

June 5, 2007

Minutes from May 22, 2007 Reg. Mtg. Approved. Agenda Amended. Grant to MECA adopted; Purchase of KVM Switch adopted; Gen. Fund Budget Revised Exp. For Transfers to Other Funds adopted; MH/MR S.A. for Transfer from Gen. Fund adopted; D&A S.A. for Transfer from Gen. Fund adopted; Dom. Rel. S.A. for Transfer from Gen. Fund adopted; E 911 S.A. for Transfer from Gen. Fund adopted; P.H. S.A. Transfer from Gen. Fund adopted; Library S.A. Transfer from Gen. Fund adopted; EMA S.A. Transfer from Gen. Fund adopted; PRM S.A. for Transfer from Gen. Fund adopted; Creation of MH/MR Deputy Director adopted; Salary for Part Time Asst. P.D. Adopted; Gen. Fund S.A. for Proth. Automation Fees adopted; Gen. Fund S.A. for Donation of Furniture to Prison adopted; Gen. Fund S.A. for MDJ Video Conferencing adopted; Gen. Fund S.A. Transfer to Public Health Fund adopted; P.H. S.A. for West Nile adopted. First Rdg. P.H. S.A. for Increased Funding for Nurse Family Partnership Grant. Approval of Contract between Prison and Canteen tabled. First Rdgs. Capital Projects S.A. for Replacement of Prison's Projects; Gen. Fund S.A. for Grant to Summer Festival of the Arts; Gen. Fund S.A. for Assessment Dept. Reorg. Housing Auth. to Administer Housing Rehab. And Lead Hazard Control Project adopted; Exonerating Taxes on trailer/properties in Millcreek School Dist. Adopted; Exonerating Taxes on trailer/properties in Harbor Creek School District Adopted.

#### 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. Following the Pledge of Allegiance, Mr. Smith called the roll:

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

Also Present: Douglas R. Smith, County Clerk  
Joseph P. Maloney, Council CPA  
Thomas Talarico, Council Solicitor  
Sean Wiley, Director of Administration  
Robert Spaulding, Director of Economic Development  
Sue Ellen Pasquale, Manager of Accounting

Presentation of  
Citation to  
Andrew Hancock

Mr. Foust asked Andrew Hancock, a third grader at Klein Elementary, to come forward stating that Andrew has gotten special recognition lately. Mr. Foust explained that Andrew was chosen, out of approximately 1,500 applications, to go to Washington, D.C. to lobby Congress on behalf of the citizens of Pennsylvania to get funding for juvenile diabetes, which is quite an honor. Harborcreek had also named Andrew "Citizen of the Day", and Mr. Foust presented Andrew with a Citation designating him as "Erie County's Favorite Son". Mr. Foust congratulated Andrew on being selected to lobby funds for juvenile diabetes in Washington, D.C., and advised that he not take no for an answer. A round of applause followed.

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Hearing of the  
Public

Renee Vendetti, Erie, PA, stated she wished to address an OCY issue. She referred to a man and woman who had appeared before Council previously wherein the man had been accused of sexually abusing his stepdaughter. OCY made him leave the house and his wife and two children, and sent the 15 year old daughter to Florida. Ms. Vendetti stated that this girl has now done the same thing to her father and stepmother in Florida. Although the stepfather's name has been cleared, he still cannot go home because paperwork hasn't been completed. She suggested someone look into this matter.

Minutes

Mr. Foust moved to approve the minutes of the Regular Meeting of May 22, 2007. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Director of  
Economic  
Dev. Report

Mr. Robert Spaulding, Director of Economic Development, addressed Council to provide a briefing on a series of meetings held with the Mayors of Akron, Ohio and Dayton, Ohio. The County Executive made their acquaintance on a trip to China last fall, and as a result, an agreement was made to meet periodically to exchange best practices and discuss how each community performs. A meeting was held in Akron in February and the most recent meeting was held on May 10, 2007 in Dayton, Ohio.

Mr. Spaulding explained that the goal of these meetings is to learn how each community approaches key issues such as economic development, work force development, financial challenges, and intergovernmental relations so that successful programs can be replicated across these communities. The delegation consisted of County Executive Mark DiVecchio, Sean Wiley, Director of Administration, Stephanie Freeman, Director of Finance and Mr. Spaulding. Mayor Sinnott and his delegation were unavailable to attend this meeting although they were present for the meeting held in Akron.

