

December 16, 2009      Agenda Amended. TRAN adopted; Library SA LSTA Grant adopted; D&Y Rev. Exp. For Intake Unit adopted; Corry Concerned for Youth adopted; C&Y SA Trans. from Unrest. Gaming Funds adopted; C&Y SA Release of Rest. Acct for Various Pgrms adopted; Gen. Fund BUdet Rev. Exp. For Controller's Ofc adopted; D&A SA for Shared Cost of Dir. of HS pulled; C&Y SA for Shared Cost of Dir. of HS pulled; HealthChoices SA for Shared Cost of Dir. of HS pulled; MH/MR Elim. Of Dep. Dir. pulled; Gen. Fund SA for Creation of Dir. of HS pulled; 2009 Cnty Sol. Fee adopted; 2009 Cnty Cncl. Sol. Ret. Adopted; 2009 PD Salary adopted; Asst. PD Salaries adopted; 2009 Dir. of Adm. Salary adopted; 2009 Dir. of Finance Salary adopted; 2009 Dir. of Pers. Salary adopted; 2009 Cnty Clerk Salary adopted; Gen. Fund Budget Rev. Exp. & Change in Position for HRC adopted; 2009 Non-Barg. Pay Plan adopted; Amending 2009 Gen. Fund Budget adopted; Gen. Fund Budget Rel. of Unrest. Gaming Funds for Comm. Assets & Spec. Events adopted; Gen. Fund SA for Prosecution Costs for Union Cty Sprt Cntr adopted; Gen. Fund SA for Juv. Prob. adopted; Gaming Fund Budget Detail of HS Initiative Exp. adopted; D&A Rev. Revenue & Exp. adopted; Amending Ord. 167, 2008 adopted; Emergency Liquid Fuels Passed by Emergency Liquid Fuels Brd adopted; Aprvl of Emerg. Liquid Fuels App. For Franklin Twp adopted; Aprvl of Emerg. Liquid Fuels App. For Greenfield Twp adopted; Aprvl of Emerg. Liquid Fuels App. For LeBoeuf/Union Twps adopted; Reqrst. Study of Four Day Work Week adopted; In Sprt. of Intergov. Coop. Agrmt. For Joint Cty of Erie & Cnty of Erie Emerg. Operations Plan & Emerg. Operations Cntr adopted; Reappt. Of Robert Tullio to Erie Cnty Industrial Devel. Auth.; Gen. Fund SA for Cncl Prof. Fees adopted.

#### COUNTY COUNCIL – Regular Meeting

Mr. Giles, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 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  
                              Sean Wiley, Director of Administration  
                              Jim Sparber, Director of Finance  
                              Sue Ellen Pasquale, Manager of Accounting

#### Hearing of The Public

Sue Weber, Erie County Controller, approached Council to speak concerning the County Executive's request for the creation of a Director of Human Services position which has been revised to Human Services Administrator with an annual salary of \$76,000. The duties have been diluted significantly from the previous person holding that position. She believes this is part of the culture of entitlement evidenced by certain members of this administration. This position was eliminated two years ago and Ms. Weber also believes Mr. DiVecchio is creating this job for one of his cronies, an individual with no experience or education in the human services field. It is her understanding that funds in the amount of \$16,000 which were to provide services to neglected and abused children will be

Hearing of  
The Public

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transferred to help create this position. Ms. Weber feels that creating this position is unfair to taxpayers, including those who have lost their jobs with various companies. She hopes Council will think of those unemployed taxpayers when casting their vote regarding the creation of this politically earmarked, expensive position.

