

March 2, 2010

Minutes of Feb. 2 and Feb. 16 Reg. Mtgs. approved. Agenda Amended. Aprvg \$1,000,000 Line of Credit Note from PRM to PNC Bank adopted; Aprvg. \$1,700,000 Ltr of Credit Agrmt from PRM to PNC Bank adopted. Health Choices New Line Items for Risk & Conting. Acct adopted; Gen. Fund SA for Reassess. Prjct adopted; Planning Fund SA for Closure of Klie Farm adopted; Rev. Fee Schedule for Dept. of Health Septic Prgm adopted. PS SA to Complete Kimball Study adopted. Gen Fund SA Transfer to PS for Completion of Kimball Study adopted; PS Revis. Reven. & Expend. adopted. First Rdgs: Gen Fund SA for Vacation & Sick Time Payment in Comm/Pub. Relations; Gen. Fund SA for Vacation & Sick Time Payment in Econ. Dev.; Gen. Fund SA for Vacation & Sick Time Payment & Civil Svc Supplies in Personnel Dept.; Gen. Fund SA for JAG Grant; Library Revis. Expend. for Sunday Hours; Appt'd Off. Salary Asst. PD. Hospital Auth. \$35,000,000 Revenue Bonds adopted; Aprvg. Amendment to Ten Yr Lease Agrmt Btwn SJL Towers & Erie Cnty Govt adopted; Aprvg. Five Year Lease Agrmt Btwn Info.Trans. Systems & Erie Cnty Govt adopted; Auth. to File App. For Funds with PA DCED Housing & Rehab. Assist. On behalf of Millcreek Fam. Homes LP adopted; Auth. to File App. For Funds with PA DCED Housing & Rehab Assist. On behalf of Washington Twp Sr. Housing adopted; Exon. Taxes on Abandoned Trailer/Props in Boro of Lake City & Girard SD adopted; Exon. Taxes on Aban. Trailer/Props in Borough of Cranesville & NW SD adopted; Exon. Taxes on Aban. Trailer/Props in Girard Twp & SD adopted. Stephen M. Gary, Sr. appt'd to Erie Cnty Hosp. Auth. Sales of Parcels from Repos. approved. Frst Rdg. Gen. Fund SA for Labor Negotiations. In Sprt of RFP for Health Choices Behav. Health Prgrm Managed Care Contract adopted.

#### 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. Following the Pledge of Allegiance, the County Clerk called the roll:

Members Present: Dr. Foust, Chairman  
Mr. Leone, Vice Chairman  
Mr. Beeman  
Mr. Fatica  
Mr. Giles  
Mrs. Loll

Members Absent: Mr. Cleaver

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

Hearing of  
The Public

John Purvis, 101 West 34<sup>th</sup> Street, Erie, stated that the Family and Business Health Security Act currently in the Pennsylvania General Assembly as House Bill 1660 and Senate Bill 400 will save Erie County over \$9 million yearly in employee health care costs. The savings will occur while everyone in Erie County will have comprehensive health care with no co-pays and no deductibles. None of the plans being proposed in Congress will provide health care for everyone and none will save Erie

County \$9 million per year. As a taxpayer, Mr. Purvis urged Council to pass a resolution in support of this legislation and to ask local members of the General Assembly to become co-sponsors. Erie City has recently endorsed this proposed legislation.

Cindy Purvis, Erie, stated that no plan currently proposed in Congress provides affordable health care for every person, including families and businesses. The Family Business Health Security Act currently in the Pennsylvania General Assembly as House Bill 1660 and Senate Bill 400 would not only give comprehensive health care to everyone, it would save Erie County over \$9 million per year on employee health care costs. Ms. Purvis urged Council to join other elected officials in Allegheny County, Reading, Lancaster, and Philadelphia who have passed resolutions in support of this legislation. She also urged Council to ask Jane Earll, Mary Jo White, John Evans, Curt Sonney, and John Hornaman to sign onto these bills, and also to thank Pat Harkins and Flo Fabrizio for their support of this health care reform.

