

September 2, 2008

Minutes of Aug. 12, 2008 Special Mtg & Reg. Mtg. approved. Agenda Amended. Rev. Exp. HRC, Creation of New HUD Bur. adopted; Transfer of Planning Acct. to Gen. Acctg adopted; Gen Fund SA for transfer of Planning Acct; Amending Ord. 17, 2008 adopted; Gen Fund SA for OT in Clk of Cts adopted; Gen Fund SA for PHMC Grant Rec. in 2007 adopted; Gen Fund SA for Interest on Loan from ECCM adopted; PH SA for Add. Cancer Grant adopted; Cap. Prjct Fund SA for Compl of Memorial Tile Prjct adopted; Dom. Rel. SA for Payment of Moving Costs adopted; Gen. Fund SA for Transfer to Dom. Rel. adopted; Library Fund SA for Gates Grant adopted; Library SA for Donation from Friends of the Lib. adopted; Library SA for Software Maint. Costs adopted; Library SA Add. Revenue from Memorial Books & Donations adopted; Planning Fund SA of Additional Revenue adopted; EMA SA for Donated Equip. adopted; Dom. Rel. SA for Retro Wage Incr. & Pension Adj. adopted; Planning SA for Retro. Wage Incr. & Pension Adj. adopted; CS SA for Retro. Wage Incr. & Pension Adj. adopted; PH SA for Retro. Wage Incr. & Pension Adj. adopted; Gen. Fund SA for Retro. Wage Incr. & Pension Adj. adopted; Library Rev. Exp. for Retro. Wage Incr. & Pension Adj. adopted; EMA Rev. Exp. For Retro Wage Incr. & Pension Adj adopted; D&A Rev. Exp. For Retro. Wage Incr. & Rev. Exp. adopted; Health Choices Rev. Exp. For Retro. Wage Incr. & Rev. Exp. adopted; Amending Ord. 126, 2006 adopted; MH/MR Fund Budget Rev. Exp. To Downgrade Two Positions & Upgrade One adopted; Appt. Off. Salary Vacated Pt-Time Asst PD Position adopted. First Reading TRAN in Max. Prcpl Amt of \$6,500,000. Gen. Fund SA for Courthouse Boiler Replace. adopted; Rescind. Res. 44, 2008 adopted; Design. EDCEC as recipient of LEDA Funds adopted; \$236,000 Tax Exempt Note – Perseus House Prjct adopted; \$250,000 Tax Exempt Note – Foundation for Free Enterprise Educ. Prjct. adopted. Felix & Gloekler appt'd auditor for Brownfields Grant and Tobacco Grant. Sale of Parcels from Rep. approved. Amending Lien Free Tax Sales Agrmt Btwn County of Erie and Agresti, Morton and Moore adopted.

#### ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Chestnut Street Senior Apartments, 7554 Chestnut Street, Fairview, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

#### Roll Call

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  
Joseph P. Maloney, Council CPA  
Thomas Talarico, Council Solicitor  
Sean Wiley, Director of Administration  
James Sparber, Director of Finance

Bob Spaulding, Director of Economic Development  
Sue Ellen Pasquale, Manager of Accounting

Thank you  
Chestnut St.  
Sr. Apts.

Mrs. Loll thanked Chestnut Street Senior Apartments for allowing County Council to hold a meeting at this facility. She explained that Council travels during the summer, and since she has met so many lovely people here at the Senior Apartments, she felt this would be a good place to hold a Council meeting. Mrs. Loll further explained that this building at one time was an elementary school that her children had attended. It has undergone quite a renovation for the very nice people who live here. She asked Mr. Charles Scalise to speak about the building and the accomplishments HANDS has made with the facility.

Mr. Scalise's  
Comments

Mr. Scalise welcomed Members of County Council to the Chestnut Street Senior Apartments. He noted there are several residents in the audience this evening, and they are pleased to invite Council to their home at the Chestnut Street Senior Apartments which has been open for approximately six years. This was a collaborative effort between his organization HANDS, Housing and Neighborhood Development Service, and their partners in Philadelphia. Mr. Scalise pointed out that this is a great reuse of a former school building that had been vacant for years. There are 45 apartments in the building and some additional development opportunities in the fields located behind the facility. HANDS is also developing single family homes down the road. Mr. Scalise explained that an application grant to the Department of Community and Economic Development has been awarded which will help create homes for working families. He welcomed everyone to the meeting this evening.