Dan Galena, Erie County, wished to speak in support of Mrs. Weber and endorsed her comments. Mr. Galena would like County Council to cut money where it should be cut. He has a problem with Mr. DiVecchio driving an \$800 per month leased car at taxpayers' expense. In 2008, Mr. DiVecchio received a new 2008 GMC Envoy stating he needs this type of vehicle because he travels around the county. Mr. Galena has a front wheel drive sedan with four studded snow tires that goes anywhere Mr. DiVecchio's vehicle will go. Members of Council allow Mr. DiVecchio to abuse tax dollars. Mr. Spaulding, Mr. Sparber, and Mr. Wiley received big raises and these wages need to be taken back to the pre 2008 levels. Mr. DiVecchio needs to lead by example. Mr. Galena stated that Council's job is to monitor expenses and costs to taxpayers.

Gil Rocco, Millcreek Township, stated that he feels Council does a good job. Members are faced with difficult circumstances. Mr. Rocco may not always agree, but he knows the thought process, believes Council works hard and deliberates the issues. Many members do not get paid as much money as they deserve.

Finance  
Committee

Mr. Mitchell stated the Finance Committee met December 11, 2008. This has been a very busy year. At the meeting, the Committee agreed to place on the agenda for second readings Ordinances 202, the tax anticipation and revenue note in the amount of \$16.5 million; 203, LSTA grant; 204, expenditures for intake unit for OCY; 205, 2009 gaming fund transfer of Children & Youth to Corry Concerned for Youth; 206, a supplemental appropriation transfer from unrestricted gaming funds; 207, Children & Youth fund supplemental appropriation for various programs; 208, expenditures for Controller's Office.

Mr. Mitchell noted that the Administration has agreed to pull Ordinances 210, 211, and 212 from the agenda which dealt with the aforementioned Director of Human Services position.

Mr. Giles asked the following letter regarding this position from the Administration be included in the minutes:

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Erie County Council Members  
Erie County Courthouse  
140 West 6<sup>th</sup> Street, Room 116  
Erie, Pennsylvania 16501

Dear Council Members:

I am writing this letter to request the withdrawal of Ordinance Numbers 210, 211, 212, 213, and 214, 2008 from tonight's agenda.

After engaging in discussions with the State relative to the creation of an administrator for human services, we have concluded that there are alternatives that can be explored to fund this position without jeopardizing any of the vital services provided by the Office of Mental Health/Mental Retardation, the Office of Drug and Alcohol Abuse, and the Office of Children and Youth.

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Finance  
Committee

The State has expressed its desire to see a model plan for our entire human services organization prior to implementing any changes to its structure. Therefore, the first step in this process will be to establish a committee that will be charged with evaluating the different structures of human services organizations. The committee will then develop a structure for Erie County based on its specific needs and present a formal recommendation.

While my administration, and the State as well, supports the creation of an administrator for human services to facilitate the collaborative operation of all our human services offices, I am respectfully requesting that Council allow this methodical process to be completed before any positions are created or eliminated. As you are well aware, we are working under severe budget constraints, and it is critical that we establish a structure for our Department of Human Services that will ensure the continuation of the highest quality services in the most cost effective manner for the citizens of Erie County.

Thank you very much for your anticipated cooperation. My administration stands ready to address any concerns or provide any information you may need.

Sincerely,

/s/ Mark A. DiVecchio  
County Executive

Mr. Mitchell further reported that under New Business, the Finance Committee agreed to place on the agenda for first readings Ordinances 225, amendment to the General Fund Budget; 226, unrestricted gaming funds for community assets and special events; 227, supplemental appropriation for prosecution costs for Union City Family Support Center; 228, supplemental appropriation for Juvenile Probation; 229, budget detail of Human Services Initiative Expenditures; 230, a Drug & Alcohol budget revised expenditures; 231, amending Ordinance 167, 2008 regarding ECGRA and the Administrative Code which deals with gaming ordinances; and 232, liquid fuels supplemental appropriation for emergency liquid fuels passed by the Emergency Liquid Fuels Board. Also on the agenda are several resolutions for adoption, Resolution 95, approval of emergency liquid fuels application from Franklin Township; Resolution 96, approval of liquid fuels application from Greenfield Township; Resolution 97, approval of emergency liquid fuels from LeBoeuf Township, which have all been approved by the Liquid Fuels Board to move forward. Also on the agenda is Resolution 98, requesting a study of four day work week for county operations and Resolution 99, in support of intergovernmental cooperation agreement with joint City of Erie and County of Erie emergency operations plan and emergency operations center, along with the appointment of Robert Tullio to the Erie County Industrial Development Authority. Ordinance 233 which deals with County Council professional fees will also be added to the agenda.