#### Minutes

Mr. Leone moved to approve the minutes of the Regular Meetings held February 2, 2010 and February 16, 2010. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Dr. Foust recognized Matthew Good, former State Representative from Millcreek, and thanked him for attending this evening's meeting.

#### Finance Committee

Mr. Fatica reported the Finance Committee met on February 25, 2010 and agreed to move Ordinances 19 through 27 to second readings and place Ordinances 30 through 34 on the agenda for first readings. The Finance Committee also agreed to place Resolutions 7 through 14 on the agenda for possible adoption, as well as the possible appointment of Stephen M. Gary, Sr. to the Erie County Hospital Authority, and the possible approval of sales of parcels from the repository for unsold properties.

#### Personnel Committee

Mrs. Loll reported the Personnel Committee met on February 25, 2010 and agreed to place Ordinance Number 35 on the agenda for a first reading.

#### Mr. Giles' Report

As liaison to the prison, Mr. Giles announced that the Erie County Department of Corrections, through the leadership of Warden Veshecco, has received complete accreditation from the American Correctional Association. Mr. Giles explained that the American Correctional Association is a top provider of best practice and services in the correctional field. This is a not an easy assignment and Mr. Giles extended congratulations to Warden Veshecco and his staff. The Erie County Department of Corrections is now one of only two county jails in Pennsylvania that have received this accreditation. Certain standards must be met, 60 basic and approximately 300 other related standards. If there are litigation challenges, workman's compensation claims, or any other related issues, the fact that this level of credentials has been achieved in terms of practices and standards provides some defense. This also means that Erie County is not only doing things well, but very well in this particular department. Mr. Giles further explained that this accreditation is good for three years at which time it is renewable. Mr. Giles met with the team that performed this evaluation in late December. The fact that the Warden and staff took the initiative to have this evaluation done, is evident that they feel very comfortable things are being done right and in the best possible manner at the Erie County Prison. This is a credit to Warden Veshecco, the administration, and Erie County.

A significant piece of good news was revealed during the Pleasant Ridge Manor board meeting. Mr. Giles explained that through the County Commissioners Association of Pennsylvania, there are a variety of insurance pools. Involvement in these insurance pools came about when the insurance market was very hard and not particularly sensitive to public issues, and in particular nursing homes. A pool was created about ten years ago using the intergovernmental transfer monies to capitalize the pool so it was designed with a financial cushion. There has not been an increase in the premium to Erie County regarding payment for those medical malpractice and general liability insurance programs over the past six years. Mr. Giles noted that this year, because of that pooling together with approximately 35 other county nursing homes in Pennsylvania, there has been a return in the form of a

dividend to all the nursing homes. Erie County will be receiving, at Pleasant Ridge, a check for approximately \$52,000 from that insurance pooling process. He pointed out that working together has paid off; a flat rate has been maintained on the premium and Erie County has received a dividend.

As the president of the County Commissioners Association of Pennsylvania, Mr. Giles stated that part of his duty is to conduct a one and one-half hour interview with each of the gubernatorial candidates. On February 24, 2010, starting early in the morning and finishing late into the evening, he conducted these interviews with Sam Rohrer, Jack Wagner, and Dan Onorato. Other board members were present as well. Mr. Giles stated these interviews became challenging by the end of the day. They ran the following day and were repeated on Saturday. Mr. Giles commented that it was nice to hear locals calling in to Doug Smith, County Clerk, to report that they had seen some of the interviews and were very impressed. These individuals were unaware of Mr. Giles' involvement in the process. Mr. Giles will also be involved in the debate in August between the final republican and democrat candidates.

