

April 3, 2007

Minutes from March 20, 2007 mtg. approved. Agenda Amended. Restricted Funds for MDJ Manzi & Alonge adopted. Creation of 2007 Gaming Fund Bureaus adopted. First Rdgs. Library SA for Iroquois Clock Tower; Gen. Fund SA for Temp. Staff in Dir. of Adm.; Gen. Fund SA for Six Mile Creek; E-Coli Conference. Issuance of General Obligation Bonds adopted. First Rdg. Amending ORd. 84, 1999; Amending Ord. 59, 2004; Meritorious Increase for Custody Coordinator. Exoneration of \$50 Fee Assessed to Parcel adopted; Exonerating Taxes on Abandoned Trailers/Properties in Wattsburg Area School District Adopted. Thomas A. DeBello appt'd. to Agricultural Land Preservation Brd. Res. 2, 2007 extended for sixty days.

#### ERIE COUNTY COUNCIL – Regular Meeting

Mr. Leone called to order a Regular Meeting of the Erie County Council at 7:00 p.m. in the Erie County Council Chambers, Erie County Courthouse.

Moment of  
Silence

Following the Pledge of Allegiance, Mr. Giles asked that a moment of silence be observed in memory of Phyllis Taraski Przepierski Kavala, the mother of Ken Przepierski who regularly attends council meetings. Mrs. Przepierski Kavala was 82 years and Council wished to extend their sympathy.

Following the moment of silence, the County Clerk called the roll:

Members Present: Mr. Leone, Chairman  
Mr. Giles, Vice Chairman  
Mr. Augustine  
Mr. Cleaver  
Mr. Foust  
Mrs. Loll  
Mr. Mitchell

Members Absent: None

Also Present: Douglas R. Smith, County Clerk  
Joseph P. Maloney, Council CPA  
Thomas Talarico, Council Solicitor  
Stephanie Freeman, Director of Finance

Presentation  
Of Citation to  
James Adamus

Mr. Foust stated it was his honor to present a citation from County Council to an Erie County citizen residing in the 5<sup>th</sup> Council District, Mr. James Adamus. He asked Mr. Adamus to come forward. Mr. Foust advised that Mr. Adamus has retired from the Fuller Hose Company in North East after 46 years of service. Mr. Adamus has been an integral part of the community. Mr. Foust read from the citation:

“Jim’s loyalty and dedication to the company is clear, not only in his lengthy service as a volunteer, but also for his service within the company as finance chairman for the Cherry Festival Committee for thirty years, and as secretary of the Fireman’s Relief Association for forty years.”

Mr. Foust noted that Mr. Adamus has also been a part of the North East Jaycees, the North East Exchange Club serving two years as president, the VFW, and the American Legion. He was also a member of the North East School Board, a representative of the Tri-County Intermediate Unit, a longtime volunteer at St. Mary’s Seminary, St. Greg’s School and Parish where he was also on the

School Board and the Parish Council. Mr. Adamus' family is present with him this evening, including his wife, Olga. On behalf of Council, Mr. Foust congratulated Mr. Adamus on his service. Although Mr. Adamus is not going away, his service to these many organizations will be missed. Erie County is a better place because of people like Mr. Adamus. A round of applause followed the presentation.

Hearing of  
The Public

John Dombrowski, 8829 Baron Road, McKean Township, approached Council as a McKean Township Supervisor on behalf of the supervisors and citizens of McKean regarding anticipated revenues from gaming. McKean Township will be requesting grants in the amount of \$500,000 annually for ten years from the authority that is created to oversee the distribution of these funds. McKean Township's need is for the newly established sewer system. With the promise of annual subsidies, the Township sees true potential for residential and business growth. The amount of \$500,000 annually will be the only request the authority will receive from McKean Township. Mr. Dombrowski noted this amount represents only 10% of the restricted funds.

Ken Przepierski, 640 East 12<sup>th</sup> Street, questioned the amending of Ordinance 59, 2004, Human Relations Commission. Before this amendment is legislated, he would like a list of the various individuals appointed to this Commission. He also questioned the numbering of the ordinances on the agenda, and further inquired about Ordinance 37 asking for information about the bonds.

Renee Vendetti, 301 Harvey, Erie, advised Council that if they had corrected the problem with OCY, this group would not still be here attacking Council on their own rules and Administrative Code. These meetings are public meetings and the public is allowed to speak. Taxpaying citizens are being told to be quiet at the public meetings; Roberts Rules of Order does not count in Erie County, nor does the Sunshine Act. Council did nothing with OCY, so Ms. Vendetti and others will continue to come to meetings every week to voice opinions.

Daniel Thomas Galena, 2324 Happy Valley Road, Erie County, approached Council and quoted from the Declaration of Independence, and the First Amendment of the United States Constitution. He also offered quotes from the Constitution of the Commonwealth of Pennsylvania. Mr. Galena referred to the Pennsylvania Sunshine Act, as well as from the Erie County Administrative Code, Section 11 B. Although Council should be familiar with this part of the Code, it appears from Council's voting history, they are not. Mr. Galena then addressed Mr. Mitchell, Mr. Augustine, Mr. Leone, Mr. Foust, Mr. Cleaver, and Mrs. Loll stating "you are served." He then handed several envelopes to Mr. Talarico, Council Solicitor.