There was a fairly extensive working session with Mayor Rhine McLin and County Commissioner Debbie Liberman, who have a very close and collaborative relationship. The delegation also visited two facilities; one of which was Sinclair Community College as the delegation has been focusing on community colleges on their trips. Mr. Spaulding described Sinclair Community College as an impressive 62 acre campus in downtown Dayton with 42 off-campus locations totaling nearly 23,000 students, all commuting to school. This particular college offers associate degrees in arts, sciences, applied sciences and individual and technical study. Mr. Spaulding pointed out this is an economical program with tuition rates for county residents at \$45.00 per credit hour, while other Ohio residents pay \$73.50 per credit hour. For residents outside of Ohio, Mr. Spaulding believed the rate to be \$125.

The delegation also visited the Job Center of Montgomery County, which is similar to CareerLink, but significantly larger in its activities. It is the largest one-stop employment and training center in the United States. This is a public/private partnership consisting of 47 organizations housed in an eight and one-half acre facility. This facility has been internationally recognized for its ability to address workforce issues. The Job Center employment consultants assist individuals in need of a job ranging from entry level to company executives, and receives half a million customer visits each year. Regular bus service is also provided to the facility every 12 minutes to avoid traffic congestion. Mr. Spaulding added that a great deal of information regarding this facility has been shared with CareerLink, and they are planning a visit as well.

In conclusion, Mr. Spaulding advised that the third meeting between these communities is tentatively scheduled for July 19<sup>th</sup> and will be held in Erie.

Finance  
Committee

Mr. Foust reported that the Finance Committee met on Thursday, May 31, 2007 to discuss removing from the table Ordinance Number 43, 2007, and also placing on the agenda second readings of

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Finance Committee

Ordinance 52, as well as ordinances that will complete the 2006 budgets, which are Ordinance Numbers 53, 54, 55, 56, 57, 58, 59, 60, and 61. The Finance Committee also agreed to place Ordinances 63, 64, 65, 66, and 67 on the agenda for first readings with additional discussion to move those along to second readings due to their urgency. Also on the agenda for first readings are Ordinances 68 and 69, as well as Resolutions 33, 34, 35, and 36.

Personnel Committee

Mr. Cleaver reported the Personnel Committee met on May 31, 2007, and agreed to place on the agenda for a second reading Ordinances 44 and 62, and Ordinance 71 for a first reading.

Mrs. Loll's Report

Mrs. Loll submitted the following report:

On May 23, 2007, Mrs. Loll toured the training property for first responders in Franklin Township with Mr. Weindorf, Director of Public Safety.

On May 28, 2007, Mrs. Loll attended the Fairview American Legion Memorial Day Parade and spoke briefly in memory of veterans. She also attended the Girard American Legion Memorial Day Parade.

On June 2, 2007, Mrs. Loll distributed smoke alarms and carbon monoxide detectors to West County residents at the Elk Creek Township Building.

On June 4, 2007, Mrs. Loll attended the Platea Borough's public meeting at 7:00 p.m. and at 8:00 p.m., she attended the public meeting for Conneaut Township.

Mr. Mitchell's Report

Mr. Mitchell reported that on May 22<sup>nd</sup>, he was in Harrisburg for the CCAP Human Services Day. He advised that the budget for this year is a particular challenge. Meetings were held with Senator Mellow, Senator Scarnati's staff, and Senator Armstrong's staff, as well as several House Members and staff members to discuss the human services budget. Everyone must be very vigilant until this budget has passed. There are concerns about funding in the children and youth area, which will particularly hit this county hard. He wished to note that meetings were held with the legislators; however, the general consensus is that the budget will be tight. He suggested that everyone ask their legislators for support on the human services side.

Mr. Giles' Report

Mr. Giles read from the *NACo Legislative Bulletin* dated May 25, 2007:

**Election Reform Bill Stalled**

An intense lobbying effort by county officials has succeeded in putting the brakes on H.R. 811, the so-called "Voter Confidence and Improved Accessibility Act", which a few short weeks ago was considered "must-pass" legislation before the Memorial Day recess. The legislation sponsored by Representative Rush Holt (D-N.J.) requires changes to voting equipment that voting equipment vendors have deemed impossible before the presidential election in 2008. It also requires expensive and redundant post-election audit procedures before the result can be certified and would impose a multi billion-dollar unfunded mandate on county governments across the nation.

