

May 4, 2010

Minutes of Apr. 20, 2010 Reg. Mtg apprvd. PLCB Grant in DA Ofc. adopted. PCCD Grant in PD Ofc adopted; PCCD Grant For Sheriff Gun Permit System adopted; Gen Fund SA for GASB 45 Rprt adopted; PH Fund Budget Reduc in State Funding for West Nile Virus adopted; Gen Fund SA for Change in Staffing in PD Ofc adopted; Recommended New Positions in PS Fund adopted; Transfer to PS Fund for Creation of Recom. Positions adopted; Resol. To Aprv 2010 CDBG Prgm Application adopted; Gen. Auth. Not to Exceed d\$620,046 Tax-Exempt Note adopted. Sale of 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 Chambers, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, the County Clerk called the roll:

Members Present: Dr. Foust, Chairman
Mr. Leone, Vice Chairman
Mr. Beeman
Mr. Cleaver
Mr. Fatica

Members Absent: Mr. Giles
Mrs. Loll

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

Dr. Foust acknowledged elected officials in the audience. He welcomed Joseph Kujawa, Millcreek Township Supervisor, Bill Beardsley, North East Borough Tax Collector, and Mike Kobyłka, Millcreek School Board.

Hearing of
The Public

Joseph Kujawa, Millcreek Township, stated that as everyone is aware, he, along with the Millcreek Police Department has been unfairly made the target of an illegal and politically motivated investigation by County Controller Sue Weber. As Controller, Mrs. Weber recently used the official title of her office to obtain personal information regarding a traffic accident that he had been involved in. He provided Council with information in the form of emails and eye witness accounts as to how Mrs. Weber obtained this information on county time and with county resources. Mr. Kujawa stated that official oppression by an elected official is not only illegal, but a betrayal of public trust. Mrs. Weber has chosen to disregard the duties and limitations of her office to further her own political agenda. He asked that Council investigate this matter. The email provided by the insurance carrier clearly states that Mrs. Weber called as the County Controller. He offered to answer any questions.

Dr. Foust explained to Mr. Kujawa that during the Hearing of the Public, Council does not generally ask questions, it is for the public to speak their mind. However, for the record, Dr. Foust asked that Mr. Kujawa state what information has been provided in the packet he distributed to Members of Council.

Mr. Kujawa replied that a statement made to the media by Chief Carlotti has been provided. Chief Carlotti explained the facts to Mrs. Weber for over one and one-half hours. Also in the packet are recent newspaper articles, and the last piece in the packet is an email received from the insurance carrier. Mr. Kujawa also wished to point out that when John Guerriero telephoned the insurance company as a reporter and tried to get information, he was told they would not provide any information to him. Mr. Kujawa asked why then an insurance company

would provide information to any individual, but if the person asking for information states they are investigating a cover up by the police department, that would get their attention.

Bill Beardsley, North East Borough Tax Collector, stated that he was elected president of the Pennsylvania Tax Collector's Association in October. This position has been keeping him very busy, and as a result, he has given up his position as president of the Erie County Tax Collector's Association, which has had a great working relationship with County Council, the Finance Department, and Tax Claim. Mr. Beardsley then introduced Debi Cameron, the Summit Township Tax Collector, who is now the new president of the Erie County Tax Collector's Association.

Sheila Woeger, Erie, approached Council to address what she believes are unjust hiring practices within the County of Erie. She referred to a situation in which a white employee is appointed to a position for which he was not qualified; a white former board secretary was awarded a multi-thousand dollar raise to train said appointee; a black former employee of Erie County Government applied for a position in the Human Relations Commission Office for which the minimum qualification of a bachelor's degree was met. Without consideration of a job interview by an all white hiring committee, this person received a letter from the white appointed employee stating another individual had been hired for the position, but was welcomed to check other county job postings. Ms. Woeger stated she is a former employee of the Voter Registration Office. One hundred years have passed since the black man was declared free, but has yet to be treated as free. Bigotry continues to plague this nation. The County of Erie promotes that it is an equal opportunity employer, but as she looks around the room, does not see anyone in authority that looks like her. She stated racism is alive and well in Erie.