Maria Foster, 2301 Peach Street, Erie, expressed her disappointment in being threatened at the last meeting. These speakers have done nothing out of the realm of the law. They have simply voiced their opinions. If their grandchildren were home, they would not be here. The problem is not corrected with Case Management and OCY; it still exists. Council does have the power to close this agency. This is a corporation that applies for grant money, which is one of the biggest problems in Erie County. Council should stop giving tax money away, and they may be able to balance the budget or help the city.

Minutes

Mr. Giles moved to approve the minutes of the Regular Meeting held on March 20, 2007; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Agenda  
Amended

Mr. Giles moved to amend the agenda to include Ordinance 37, 2007 as a second reading. Mr. Giles explained authorization has already been made to proceed with the refinancing of the bonds. This is a time sensitive issue because if Council were to wait two weeks, there may be a serious change causing serious impact to the amount the County could benefit from the refinancing of those bond issues.

Mr. Foust seconded the motion, and it carried in a unanimous roll call vote.

Director of  
Dept. of  
Health Report

Mr. Andy Glass, Director of the Erie County Department of Health, reported that the summer of 2006 was a turning point for state and local government agencies due to a significant increase in the incidents of e-coli in waters along Presque Isle Park. In an effort to determine factors that may be causing this problem, representatives of the Department of Conservation and Natural Resources, Department of Environmental Protection, Erie County Department of Health, Pennsylvania Sea Grant, Regional Science Consortium at the Tom Ridge Environmental Center at Presque Isle, Erie County Conservation District, and the Fish and Boat Commission formed a task force.

The County Executive organized a symposium to bring local, regional, state and federal attention to these issues. The purpose of this symposium is to develop an agenda for action and education of community leaders in an effort to focus on the problem by building on the experiences of other communities around the Great Lakes Basin in an effort to learn from their experiences.

Limited funds restrict the ability of researchers and local, state, and federal government representatives to travel. Given these restrictions and acknowledging there is no "one solution" to the problem, Mr. Glass believes efforts are best spent on a regionally focused meeting. A realistic action agenda has been created to share with legislators and other community leaders, and to solicit input.

Mr. Glass requested Council's support, along with the County Executive, in allocating funds from the Office of Economic Development for the purpose of providing funds for the symposium. The focus of the program on May 17, 2007 is educational, and will be primarily directed at the exchange of scientific research and data among local agencies and scientists from the Great Lakes Basin area. It will deal with the issue of beach closures and findings of elevated e-coli bacteria in natural waterways.

The focus of the program on May 18<sup>th</sup> will be the delivery of information to government officials, such as Council, community leaders, the media, as well as the public. Topics will include local task force findings, new information from the May 17<sup>th</sup> sessions, effects and action by Presque Isle State Park, the health consequences of e-coli, the economic impact, and a plan of action.

Mr. Glass thanked Council for their support.

Finance  
Committee

Mr. Foust reported the Finance Committee met on Thursday, March 29, 2007, and agreed to place on this evening's agenda Ordinance Numbers 27, 31, 33, 34, 35, 36, 37, 38, and 39, as well as Resolutions 21 and 22.

Personnel  
Committee

Mr. Cleaver reported the Personnel Committee met on March 29, 2007 and agreed to place on the agenda for a first reading Ordinance 40 regarding a meritorious increase in a custody coordinator position, and the possible appointment of Thomas DeBello to the Erie County Agricultural Land Preservation Board.

Mrs. Loll's  
Report

Mrs. Loll reported that on March 20, 2007, she attended the Erie County Criminal Justice Coalition Executive Committee meeting. The SAMHSA Grant Mr. Giles reported on in February will not be pursued this year due to the extensive amount of information needed to apply. If received, this grant would be used to provide mental health services to persons once in and out of prison. The Committee has decided to assemble an ad hoc committee to pursue subsequent rounds of funding. Also discussed at this meeting were the implementation, use and monetary savings of the video conferencing equipment which was approved by Council.

Tom Aaron, Chairperson, noted the importance of re-strategizing for the next one to two years. A one-half day strategic planning session to prioritize issues was suggested.

Mrs. Loll previously reported that she had been working with the Sportsman's Coalition and John Puline from Uncle John's Camp Ground to improve the mouth of Elk Creek. This property is located adjacent to the State Bluffs Park and will be a real asset to the surrounding area. They are moving forward with the sewer questions, and it appears the solution for the campground is to install an on lot system that will accommodate, not only immediate plans, but the future plans of building a lodge on the property. The Health Department has put its blessing on this project and will follow it to completion.

Mrs. Loll also reported that she went to a restaurant/bar over the past weekend that chose to go smoke free on March 15, 2007 despite the delay in the ban. When Mrs. Loll questioned if there had been any change in business, she was advised business has increased quite a bit. An employee also stated she was pleased to work in a smoke free atmosphere.