Mr. Giles thanked Mr. Scalise for the hospitality that has been extended to Council at this lovely facility. He explained that each month during the summer Council travels to a different part of the county and this is the last on the road meeting for this year.

Minutes

Mr. Leone moved to approve the minutes of the Special Meeting and the Regular Meeting of August 12, 2008. Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Finance  
Committee

Mr. Mitchell reported the Finance Committee met on August 28, 2008 and agreed to place several ordinances on the agenda for second readings. First readings were held several weeks ago. Ordinance 123, the creation of HUD Bureau and new line items; Ordinance 124, the transfer of planning accountant to General Accounting; Ordinance 125 which is the appropriation to accompany Ordinance 124; Ordinance 128, the drug forfeiture account in District Attorney's Office; Ordinance 129 is for overtime in the Clerk of Court's Office; Ordinance 131, for interest on loan from ECCM; Ordinance 132, supplemental appropriation for additional cancer grant; Ordinance 133, supplemental appropriation for completion of memorial tile project; Ordinance 134, supplemental appropriation for payment of moving costs with Domestic Relations; Ordinance 135, a companion piece for transfer of funds; Ordinance 136, a supplemental appropriation for Gates grant for purchase of computers for library branches; Ordinance 137, a supplemental appropriation for donation from Friends of the Library. Mr. Mitchell explained that the Friends have a big book sale every year and do a marvelous job providing funds for the public library, and this is the County's acceptance of that money. Also on the agenda are Ordinances 138, a supplemental appropriation for software maintenance costs reimbursed by independent libraries, and 139 which is for additional revenue from memorial books and donations. Mr. Mitchell explained that these are monies given to the library for memorial books and donations and the County is accepting them.

The Finance Committee also agreed to place on the agenda Ordinance 140, which deals with the planning fund budget; Ordinance 141, an appropriation for donated equipment from the Northwest Pennsylvania Emergency Response Group. Mr. Mitchell explained that this is for those items that are donated to the County for emergencies such as tornadoes or storms. Ordinances 142 through 151 deal with the retroactive wage increase and pension adjustments.

Ordinance 152 is the Health Department establishment of license fees and regulation of body art establishments. Mr. Mitchell explained that this is for “striking” which is the process of taking stainless steel and burning the skin in patterns.

There is also a first reading on the agenda tonight, Ordinance 155, which is a Tax and Revenue Anticipation Note, as well as Ordinance 156, which is an appropriation for courthouse boiler replacement and will be moved to a second reading.

Mr. Mitchell noted there are several resolutions on the agenda as well this evening. Resolution 70 deals with the judicial sales agreement between Millcreek Township, Millcreek School District and the County of Erie. Resolution 71 deals with designating the Economic Development Corporation for the LEDA funds. Resolution 72 is the Erie County General Authority tax exempt note for Perseus House. Resolution 73 deals with a tax exempt note for Foundation for Free Enterprise Education. Resolution 74 deals with a PILOT Agreement with Saint Mary’s Home. Resolution 75 deals with the exoneration of taxes on abandoned trailers. Also, Resolution 76 will be added which is a companion to Resolution 70.

There is also a motion to appoint Felix and Gloekler as auditors for Brownfields and Tobacco Grants and the possible sale of some parcels from the repository.

Personnel  
Committee

Mr. Cleaver reported the Personnel Committee met on August 28, 2008 and agreed to place two items on the agenda for second readings, Ordinances 153 and 154.

Mr. Giles’  
Comments

Mr. Giles noted as a matter of information for those new faces in the audience tonight that Council meets on the Thursday prior to the Tuesday Regular Meeting. This meeting is a long session in which Council goes over each of the ordinances and resolutions. Discussion may seem short on many of these items, but what preceded this meeting was another meeting last week. He explained that Mr. Mitchell is Chair of the Finance Committee and reported what took place at that meeting. In some cases, these meetings last from one and one-half to two hours. What members of the audience see in this meeting is the end result of a consensus on the part of Council agreeing with the Administration that these are issues the County needs to resolve. At times, members of Council may disagree on certain issues, but that is all part of the process.

