

May 6, 2008 Agenda amended. Fifth Fl. Construction Prjct adopted; Gen. Fund SA Hotel Room Rental Tax Review adopted; Gen. Fund SA for Incr. Data Process. Costs in DA Ofc adopted; Donation of Radeye Radiation Mtrs adopted; HAZMAT Telephone Svcs adopted; Gen. Fund SA Transfer to EMA for Telephone Exp. adopted; EMA SA for Emerg. Svc Fees adopted; Change in Grade of Risk Mgmt Coord. Under Dir. of Adm. adopted; Change in Salary for Sr Sec in MDJ Lefaiver adopted; Rev. Exp. for Correction of Barg. Unit Status in Spec. Juv. Prob. adopted; Rev. Exp. & Creation of New Line Item for Change of Barg. Unit Status in Coroner's Ofc. adopted; Lease btwn Erie Cnty & Cafaro Mgmt Co adopted. First Rdgs: Gen. Fund Release of Restricted Proth. Aut. Fees; Gen. Fund Budget Release of Grant in Ec. Dev. for NW Commission; Gen. Fund SA for Elim. of Transfer Fees in Adult Prob; Gen. Fund SA for Mental Illness Prison Diver. Grant from NACo; Gen. Fund SA for Elim. of Job Share in Ct. Adm; C&Y Rev. Exp. for Change of Part-time Clk/Typ to Full-Time at ELT Cntr. Sale of Parcel approved.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles called to order a Regular Meeting of the Erie County Council at 7:03 p.m. in Council Chambers, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

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

Members Absent: None

Also Present: Douglas R. Smith, County Clerk
 Thomas Talarico, Council Solicitor
 Sue Ellen Pasquale, Manager of Accounting

Finance Committee

Mr. Fatica reported the Finance Committee met on May 1, 2008, and agreed to place the following ordinances on the agenda for second readings: Ordinance 63, the supplemental appropriation for the fifth floor remodeling at the Courthouse; Ordinance 64, dealing with the hotel tax review; Ordinance 65, data processing costs for the District Attorney's Office; Ordinance 66, donation of Radeye radiation meters and the holsters; Ordinance 67, an appropriation for HAZMAT telephone services and the creation of a new line item; Ordinance 68, an appropriation for transfer to the EMA for telephone expenditures; Ordinance 69, emergency service fees and the creation of a new line item. Also on the agenda is the possible adoption of Resolution 24 involving the Erie County library lease with Cafaro Management Company, and Resolution 28, In support of a cooperative project to combine the City and County of Erie Emergency Centers and Emergency Operations Plan, which is still on the table. For first readings, the Finance Committee placed Ordinances 74, 75, 76 and 77 on the agenda as well as the possible sale of parcel from the repository.

Personnel Committee

Mr. Cleaver reported the Personnel Committee met on May 1, 2008 and agreed to place on the agenda for second readings Ordinances 70, 71, 72 and 73, as well as Ordinances 78 and 79 for first readings.

Mr. Mitchell's Report

Mr. Mitchell reported that today is the Human Services Lobby Day in Harrisburg by CCAP. This year, in all of the categories for human services, a 3% COLA is being considered, and is currently in the budget. If any member of Council would like any additional information regarding this matter, Mr. Mitchell would be happy to provide it. He added there were some pins on the table for Council Members.

Mr. Giles' Report

Mr. Giles reported that on May 1, 2008, the Erie County Gaming Revenue Committee met and thanks to the efforts of Stephanie Freeman and Kathy DeSante the work on creating the by-laws for the Authority are almost complete. These will also be reviewed by Attorney Knox, the County Solicitor. The next item on the

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Mr. Giles'
Report

Authority's schedule is the application process and working with the new staff person to disseminate the applications from the various municipalities, townships and boroughs throughout Erie County. With respect to the lawsuit, Mr. Giles believes all of the respondents are in, and Millcreek Township, although contiguous to Summit Township, has sided in its filings with the County of Erie supporting both the County's policy and plan regarding gaming revenues. Mr. Giles noted this is an interesting piece of information.

Prison Warden's
Conference

On May 3rd, the Prison Warden's Association statewide held their annual conference at the Convention Center. Mr. Giles was invited to be the keynote speaker at the awards banquet on Saturday night. The discussion centered around what has happened in corrections for the past 30 years and of the dramatic changes in terms of the relationship between county commissioners, wardens, and the Department of Corrections. Warden Jim Veshecco received a statewide award for outstanding performance as a warden within a county facility.