Personnel  
Committee

Mr. Cleaver reported the Personnel Committee met on December 11, 2008, and agreed with the letter from Administration to remove from the agenda Ordinance 213, the elimination of the Deputy Director of MH/MR, and Ordinance 214, the creation of the Director of Human Services.

Ordinances 215 through 222 which deal with fees, retainers, and salaries have been placed on the agenda as well as Ordinance 223, a change in position for Human Relations Commission and Ordinance 224, approval of the non-bargaining employees' pay plan.

Mr. Giles explained that this is the final meeting for Council for the calendar year 2008, and there are some housekeeping ordinances that need to be moved to a second reading in order to complete the budget process by year end.

Mr. Leone's  
Comments

Mr. Leone thanked Mr. Rocco for his comments. Mr. Rocco has been to Finance Committee and Council meetings and understands what goes on as far as Council is concerned. Both Council and the administration take abuse. He wished to advise everyone, including the news media, the salary increases for the administrative staff is 2%, which is substantially lower than what the bargaining unit is receiving.

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Mr. Leone's  
Comments

Mr. Leone referred to Ordinance Number 229, 2008, "2008 Gaming Fund Budget Detail of Human Services Initiative Expenditures" which deals, in part, with the Mass. MOCA Initiative. This has to do with a study being done to consolidate performing arts in specific buildings throughout the county. Mr. Leone recalls that he thought this was going to be a freebee, and was unaware that this study would cost \$5,000. However, that isn't as bad as drug court.

Mr. Leone understands that drug court is a very central part of county government and commended Mr. Giles for originally receiving PCCD grant money to run this operation through the courts. Erie County was one of the first in the state to do this. However, if this program is necessary, Mr. Leone questioned why the courts did not put drug court into their budget. After all, it is a court function and by using gaming funds, the process of funding this operation properly is being circumvented. Mr. Leone again commended Mr. Giles for his foresight in garnering funds for the drug court program. However, if drug court is viable and an asset to the courts, then the courts should fund this program rather than gaming money. Mr. Leone believes drug court should be in the court's budget. A position was eliminated in the Public Defender's Office which was involved with drug court, and again, Mr. Leone questioned why that would come out of that particular office. If this program is a court operation, he believes the courts should fund and budget it properly.

Mr. Fatica's  
Comments

Mr. Fatica thanked Mr. Rocco for his remarks as well. Council appreciates hearing positive comments on their performance.

Mr. Giles'  
Report

Mr. Giles reported the 16<sup>th</sup> graduation for Drug Court on December 11, 2008 with approximately 12 people graduating. Graduation is held twice a year, and during the eight years of the operation of Drug Court, very little county money has gone in to support the operation of this program. Mr. Giles has attended every graduation and noted that Judge Cunningham is very dedicated to this program. The workload exceeds one's imagination.

Drug Court

Mr. Giles explained that Drug Court is held every Thursday regularly and Judge Cunningham sees the same people week after week. Attendees also include individuals from the treatment side, defense, and prosecution, all of whom make a team effort to resolve the addiction process. When Erie County started planning this program ten years ago, it was decided that cases for acceptance would be repeat hard core addiction offenders. The first graduates were all recognized names in the system, and eight years later seeing these individuals continue without any involvement in the criminal justice system is remarkable. Mr. Giles further explained that every year an annual review mandated by PCCD in terms of quality screening and whether achievements were met is held. In every marker, recidivism rates are incredible. This program gets results and very little of the funding over this eight year period is from the county. Mr. Giles understands Mr. Leone's concerns; however, it was understood that at some point in time this issue would have to be dealt with at the local level.

