

September 21, 2010

Minutes of Sept. 7 Pub. Hrg. & Reg. Mtg. apprvd. Agenda amended. Donation for Comp. Equip & Microfilm Equip. adopted; Gen Fund SA for Postage on Reass. Data Collec. Forms adopted; PH SA For Add. Tuber. Grant adopted; Gen Fund SA Transfer to PRM adopted; PH SA For Decrease in Lead Grant adopted; Donation of Lowes Gift Card adopted; PH SA For Decrease in Tob. Grants Fund adopted; Upgrades for Access to PLC System adopted; PRM SA for Transfer from Gen. Fund adopted; Exon. Taxes on Prop in Corry & Corry Area SD adopted; In Sprt of App. To State & Coop. Agrmt btwn Gen, Auth, GEIDC & Erie Cnty for Redev. Assist. Cap. Prgm Grant adopted; Apprvl of Maher Duessel to perform Audit of HealthChoices

ERIE COUNTY COUNCIL – Regular Meeting

Dr. Foust 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 County Clerk called the roll:

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

Members Absent: None

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

Prayer

Mrs. Loll recited the following prayer:

We pray God we may be given the wisdom and the prudence to do our duty in the true spirit of these great people. Amen.

Presentation of
Citation to SafeNet

Mr. Fatica stated that SafeNet is one the many valuable agencies in this community. In recognition of its 35th anniversary as one of the oldest domestic violence shelters in the Commonwealth, he presented a citation in honor of this occasion. On behalf of Council, he would like to thank and recognize all those people that do this work day in and day out. He congratulated SafeNet for their work. Linda King of SafeNet commented that this organization sees 3,000 Erie County men, women, and children every year who are victims of domestic violence. She thanked Council.

Hearing of
The Public

Renee Vendetti, Erie, provided handouts to Members of Council regarding the ombudsman position at the Office of Children and Youth. She does not believe this person should report to the Executive Director of OCY. The ombudsman position in Connecticut reports to the Commissioner, a position comparable to the County Executive in Erie. The ombudsman should report to Barry Grossman not to an OCY official. Ms. Vendetti also does not believe that an OCY worker should be placed in this position because those workers have developed friendships with their co-workers. She does not feel families will get a fair shake.

September 21, 2010

Hearing of
The Public

Deidre Pfeffer, Fairview Township, stated that she read in the newspaper that the County will have to pay into the pension fund for Pleasant Ridge Manor. She finds this interesting as the union representative to the pension committee because she sat at the meeting and didn't hear anything about this. She asked whether employees should be given this information before it goes to the newspaper. There is talk about closing PRM. She wanted to remind Council that information such as this can be very upsetting to the residents of PRM. These people live there, several have lived there for many years and it is their home.

Ken Przepierski, 640 East 12th Street, Erie, suggested that Council should have hired Maher Duessel last year to perform an audit on HealthChoices. He then referred to several salaries in that department. He stated the ombudsman position at OCY can randomly examine cases for compliance and develop training programs and recommend improvements. He asked whether that isn't the job of the advisory board. The County Executive needs to take responsibility for OCY. He believes two additional people need to be hired to assist the ombudsman.

Minutes

Mr. Giles moved to approve the minutes of the Public Hearing and the Regular Meeting of September 7, 2010. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Fatica reported the Finance Committee met Thursday, September 16, 2010 and agreed to place Ordinances 94, 95, 96, and 99 on the agenda for second readings. Under New Business, the committee agreed to place seven new items, Ordinances 103 through 106, a motion to approve a firm to audit HealthChoices, a resolution in support of the application of the General Authority and the exoneration of taxes on property.

Personnel
Committee

Mrs. Loll reported the Personnel Committee met following the Finance Committee and agreed to place Ordinance 101 on the agenda for a second reading. This ordinance is for a decrease in the lead grant in the Health Department in the amount of \$15,794.

Mr. Giles
Report

Mr. Giles wished to compliment Mrs. Bruno, Council Secretary, for the minutes she prepared on the August 17, 2010 Council Meeting which involved the controversial debate about the community college. Mrs. Bruno captured many of the points detailed at the meeting, but also incorporated correspondence from Council Solicitor, the Deputy Secretary for Post Secondary and Higher Education, as well as Mr. Giles' memorandum to Council. Pages 403 through 409 of the minutes describe a quick summary of the history of the issue and what has happened.