Mr. Giles had the opportunity to meet with Congressman English on May 19<sup>th</sup> and explained not only NACo's concerns, but Erie County's concerns as well regarding this issue. The argument is not whether there should or should not be a paper trail, but if the presidential calendar is changed and the race held earlier, it would be almost impossible to handle with a new mandate. There appeared to be some empathy, and the effort to hold that back was successful.

Mr. Giles also reported that the Election Board met earlier today at 5:30 p.m. and reviewed the past election. He wished to compliment Mr. Smith and Mrs. Drayer for the exit conference

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Mr. Giles'  
Report

they conducted with members of the staff, both per diem and full time, as well as people from the warehouse, to recap and review what problems occurred, and how to prevent them from occurring in the future. One of the issues is the ballot processing and production of the ballot. The Board approved a new process this evening involving more eyes, such as party chairs, elected officials, and borough and township officials when appropriate. The Board felt a third party, a neutral set of eyes to review the ballot, would be beneficial. An accountant from the firm of Maloney, Reed, and Scarpitti will review the ballot before it is voted on by the Election Board to make certain everything is in place.

As a side note, Mr. Giles wished to point out the debates regarding electronic equipment and the arguments for and against paper trails. On election night, the Board and staff observed that more people are using the write in system. For example, in Lawrence Park, the results from one precinct with 290 voters showed that 105 Republicans and 104 Democrats did write in votes. These names written in were real names, not the typical Mickey Mouse or Donald Duck names. This same pattern appeared in Lake City and other parts of the county. Mr. Giles further pointed out that the effect of these machines has made such a difference that there are now people elected who will now face a November election.

Mr. Giles further reported that the Erie County Criminal Justice Coalition on jail overcrowding met on May 30, 2007 and reviewed the population status for the prison, pre-release center, and the status of the construction. The construction will more likely end up costing a little more, but it is moving at a faster pace and will be ready for use sooner than originally anticipated.

The Mental Health Diversion Initiative has set up a committee that will be meeting on June 20<sup>th</sup> to review this growing issue. Ms. Kwiatowski, Administrator of the Office of Mental Health/Mental Retardation is also involved in this issue. These meetings will involve compiling data, research, statistical points and policy so that as federal and state monies become available, they can be captured

Mr. Foust's  
Comments

Mr. Foust commented that he had taken a tour approximately two weeks ago of the new public safety building with Mr. Weindorf, Director of Public Safety. Much like the pre-release center, this facility is moving along and Mr. Foust encouraged all Council Members to make an appointment with Mr. Weindorf to see this new building, which will be a true asset to Erie County.

Mr. Leone's  
Comments

Mr. Leone referred to the Administrative Code, and reminded Mrs. Loll, chairperson of the committee to review the code, that it must be completed prior to July 1, 2007. Whether or not changes are made to certain sections, it must be presented prior to that date and adopted according to the Home Rule Charter.

Mr. Giles pointed out that Mrs. Loll had indicated to all department heads to provide a response if there were issues in the Code that need to be refined systematically. He stated that process is still going forward.

Mr. Leone replied that according to the Home Rule Charter, this must be presented by July 1<sup>st</sup>, even if it is brought forward and tabled, this must be done and action must be taken.

Ord. 43 Removed  
From Table

Mr. Cleaver moved to remove Ordinance Number 43, 2007 from the table. Mr. Foust seconded, and it carried in a unanimous roll call vote.

Grant to MECA

Mr. Smith gave a second reading of Ordinance Number 43, 2007 "Twelfth 2007 General Fund Budget Supplemental Appropriation for Grant to MECA and Creation of a New Line Item."

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Grant to MECA

Mr. Giles moved to amend the ordinance by removing \$18,220.25 listed on the attachment under "VII. Other Costs". Mr. Cleaver seconded. Mr. Foust noted the cover sheet must be amended to reflect the corrected amount.

Mr. Leone called for a vote on the amendment, and it carried in a unanimous roll call vote.

Mr. Giles then moved to amend the cover sheet of Ordinance Number 43, 2007 to reflect the amount of \$44,700. Mr. Foust seconded the motion, and it carried in a unanimous roll call vote.

