

July 17, 2007 Minutes from July 3, 2007 Reg. Mtg. approved. Agenda amended. S.A. to DA Ofc. for Appeals Case adopted; S.A. for Additional Beach Grant adopted; Gen. Fund S.A. Title IV-E Grant Revenue in Juv. Prob. adopted; Donation of HAZMAT supplies from NWPATerrorism Task Force adopted; S.A. for Additional GIS Related Fees in Planning adopted; S.A. for Reduction in Transfer to Planning Fund adopted; Gen. Fund S.A. transfer to E911 Fund adopted; Salary for Vacancy in Full Time Asst. PD adopted; Meritorious Increase for Adult Probation Supervisor adopted; Creation of Maintenance Supervisor Position adopted; TRAN adopted; S.A. for Prison Kitchen Floor Replacement and Kitchen Dishwasher adopted; Donations for Partnership for Healthy Community adopted; Library Fund S.A. for Donations from Friends of the Library adopted; S.A. for Grant from Blasco Maintenance Fund adopted; Donations for Memorial Books adopted; Exonerating Taxes on 11 East 12th St. adopted; Dr. Reza Nassiri appt'd. to Erie County Board of Health; 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 St. Mary's Home of Erie, 4855 West Ridge Road, Erie, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

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

Members Absent: Mr. Giles, Vice Chairman

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

Thank you to
St. Mary's Home

Mr. Augustine thanked Ms. Audrey Urban for her efforts in setting up the meeting for tonight. She put a great deal of work into this, and Council appreciates the use of this facility.

Hearing of
The Public

Sue Weber, 5338 Norris Drive, Erie, stated she is the County Controller, and referred to the minutes of the May 1st Council Meeting wherein she noticed a comment that made reference to the fact that some people didn't want County Council to help the Wattsburg Fair survive. She wished to state for the record that the County Controller's Office very much wanted this fair to survive. It is the Controller Office's position, and hers as a taxpayer, that the Fair should have been given a five year interest free \$25,000 loan. By doing this, the county would have gotten its money back, the fair would have survived, and the money could have eventually been used to loan to other fairs if needed.

Minutes

Mr. Foust moved to approve the minutes of the Regular Meeting held July 3, 2007; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Mr. Pasquale's
Comments

Luigi Pasquale, Manager of Procurement, spoke regarding the Pre-release Center and the Public Safety Building. At this point, these facilities are more than 60% complete. The maintenance staff at the prison has been involved, and the 280 bed facility should be up and running in September barring any unforeseen delays or deliveries of items needed for completion.

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Mr. Pasquale's
Comments

Mr. Pasquale further noted that the Public Safety Building is taking shape as well. After a slow start this past winter, the warm temperatures have helped to move the construction along. The final details are being drawn up for the tower and the building associated with the tower so that all the communications for the County of Erie can be tied together. No problems are anticipated, however, some of this work is moving more slowly due to the amount of detail involved. He advised Members of Council to take a look at this building if they have the opportunity to see how well built this facility is, as well as the detail going into it. He offered to answer any questions Council may have.

Finance Committee

Mr. Foust reported the Finance Committee met on Thursday, July 12, 2007. The Committee agreed to place on the agenda for second readings, Ordinances 77, 78, 79, 80, 81, 82, and 83, and for first readings, Ordinances 87, 88, 89, 90, 91, and 92, as well as the possible adoption of Resolution 43. Also placed on the agenda is the possible appointment of Dr. Reza Nassiri to the Erie County Board of Health, and the possible sale of parcels from repository.

Mr. Foust also reported that there was some discussion regarding changes made to Clean and Green regulations at the state level about the possibility of allowing people who still owe to pay in installments. Mr. Talarico will advise as to whether or not it would be legal to allow that. It must be kept in mind, that if Clean and Green is changed in the future, or anything else that would affect taxpayers, to keep installment payment plans in mind. Some tax bills are changed by \$500, \$600, \$700, or \$800. Mr. Foust dealt with an individual who was facing a \$1,500 increase in their tax bill, which is a lot of money for some tax payers.

Personnel
Committee

Mr. Cleaver reported the Personnel Committee met on July 12, 2007, and agreed to place on the agenda for second readings Ordinances 84, 85, and 86.