Mr. Giles reported that the National Association of Counties was invited by the Chinese Government to send a team of delegates from August 31 to September 11 with the expenses being entirely assumed by the Chinese Government. As a member of the Executive Committee, Mr. Giles was invited to attend along with seven other individuals from various parts of the country including Fort Worth, Fairfax, Virginia, and smaller jurisdictions in Idaho and Wisconsin. He stated this was an exciting opportunity starting in Beijing, with a population of 17 million, to Harbin which is an industrial agricultural area in the north with a small population of only 4 million. The group ended up at the World Expo in Shanghai with a population of 20 million. Mr. Giles will provide a detailed report for Council outlining meetings with a variety of Chinese and U.S. officials. U.S. Ambassador Jon Huntsman met with the team for approximately one and one-half hours. The Ambassador was excited about meeting with the members of NACo because in his opinion China is changing, not by the month or week, but by the minute. This is a sizeable population dealing with the same issues as the United States regarding transportation, education, environment and energy. Mr. Giles noted

September 21, 2010

Mr. Giles'
Report

the Ambassador was particularly delighted they could come to China because he feels very strongly that the issues in terms of global solutions are unique and can only be done when handling them in what he described as subnational. The Ambassador has staff assigned to deal with subnational issues, in other words, smaller units of government. Ambassador Huntsman invited members of NACo to meet with the members of his staff. They met at 4:00 p.m. on a Friday with eight top staff officials until approximately 6:30 p.m. Mr. Giles noted that whether in the United States or China, to meet with top staff people anywhere on a Friday at that time is an extraordinary gesture. This was a very comprehensive meeting on issues of agriculture, education, environment, energy, and transportation. Business cards were exchanged as well. Mr. Giles stated this was an opportunity to begin to establish a foundation with China and county governments. This was an effort to connect similar entities with similar entities.

Mr. Giles and other members of the team also met with Kodak, which has been in China since 1928. A banner welcoming the team was displayed and photos were taken of the tour of the plant. Mr. Giles advised that Kodak is moving into the document storage and document distribution area very rapidly and aggressively. This was a full and comprehensive set of meetings involving Chinese and sometimes translators. They were also able to tour the World Expo, a dairy farm, and a new winery that was just partnered from Romania only six years ago. The variety of experiences set a good foundation, and now as a team within NACo, they must determine how to build on that foundation, and how that connection fits within Pennsylvania, and in turn within Erie County.

Mr. Giles further reported that he met with John Elliott yesterday to discuss this trip and share some business cards. They also discussed General Electric, locomotives, wind power and other energy issues, along with hard woods, powdered metals, and related issues that will become increasingly important with respect to the inland port project that Mr. Elliott and his team are working on and developing. This trip was an exciting opportunity and Mr. Giles is glad that he had this experience. He will provide a report that will detail names, titles, topics and the entire 11 days. Many doors and opportunities were opened.

Mr. Giles also reported that the University of Pittsburgh annually hosts a retreat for elected officials in Western Pennsylvania and the theme for this year was *Preparing Western Pennsylvania for a New Fiscal Reality: National, State and Local Contexts*, which took place on September 16 and 17. Federal, state, county, and municipal elected officials participate. Mr. Giles has attended for the past ten years and has gotten to know many of the leaders in both the academic and political world in Pittsburgh. One cautionary that came from this is that all levels of government are very sensitive to the fact that resources are going to become tighter and officials need to be very cautious moving forward with both expenditures and revenues short term and long term.

Mr. Giles referred to the Housing Report and pointed out an article he found interesting since there has been so much debate about the community college. This is a beautiful article about the Louis J. Tullio Memorial Scholarship and the 2010 recipients are profiled:

Amal Abukar, 20 years, living in the 100 block of East 18th Street is going to George Washington University in international relations.

Sheyla Agosto, 19 years, 2100 block Gladstone Court, is attending Mercyhurst North East.

Svetlana Momot, 18 years, 2000 block East 18th Street, graduated from Central Tech and is attending Mercyhurst North East as well.

Antoinette Riley, 18 years, 1000 block of Raspberry Street, graduated from Strong Vincent and will be a freshman at California University of Pennsylvania to become a nurse anesthetist.

September 21, 2010

Mr. Giles' Report

Ntibanganyimana Stephano, 21 years, 2000 block of East 18th Street, graduated from Strong Vincent High School with a GPA of 3.34 and is a freshman at Penn State Behrend where he is majoring in biology. He fled with his parents from Tanzania and has learned English and now at the age of 21 is going on to higher education in our community.