Mr. Giles stated he is part of a statewide advisory team along with leadership from the State House, State Senate, the Governor's Office, the Department of Corrections and the District Attorney's Association. Their goal is to secure a permanent line item in the state budget to provide anchor money for Erie County as well as incentive monies for other counties for this program.

Mr. Giles wished to go through Warden Veshecco's current statistical analysis for calendar 2008. Surprisingly, while there are trends in which larger numbers of people are incarcerated, Erie County's numbers have gotten smaller and remained flat except for a peak during the summer. A variety of things are being done in the criminal justice system that are ahead of the curve and very productive in terms of controlling the number of people incarcerated, as well as

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Drug Ct.

the benefit of seeing people's lives being turned around by becoming productive and employed. Mr. Giles thanked Mr. Leone for his comments about drug court. Mr. Giles cannot think of a better investment. To see these individuals from every walk of life turn their lives around is extraordinary. Out of 172 graduates, there may be only five that have relapsed or gotten into trouble. This is like investing in Erie County's family.

Mr. Leone's  
Comments

Mr. Leone stated he believes drug court is important, and should be budgeted. However, rather than taking money from the county gaming funds, the courts should be responsible for funding that particular program whether by a PCCD grant or not. Mr. Leone does believe in the program and again commended Mr. Giles for the job he has done.

Mr. Giles asked Mrs. Pasquale about the letter received from PCCD, and she replied the county lost the funding, and that was retroactive to July 1, 2008. Mr. Giles responded that, had he known, he would have lobbied in October or November; however, the letter was not received until minutes before adopting the budget and Council was unaware of that until after the fact.

TRAN  
Adopted

Mr. Smith gave a second reading of Ordinance Number 202, 2008, "Authorizing the Issuance of a Tax and Revenue Anticipation Note in the Principal Amount of \$\_\_\_\_\_; Providing for the Date, Interest Rates, Maturity Date and Place of Payment in Respect 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; Setting Forth a Form of Note and Repealing Inconsistent Ordinances." Mr. Leone moved to adopt; Mr. Mitchell seconded.

Mr. Mitchell moved to amend the ordinance to reflect the amount of \$16.5 million, First National Bank received the bid, and the percentage is 3.39%. Mr. Leone seconded, and the amendment carried in a unanimous roll call vote.

Mr. Giles called for a vote on Ordinance Number 202, 2008, as amended, and it carried in a unanimous roll call vote.

Library SA  
for LSTA Grant

Mr. Smith gave a second reading of Ordinance Number 203, 2008, "Twelfth 2008 Library Fund Budget Supplemental Appropriation for LSTA Grant." Mr. Cleaver moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

C&Y Revised  
Expen. For  
Intake Unit

Mr. Smith gave a second reading of Ordinance Number 204, 2008, "2009 Children & Youth Services Fund Budget Revised Expenditures for Intake Unit." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Corry Concerned  
for Youth Adopted

Mr. Smith gave a second reading of Ordinance Number 205, 2008, "2009 Gaming Fund Budget Revised Expenditures for Transfer to Children & Youth for Corry Concerned for Youth and the Creation of a New Line Item." Mr. Cleaver moved to adopt; Mrs. Loll seconded. Mr. Fatica moved to amend Exhibit A of the ordinance, Mr. Leone seconded, and the amendment carried in a unanimous roll call vote.

Mr. Giles called for a vote on Ordinance Number 205, 2008, as amended, and it carried in a unanimous roll call vote.

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C&Y SA Transfer  
From Unrest.  
Gaming Funds

Mr. Smith gave a second reading of Ordinance Number 206, 2008, "First 2009 Children & Youth Services Fund Budget Supplemental Appropriation for Transfer from Unrestricted Gaming Funds." Mr. Mitchell moved to adopt; Mrs. Loll seconded. Mr. Fatica moved to amend Exhibit A; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Mr. Giles called for a vote on Ordinance Number 206, 2008, as amended, and it carried in a unanimous roll call vote.

