

February 16, 2010

Agenda amended. Liquid Fuels Grant to Correct Mile. Calc. adopted; PA Rev. Reven. & Expend. For Payment of Software Maint. Contract adopted; PH Rev. Reven. For Nurse Family Partnership due to Dec. in State Fund. adopted. First Rdgs. \$1,000,000 Comm. Line of Credit Note from PRM to PNC; \$1,700,000 Ltr of Credit Agrmt from PRM to PNC; Health Choices Creat. Of Line Item for Risk & Conting. Acct Activity; Gen. Fund SA for Reassess. Prjct; Planning Fund SA for Closure of Klie Farm; Rev. Fee Sched. For Dept. of Health Septic Prgrm; PS SA to Complete Kimball Study; Gen Fund SA for Transfer to PS for Kimball Study; PS Rev. Reven. & Expend & Creation of New Line Item; C&Y SA for Creation of Two Fully Funded Clerk III Pos. Design. EDCED as Recip. Of LEDA funds adopted. Auth. CE to Declare Local Disaster/Emergency adopted. Convention Center Budget apprvd. Tax Collec. Comp. adopted. Sale Parcels from Repos. apprvd.

ERIE COUNTY COUNCIL – Regular Meeting

Dr. Foust, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. in the Erie County Council Caucus Room, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, the Joseph P. Maloney, Acting County Clerk, called the roll:

Members Present: Dr. Foust, Chairman
Ebert Beeman
Ronald G. Cleaver
Phil Fatica
Joseph F. Giles
Carol Loll

Members Absent: Mr. Leone, Vice Chairman

Also Present: Joseph P. Maloney, Acting County Clerk
James Sparber, Director of Finance
Sue Ellen Pasquale, Manager of Accounting

Moment of Silence

Mr. Giles asked that a moment of silence be observed in honor of Councilman Phil Fatica's mother. Florence Fatica passed away and the funeral was held this week.

Hearing of the Public

Gerald Price, 24 Vine Street, Corry, had questions regarding the \$1 million line of credit Council is considering floating and the 18% interest rate. He is curious about this ordinance and whether the County will actually pay that interest rate.

Mr. Maloney, Council CPA, responded that there is a Letter of Credit and a Line of Credit. He explained that the Letter of Credit involves the 18% rate, and that is never used. It is to secure the workers' compensation policy for Pleasant Ridge Manor which is required by the state. The line of credit rate is around 3 or 4 percent at most, and the line of credit would be drawn on if funds are needed. It would then be repaid when funds come back in. Mr. Maloney noted that the letter of credit has never been used, but is a requirement of the state.

Mr. Price inquired as to whether Pleasant Ridge is a home for the indigent and Mr. Cleaver replied that it is a nursing home with qualifications like St. Mary's Home or any other nursing home. Dr. Foust stated that Mr. Price's remarks are well taken and Mr. Beeman brought up the interest rate issue in caucus. He noted that Pleasant Ridge Manor has never used the letter of

credit and hasn't drawn on the line on credit for some time so the Manor is doing well financially.

Michael Michaelson, McKee Road, Millcreek, spoke to Council last month about health care. A resolution for health care in Pennsylvania is really needed. It will create jobs and save money. Other major cities such as Philadelphia, Pittsburgh, Allentown and Reading have adopted a resolution. He noted that hospitals are providing indigent care - \$50 million for Hamot. The federal government is not doing anything about this, but it can be done at the state level. Local congressmen and women are on board. Mr. Hornaman has agreed to sign on for a study. Mr. Michealson asked Council to do some research on House Bill 1660 and Senate Bill 400 and consider passing a resolution.

Mr. Fatica advised Mr. Michaelson that Sunday's New York Times had a column in the editorial page regarding the discussion on health care. He offered to provide a copy.

Mr. Sparber's
Comments

Mr. Sparber wished to address the issue of the Line of Credit/Letter of Credit for Pleasant Ridge Manor. The reason rates sometimes look out of line, and he will verify that the 18% rate is competitive in that market, is because banks have certain fixed costs in preparing these documents. By definition, this is something that may never be used, and there is also a small filing fee. This credit may never be used, but if it is, then the banks make money.

Mr. Beeman questioned the issue of the filing fee. Mr. Sparber explained the fee is approximately \$100. Banks have incurred costs to make the loan, do credit research to make sure the agency is worthy of the loan. Mr. Price added that the banks have actually tied that money up with the Federal Reserve, so they have incurred some costs. That money cannot be lent out; it is on hold. Mr. Sparber confirmed that was correct.

