July 9, 2013. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Mr. Giles then called for a vote on the ordinance, as amended, and it carried in a unanimous roll call vote.

Veteran's Records
Storage

Mr. Smith gave a second reading of Ordinance Number 52, 2013, "Seventeenth 2013 General Fund Budget Supplemental Appropriation Of \$810 And Creation Of Line Item For Storage Of Veteran's Records & Materials." Dr. Foust moved to adopt; Mr. DiMattio seconded, and it carried in a unanimous roll call vote.

July 9, 2013

PH Rev. Expend.
& Change in
Position

Mr. Smith gave a second reading of Ordinance Number 53, 2013, "2013 Public Health Fund Budget Revised Expenditures of \$1,884, Change in Position Title And Change In Allocation In *Environmental Health And Beach Grant* Bureaus." Mr. Leone moved to adopt; Mr. Cleaver seconded. Mr. Giles noted this is being done on the recommendation of the State to change the title to expand the duties and obligations of the position beyond the previous job description. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Asst. Cnty
Sol. Retainer

Mr. Smith gave a second reading of Ordinance Number 54, 2013, "2013 Appointed Official's Retainer Assistant County Solicitors." Dr. Foust moved to adopt; Mr. Fatica seconded. Dr. Foust moved to amend the last paragraph of the ordinance, on the recommendation of Council Solicitor, as follows:

BE IT FURTHER ENACTED that should any vacancy occur in the position listed in this ordinance, ~~County Council shall have the power to establish~~ the retainer of any new appointee **shall be established by County Council.**

Mr. Cleaver seconded the motion to amend, and it carried in a unanimous roll call vote.

Mr. Leone questioned amending the effective date of the ordinance. Mr. Smith responded that would have been a possibility if the salary was going to change. Mr. Leone realizes there may not be enough votes to amend this ordinance to the starting salary and, therefore, will not make that motion. However, he will not compromise his position and vote for this ordinance.

Dr. Foust stated he will vote for this ordinance in its current form. He understands some of his colleagues' concerns. It would not be stepping out of character to vote for this ordinance as is. There have been many professional vacancies and the salary must be raised to a level to attract a competent person. When that hasn't been done in the past, the most competent and qualified person was not necessarily hired for a particular position. Dr. Foust believes this salary is at a level with the current experienced solicitors; this is a six month appointment.

Mr. Giles called for a vote on the ordinance, as amended, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

CCAP Tech.
Review

Mr. Smith gave a second reading of Ordinance Number 56, 2013, "Eighteenth 2013 General Fund Budget Supplemental Appropriation Of \$2,600 And The Creation Of A New Line Item For CCAP County Technology Review." Mr. Fatica moved to adopt; Mr. DiMattio seconded. Mr. Fatica thanked Mr. Giles for bringing this issue forward. Mr. Giles explained that the goal of this ordinance is for a third party review of the systems within the county which have grown independent of each other and become disparate. This review will offer some insight as to how to best handle the technology issue. Mr. Giles called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Clerk of
Cts. Grant

Mr. Smith gave a second reading of Ordinance Number 57, 2013, "Nineteenth 2013 General Fund Budget Supplemental Appropriation Of \$45,243 And Creation Of Line Items For *Clerk Of Courts* Grant." Mr. Leone moved to adopt; Mr. Cleaver seconded. Mr. Giles explained this is state money encouraging a unified system that would impact every county in the Commonwealth. Mr. Giles called for a vote on the ordinance, and it carried in a unanimous roll call vote.

July 9, 2013

First Rdgs.