Dr. Foust then acknowledged Boy Scout Troop 54 in the audience, including Varsity Crew Leader Steven Walker, Varsity Crew, Josh Wilkerson, Noah Reynolds, and Levi Reynolds.

Hearing of
The Public

Anthony Andrezeski, 3102 Wellington Road, Millcreek, stated that Mr. Kujawa has requested Council to investigate an abuse of power. He asked Council to imagine being a 17 year old involved in an accident with a public official from Millcreek, the police investigate and change the investigating record. He knows Mr. Kujawa told everyone present this evening that Sue Weber abused her power. Mr. Andrezeski stated that Mrs. Weber called an insurance company and made an inquiry. Mr. Kujawa came up with a new scenario for his accident and changed it, Mr. Andrezeski stated that was an abuse of power. He came here tonight because he knew this would happen and that Mr. Kujawa was that dumb to go on the road and complain about Mrs. Weber. The young man involved in the accident never found a witness to explain how the accident actually happened. If Council plans to consider an abuse of power, they should consider what happened in Millcreek – consider elected officials who can have their police/accident report changed.

Minutes

Mr. Cleaver moved to approve the minutes of the April 20, 2010 Regular Meeting. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Fatica reported the Finance Committee met Thursday, April 29, 2010 and agreed to place Ordinances, 56, 57, 58, and 59 on the agenda for second readings. Under New Business, the Committee agreed to add Ordinance 60, and Resolutions 23 and 24, along with the Sale of Parcels from Repository.

Personnel
Committee

Mr. Leone reported the Personnel Committee met following the Finance Committee on April 29, 2010, and agreed to place on the agenda Ordinances 61, 62, and 63 for first readings.

Mr. Fatica's
Report

Mr. Fatica congratulated the Planning Department, including Jake Welsh and Don Blakesley, who put together a very nice plan for recycling. This was picked up by the newspaper and has been a huge success.

Dr. Foust's
Report

Dr. Foust reported that Mr. Fatica has agreed to chair Council's Response to the Three Year Plan. Mr. Beeman has also agreed to serve on that committee, and Mrs. Loll will serve as well. This response should be drafted by August 17, 2010.

Last Friday, April 30, 2010, Dr. Foust was invited by Chuck Will, President of Kuhl Hose Company along with representatives from Perry Highway Hose Company, Township Supervisors of Summit and Greene Townships Emergycare, Millcreek Township Supervisors, Chip Love, and Jerry Mifsud from the Administration, to attend a meeting regarding the county ambulance intention. Dr. Foust attended on behalf of Council's perspective. He noted that, in many ways, this was a continuation of the meeting held the previous week with respect to discussing the issues regarding EMS choice and the dilemmas involved. Dr. Foust thanked Chuck Will for holding what was a very well conducted meeting. The administration certainly expressed their point of view, as well as Chip Love. In the areas of disagreement between MPS and Emergycare, which are very evident, Dr. Foust believes discussions were handled well and the various hose companies were able to express their fears. There is still a great deal of work on this issue, but a resolution will eventually be achieved that will be acceptable to everyone concerned.

Agenda
Amended

Mr. Leone moved to amend the agenda to include Ordinances 60, 61, 62, and 63 for second readings. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

PLCB Grant
In DA Ofc

Mr. Smith gave a second reading of Ordinance Number 56, 2010, "Eighteenth 2010 General Fund Budget Supplemental Appropriation And Creation Of New Line Items For PLCB Grant In District Attorney's Office." Mr. Fatica moved to adopt; Mr. Leone seconded.