Mr. Leone then called for a vote on Ordinance Number 43, 2007, as amended, and it carried in a vote of 4-3, Mr. Mitchell, Mr. Augustine, and Mr. Leone voting no.

Mr. Giles questioned why the figure on his back up material was different, and Mr. Foust replied that a new budget had been provided. Mr. Giles stated that Council must go by what is on the record, because once it is published or held as a first reading, it cannot be changed unless by action of this body. Mr. Foust pointed out that the ordinance was not changed, just the supporting documentation. The amount of the grant remained the same.

Mr. Smith explained to Mr. Giles that was true when referring to an exhibit being published; however, this concerns accompanying materials which are not necessarily a matter of record as an exhibit might be. Mr. Leone suggested asking for the opinion of Council Solicitor, Mr. Talarico. Mr. Talarico noted Exhibit A refers to the accounting representation, and was unsure if the attached information was part of the exhibit. Mr. Foust stated that he agreed with Mr. Smith's comment, and Mr. Giles expressed his belief that everything attached to the ordinance that is signed by the County Executive reflects that it is part of the exhibit.

Mr. Talarico pointed out that County Council has the authority to amend the exhibit as well. Mr. Giles felt a process needed to be defined to determine the manner in which Council proceeds in the future. Mr. Smith explained that the ordinance itself refers to Exhibit A, and the sheet marked as the exhibit only contains the budgetary total.

Mr. Talarico advised that he believes the requirements of the Sunshine Act and the Administrative Code have been satisfied. The idea of both the Administrative Code and the Sunshine Act is to make sure the public is informed of what will be placed on the agenda and given the opportunity to appear at meetings to give their opinion.

Mr. Leone ruled that Ordinance Number 43, 2007 is passed at \$44,700, but Council will need to determine the changes that are going to have to be made. In the future, if any changes are to be made, Mr. Leone would like to see them. Mr. Foust replied that Council was given the budget, and he doesn't believe anyone was trying to hide anything. Mr. Leone stated that Mr. Giles made a valid statement. Mr. Foust explained that the ordinance was amended by a certain figure and voted on. In some ways, it makes no difference if it stated \$18,000 or \$38,000 because it was amended and reduced by \$18,220 which then took it to a new figure, and ultimately that is all Council needs to be concerned with. Mr. Leone ruled that the Ordinance is legal at \$44,700.

Purchase of KVM  
Switch Adopted

Mr. Smith gave a second reading of Ordinance Number 52, 2007, "Sixteenth 2007 General Fund Budget Supplemental Appropriation to General Accounting for the Purchase of a KVM Switch and Creation of a New Line Item." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

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Gen. Fund  
Revised Exp.  
For Transfer

Mr. Smith gave a second reading of Ordinance Number 53, 2007, "2006 General Fund Budget Revised Expenditures for Transfers to Other Funds." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

MH/MR S.A. for  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 54, 2007, "Second 2006 MH/MR Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

D & A S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 55, 2007, "Second 2006 Drug and Alcohol Abuse Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Dom. Rel. S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 56, 2007, "Second 2006 Domestic Relations Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

E911 S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 57, 2007, "Sixth 2006 E911 Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

P.H. S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 58, 2007, "Fourteenth 2006 Public Health Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Library S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 59, 2007, "Twenty-Second 2006 Library Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

EMA S.A.  
Transfer from  
Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 60, 2007, "Tenth 2006 EMA Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

PRM S.A.  
Transfer from  
Gen. Fund.

Mr. Smith gave a second reading of Ordinance Number 61, 2007, "First 2006 Pleasant Ridge Manor Fund Budget Supplemental Appropriation for Transfer from the General Fund." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Ord. 44 Removed  
From Table

Mr. Giles moved to remove Ordinance Number 44, 2007 from the table; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

MH/MR Deputy  
Director Adopted

Mr. Smith gave a second reading of Ordinance Number 44, 2007, "2007 MH/MR Fund Budget Revised Expenditures, Creation of MH/MR Deputy Director and the Elimination of Two Positions and a Waiver of the Personnel Code." Mr. Mitchell moved to adopt; Mr. Augustine seconded.

Mr. Foust asked for a separation of the vote on the waiver of the Personnel Code only, and Mr. Talarico advised that only money items can be separated. Mr. Foust would need to move to amend

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MH/MR Deputy  
Director Adopted

the existing ordinance to provide for the creation of the position, but at a 4.2 percent above the incoming rate along with the elimination of the two positions.