On occasion, Council will come across an issue that might be described as an emergency, such as this evening. The summer season is ending and repairs must be made to the boilers; therefore, that ordinance must be moved more quickly so these repairs can be done as soon as possible. Mr. Giles explained that once the second readings start, Council will go ordinance by ordinance with a motion to approve. There may be a series of Ordinances from 142 through 151 that are clustered together. He explained that these ordinances are all identical since they involve the impact to the county budget relative to the labor contracts. He thanked members of the audience for their patience.

Mrs. Loll’s  
Report

Mrs. Loll reported that on August 14, 2008, she attended the Erie County Planning Commission Executive Board meeting at the Library. The two main topics on the agenda were the Erie County Housing Plan update and the Transportation Plan update for the Comprehensive Plan for Erie County. She explained that this will bring the Erie County Comprehensive Plan up to date for the requirements of the state. An update on the projects for the Community Development Block Grant (CDBG) program was also provided. This information is in the Council Office for review.

On Saturday, August 23, 2008, Mrs. Loll attended the 25<sup>th</sup> Anniversary Celebration Dinner for EmeryCare. This organization was formed as a result of a community need for first responders 25 years ago. Awards were given to the original employees for their 25 years of service.

Agenda  
Amended

Mr. Mitchell motioned to amend the agenda to add Resolution 76, 2008, "Amending the Lien Free Tax Sales Agreement Between the County of Erie and the Law Firm of Agresti, Morton and Moore," and move Ordinance 156, 2008, "Fifty-Seventh 2008 General Fund Budget Supplemental Appropriation for Courthouse Boiler Replacement and the Creation of a New Line Item" to a second reading. Mr. Leone seconded, and it carried in a unanimous roll call vote.

HRC &  
Creation of  
New HUD  
Bureau

Mr. Smith gave a second reading of Ordinance Number 123, 2008, "2008 General Fund Budget Revised Revenue and Expenditures in the Human Relations Commission, Creation of New HUD Bureau and New Line Items." Mr. Leone moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Transfer of  
Planning Acctnt  
To Gen. Acctg.

Mr. Smith gave a second reading of Ordinance Number 124, 2008, "2008 Planning Fund Budget Revised Revenue and Expenditures for the Transfer of Planning Accountant to General Accounting and New Line Items." Mr. Leone moved to adopt; Mr. Cleaver seconded.

Mr. Giles explained that this ordinance takes an accountant from the Planning Department and relocates this person to the actual Accounting Department. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Gen. Fund SA  
For Trans. Of  
Planning Acctnt

Mr. Smith gave a second reading of Ordinance Number 125, 2008, "Forty-Ninth 2008 General Fund Budget Supplemental Appropriation for the Transfer of Planning Accountant and Creation of New Line Item." Mr. Leone moved to adopt; Mrs. Loll seconded.

Mr. Giles explained that this ordinance transfers funds from one account to another and ensures that when the accountant is transferred, money is available to pay the salary. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Amending Ord.  
17, 2008

Mr. Smith gave a second reading of Ordinance Number 128, 2008, "Amending Ordinance 17, 2008, '2008 General Fund Budget Supplemental Appropriation for Drug Forfeiture Account in District Attorney Office and Creation of New Line Items.'" Mr. Leone moved to adopt; Mrs. Loll seconded.

Mr. Giles explained that when the District Attorney and police officers take possession of property related to drug crimes, a separate account is set up. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Overtime in Clk.  
Of Cts. Ofc.

Mr. Smith gave a second reading of Ordinance Number 129, 2008, "Fiftieth 2008 General Fund Budget Supplemental Appropriation for Overtime in the Clerk of Courts' Office." Mr. Cleaver moved to adopt; Mrs. Loll seconded.