On March 25, 2007, Mrs. Loll attended the Women's Organization Fund Raiser, "A Taste of Erie" featuring several restaurants and food catering companies presenting some of their best recipes to taste. This fundraiser was well attended and quite an experience.

Mrs. Loll attended and helped with the Albion Sportsmen's Spring Get Together on March 31<sup>st</sup> at the St. Lawrence Social Hall. This is an event for the entire family and well attended; everyone goes home with a prize or two.

On April 2, 2007, Mrs. Loll attended the public meeting for Elk Creek Township.

#### Mr. Foust's Report

Mr. Foust submitted the following report:

On March 21, 2007, Mr. Foust attended the Harborcreek Township meeting.

On March 22, 2007, Mr. Foust attended the Warner Grand Opening for the new entrance on French Street. He also attended the Diabetes Association Annual Dinner on that date.

On April 1, 2007, Mr. Foust attended the SONS of Lake Erie Annual Ice-Out Party.

On April 2, Mr. Foust attended a presentation by the Erie County Convention Authority regarding the proposed improvements to Tullio Arena.

#### Release of Restricted Funds for MDJ's

Mr. Smith gave a second reading, in its entirety, of Ordinance Number 27, "2007 General Fund Budget Release of Restricted Funds for MDJ Manzi and MDJ Alonge." Mr. Augustine moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

#### Creation of 2007 Gaming Fund Budget

Mr. Smith gave a second reading, in its entirety, of Ordinance Number 31, 2007, "Creation of 2007 Gaming Fund Budget, Bureaus, and New Line Items for Projected Gaming Proceeds." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

#### First Readings

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 33, 2007, "First 2007 Library Fund Budget Supplemental Appropriation for Completion of the Iroquois Clock Tower Project and Creation of New Line Items"

Ordinance Number 34, 2007, "Ninth 2007 General Fund Budget Supplemental Appropriation for Temporary Staff in Director of Administration's Office and Creation of a New Line Item"

Ordinance Number 35, 2007, "Tenth 2007 General Fund Budget Supplemental Appropriation for Six Mile Creek Boundary Survey and Creation of a New Line Item"

Ordinance Number 36, 2007, "2007 General Fund Budget Release of \$10,000 in Restricted Funds from Economic Development Competitive Grants for Beach Water E-Coli Conference"

General  
Obligation  
Bonds

Mr. Smith gave a second reading of Ordinance Number 37, 2007, "Authorizing the Incurring of Nonelectoral Debt by the Issuance of General Obligation Bonds, Refunding Series of 2007 in the Principal Amount of Twenty-Five Million One Hundred Forty Thousand and 00/100 Dollars (\$25,140,000); Covenanting to Pay and Pledging Unlimited Taxing Power for the Payment of the Bonds; Establishing a Sinking Fund and Appointing a Sinking Fund Depository; Fixing the Form, Interest Rate, Maturity, Redemption and Other Provisions for the Payment Thereof; Accepting a Proposal for the Purchase of the Bonds; Authorizing the Filing of Required Documents with the Department of Community and Economic Development; Ratifying and Directing Certain Actions of Officers; Approving the Official Statement; and Making Certain Other Covenants and Provisions in Respect of the Bonds." Mr. Giles moved to adopt; Mr. Foust seconded.

Mr. Leone explained that this bond issue for refinancing saves the County debt by \$481,000 for those that understand what the refinancing of a bond means. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

First Rdgs.

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 38, 2007, "Amending Ordinance 84, 1999, 'Erie County Affordable Housing Fund'"

Ordinance Number 39, 2007, "Amending Ordinance 59, 2004, 'Erie County Human Relations Commission'"

Ordinance Number 40, 2007, "2007 General Fund Budget Meritorious Increase for Custody Coordinator, Position Number 003020-014"

Exoneration of  
\$50 Fee Approved

Mr. Smith gave a reading of Resolution Number 21, 2007, "Approving Exoneration of \$50 County Fee Assessed to Parcel Number 03-001-001.0-009.00." Mr. Mitchell moved to adopt; Mr. Giles seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes  
Wattsburg Area  
School District

Mr. Smith gave a reading of Resolution Number 22, 2007, "Exonerating Taxes on Forty-Four (44) Abandoned Trailers/Properties in Wattsburg Area School District." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Thomas A.  
DeBello appt'd.  
To Agricultural  
Land Pres. Brd.

Mr. Giles moved to approve the appointment of Thomas A. DeBello to the Agricultural Land Preservation Board. Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Res. 2, 2007  
Extension

Mr. Giles asked whether a motion needed to be made for a 60 day extension for the report as outlined in Resolution Number 2, 2007, "Resolution Authorizing the Creation of an Ad Hoc Committee to Review and Make Recommendations to Erie County Council About the Powers and Responsibilities of the Elected Office of Sheriff of Erie County" to be prepared and presented to Council.

Mr. Leone confirmed that Mr. Giles may make a motion to extend Resolution Number 2, 2007 for a period of sixty days if the Committee requested an extension. Mr. Giles then motioned for the extension; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:40 p.m.

Ann M. Bruno, Council Secretary

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