Mr. Foust then moved to amend the ordinance by setting the starting salary at no more than 4.2 percent above the regular starting salary. Mrs. Loll seconded.

The current salary in the ordinance is \$60,450 and Mr. Leone pointed out the starting salary would then be almost \$44,000.

Mr. Mitchell's  
Comments

Mr. Mitchell stated that, theoretically, some employees are responsible for half of what this position entails, making much more money than the starting salary for this particular job. This is the creation of a new position, even though it is on the books. With the advent of Health Choices, the responsibilities of the deputy director have changed drastically from previous deputy directorships in this area. In order to get a qualified person to do the amount and complexity of the work involved, \$42,000 is not a legitimate salary for this particular position. Mr. Mitchell stated that he does not want to vote against this position; however, realistically, he cannot see how the skills and experience necessary can be had for \$42,000.

Mr. Leone's  
Comments

Mr. Leone stated that although he doesn't disagree with Mr. Mitchell, he does believe that at some point, changes have to be made in the Personnel Code as far as the positions are concerned. In the Personnel Code, there is a grade rate with a pay rate, and that pay rate should be commensurate with the position. He also understands what Mr. Foust is saying because every time there is a waiver of the Personnel Code, he believes it presents a problem. Council needs to seriously look at this position, match it with other information which indicates what is done in other counties, including the pay rate, and possibly change the pay rate in that particular area. Mr. Leone then suggested this ordinance be tabled again.

Mr. Mitchell's  
Comments

Mr. Mitchell agreed with Mr. Leone's points; however, he pointed out that there is a July 1<sup>st</sup> deadline in one of the largest programs ever instituted in this county. This is a \$50 million program being instituted which has added a tremendous amount of burden and stress on the entire system, including Council, putting this in place. By taking this further, Mr. Mitchell believes there will be continued pressure. Through the diligence of Ms. Kwiatowski, Mr. Barber and the staff, they have been meeting their marks. At one point, there was a danger of losing the call center which would have been a loss of many jobs in Erie County. The July 1<sup>st</sup> deadline is closing in, and every day is critical now.

Mr. Giles added that this program involves roughly \$60 million in terms of cost, and there are contractual relationships which will change the way issues are currently dealt with. Mr. Giles understands the argument about the Personnel Code; however, this particular individual is a seasoned professional that has worked for the system for a number of years with good credentials. This is a difficult scenario going from the current system to the managed care system with goals to reduce costs. This system will be hard pressed to answer the questions and deal with the issues. He applauded the work Ms. Kwiatowski has done. Mr. Giles noted that this county is dealing with some very vulnerable people on the MH/MR side, and given the fact that this is a \$60 million budget, he believes that salary is commensurate and appropriate for the experience factor and the skills necessary to go forward.

Mr. Leone called for a vote on the amendment to Ordinance Number 44, 2007, and it failed in a vote of 2-5, Mr. Mitchell, Mr. Augustine, Mr. Cleaver, Mr. Giles, and Mr. Leone voting no.

Mr. Leone then called for a vote on Ordinance Number 44, 2007, and it carried in a vote of 6-1, Mr. Foust voting no.

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Part Time PD  
Position

Mr. Smith gave a second reading of Ordinance Number 62, 2007, "2007 Appointed Officials Salary Ordinance for a Vacancy in Part Time Assistant Public Defender Position." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Agenda  
Amended

Mr. Giles moved for second readings for Ordinance Numbers 63, 64, 65, 66, and 67. Mr. Foust seconded. Mr. Giles explained that these are issues that are moving forward very rapidly. One involved the donation of property; another is connecting a system for video conferencing that has already been approved, except some funding in regard to the actual electric hookup is needed. With regard to the Public Health Funds, as the warmer weather approaches, the issue of addressing West Nile Virus should be done sooner rather than later.

Mr. Leone added with respect to Ordinance Number 65, 2007, the sooner this is done, the better off the County will be as well since it will save money in constable fees and a few other areas.