C&Y SA Rel. of  
Rest.Acct. for  
Various Prgms.

Mr. Smith gave a second reading of Ordinance Number 207, 2008, "Second 2009 Children & Youth Services Fund Budget Supplemental Appropriation and Release of Restricted Account for Various Programs." Mr. Foust moved to adopt; Mrs. Loll seconded. Mr. Foust questioned the \$125,000 figure in the restricted account which Council is appropriating. He noted that is 20% of what is being appropriated, but that didn't match for him. Mrs. Pasquale explained that \$5,000 is taken from the previous ordinance just passed by Council, which comes to \$130,000, add \$150,000 from the previous ordinance and the amount here. Mr. Foust thanked Mrs. Pasquale for her explanation, and moved to amend the exhibit to the ordinance to reflect the following figures:

St. Martin's Center appropriation will be \$140,200  
House of Healing's appropriation will be \$60,641  
Perseus House's appropriation will be \$121,500  
CASA's appropriation will be \$72,749  
First Project's appropriation will be \$64,910  
Family Engagement's appropriation will be \$40,000

Mr. Foust noted these appropriations are still approximately \$100,000 short of the amount Council put in the budget for these particular programs. He expressed his hope that the administration, sooner rather than later, will work to complete this.

Mr. Fatica seconded, and the amendment carried in a unanimous roll call vote.

Mr. Giles called for a vote on Ordinance Number 207, 2008, as amended, and it carried in a unanimous roll call vote.

Rev. Exp. For  
Contr. Ofc

Mr. Smith gave a second reading of Ordinance Number 208, 2008, "2009 General Fund Budget Revised Expenditures for Controller's Office." Mrs. Loll moved to adopt; Mr. Fatica seconded. Mr. Giles pointed out this ordinance reflects personnel being moved around in that particular office. A position has been eliminated from the 2009 budget and some revenue from that can be used to hire an auditing firm to assist with the first quarter audit requirements of the Controller.

Mr. Giles called for a vote on Ordinance Number 208, 2008, and it carried in a roll call vote of 6-1, Mr. Mitchell voting no.

Ordinances  
Pulled

Mr. Giles reminded the audience that Ordinances 210 through 214, which deal with the human services director position, have been pulled. The next several ordinances are typical ordinances involving the appointed officials' salaries. As Mr. Leone indicated earlier, these salary increases are less than the 3% increase that was built into the union contracts. Mrs. Pasquale added that the union contracts are 3%, the appointed officials are at 2%, and non-bargaining is 3% as well.

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Cnty. Cncl  
Sol. Retainer

Mr. Smith gave a second reading of Ordinance Number 215, 2008, "2009 Appointed Official's Fee Ordinance – County Solicitor." Mrs. Loll moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Salary Ords.  
Adopted

Mr. Cleaver moved to adopt the following ordinances:

Ordinance Number 216, 2008, "2009 County Council Solicitor's Retainer"

Ordinance Number 217, 2008, "2009 Appointed Official's Salary Ordinance – Public Defender"

Ordinance Number 218, 2008, "2009 Appointed Officials' Salaries Ordinance – Assistant Public Defenders"

Ordinance Number 219, 2008, "2009 Appointed Official's Salary Ordinance – Director of Administration"

Ordinance Number 220, 2008, "2009 Appointed Official's Salary Ordinance – Director of Finance"

Ordinance Number 221, 2008, "2009 Appointed Official's Salary Ordinance – Director of Personnel"

Ordinance Number 222, 2008, "2009 Appointed Official's Salary Ordinance – County Clerk"

Mr. Fatica seconded, and the ordinances were adopted in a unanimous roll call vote.