Mr. Giles explained this ordinance involves the Clerk of Court's Office using money that was put aside in a restricted account for staff overtime. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Interest on Loan  
From ECCM

Mr. Smith gave a second reading of Ordinance Number 130, 2008, "Fifty-First 2008 General Fund Budget Supplemental Appropriation for PHMC Grant Received in 2007." Mr. Cleaver moved to adopt; Mr. Foust seconded.

Mr. Giles explained that this was a grant received by Erie County in 2007 for records within the County Courthouse. The Pennsylvania Historical Museum Commission in Harrisburg is most

interested that counties collectively keep very good records, and this is their share of the record keeping cost. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Gen. Fund SA for  
Interest on Loan  
From ECCM

Mr. Smith gave a second reading of Ordinance Number 131, 2008, "Fifty-Second 2008 General Fund Budget Supplemental Appropriation for Interest on Loan from ECCM and the Creation of a New Line Item." Mr. Mitchell moved to adopt; Mr. Leone seconded.

Mr. Giles explained that the State has insisted that the County go to a case management system in regard to human services. Almost two-thirds of the county's annual budget is in regard to human services which include services provided by Drug and Alcohol, Mental Health/Mental Retardation, and Children's Services. This is to provide the kind of management system that ensures the state's requirements are satisfied as well as the people who need these services. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

PH SA for Add.  
Cancer Grant

Mr. Smith gave a second reading of Ordinance Number 132, 2008, "Eighth 2008 Public Health Fund Budget Supplemental Appropriation for Additional Cancer Grant and the Creation of a New Line Item." Mr. Fatica moved to adopt; Mr. Leone seconded.

Mr. Giles explained that this is a grant the County received from the state for approximately \$20,000 in additional money for cancer prevention, whether it is nutritional, informational, or early detection to prevent the spread or increase of cancer in our community. The Health Department already has a program and this adds more financial resources. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Capital Prjcts  
SA for Memorial  
Tile Prjct

Mr. Smith gave a second reading of Ordinance Number 133, 2008, "2008 Capital Projects Fund Supplemental Appropriation for Completion of Memorial Tile Project and the Creation of a New Line Item." Mr. Foust moved to adopt; Mr. Fatica seconded.

Mr. Giles explained that this is a project in which families can purchase a memorial tile to commemorate those individuals who have given their life in the service of country, county, and community. These are the labor costs associated with the installation of those tiles. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Dom. Rel.  
SA for  
Moving Costs

Mr. Smith gave a second reading of Ordinance Number 134, 2008, "Sixth 2008 Domestic Relations Fund Budget Supplemental Appropriation for the Payment of Moving Costs and the Creation of a New Temporary Staff Line Item." Mrs. Loll moved to adopt; Mr. Leone seconded.

Mr. Giles explained that since the county had experienced some environmental problems with the Domestic Relations' Office in the Courthouse, the office had to be temporarily relocated. It is now located in the Sumner Nichols' Building with the expectation that this office will be moving back once the problems are solved. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Gen. Fund SA  
Transfer to  
Dom. Rel.

Mr. Smith gave a second reading of Ordinance Number 135, 2008, "Fifty-Third 2008 General Fund Budget Supplemental Appropriation for Transfer to Domestic Relations." Mr. Leone moved to adopt; Mrs. Loll seconded.

Mr. Giles explained that this ordinance simply covers the costs for the Domestic Relations' Office so that the funds match the agreed upon plan. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Library SA for  
Gates Grant

Mr. Smith gave a second reading of Ordinance Number 136, 2008, "Sixth 2008 Library Fund Budget Supplemental Appropriation for Gates Grant for Purchase of Computers for Library Branches and Creation of New Line Item." Mr. Fatica moved to adopt; Mrs. Loll seconded.

Mr. Giles explained that Erie County is one of the beneficiaries of the Bill and Melinda Gates Foundation to increase the technology at branch libraries. This equipment is available for the patrons' use in the libraries. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Donations from  
Friends of Library

Mr. Smith gave a second reading of Ordinance Number 137, 2008, "Seventh 2008 Library Fund Budget Supplemental Appropriation for Donation from Friends of the Library." Mr. Foust moved to adopt; Mr. Mitchell seconded.