Mr. Fatica inquired about CCAP's endorsement of candidates, and Mr. Giles indicated that during the introduction of each candidate, a reminder is given that CCAP is not for profit and non-partisan representing all 67 counties in Pennsylvania. CCAP does not endorse; however a report is made to the board and membership regarding the responses on priority issues for CCAP. Issues include tax fairness, the budget, funding of human services, and the relationship with the courts and the Allegheny County decision. The Allegheny County decision by the

State Supreme Court is being perceived by legislature and leaders in the legislature as a money grab on the part of counties to cost shift from the counties to the state. Mr. Giles explained that the very core of democracy being centered on equal treatment under the law is the issue which won the argument. If an individual has an offense in Cuyahoga County and is treated one way, then treated differently in another county, then that is not equal treatment under the law and takes one to the matter of uniform resourcing for the courts throughout the entire Commonwealth. It is to guarantee equal and fair treatment. Under the Montemura formula in Erie County, the top administrative positions in the court system were taken over. This was supposed to have included probation, domestic relations, and a variety of others. Mr. Giles stated these issues are important to counties and discussions during those interviews were enlightening and interesting.

Agenda  
Amended

Mr. Giles moved to amend the agenda to add Ordinance Number 36, 2010, "Eleventh 2010 General Fund Budget Supplemental Appropriation For Labor Negotiations" and Resolution Number 15, 2010, "In Support Of An RFP For The Health Choices Behavioral Health Program Managed Care Contract." Mr. Leone seconded, and it carried in a unanimous roll call vote.

\$1,000,000  
Line of Credit  
Note

Mr. Smith gave a second reading of 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." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

\$1,700,000  
Ltr of Credit

Mr. Smith gave a second reading of 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." Mr. Giles moved to adopt; Mr. Leone seconded.

Mr. Beeman inquired about the interest rate language, and Dr. Foust advised him that it is in the body of the ordinance, not the title. The interest rate listed in the body of ordinance is the worst case scenario interest rate, generally the rate is 2-3%. Mr. Giles added that during the Pleasant Ridge Manor Board of Trustee meeting earlier this evening it was indicated that, although this is done annually, neither the line nor letter of credit have been used.

Dr. Foust called for a vote on Ordinance Number 20, 2010, and it carried in a unanimous roll call vote.

Health Choices  
Risk & Contin.  
Account

Mr. Smith gave a second reading of Ordinance Number 21, 2010, "2010 Health Choices Fund Budget Creation Of New Line Items For Risk & Contingency Account Activity." Mrs. Loll moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Reassessment  
Prjct

Mr. Smith gave a second reading of Ordinance Number 22, 2010, "Fifth 2010 General Fund Budget Supplemental Appropriation For Reassessment Project." Mr. Fatica moved to adopt; Mr. Giles seconded, and it carried in a unanimous roll call vote.

Closure of  
Klie Farm

Mr. Smith gave a second reading of Ordinance Number 23, 2010, "First 2010 Planning Fund Budget Supplemental Appropriation For Closure Of Klie Farm." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in unanimous roll call vote.

Revis. Fee Sched.  
Septic Prgrm

Mr. Smith gave a second reading of Ordinance Number 24, 2010, "2010 Revised Fee Schedule For Erie County Department Of Health Septic Program." Mr. Fatica moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 5-1, Mr. Beeman voting no.

Dr. Foust explained for members in the audience that second readings are generally read in full. However, the ordinances before Council this evening are non-illuminating and routine.

PS SA to Complete  
Kimball Study

Mr. Smith gave a second reading of 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." Mr. Giles moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Gen. Fund SA Trans.  
To PS For Kimball  
Study

Mr. Smith gave a second reading of Ordinance Number 26, 2010, "Sixth 2010 General Fund Budget Supplemental Appropriation For Transfer To Public Safety Fund For Completion Of The Kimball Study." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

PS Revis. Rev & Exp.

Mr. Smith gave a second reading of Ordinance Number 27, 2010, "2010 Public Safety Fund Budget Revised Revenue And Expenditures And Creation Of A New Line Item." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in roll call vote of 5-1, Mr. Beeman voting no.