Finance
Committee

Mr. Fatica reported that the Finance Committee met on Thursday, February 11, 2010. Before the meeting, Casey Wells from the Convention Center updated Council on the progress regarding the revamping of the Tullio Arena. Charlie Barber from Care Management also provided a quarterly report. The Committee also agreed to move Ordinances 14, 15, and 16 to second readings. Under New Business Council placed Ordinances 19 through 27 on the agenda along with the possible adoption of Resolutions 5 and 6. Also on the agenda are the possible motion to approve the Convention Center budget and the possible sale of parcels from the repository.

Personnel
Committee

Mrs. Loll reported the Personnel Committee met on February 11, 2010 following the Finance Committee meeting and agreed to place Ordinance Number 28, 2010 on the agenda regarding two fully funded Clerk III positions in CCIS.

Mr. Giles'
Report

Mr. Giles reported that last week he was invited by the White House to participate with approximately 25 other local elected officials in a conference call held today regarding the issue of health care reform. Those participating from the White House were Tina Chen, Nancy Ann DePaul, who is the health care point person for the Obama Administration, and Nick Rathod, who is with the Intergovernmental Affairs Office for the White House. Questions that came in after the presentation were interesting because they came from providers, the insurance industry, and a variety of other people. Mr. Giles is unsure how this mix was developed, but he was invited because he serves on the Executive Committee for the National Association of Counties.

This was in preparation for a large meeting next week at Blair House with leadership from both parties and from both chambers of Congress, the Senate and House, as well as the involvement of the President.

Mr. Giles further reported four critical questions were stressed as of today:

1. Does reform lower costs?
2. Does it cover all Americans?
3. Does it eliminate or attempt to eliminate bad insurance practices?
4. Does it help to reduce the current deficit?

He noted that those are the four criteria that will be discussed at the Blair House meeting next week. In turn, those involved with the meeting were provided an opportunity to discuss those issues from the perspective of local government. Mr. Giles suspects they may want to be able to indicate to the leadership of both parties and both houses that a good faith effort was made to connect with local government regarding this very important issue. Mr. Giles does not believe this issue has completely gone away. However, where it goes and how it gets there is probably a work in progress. It was certainly exciting for Mr. Giles to have his opinion heard and discuss this issue with top people in the White House. He feels there will be future opportunities based on the success of the dialogue today.

Dr. Foust's Report

Dr. Foust reported that he attended the Airport stakeholders meeting last week. Mr. Fatica and Mr. Maloney were attendance, as well as Mrs. Pasquale, Mr. Sparber, and Mr. Mifsud representing the County. In general, Dr. Foust would note that everything is going as planned. On the news today, it was reported that the final resolution to the traffic patterns around 12th and Marshall have been resolved by the township. They expect to go out to bid in March and will be able to move forward relatively soon. Certainly, the County is a major stockholder in that project. Dr. Foust also spoke at the Manufacturer's Association about the high speed rail issue and the importance of that particular initiative for, not only this county, but this region and country as a whole.

Last night, Dr. Foust was invited by several business groups to speak about the community college issue and what it might mean for county government and the community. He stated it was a good discussion and forum in which people heard many different ideas and points of view.

Agenda Amended

Mr. Giles moved to amend the agenda to add Ordinance Number 29, 2010, "Amending Ordinance Number 14, 2009, "2010-2013 Tax Collector's Compensation Ordinance," and include Ordinance Number 28, 2010, "First 2010 Children & Youth Services Fund Budget Supplemental Appropriation For Creation Of Two Fully Funded Clerk III Positions in CCIS" as a second reading. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Mr. Giles then moved to further amend the agenda by moving Ordinance Number 29, 2010 to a second reading. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Revis. Alloc. Of Liquid Fuels Grant to Correct Mileage Calculation

Mr. Maloney gave a second reading of Ordinance Number 14, 2010, "2010 Liquid Fuels Fund Budget Revised Allocation Of Liquid Fuels Grant To Correct Mileage Calculation." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

P.S. payment of Software Maint. Contract

Mr. Maloney gave a second reading of Ordinance Number 15, 2010, "2010 Public Safety Fund Budget Revised Revenue And Expenditures For Payment Of A Software Maintenance Contract." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

PH Revis. Reven.
For Nurse Family
Partnership

Mr. Maloney gave a second reading of Ordinance Number 16, 2010, "2010 Public Health Fund Budget Revised Revenue For Nurse Family Partnership Due To A Decrease In State Funding." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Dr. Foust's
Comments

Dr. Foust advised members of the audience that Council only votes on second readings. Some ordinances are moved quickly to a second reading due to necessity or it makes no financial sense to wait. First readings are not voted on. Resolutions have one reading and are voted on.

