

June 19, 2007 Minutes from June 5, 2007 Reg. Mtg. approved. Agenda amended. P.H. S.A. Nurse Family Partnership adopted; Gen. Fund S.A. Grant to Summer Festival adopted; Gen. Fund S.A. Assessment Dept. Reorg. adopted; Revision & Re-enactment of Adm. Code tabled; Planning Fund S.A. for Re-Budget adopted; Gen. Fund S.A. for Transfer to Planning Fund adopted; EMA S.A. for HAZMAT Preparedness adopted; Transfer of Ownership of Former Bookmobile to Wattsburg Fire Dept. adopted; Employee Free Choice Act adopted; Lease between Erie Cnty. & SBA Towers adopted; Hospital Authority Revenue Bonds adopted; Sale of Parcels from Repository approved.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Leone called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Edinboro Borough Building, 124 Meadville Street, Edinboro, Pennsylvania. Following the Pledge of Allegiance, 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

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

Hearing of The Public

Ron Reinig thanked Council for passing the Clean Indoor Air Act. He expressed his belief that Council was very courageous and very sensible, and in doing so, gave recognition to public health, which many people don't recognize. Mr. Reinig stated he spoke with a legislator who indicated, in Mr. Reinig's opinion, that civil liberties were more important than public health. He thanked Council for believing that public health is more important.

Minutes

Mr. Giles moved to approve the minutes of the Regular Meeting held June 5, 2007. Mr. Foust seconded, and it carried in a unanimous roll call vote.

Finance Committee

Mr. Foust reported that the Finance Committee met Wednesday, June 13, 2007 and agreed to place Ordinance 68 on the agenda for a second reading this evening. Resolution 33 and Ordinance 69 will not be dealt with as the Administration has pulled those items. Also placed on the agenda is a second reading of Ordinance 70. Under New Business for a first reading are Ordinances 72, 73, 74, 75, 76, Resolutions 37, 38 and 39, as well as the possible approval of sale of parcels from the repository. Those index numbers are listed on tonight's agenda.

Personnel Committee

Mr. Cleaver reported that the Personnel Committee met last Wednesday and agreed to place Ordinance 71 on the agenda for a second reading.

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Mr. Mitchell's
Comments

Mr. Mitchell expressed his gratitude to the Borough of Edinboro for hosting tonight's meeting. It has been several years since Council has had the opportunity to hold a meeting at the Borough Building. Mr. Mitchell recognized Mayor Frank Stefano from Washington Township and thanked him for his presence, and acknowledged the cooperation between Edinboro and Washington.

Mr. Mitchell wished to highlight that on Saturday, June 23rd at General McLane High School, the final e-cycling event will be held. These have been very successful events providing for hazardous material to be placed into the proper waste stream instead of into landfills. Mr. Mitchell congratulated Mr. Welsh and the Planning Department for the hard work they've done with these events. Mr. Mitchell advised that anyone with computers or television sets should take these types of items to General McLane High School on Saturday from 9 a.m. to 2 p.m. Calling to schedule a time beforehand would help to avoid having to wait. Mr. Mitchell asked Mr. Welsh for his comments.

Mr. Welsh agreed these events have been very successful. However, more events will be held; but the next round of dates and locations have not been published pending DEP approval. Four or five additional locations have been approved by the DEP for later this year, and another brochure will be published with that information.

Mr. Mitchell also wished to recognize Emma Williams in the audience, who was one of his professors from college and has been an amazing influence on his life. Ms. Williams has worked very hard for the libraries in Edinboro, and Mr. Mitchell thanked her for being present this evening.

Mr. Mitchell reported that he and Mr. Giles were at the CCAP Board Meeting in Allentown this past week and met with Dan Onorato from Allegheny County regarding the re-assessment ruling. CCAP has agreed to file an amicus brief with Allegheny County because, Mr. Mitchell explained, if this re-assessment ruling goes through, it will blow up re-assessments and assessments in county governments across the state. Mr. Mitchell asked Mr. Giles for his comments on this issue.

Mr. Giles'
Comments

Mr. Giles noted that one part of the ruling, which came from the Allegheny County judge, provided for Allegheny County to perform re-assessments annually along with a structured scheduling as to what would be done and when. The County Commissioners' point of view is that the courts have overstepped the initial complaint issue and moved into areas that are typically managed or administered by county commissioners, or in the case of Erie County, Council and the Administration. Another upsetting aspect is the concept of the base year as a way of calculating assessments. Although this ruling was focused on second class counties, such as Allegheny County, Mr. Giles feels that once something like this has started, a potential exists for other counties becoming involved as well. Third class county solicitors will be provided some information on this issue. Mr. Mitchell thanked Mr. Giles for his explanation, and noted that action is being taken in this matter.