Change in Pos.  
For HRC

Mr. Smith gave a second reading of Ordinance Number 223, 2008, "2009 General Fund Budget Revised Expenditures and Change in Position for Human Relations Commission." Mr. Foust moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

2009 Non-  
Barg. Pay Plan

Mr. Smith gave a second reading of Ordinance Number 224, 2008, "2009 Non-Bargaining Employees Pay Plan." Mrs. Loll moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Agenda  
Amended

Mr. Fatica moved to amend the agenda to move Ordinances 225 through 232 for a second reading. Mr. Foust seconded. Mr. Leone asked that Ordinance Number 232 be voted on separately. The motion to move Ordinances 225 through 231 to a second reading carried in a unanimous roll call vote. Mr. Fatica moved to include Ordinance Number 232 for a second reading; Mr. Foust seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Mr. Fatica then moved to add Ordinance Number 233, 2008, "Sixty-Third 2008 General Fund Budget Supplemental Appropriation for Council Professional Fees" to the agenda. Mr. Foust seconded, and it carried in a unanimous roll call vote. Mr. Fatica then moved to make Ordinance Number 233, 2008 a second reading, Mr. Cleaver seconded. Mr. Giles stated the reason for this action is because the current fiscal year is being closed out. He called for a vote on the motion and it carried in a unanimous roll call vote.

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Amend 2009 Gen.  
Fund Budget

Mr. Smith gave a second reading of Ordinance Number 225, 2008, "Amending 2009 General Fund Budget." Mr. Mitchell moved to adopt; Mr. Leone seconded. Mr. Giles pointed out that since not all vetoes were overridden, there was a change to the budget. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Unrest. Gaming  
For Community  
Assets & Spec.  
Events

Mr. Smith gave a second reading of Ordinance Number 226, 2008, "2008 General Fund Budget Release of Unrestricted Gaming Funds for Community Assets & Special Events." Mr. Foust moved to adopt; Mr. Leone seconded.

Mr. Foust moved to amend this ordinance with the following additions:

Waterford Community Fair Association - \$9,000  
Lake Shore Railway Historical Society, Inc - \$8,500  
Wesleyville Borough on behalf of the Veterans Memorial Committee - \$10,000  
Wattsburg Agricultural Society, Inc. d/b/a Erie County Fair - \$10,000

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

Mr. Giles stated that there was some difficulty in the interpretation of the asset committee that reviews these applications. The committee just routinely denied anything that was a capital project, and the feeling of Council is that capital projects are just as important as operational, if not more so. Mr. Foust noted that there is still about \$85,000-\$90,000 left in that budget leaving plenty of money to cover these particular requests. Mr. Giles called for a vote on Ordinance Number 226, 2008, and it carried in a unanimous roll call vote.

Prosecution  
Costs for U.C.  
Sprt. Cntr.

Mr. Smith gave a second reading of Ordinance Number 227, 2008, "Sixty-First 2008 General Fund Budget Supplemental Appropriation for Prosecution Costs for Union City Support Center." Mr. Mitchell moved to adopt; Mr. Foust seconded, and it carried in a unanimous roll call vote.

Gen. Fund  
SA for Juv. Prob.

Mr. Smith gave a second reading of Ordinance Number 228, 2008, "Sixty-Second General Fund Budget Supplemental Appropriation for Juvenile Probation." Mr. Mitchell moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Gaming Fund Bdgt  
Detail of HS Initiative  
Expenditures

Mr. Smith gave a second reading of Ordinance Number 229, 2008, "2008 Gaming Fund Budget Detail of Human Services Initiative Expenditures." Mr. Leone moved to adopt; Mr. Mitchell seconded.