Mrs. Loll's Report

Mrs. Loll reported that on July 2, 2007, she attended the public meeting of Springfield Township. A bridge was repaired in the township at a cost of just over \$7,000.00. The possibility of receiving a portion of the Liquid Fuels Fund to help defer the cost has been explored.

On July 5th, Mrs. Loll attended the public meeting of McKean Township. Supervisor Jim Guckes resigned his position as a township supervisor; no reason was given for his decision.

On July 9, 2007, Mrs. Loll attended the public meeting of Lake City Borough. Due to the recent dry weather, a temporary burning ban, including recreational burning, was enacted.

On July 10, 2007, Mrs. Loll attended the public meeting of Franklin Township. The subject of the indoor shooting range was discussed. Mrs. Loll offered to make some calls and report back. She called Ms. Ann Bloxdorf about the progress of the range, and found that the block, design and labor have been donated, and a figure needed to complete the project is being calculated. Grants are being looked into to assist in the completion of the project, but it is almost certain that some County funding will be needed. Once the final amount has been figured, there will be a request for funding. Mr. Weindorf has requested that outdoor shooting stop until this project is completed. The neighbors have been very patient about the noise.

On July 12, 2007, Mrs. Loll met with Mary Bula from the Erie Regional Chamber and Growth Partnership regarding the recommendations they made on the distribution of the gaming money to be received.

On July 16, 2007, Mrs. Loll and County Executive Mark DiVecchio presented a check from the Community Block Grant Funds at the Lake City Borough Building. This check was for \$120,000 and is being used to upgrade a water line.

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Agenda
Amended

Mr. Leone asked for a motion to include Ordinances 87, 88, 89, 90, 91, and 92 for second readings. Mr. Foust moved; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

S.A. to DA
Appeals Case

Mr. Smith gave a second reading of Ordinance Number 77, 2007, "Twenty-Fourth 2007 General Fund Budget Supplemental Appropriation to District Attorney Office for Appeals Case." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Additional
Beach Grant
Adopted

Mr. Smith gave a second reading of Ordinance Number 78, 2007, "Eighth 2007 Public Health Fund Budget Supplemental Appropriation for Additional Beach Grant and a Waiver of the County Purchasing Code." Mr. Cleaver moved to adopt; Mr. Augustine seconded.

Mr. Foust stated this ordinance deals with Mercyhurst College, and asked Mr. Talarico, Council Solicitor, whether he has a conflict of interest and should abstain from voting. Mr. Talarico replied no conflict of interest exists under the Administrative Code or even the State Ethics Act. Mr. Foust does not stand to personally gain, and the public at large stands to gain.

Mr. Leone called for a vote on Ordinance Number 78, 2007, and it carried in a unanimous roll call vote.

S.A. for Title
IV-E Grant Rev.
In Juv. Prob.

Mr. Smith gave a second reading of Ordinance Number 79, 2007, "Twenty-Fifth 2007 General Fund Budget Supplemental Appropriation for Title IV-E Grant Revenue in Juvenile Probation and the Creation of a New Line Item." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

EMA S.A. for
Donation of
HAZMAT
Supplies

Mr. Smith gave a second reading of Ordinance Number 80, 2007, "Fifth 2007 EMA Fund Budget Supplemental Appropriation for Donation of HAZMAT Supplies from NWPA Terrorism Task Force and the Creation of a New Line Item." Mr. Augustine moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

S.A. for
Additional GIS
Fees in Planning

Mr. Smith gave a second reading of Ordinance Number 81, 2007, "Second 2007 Planning Fund Budget Supplemental Appropriation for Additional GIS Related Fees in the Planning Department and the Creation of a New Line Item." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Gen. Fund S.A.
Reduction in
Transfer to Planning

Mr. Smith gave a second reading of Ordinance Number 82, 2007, "Twenty-Sixth 2007 General Fund Budget Supplemental Appropriation for Reduction in Transfer to Planning Fund." Mr. Mitchell moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

S.A. for Transfer
To E911 Fund

Mr. Smith gave a second reading of Ordinance Number 83, 2007, "Twenty-Seventh 2007 General Fund Budget Supplemental Appropriation for Transfer to E911 Fund." Mr. Cleaver moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Salary for Full
Time Asst. PD

Mr. Smith gave a second reading of Ordinance Number 84, 2007, "2007 Appointed Officials Salary Ordinance for a Vacancy in Full Time Assistant Public Defender Position." Mr. Augustine moved to adopt; Mr. Mitchell seconded, and it carried in a roll call of 4-2, Mr. Foust and Mrs. Loll voting no.