Mr. Giles explained that the Friends of the Library have an advocacy group that help with fundraising throughout the year and in turn provide money for new books, periodicals and any other items needed for the library. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Library SA for  
Software Maint.

Mr. Smith gave a second reading of Ordinance Number 138, 2008, "Eighth 2008 Library Fund Budget Supplemental Appropriation for Software Maintenance Costs Reimbursed by Independent Libraries and the Creation of a New Line Item." Mr. Mitchell moved to adopt; Mr. Foust seconded.

Mr. Giles explained that this ordinance is similar in what it provides as the previous ordinance through state monies for independent libraries. The County has always been very supportive of the independent libraries throughout the county as well as its own branches. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Library SA of  
Add. Rev. from  
Memorial Books

Mr. Smith gave a second reading of Ordinance Number 139, 2008, "Ninth 2008 Library Fund Budget Supplemental Appropriation of Additional Revenue from Memorial Books and Donations." Mr. Mitchell moved to adopt; Mr. Cleaver seconded.

Mr. Giles explained that annually the money from those who wish to remember or memorialize a friend or relative who passed by donating a book to the library is gathered together. This money then goes to the library to buy those particular items. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Planning Fund SA  
of Add. Revenue

Mr. Smith gave a second reading of Ordinance Number 140, 2008, "Second 2008 Planning Fund Budget Supplemental Appropriation of Additional Revenue." Mrs. Loll moved to adopt; Mr. Leone seconded.

Mr. Giles explained that these are monies from prior years that do not get spent for a variety of reasons. These monies end up being collected and spent in the current year. He further explained that this usually involves federal type grants which sometimes come through the state and in turn are used for infrastructure projects such as sewer, water, and roads. Mr. Giles then called for a vote on the ordinance and it carried in a unanimous roll call vote.

EMA SA for  
Donated Equip.

Mr. Smith gave a second reading of Ordinance Number 141, 2008, "Ninth 2008 Emergency Management Fund Budget Supplemental Appropriation for Donated Equipment from the NWP Emergency Response Group." Mr. Cleaver moved to adopt; Mr. Fatica seconded.

Mr. Giles explained that the Public Safety Department is given donations from the Terrorism Task Force or other partners. These donations, which could be tents or items needed for emergency spills on highways, are gathered together in one ordinance and accepted as one donation. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Retro. Wage Incr. &  
Retro. Pension Adjst.  
Adopted

Mr. Mitchell moved to adopt Ordinances 142 through 151 in one motion. Mr. Foust seconded. Mr. Giles explained these ordinances all pertain to the impact of the labor contracts. There are many bureaus and departments in the county and all have had a change in salary. No county employee saw a raise for two years until Council ratified those labor contracts. He called for a vote on the motion and it carried in a roll call vote of 6-1, Mr. Cleaver voting no.

Mr. Foust moved to adopt Ordinances 142-151; Mr. Fatica seconded and it carried in a roll call vote of 5-2, Mr. Leone and Mr. Cleaver voting no.

Amending Ord.  
126, 2006

Mr. Smith gave a second reading of Ordinance Number 152, 2008, "Amending Ordinance 126, 2006, 'Department of Public Health Establishment of License Fee and Regulation of Body Art Establishments.'" Mrs. Loll moved to adopt; Mr. Leone seconded.

Amending Ord.  
126, 2006

Mr. Giles noted that reference was made to this ordinance earlier. He explained that the Public Health Department regulates tattoos and piercings; however, the culture has changed somewhat as Mr. Mitchell indicated earlier. There is now a type of branding which involves people making scarred images on their body. This ordinance is to include this process and to give the Health Department the proper licensing authority to review and monitor that process so it is done in the healthiest manner possible. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

MH/MR Rev.  
Exp. Downgrade  
2 Positions &  
Upgrade One

Mr. Smith gave a second reading of Ordinance Number 153, 2008, "2008 MH/MR Fund Budget Revised Expenditures to Downgrade Two Positions and Upgrade One Position." Mr. Cleaver moved to adopt; Mrs. Loll seconded.