First Rdgs.

Mr. Maloney gave first readings of the following ordinances:

Ordinance Number 19, 2010, "An Ordinance Of The County Of Erie, Pennsylvania (The "County") Authorizing And Directing The Execution And Delivery Of A Guaranty Agreement For The Benefit Of Pleasant Ridge Manor ("Pleasant Ridge") And Compliance With The Provisions Thereof And Incurring Lease Rental Debt Thereby; Approving A \$1,000,000 Committed Line Of Credit Note From Pleasant Ridge To PNC Bank, National Association; Directing The Proper Officers Of The County To Take Necessary Actions; And Repealing All Inconsistent Ordinances"

Ordinance Number 20, 2010, "An Ordinance Of The County Of Erie, Pennsylvania (The "County") Authorizing And Directing The Execution And Delivery Of A Guaranty Agreement For The Benefit Of Pleasant Ridge Manor ("Pleasant Ridge") And Compliance With The Provisions Thereof And Incurring Lease Rental Debt Thereby; Approving a \$1,700,000 Letter Of Credit Agreement From Pleasant Ridge To PNC Bank, National Association; Directing The Proper Officers Of The County To Take Necessary Actions; And Repealing All Inconsistent Ordinances"

Ordinance Number 21, 2010, "2010 Health Choices Fund Budget Creation Of New Line Items For Risk & Contingency Account Activity"

Ordinance Number 22, 2010, "Fifth 2010 General Fund Budget Supplemental Appropriation For Reassessment Project"

Ordinance Number 23, 2010, "First 2010 Planning Fund Budget Supplemental Appropriation For Closure Of Klie Farm"

Ordinance Number 24, 2010, "2010 Revised Fee Schedule For Erie County Department Of Health Septic Program"

Ordinance Number 25, 2010, "Second 2010 Public Safety Fund Budget Supplemental Appropriation To Complete Kimball Study Previously Approved In 2009 And The Creation Of A New Line Item"

Ordinance Number 26, 2010, "Sixth 2010 General Fund Budget Supplemental Appropriation For Transfer To Public Safety Fund For Completion Of The Kimball Study"

Ordinance Number 27, 2010, "2010 Public Safety Fund Budget Revised Revenue And Expenditures And Creation Of A New Line Item"

C&Y SA for
Two Fully
Funded Clerk
III Pos. in CCIS

Mr. Maloney gave a second reading of Ordinance Number 28, 2010, "First 2010 Children & Youth Services Fund Budget Supplemental Appropriation For Creation Of Two Fully Funded Clerk III

Positions in CCIS.” Mr. Cleaver moved to adopt; Mr. Fatica seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Dr. Foust explained to the audience that normally, second readings are read in their entirety, however, tonight these are straightforward and read in title only.

Design. EDCEC
As Recipient of
LEDA Funds

Mr. Maloney gave a reading of Resolution Number 5, 2010, “Designating The Economic Development Corporation Of Erie County (EDCEC) As The Recipient Of LEDA Funds For Erie County.” Mr. Giles moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Auth. Cnty Exec.
To Declare
Emerg/Disaster

Mr. Maloney gave a reading of Resolution Number 6, 2010, “Authorizing The County Executive To Declare A Local Disaster/Emergency.” Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Convention Cntr
Approved

Mr. Giles moved to approve the Convention Center budget; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Sale of Parcels
Approved

Mr. Giles moved to approve the Sale of Parcels from Repository for Unsold Properties
at Index Numbers: 17-040-021.0-126.00
33-016-032.0-002.66
39-024-050.1-011.48

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

Amending Ord. 14,
2009

Mr. Maloney gave a second reading of Ordinance Number 29, 2010, “Amending Ordinance Number 14, 2009, ‘2010–2013 Tax Collector’s Compensation Ordinance’.” Mr. Giles 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 7:26 p.m.

Ann M. Bruno, Council Secretary