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Meritorious Increase
For Juv. Probation
Ofcr. Adopted

Mr. Smith gave a second reading of Ordinance Number 85, 2007, "2007 General Fund Budget Meritorious Increase for Adult Probation Supervisor, Position Number 004010-020." Mr. Cleaver moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Creation of Building
Maintenance Suprvr.

Mr. Smith gave a second reading of Ordinance Number 86, 2007, "Fourth 2007 E911 Fund Budget Supplemental Appropriation for Creation of Building Maintenance Supervisor Position and a Waiver of Sections 9C (1) and 11A (5) (j) of the Personnel Code." Mr. Augustine moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

TRAN Adopted

Mr. Smith gave a second reading of Ordinance Number 87, 2007, "Tax and Revenue Anticipation Note Ordinance – Authorizing the Issuance of a Tax and Revenue Anticipation Note in the Maximum Principal Amount of \$15,000,000; Providing for the Date, Interest Rate, Maturity Date, Place of Payment and Prepayment Provisions in Respect of the Note; Accepting the Proposal of Mellon Bank, N.A. for the Purchase and Financing of the Note; Providing for the Security of the Note; Authorizing the Proper Officers to Execute and Deliver the Note; Authorizing and Directing the Preparation, Certification and Filing of the Proceedings with the Department of Community and Economic Development; Providing for a Paying Agent; Setting Forth a Form of Note; and Repealing Inconsistent Ordinances." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

S.A. for Prison Kitchen
Floor & Dishwasher

Mr. Smith gave a second reading of Ordinance Number 88, 2007, "2007 Capital Projects Fund Supplemental Appropriation for Prison Kitchen Floor Replacement and Kitchen Dishwasher and Creation of a New Line Item." Mr. Augustine moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Donations for Partnership
For Health Community
Program

Mr. Smith gave a second reading of Ordinance Number 89, 2007, "Ninth 2007 Public Health Fund Budget Supplemental Appropriation for Donations for Partnership for a Healthy Community Program and Creation of a New Line Item." Mr. Mitchell moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Donation from Friends
Of the Library

Mr. Smith gave a second reading of Ordinance Number 90, 2007, "Third 2007 Library Fund Budget Supplemental Appropriation for Donation from Friends of the Library and the Creation of a New Line Item." Mr. Mitchell moved to adopt, and Mr. Augustine seconded.

Mr. Mitchell wished to clarify that these ordinances regarding the Library are donations, and by moving them to second readings, simply expedites putting them on the books.

Mr. Leone called for a vote on Ordinance Number 90, 2007, and it carried in a unanimous roll call vote.

Grant from Blasco
Library Maintenance Fund

Mr. Smith gave a second reading of Ordinance Number 91, 2007, "Fourth 2007 Library Fund Budget Supplemental Appropriation for Grant from the Blasco Library Maintenance Fund." Mr. Foust moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Donations for Memorial
Books

Mr. Smith gave a second reading of Ordinance Number 92, 2007, "Fifth 2007 Library Fund Budget Supplemental Appropriation for Donations for Memorial Books." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Exonerating Taxes on
11 East 12th St.

Mr. Smith gave a reading of Resolution 43, 2007, "Exonerating the 2003 and 2004 Taxes on 11 East 12th Street, Erie, Pennsylvania." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

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Dr. Reza Nassiri
appt'd. to Board
of Health

Mr. Foust moved for the appointment of Dr. Reza Nassiri to the Erie County Board of Health. Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Sale of Parcels
From Repository
Approved

Mr. Foust moved to approve the sale of parcels from the repository at Index Nos:
18-050-009.0-136.00
45-016-032.0-001.00

Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:26 p.m.

Ann M. Bruno, Council Secretary