Mr. Giles explained that this is a change of job descriptions in the MH/MR Bureau involving the downgrading of two positions and one being upgraded. He further explained that this happens routinely throughout the year because each department is a dynamic environment with changing jobs and demands with the possibility of funding sources changing as well. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Appt'd. Off.  
Salary – Pt. Time  
Asst. PD

Mr. Smith gave a second reading of Ordinance Number 154, 2008, "2008 Appointed Official's Salary Ordinance Vacated Part Time Assistant Public Defender Position." Mr. Cleaver moved to adopt; Mr. Fatica seconded.

Mr. Giles explained that this situation happens fairly routinely as well. As positions are vacated, department heads will sometimes review the job description and responsibilities of those positions. These responsibilities sometimes change by demand, workload, etc., and this simply reflects that kind of change in the Public Defender's Office. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

First Rdg.

Mr. Smith gave a first reading of Ordinance Number 155, 2008, "Tax and Revenue Anticipation Note Ordinance Authorizing the Issuance of a Tax and Revenue Anticipation Note in the Maximum Principal Amount of \$6,500,000; Providing for the Date, Interest Rate, Maturity Date, Place of Payment and Prepayment Provisions in Respect of the Note; Accepting the Proposal of the Bank of New York Mellon 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."

Gen. Fund  
SA for  
Cthouse Boiler  
Replacement

Mr. Smith gave a second reading of Ordinance Number 156, 2008, "Fifty-Seventh 2008 General Fund Budget Supplemental Appropriation for Courthouse Boiler Replacement and the Creation of a New Line Item." Mr. Mitchell moved to adopt; Mr. Leone seconded.

Mr. Giles explained that the Courthouse has had some difficulty with its boiler system. Money had been appropriated last year, but was never expensed out and the repair work was not done; however, now the work must be done. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Rescinding  
Res. 44, 2008

Mr. Smith gave a reading of Resolution Number 70, 2008, "Rescinding Resolution Number 44, 2008 and Approving the Judicial Sales Agreement Between Millcreek Township, Millcreek Township School District and the County of Erie." Mr. Fatica moved to adopt; Mr. Mitchell seconded, and it carried in a unanimous roll call vote.

Desig. EDCEC as  
Recip. Of LEDA

Mr. Smith gave a reading of Resolution Number 71, 2008, "Resolution Designating the Economic Development Corporation of Erie County (EDCEC) as the Recipient of LEDA Funds for Erie County." Mr. Leone moved to adopt; Mr. Fatica seconded.

Mr. Giles explained that annually the state provides money to one agency for economic development and the county selects which agency will be the primary agency responsible for economic development. The state directly provides the money to that agency. He then called for a vote on the resolution, and it carried in a unanimous roll call vote.

\$236,000 Tax  
Exempt Note  
Perseus Hse Prjct

Mr. Smith gave a reading of Resolution Number 72, 2008, "Erie County General Authority \$236,000.00 Tax Exempt Note – Perseus House, Inc. Project." Mr. Mitchell moved to adopt; Mr. Cleaver seconded.

Mr. Giles explained that sometimes the County functions as an umbrella corporation for certain agencies to get the most favorable interest rate to borrow funds for projects such as senior housing. For example, the county has worked with HANDS in the same type of format. Perseus House deals with young kids who get into trouble. In this case, it is for the female population. Recent studies in Erie County have shown the number of females in both the prison and probation population has been increasing. Perseus House is now building a 20 to 24 bed unit primarily focused on young female juvenile offenders. This resolution is to help that agency complete this project at the least cost to them. He called for a vote on the resolution and it carried in a unanimous roll call vote.

\$250,000 Tax  
Exempt Note  
Found. For  
Free Enterprise  
Educ. Prjct.

Mr. Smith gave a reading of Resolution Number 73, 2008, "Erie County General Authority \$250,000.00 Tax Exempt Note - Foundation for Free Enterprise Education Project." Mr. Cleaver moved to adopt; Mr. Mitchell seconded.