Community College

Mr. Giles also reported that on May 5, 2008, a meeting was held in Harrisburg at the Pennsylvania Department of Education which included Dr. Pierce, David VanAmburg, Bob Spaulding, Mary Bula along with Mr. Giles. They met with seven individuals from the Pennsylvania Department of Education to review and get insights as to what the application process might be. Many ideas were exchanged. Mr. Giles noted that the department would like to be viewed as technical assistants to Erie County advising them that there is plenty of time to execute a plan and involve the community. The department plans to play some role in the public hearing process as this issue moves forward.

Drug Court

Mr. Giles further reported that on May 5, 2008, the AOPC held a policy meeting on adult drug courts. The focus of that meeting was to determine whether or not it would be possible to have legislature provide permanent funding in the state budget for adult drug courts. There are currently 20 adult drug courts in Pennsylvania. Mr. Giles recalled that when Erie County started out, there were only five or six. He observed that getting funding to grow or add stability to drug courts is important.

Tourism

Also on May 5th, the Governor held an invitational conference called "Destination Pennsylvania" focusing on tourism and what needs to be done in working with localities along with DCED, DCNR and DEP.

Airport Runway

Mr. Giles also reported on May 6, 2008, the formal signing was held at 10:00 a.m. for the Memorandum of Understanding, the Intergovernmental Agreement and the Joinder in a ceremony at the airport. Mrs. Loll, Mr. Foust, Mr. Cleaver, and Mr. Fatica were also present. Mr. DiVecchio asked Mr. Giles afterward whether he thought the issue might be done, and Mr. Giles expressed his opinion that this matter is just beginning as it moves forward and dealing with all the financial issues.

Also on May 6th, a luncheon was held at Pleasant Ridge Manor in celebration of Nurse's Week. Mr. Giles added that Mr. Fatica was present at the luncheon as well. He noted that this year was particularly moving for him because of the fact that his sister had been in residence at Pleasant Ridge Manor for the past year and just passed away in November. He got to know many of these nurses, aids, and management staff over that one year period.

Summer Schedule

Mr. Giles referred to a copy of the Council Summer Meeting Schedule noting that everyone should have received one which includes the dates and locations of the summer meetings. The June 10th meeting will be held at Asbury Woods Nature Center; the July 8th meeting will be held at the Waterford Borough Building; the August 12th meeting will be held at the Wesleyville Borough Building; and the first meeting in September, on the 2nd, will be held at the Chestnut Street Senior Apartments in Fairview. He reminded everyone to mark their calendars and confirmed with Mrs. Bruno, Council Secretary, that administration has been provided a copy of this schedule as well.

Fifth Floor
Construction

Mr. Smith gave a second reading of Ordinance Number 63, 2008, "2008 Capital Projects Fund Supplemental Appropriation for Fifth Floor Construction Project." Mr. Cleaver moved to adopt; Mr. Foust seconded.

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Fifth Floor
Construction

Mr. Leone stated that it is unfortunate, but he must abstain from voting on this particular issue due to the fact that the company he contracts with is doing the work on this project. He submitted the following letter to Mrs. Bruno for inclusion in the minutes:

Dear Mrs. Bruno:

I am writing to announce my intent to abstain from voting on Ordinance Number 63, 2008 pertaining to the fifth floor construction project. My reason for abstaining from this vote is due to the fact that the company I contract with is involved with this particular project.

Sincerely,

/s/ Fiore Leone
Erie County Council

Mr. Fatica moved to amend the ordinance to change the figure on face sheet of the ordinance, the County Executive Certificate, and Exhibit A to reflect the amount of \$362,717. Mr. Mitchell seconded, and it carried in a roll call vote of 6-0-1, Mr. Leone abstaining.

Mr. Giles then called for a vote on Ordinance Number 63, 2008, as amended, and it carried in a roll call vote of 6-0-1, Mr. Leone abstaining.

Hotel Room
Tax Rental
Review

Mr. Smith gave a second reading of Ordinance Number 64, 2008, "Twenty-Sixth 2008 General Fund Budget Supplemental Appropriation for Hotel Room Tax Rental Review and Creation of New Line Item." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA
Incr. Data Proc.
Costs in DA

Mr. Smith gave a second reading of Ordinance Number 65, 2008, "Twenty-Seventh 2008 General Fund Budget Supplemental Appropriation for Increased Data Processing Costs in District Attorney Office." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Donation of
Radeye Radiation
Meters

Mr. Smith gave a second reading of Ordinance Number 66, 2008, "Fifth 2008 EMA Fund Budget Supplemental Appropriation for Donation of Radeye Radiation Meters and Holsters from the NWP Technical Response Team." Mr. Cleaver moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

EMA Fund SA
For HAZMAT
Telephone Svc

Mr. Smith gave a second reading of Ordinance Number 67, 2008, "Sixth 2008 EMA Fund Budget Supplemental Appropriation for HAZMAT Telephone Services and the Creation of a New Line Item." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Transfer to EMA
Telephone Exp.