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

Prothonotary  
Automation  
Expenses

Mr. Smith gave a second reading of Ordinance Number 63, 2007, "Seventeenth 2007 General Fund Budget Supplemental Appropriation for Prothonotary Automation Expenses." Mr. Giles moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Donation of  
Furniture by  
Erie Ins. To  
Prison

Mr. Smith gave a second reading of Ordinance Number 64, 2007, "Eighteenth 2007 General Fund Budget Supplemental Appropriation for Donation of Furniture by Erie Insurance to the Prison and Creation of a New Line Item." Mr. Giles moved to adopt; Mrs. Loll seconded.

Mr. Giles wished to extend gratitude to Warden Veshecco in his effort to secure these furnishings. This is the second time that Erie Insurance has donated furnishings that were more than adequate.

Mr. Leone called for a vote on Ordinance Number 64, 2007, and it carried in a unanimous roll call vote.

MDJ Video  
Conferencing

Mr. Smith gave a second reading of Ordinance Number 65, 2007, "Nineteenth 2007 General Fund Budget Supplemental Appropriation for MDJ Video Conferencing Project." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Gen. Fund S.A.  
Transfer to P.H.

Mr. Smith gave a second reading of Ordinance Number 66, 2007, "Twentieth 2007 General Fund Budget Supplemental Appropriation for Transfer to the Public Health Fund." Mr. Giles moved to adopt; Mr. Foust seconded.

Mr. Giles asked whether the County Executive certificate was with the original document since it did not appear on the electronic version, and Mr. Smith confirmed that it was. Mr. Foust pointed out that this is the same situation that was being argued earlier. He doesn't believe it applied at that time, and he doesn't believe it applies at this time.

Mr. Leone called for a vote on Ordinance Number 66, 2007, and it carried in a unanimous roll call vote.

West Nile Program

Mr. Smith gave a second reading of Ordinance Number 67, 2007, "Sixth 2007 Public Health Fund Budget Supplemental Appropriation for West Nile Program." Mr. Cleaver moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

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First Reading Mr. Smith gave a first reading, in title only, of Ordinance Number 68, 2007, "Seventh 2007 Public Health Fund Budget Supplemental Appropriation for Increased Grant Funding for Nurse Family Partnership Grant."

Res. 33 Tabled Mr. Giles moved to table Resolution Number 33, 2007, "Approval of Five Year Contract Extension Between Erie County Prison and Canteen Correctional Services" until Council receives a copy of the contract. Mr. Mitchell seconded, and it carried in a vote of 6-1, Mr. Cleaver voting no.

First Readings Mr. Smith gave first readings of the following ordinances:

Ordinance Number 69, 2007, "2007 Capital Projects Fund Supplemental Appropriation for Replacement of Prison's Kitchen Floor, Dishwasher and Other Projects"

Ordinance Number 70, 2007, "Twenty-First 2007 General Fund Budget Supplemental Appropriation for Grant to Summer Festival of the Arts and the Creation of a New Line Item"

Ordinance Number 71, 2007, "Twenty-Second 2007 General Fund Budget Supplemental Appropriation for Assessment Departmental Reorganization and a Waiver of Sections 9C (1) and 11A (5) (j) of the Personnel Code."

Lead Hazard Control Prjct. Mr. Smith gave a reading of Resolution Number 34, 2007, "Resolution Authorizing the Erie County Housing Authority to Administer the Housing Rehabilitation and Lead Hazard Control Project." Mr. Cleaver moved to adopt; Mrs. Loll seconded.

Mr. Giles asked about a reference in one of the pages when meeting with the auditors prior to this meeting regarding low income housing, the amount was approximately \$490,000, and asked whether that was Act 137 money and Ms. Pasquale, Manager of Accounting, confirmed that it was. Mr. Giles then asked if this would mean \$100,000 out of \$490,000 would be dedicated for three years to this program, and Ms. Pasquale confirmed that as well.

Mr. Leone called for a vote on the Resolution, and it carried in a unanimous roll call vote.

Exonerating Taxes Millcreek Twp Mr. Smith gave a reading of Resolution Number 35, 2007, "Exonerating Taxes on Seventy-Two (72) Abandoned Trailers/Properties in Millcreek School District." Mr. Augustine moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes Harbor Creek Twp Mr. Smith gave a reading of Resolution Number 36, 2007, "Exonerating Taxes on Four (4) Abandoned Trailers/Properties in Harbor Creek School District." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Adjournment There being no further business, the meeting adjourned at 8:10 p.m.

Ann M. Bruno, Council Secretary

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