Mr. Leone's
Comments

Mr. Leone wished to echo the sentiment of all Council Members and thanked Edinboro for hosting the council meeting this evening.

Agenda
Amended

Mr. Foust moved to amend the agenda to include Ordinances 72, 73, 74, 75 and 76 as second readings. Mr. Giles seconded, and it carried in a unanimous roll call vote.

P.H. S.A. for
Nurse Family
Partnership

Mr. Smith gave a second reading of Ordinance Number 68, 2007, "Seventh 2007 Public Health Fund Budget Supplemental Appropriation for Increased Grant Funding for Nurse Family Partnership Grant." Mr. Giles moved to adopt; Mr. Mitchell seconded.

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Mr. Giles congratulated the Administration and the Health Department stating it should be noted that Erie County was one of the first counties in Pennsylvania to have a Nurse Family Partnership program. Throughout the Commonwealth, it has become a model. Mr. Giles stated that interestingly enough, Council Members were invited by email to see a new program called Nurse Family Partnership. He also extended thanks to Char Berringer and the Health Department staff.

Mr. Leone called for a vote on Ordinance Number 68, 2007, and it carried in a unanimous roll call vote.

Grant to Summer
Festival of Arts

Mr. Smith gave a second reading of 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." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Assessment Dept.
Reorganization

Mr. Smith gave a second reading of 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." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a roll call of 5-2, Mr. Foust and Mr. Leone voting no.

Revision and
Re-enact. of
Admin. Code
Tabled

Mr. Leone called for a second reading of Ordinance 72, 2007, in title only. He explained that two readings are normally held on ordinances; however, in many cases, such as non-essential items, ordinances are moved to second readings. He stated this involved the Administrative Code and action must be taken on this.

Mr. Smith gave a second reading of Ordinance Number 72, 2007, "Comprehensive Revision and Re-enactment of the Administrative Code."

Mr. Giles moved to table; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Planning Fund
S.A. for
Re-Budget

Mr. Smith gave a second reading of Ordinance Number 73, 2007, "First 2007 Planning Fund Budget Supplemental Appropriation for Re-budget as of June 2007 and the Creation of New Line Items." Mrs. Loll moved to adopt; Mr. Augustine seconded, and it carried in a unanimous roll call vote.

Gen. Fund S.A.
Transfer to
Planning Fund

Mr. Smith gave a second reading of Ordinance Number 74, 2007, "Twenty-Third 2007 General Fund Budget Supplemental Appropriation for Transfer to Planning Fund." Mrs. Loll moved to adopt Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

EMA S.A.
HAZMAT

Mr. Smith gave a second reading of Ordinance Number 75, 2007, "Fourth 2007 EMA Fund Budget Supplemental Appropriation for HAZMAT Preparedness Grants." Mr. Augustine moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Transfer of
Bookmobile to
Wattsburg Fire
Dept.

Mr. Smith gave a second reading of Ordinance Number 76, 2007, "General Fund Budget Waiver of the Purchasing Code to Transfer Ownership of Former Bookmobile to Wattsburg Fire Department." Mr. Mitchell moved to adopt; Mrs. Loll seconded.

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Mr. Mitchell commented that this ordinance was moved to a second reading in order to expedite this mission. This equipment has served the county well, and will continue to serve the county. He congratulated members of the department for viewing this as an opportunity and using it for the safety of Erie County residents.

Mr. Foust asked which part of the Purchasing Code was being waived, and Mr. Weindorf advised him the bidding was being waived.

Mr. Leone called for a vote on Ordinance Number 76, 2007, and it carried in a unanimous roll call vote.

Employee Free
Choice Act

Mr. Smith gave a reading of Resolution Number 37, 2007, "Employee Free Choice Act." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Lease between
Erie County & SBA
Towers Approved

Mr. Smith gave a reading of Resolution Number 38, 2007, "Approving a One Year Lease Between Erie County and SBA Towers, Inc." Mr. Giles moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Hospital Authority
\$30,000,000 Revenue
Bonds Adopted

Mr. Smith gave a reading of Resolution Number 39, 2007, "Erie County Hospital Authority \$30,000,000 Revenue Bonds, Series 2007 (Hamot Health Foundation)." Mr. Giles moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Sale of Parcels from
Repository Approved

Mr. Giles moved for the Sale of Parcels from Repository for Unsold Properties at Index Numbers:

07-025-067.0-020.00
49-006-006.0-041.00

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

Adjournment

There being no further business, the meeting adjourned at 7:28 p.m.

Ann M. Bruno, Council Secretary