Mr. Foust wished to echo Mr. Giles' and Mr. Leone's statements with respect to drug court. However, Mr. Foust feels this Council and the County continue to use gaming funds to fund operational expenses and these funds are being used when they could be used for other matters. This doesn't lessen the importance of these particular initiatives, but approximately \$250,000 was used for the libraries, \$100,000 for grants and other organizations, \$95,000 for the community college initiative, and \$75,000 for drug court. Mr. Foust believes Council and the County need to get a handle on this issue and he asked to separate the vote for Erie County Drug Court and the Community College. Both the Food Bank and Mass. MOCA Initiative can be voted on together.

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Gaming Fund Bdgt  
Detail of HS  
Initiative Exp.

Mr. Giles called for a vote on the Food Bank capital projects for \$100,000 and Mass. Mocha Initiative for \$5,000, and it carried in a unanimous roll call vote.

Mr. Giles called for the vote on Drug Court. Mr. Leone expressed his displeasure with having gaming funds being used for this particular issue. However, he realizes the importance of drug court and it was not budgeted through the normal budget process, and Mr. Leone does not feel he can possibly vote against it. The vote for Drug Court carried in a roll call vote of 6-1, Mr. Foust voting no.

Mr. Giles called for a vote on Community College, which reflects the expenses that have been committed to Dr. Pierce and Dr. VanAmburg in terms of the contractual obligation for the work they are performing going into 2009. The vote for Community College carried in a roll call vote of 5-2, Mrs. Loll and Mr. Foust voting no.

D&A Revis.  
Revenue & Exp.

Mr. Smith gave a second reading of Ordinance Number 230, 2008, "2008 Drug & Alcohol Fund Budget Revised Revenue and Expenditures." Mr. Mitchell moved to adopt; Mr. Leone seconded. Mrs. Pasquale reminded everyone that this ordinance is a clean up ordinance, realigning the grant revenue and expense with what actually occurred during the calendar year. Mr. Giles asked if there was a loss or increase and what the net was. Mrs. Pasquale replied the net is 0 between revenue and expense. Mr. Giles stated his reason for bringing this up is because the County Clerk shared a memo in regard to what the state is planning on doing with existing programs under Drug & Alcohol, Mental Health, Mental Retardation, Children Services, as well as other issues. Mr. Giles understands that certain programs are being targeted in each of the systems for elimination of funding. The state is serious about this and is moving rapidly in that direction. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

Amending Ord.  
167, 2008

Mr. Smith gave a second reading of Ordinance Number 231, 2008, "Amending Ordinance Number 167, 2008, ECGRA in Administrative Code." Mrs. Loll moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Liquid Fuels  
SA for Emerg  
Liquid Fuels

Mr. Smith gave a second reading of Ordinance Number 232, 2008, "First 2008 Liquid Fuels Fund Budget Supplemental Appropriation for Emergency Liquid Fuels Passed by the Emergency Liquid Fuels Board." Mr. Mitchell moved to adopt; Mrs. Loll seconded. Mr. Leone stated he believes this ordinance sets up funding for the liquid fuels tax for the rest of the township, boroughs and municipalities. Mrs. Pasquale confirmed that this takes Resolutions 95, 96, and 97 which are up for adoption and funds them the additional amount needed from the fund balance.

Mr. Leone stated he will vote against this and all of the funding for emergency liquid fuels because he seriously believes that the townships, municipalities, and boroughs should be showing how much their taxes have gone up in the past. Mr. Leone believes that many of these boroughs, townships, and municipalities use this to offset their tax increases. He does not like to see tax increases, but by the same token, Mr. Leone never sees any emergency funds for the City of Erie. Every time something goes wrong in the City of Erie, the taxpayers pay for it. Mr. Leone believes this is an unfair situation. Mr. Giles called for a vote on Ordinance Number 232, 2008, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

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Liquid Fuels  
Resolutions

Mr. Foust moved to adopt the following Resolutions:

Resolution Number 95, 2008, "Approval of Emergency Liquid Fuels Application for Franklin Township"

Resolution Number 96, 2008, "Approval of Emergency Liquid Fuels Application for Greenfield Township"

Resolution Number 97, 2008, "Approval of Emergency Liquid Fuels Application for LeBoeuf/Union Townships"

Mr. Mitchell seconded, and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Requesting Study  
Of Four Day Work  
Wk for Cnty Oper.