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 58, 2013, "Twentieth 2013 General Fund Budget Supplemental Appropriation Of \$43,293 For Transfer To Public Safety Department For Radio System Analysis And Design"

Ordinance Number 59, 2013, "Third 2013 Public Safety Fund Budget Supplemental Appropriation Of \$87,087; Creation Of Line Item For *Jag Grant And Next Generation* Radio System Analysis And Design"

Ordinance Number 60, 2013, "Fourth 2013 Public Safety Fund Budget Supplemental Appropriation Of \$464,420 And The Creation Of A Line Item For Northern Tier Telecommunication Project"

Ordinance Number 61, 2013, "Approving The Intergovernmental Cooperation Agreement Establishment Of The Northern Tier Regional Telecommunications Project"

West Nile
Virus Bureau

Mr. Smith gave a second reading of Ordinance Number 62, 2013, "2013 Public Health Fund Budget Revised Expenditures Of \$2,600 And Creation Of Professional Fees Line Item For West Nile Virus Bureau." Mr. Fatica moved to adopt; Mr. DiMattio seconded, and it carried in a unanimous roll call vote.

Approving E911
Three Yr. Plan

Mr. Smith gave a reading of Resolution Number 27, 2013, "Approving The Erie County E-911 Three Year Plan (2013-2015)." Dr. Foust moved to adopt; Mr. DiMattio seconded. Mr. Giles thanked Mr. Geers for providing an abbreviated version of the plan. He called for a vote on the resolution, and it carried in a unanimous roll call vote.

Exon. Taxes in
Gen. McLane SD
& Washington Twp

Mr. Smith gave a reading of Resolution Number 28, 2013, "Exonerating Taxes On One Abandoned Trailer/Property In The General McLane School District And Washington Township." Mr. DiMattio moved to adopt; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Appt. Health
Choices Auditors

Mr. Smith gave a reading of Resolution Number 29, 20013, "Appointment Of Auditors To Perform An Audit Of The Erie County HealthChoices Program For The Fiscal Year July 1, 2012 To June 30, 2013." Dr. Foust moved to adopt; Mr. Leone seconded. Dr. Foust noted that the information Council asked for at their Finance Meeting has been inserted into this resolution. Mr. Maloney has reviewed this material and Zelenkofske Axelrod, LLC will be appointed as the auditors with the lowest bid by approximately \$1500. This firm is new to this audit, but has also performed the General Fund audit. Mr. Giles called for a vote on the resolution, and it carried in a unanimous roll call vote.

Stephanie Lewis
Appt'd Lib. Brd

Dr. Foust moved to appoint Stephanie Lewis to a three year term on the Erie County Library Board to represent Mr. Giles' district. Mr. Leone seconded. Mr. Giles explained that Pete Ogden has served on the Library Board during various terms since Mrs. Lynch was County Executive. He has been an outstanding example of an individual committed to this position; he has never missed a Library Board meeting. Mr. Giles looked to Mr. Ogden for a replacement and Mr. Ogden contacted Ms. Lewis. Dr. Foust also noted that Mr. Ogden was the driving force behind the creation of the Lawrence Park Library branch. Ms. Lewis grew up in Harborcreek and graduated from Mercyhurst and Dr. Foust believes she will be successful in

July 9, 2013

this position. He inquired about the status of her resume which Council has not yet received. Mr. Giles believes there should be a plaque in the library in Mr. Ogden's honor for his longstanding commitment. He called for a vote on the appointment, and it carried in a unanimous roll call vote.

Dr. William
Garvey reappt'd
To Lib. Brd.

Dr. Foust moved to reappoint Dr. William Garvey to a three year term on the Erie County Library Board as the County Executive's appointment. Mr. Leone seconded and it carried in a unanimous roll call vote.

Sale of Parcels
From Repos.
apprvd.

Dr. Foust moved to approve the sale of parcels from the Repository for Unsold Properties at Index
Nos. 04-015-037.0-002.50
04-015-037.0-002.51
07-035-050.0-001.88
14-010-016.0-102.00

Mr. Leone seconded, and it carried in a unanimous roll call vote.

Mr. Giles thanked the Borough of Waterford.

Adjournment

There being no further business, the meeting adjourned at 8:00 p.m.

Ann M. Bruno, Council Secretary