Mr. Giles explained this is the same type of situation as Perseus House. However, this group is an educational group for free enterprise. This is a statewide group which handles other counties but is located in Erie County and teaches young people about the benefit of free enterprise and business. Mr. Mitchell asked Mr. Giles to clarify that these were not county tax dollars. Mr. Giles further explained that the County of Erie is just an umbrella to help create an environment in which this agency can go to private sources and get the least financing and interest cost. The agency can then provide a project or program in the community without utilizing county money. This situation is used for projects such as those that Mr. Scalise deals with at HANDS. He called for a vote on the resolution and it carried in a unanimous roll call vote.

PILOT Agrmt  
With St. Mary's  
Home of Erie

Mr. Smith gave a reading of Resolution Number 74, 2008, "Approval of PILOT Agreement with SAINT MARY'S HOME OF ERIE Tax Index Number(s) 33-057-234.0-040.99." Mr. Cleaver moved to adopt; Mr. Fatica seconded.

Mr. Giles explained that sometimes not-for-profit agencies voluntarily provide payment in lieu of taxes to government entities. Usually, it is a settlement with an agreement by contract as to how much will they will give for the next year or two years. This provides unanticipated revenues from these types of agencies.

Mr. Fatica thanked Mr. Giles for his explanations of the ordinances this evening. This has helped the audience realize that the county has the best interest of the citizens at heart. He explained that PILOT is an acronym for "payment in lieu of taxes." For example, Mr. Fatica represents Millcreek Township which has the largest nonpaying taxing body – the airport, which is a federal entity. Also, school districts do not pay any taxes. This particular situation, everyone would agree, is commendable for this agency. Mr. Giles also pointed out this is completely voluntary. He recalled that many years ago, and Mr. Leone may recall as well, Council thought PILOTS could be demanded. A whole set of contracts were rolled out, but the State Supreme Court ruled that could not be done. Certain agencies do this now; it is completely voluntary and much appreciated. He called for a vote on Resolution Number 74, 2008, and it carried in a unanimous roll call vote.

Exon. Taxes on  
Aband. Prop.  
In Union City

Mr. Smith gave a reading of Resolution Number 75, 2008, "Exonerating Taxes on One (1) Abandoned Trailer/Property in Union City Borough and the Union City Area School District." Mr. Mitchell moved to adopt; Mr. Leone seconded.

Mr. Giles explained that since the County has gone electronic and become current on how properties are assessed, it is now aware of every abandoned trailer in the county. Council has had several of these types of resolutions involving abandoned trailer and properties. Mr. Giles called for a vote on the resolution and it carried in a unanimous roll call vote.

Felix &  
Gloekler  
Appt'd as  
Auditor

Mr. Leone moved to appoint Felix & Gloekler, P.C. as Auditor for Brownfields Grant and Tobacco Grant Audits. Mr. Mitchell seconded.

Mr. Giles explained that audits must be performed for two very specific funds the County is receiving; one grant is for Brownfields which takes abandoned industrial properties, cleans them up and reuses them for new businesses. Another grant is the tobacco grant, which Mr. Giles stated everyone is familiar with the add-on costs relative to the lawsuit about tobacco. The County receives money for these two unique opportunities and in turn, an audit must be performed. He called for a vote on the motion and it carried in a unanimous roll call vote.

Sale of  
Parcels  
Approved

Mr. Leone moved to approve the sale of Parcels from Repository for Unsold Properties at Index Numbers:

01-004-0230-002.00  
39-024-050.1-011.49  
39-024-050.1-011.65

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

Amending  
Lien Free  
Tax Sales  
Agrmt.

Mr. Smith gave a reading of Resolution Number 76, 2008, "Amending the Lien Free Tax Sales Agreement Between the County of Erie and the Law Firm of Agresti, Morton, and Moore." Mr. Mitchell moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Thank You

Mr. Giles thanked everyone for their patience, attentiveness, and interest in county government. As evidenced by the agenda this evening, there are a variety of issues Council handles from abandoned trailers to donated property for road emergencies. He thanked Chestnut Street Senior Apartments for their hospitality.

Adjournment

There being no further business, the meeting adjourned at 7:58 p.m.

Ann M. Bruno, Council Secretary

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