First Readings

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 30, 2010, "Seventh 2010 General Fund Budget Supplemental Appropriation And Creation Of New Line Items For Vacation And Sick Time Payment In Communications/Public Relations"

Ordinance Number 31, 2010, "Eighth 2010 General Fund Budget Supplemental Appropriation And Creation Of New Line Items For Vacation And Sick Time Payment In Economic Development"

Ordinance Number 32, 2010, "Ninth 2010 General Fund Budget Supplemental Appropriation For Vacation And Sick Time Payment, And Civil Service Supplies In Personnel Department"

Ordinance Number 33, 2010, "Tenth 2010 General Fund Budget Supplemental Appropriation For JAG Grant From The City Of Erie"

Ordinance Number 34, 2010, "2010 Library Fund Budget Revised Expenditures And Creation Of A New Line Item For Sunday Hours"

Ordinance Number 35, 2010, "2010 Appointed Official's Salary Ordinance Full Time Assistant Public Defender"

Hosp. Auth.  
\$35,000,000  
Revenue Bonds

Mr. Smith gave a reading of Resolution Number 7, 2010, "Erie County Hospital Authority \$35,000,000 Revenue Bonds, Series 2010 (Hamot Health Foundation)." Mr. Leone moved to adopt; Mr. Giles seconded, and it carried in a unanimous roll call vote.

Apprvg Amend.  
To Lease Agrmt  
Btwn SJL &  
Erie Cnty

Mr. Smith gave a reading of Resolution Number 8, 2010, "Approving An Amendment To The Ten Year Lease Agreement Between SJL Towers, Inc. And Erie County Government Executed January Of 2009." Mr. Fatica moved to adopt; Mr. Giles seconded, and it carried in a unanimous roll call vote.

Apprvg Lease  
Agrmt Btwn  
Info. Transfer  
& Erie Cnty

Mr. Smith gave a reading of Resolution Number 9, 2010, "Approving A Five Year Lease Agreement Between Information Transfer Systems And Erie County Government." Mrs. Loll moved to adopt; Mr. Giles seconded, and it carried in a unanimous roll call vote.

Auth. to File  
App. With DCED  
Housing on  
Behalf of  
Millcreek  
Fam. Homes

Mr. Smith gave a reading of Resolution Number 10, 2010, "Authorization to File Application for Funds with The Pennsylvania Department of Community and Economic Development Housing and Rehabilitation Assistance on behalf of Millcreek Family Homes LP." Mrs. Loll moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Auth. to File  
App. With DCED  
Housing on  
Behalf of Wash.  
Twp Sr. House.

Mr. Smith gave a reading of Resolution Number 11, 2010, "Authorization to File Application for Funds with The Pennsylvania Department of Community and Economic Development Housing and Rehabilitation Assistance on behalf of Washington Township Senior Housing LP." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Taxes Exon.  
On Abandoned  
Trailers/Props

Mr. Smith gave readings of the following resolutions:

Resolution Number 12, 2010, "Exonerating Taxes On Four Abandoned Trailers/Properties In The Borough Of Lake City And The Girard School District"

Resolution Number 13, 2010, "Exonerating Taxes On Seven Abandoned Trailers/Properties In The Borough Of Cranesville And The Northwestern School District"

Resolution Number 14, 2010, "Exonerating Taxes On Fifty-One Abandoned Trailers/Properties In Girard Township And The Girard School District"

Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Stephen M. Gary, Sr.  
Appt'd to Hosp.  
Auth.

Mr. Leone moved to appoint Stephen M. Gary, Sr., to the Erie County Hospital Authority. Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Sale of Parcels  
From Repos.  
Apprvd.

Mr. Leone moved to approve the Sale of Parcels from Repository for Unsold Properties at Index Numbers:  
14-010-035.0-219.00  
16-030-021.0-208.00  
16-030-021.0-241.00  
18-050-009.0-141.00  
18-050-025.0-108.00

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

First Rdge.

Mr. Smith gave a first reading of Ordinance Number 36, 2010, "Eleventh 2010 General Fund Budget Supplemental Appropriation For Labor Negotiations."

In Sprt. of  
RFP for Health  
Choices Managed  
Care Contract

Mr. Smith gave a reading of Resolution Number 15, 2010, "In Support Of An RFP For The Health Choices Behavioral Health Program Managed Care Contract." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:34 p.m.

Ann M. Bruno, Council Secretary

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