Dr. Foust noted that this ordinance involves funds that were not spent last year and brings those funds to this year's budget. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

PCCD Grant
In PD Ofc

Mr. Smith gave a second reading of Ordinance Number 57, 2010, "Nineteenth 2010 General Fund Budget Supplemental Appropriation And Creation Of A New Line Item For PCCD Grant In Public Defender Department." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

New Line Item for
PCCD Grant for
Sheriff Gun Permit
System

Mr. Smith gave a second reading of Ordinance Number 58, 2010, "Twentieth 2010 General Fund Budget Supplemental Appropriation And Creation Of A New Line Item For PCCD Grant For Sheriff Gun Permit System." Mr. Leone moved to adopt; Mr. Cleaver seconded, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

Dr. Foust explained to members in the audience that second readings have already been read in title only at a previous meeting and are being adopted; however, tonight some ordinances are being moved forward.

Gen Fund SA for
GASB 45 Report

Mr. Smith gave a second reading of Ordinance Number 59, 2010, "Twenty-First 2010 General Fund Budget Supplemental Appropriation For 2009 GASB 45 Report Showing Actuarial Post Employee Benefits." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Reduction in State
Funding for West
Nile Virus Grant

Mr. Smith gave a second reading of Ordinance Number 60, 2010, "2010 Public Health Fund Budget Reduction In State Funding For West Nile Virus Grant." Mr. Leone moved to adopt; Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Gen Fund SA
Change in Staffing
For PD Ofc

Mr. Smith gave a second reading of Ordinance Number 61, 2010, "Twenty-Second 2010 General Fund Budget Supplemental Appropriation For Change In Staffing In Public Defender's Office." Mr. Fatica moved to adopt; Mr. Leone seconded.

Mr. Cleaver asked whether the salary of \$70,000 was the amount listed in the 2010 budget. Dr. Foust replied the administration reduced their request to the budget amount. He then called for a vote on the ordinance, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

Recom. New
Positions in
Pub. Safety

Mr. Smith gave a second reading of Ordinance Number 62, 2010, "Fourth 2010 Public Safety Fund Budget Supplemental Appropriation, Creation Of New Line Items, And Of Recommended New Positions In Public Safety Fund." Mr. Fatica moved to adopt; Mr. Leone seconded.

Dr. Foust stated this is an issue Council must deal with from time to time regarding salaries for incoming individuals. Similar requests are made for those individuals already hired that would like their salary bumped. These are two distinct occasions for requests made to Council. He was very pleased with the due diligence made by the administration. Dr. Foust has dealt with three administrations, and too often, this type of situation has not been handled to his satisfaction in making sure all applications have been reviewed properly. Those with salary requests that are too high should be automatically dismissed because there is no sense wasting time with them, and those at the bottom of the scale are not recommended because they do not qualify for the job. This administration did their best to find someone at a reasonable salary that met the qualifications of the job. He further noted that this was a recommendation made by the Kimball Study to strengthen the Public Safety Center, which is certainly something that needs to be done.

Dr. Foust called for a vote on Ordinance Number 62, 2010 and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

Gen Fund
SA for New
Positions in
Pub. Safety

Mr. Smith gave a second reading of Ordinance Number 63, 2010, "Twenty-Third 2010 General Fund Budget Supplemental Appropriation For Transfer To Public Safety Fund For Creation Of Recommended New Positions." Mr. Fatica moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

2010 CDBG
Application

Mr. Smith gave a reading of Resolution Number 23, 2010, "Resolution To Approve FY 2010 Community Development Block Grant Program Application (Erie County And Erie County "On Behalf Of" Municipalities)." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Gen. Auth. Not
To Exceed
\$620,046 Tax
Exempt Note

Mr. Smith gave a reading of Resolution Number 24, 2010, "Erie County General Authority Not To Exceed \$620,046 Tax-Exempt Note (Erie Homes For Children And Adults, Inc. Project)." Mr. Cleaver moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Sale of Parcels
From Repository
Approved

Mr. Leone moved to approve the sale of parcels from the repository at Index Nos. 15-021-006.0-220.00 and 27-030-027.0-002.00. Mr. Fatica 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