Mr. Smith gave a second reading of Ordinance Number 68, 2008, "Twenty-Eighth 2008 General Fund Budget Supplemental Appropriation for Transfer to the EMA Fund for Telephone Expenditures." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Emergency
Service Fees

Mr. Smith gave a second reading of Ordinance Number 69, 2008, "Seventh 2008 EMA Fund Budget Supplemental Appropriation for Emergency Service Fees and the Creation of a New Line Item." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

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Change in Grade
Risk Mgmt Coord.

Mr. Smith gave a second reading of Ordinance Number 70, 2008, "Twenty-Ninth 2008 General Fund Budget Supplemental Appropriation for Change in Grade of Risk Management Coordinator Under Director of Administration." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Change in Salary
Sr. Sec in MDJ
Lefaiver

Mr. Smith gave a second reading of Ordinance Number 71, 2008, "Thirtieth 2008 General Fund Budget Supplemental Appropriation for Change in Salary for the Senior Secretary Position in MDJ Lefaiver's Office." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a roll call vote of 4-3, Mr. Leone, Mrs. Loll and Mr. Fatica voting no.

Correc. Of Barg.
Unit Status in
Spec. Juv. Prob.

Mr. Smith gave a second reading of Ordinance Number 72, 2008, "2008 General Fund Budget Revised Expenditures for Correction of Bargaining Unit Status in Specialized Juvenile Probation." Mr. Leone moved to adopt; Mrs. Loll seconded.

Mr. Giles confirmed with Ms. Pasquale, Manager of Accounting, that this was a housekeeping issue based on the contract, and Ms. Pasquale stated that was correct; this position went from bargaining to non-bargaining. Mr. Giles then called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Change in Barg.
Unit Status in
Coroner's Ofc.

Mr. Smith gave a second reading of Ordinance Number 73, 2008, "2008 General Fund Budget Revised Expenditures and Creation of New Line Item for a Change in Bargaining Unit Status in Coroner's Office." Mr. Leone moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Res. 24 Removed
From Table

Mr. Foust moved to remove Resolution Number 24, 2008, "Approving a New Lease Between Erie County and the Cafaro Management Company for the Millcreek Mall Library Branch" from the table. Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Lease Btwn Erie
Cnty & Cafaro
Mgmt. Adopted

Mr. Smith gave a reading of Resolution Number 24, 2008, "Approving a New Lease Between Erie County and the Cafaro Management Company for the Millcreek Mall Library Branch." Mr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Res. 28 Remains
Tabled

Mr. Giles stated that Resolution Number 28, 2008, "In Support of Cooperative Project to Combine the City and County of Erie Emergency Centers and Emergency Operations Plans" will remain on the table at this time due to concerns expressed by Council Solicitor, Mr. Talarico. There will be some language changes as this issue moves forward.

Agenda
Amended

Mr. Foust moved to amend the agenda to include Resolution Number 38, 2008, "In Support of the Exoneration of Real Estate Taxes on Property Number (16) 031 0330 10400." Mr. Leone seconded, and it carried in a unanimous roll call vote.

First Rdgs.

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 74, 2008, "2008 General Fund Budget Release of Restricted Prothonotary Automation Fees"

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First Rdgs.

Ordinance Number 75, 2008, "2008 General Fund Budget Release of Restricted Grant in Economic Development for Northwest Commission"

Ordinance Number 76, 2008, "Thirty-First 2008 General Fund Budget Supplemental Appropriation for Elimination of Transfer of Supervision Fees in Adult Probation"

Ordinance Number 77, 2008, "Thirty-Second General Fund Budget Supplemental Appropriation for Mental Illness Prison Diversion Grant from NACo and the Creation of a New Line Item"

Ordinance Number 78, 2008, "Thirty-Third 2008 General Fund Budget Supplemental Appropriation for Elimination of Job Share in Court Administration"

Ordinance Number 79, 2008, "2008 Children & Youth Services Fund Budget Revised Expenditures for Change of Part-Time Clerk/Typist to Full-Time Clerk/Typist at ELT Center"

Sale of Parcel
Approved

Mr. Leone moved to approve the sale of parcel from Repository for Unsold Properties at Index Number: 15-021-027.0-307.00. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Exoneration of
Taxes

Mr. Smith gave a reading of Resolution Number 38, 2008, "In Support of the Exoneration of Real Estate Taxes on Property Number (16) 031 0330 10400." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:29 p.m.

Ann M. Bruno, Council Secretary