Mr. Smith gave a reading of Resolution Number 98, 2008, "Requesting a Study of a Four Day Work Week for County Operations." Mr. Fatica moved to adopt; Mr. Giles seconded.

Mr. Giles explained that the issue before Council asks administration to prepare some type of report about the possibility of advancing a four day work week as a projected savings in operations costs for the county. Mr. Wiley had stated a pilot of this program has begun in Children Services and a similar program in Finance. Collecting this information for the support, debate, and dialogue of Council is an important component so both the positive and negative can be reviewed. Other counties have gone in this direction, and this is something that should be looked into. However, if everyone in the county is not on board, there will not be a true significant savings. Mr. Giles is encouraged by the response of the administration and that this issue is advancing.

Mr. Giles further explained that a Retirement Board meeting was held a few days ago and the potential exposure in 2009 could be just as problematic or more so. The four day work week study is just an effort to find what type of operations savings can be realized. On a personal note, Mr. Giles believes that if every department does not do this, there will be no significant savings. Mr. Fatica agreed that without sufficient data and information, a decision cannot be made. This decision will affect many people and cannot be made based on opinion. This study will help to provide solid, substantial information.

Mr. Wiley wished to provide a brief update on this issue. A pilot program has been launched with a compressed work schedule in two units of OCY. A significant amount of time and a certain number of pay periods passed to determine if there was a benefit. He explained that a compressed work schedule works in such a way that it satisfies a five day work week in a four day time period. Quick indications show that overtime was reduced significantly in these two units, and as everyone is aware, OCY is one of the largest overtime departments in the county. Mr. Wiley hopes to have all the data gathered by the end of January.

Mr. Giles hopes this would be done quickly, but not so quickly that the report isn't comprehensive. He would prefer to have more information for debate. After having gone through the budget process this last year, seeing the cost increases, and the debate over per diems, this issue should be looked into. He called for a vote on Resolution Number 98, 2008, and it carried in a roll call vote of 4-3, Mr. Foust, Mrs. Loll, and Mr. Cleaver voting no.

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In Sprt. of Agrmt.  
For Joint Cty of  
Erie & Cnty of  
Erie Emerg.  
Operations Plan

Mr. Smith gave a reading of Resolution Number 99, "In Support of the Intergovernmental Cooperation Agreement for the Joint City of Erie and County of Erie Emergency Operations Plan and Emergency Operations Center." Mr. Cleaver moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Robert Tullio  
Reappt'd. to  
Erie Cnty  
Indust. Devl.  
Auth.

Mr. Cleaver moved to reappoint Robert Tullio to the Erie County Industrial Development Authority. Mr. Foust seconded, and it carried in a unanimous roll call vote.

Gen. Fund  
SA for  
Cncl Prof.  
Fees

Mr. Smith gave a second reading of Ordinance Number 233, 2008, "Sixty-Third 2008 General Fund Budget Supplemental Appropriation for Council Professional Fees." Mr. Cleaver moved to adopt; Mr. Leone seconded and it carried in a unanimous roll call vote.

Mr. Mitchell's  
Comments

Mr. Mitchell stated that this is the last formal meeting of the year and thanked Mr. Giles for his leadership this past year. This has been a difficult year and one of the busiest Council has ever had. He applauded everyone including the administration and the staff of Erie County for working hard to complete a tough budget. He also thanked Mr. Giles for his hundreds of hours in bringing the gaming ordinances into fruition. This is not a part-time job for Mr. Giles; he puts in many hours, more than many full time people.

Mr. Giles thanked Mr. Mitchell for his kind comments and wished everyone a good holiday.

Adjournment

There being no further business, the meeting adjourned at 8:22 p.m.

Ann M. Bruno, Council Secretary

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