Mr. Giles noted that because of the Louis J. Tullio Memorial Scholarship there are many people in very challenging situations taking advantage of the current academic offerings in our community, making inroads and succeeding.

Mr. Fatica's Report

Mr. Fatica wished to compliment the publishers of a magazine called *Lake Erie LifeStyle*. He referred to an article in the magazine "Who gets the cash." That money goes back to the people in the form of property tax, school property tax reductions. Mr. Fatica thanked Diane Chido who called him to comment on this along with other county offices. He hopes everyone has a chance to read this article because it clearly spells out that if someone is not getting a tax reduction, all they have to do is apply for it and that is very easy to do. A homeowner in the City of Erie will have about \$370 taken off their school taxes. This is a reflection of the laws that were made by this Council and it works. He urged everyone to let others know about the tax reduction.

Mr. Leone's Report

Mr. Leone expressed his agreement with Ms. Vendetti and Mr. Przepierski who spoke earlier regarding the ombudsman position. Mr. Leone has fought hard for this position and it is finally coming to fruition. He believes this position is necessary; however, reporting to an immediate supervisor, such as the Director of OCY, is not in the best interest of either the parents or the children. There needs to be more independence in this position. He believes a different reporting method needs to be explored and he has had discussions with the administration regarding this issue. Hopefully, they will agree with this particular process and have the ombudsman report to someone other than the Director of OCY, perhaps even the Director of Administration.

Mr. Leone also wished to address the Pleasant Ridge Manor issue. He explained that the \$500,000 is based on the annual required contribution. The actuary has indicated that is the amount needed in addition to what has already been budgeted. This happens because the market has not done very well this year. Mr. Leone added that the county will probably be in the \$5 million bracket as far as the annual required contribution to the retirement fund. In fact, it may even go higher than that because the county is now in a position where GASB 45 will involve another required annual contribution for any benefits that go along with that. In some cases, there are health benefits to some employees still working for the county and some that have retired.

Mr. Leone explained that Erie County took over the geriatric center in 1983. From 1983 through 1990, many renovations, programs and changes were implemented costing the county approximately \$13 million. The County would budget \$2.5 million on a yearly basis for the center alone. From 1990 to 2010, this county has spent approximately \$2.6 to \$2.9 million to fund this center. Since 1990, this facility has cost approximately \$266,000 per year to run a budget of over \$30 million. This budget has ranged anywhere from \$26 million to \$32 million per year. In Mr. Leone's opinion, this is the most efficient use of county dollars ever. He has read about the center being sold. Selling this facility would be a disservice to the community. He doesn't know how a for profit business could continue to provide a service to individuals who would be unable to pay. Many individuals would fall through the cracks if this facility is sold. Mr. Leone stated this facility must continue to be run by the county. As one council member, he believes Council will continue to fight to maintain this concept and this facility.

September 21, 2010

Mr. Leone's
Report

Mr. Leone wished to commend Dr. Foust and Mr. Giles regarding their vote on the community college. There were many comments and issues in the news media regarding their votes. He does not understand what the problem is because when he reviews the advice he has received from the Ethics Commission, it indicates that Dr. Foust does have a conflict of interest. He feels if Dr. Foust had written to the Ethics Commission, he would have found that out. Mr. Leone believes Dr. Foust has done a great service to his own constituency by declaring a conflict of interest and Mr. Leone commends him.

Mr. Leone is disappointed in the continued criticism Mr. Giles has been receiving for not being here. He has not read one good thing about the fact that Mr. Giles is not only the president of the County Commissioners Association of Pennsylvania, but he serves on many of the boards of that association, which helps this county and all the counties throughout the state. Further, Mr. Giles is one of two representatives in this state that belongs to the National Association of Counties. In fact, he had a chance at being the vice president of that organization. This is a big deal and would have put Erie County on the national map. Mr. Giles has done everything Mr. Leone can think of to help this county. Mr. Giles was instrumental in implementing juvenile drug court. There are complaints about travel expenses, but just this issue alone has paid for those travel expenses. Mr. Giles voted in the past for the community college resolution and added Amendment 6. He has continued to maintain that not one cent of county tax dollars will be used to run the community college. Mr. Leone commends him for that.

The news media printed an article regarding a community college in Idaho. What they didn't put in was that the Community College Yes issue was done by a vote in the community. They did have nonpartisanship, but it was put on the ballot and maybe in the end, that is what this community will end up doing. Obviously, if Erie County put it on the ballot, he does not think it would pass.

Dr. Foust's
Report

Dr. Foust reported that last week he attended the United Way Labor Kick Off dinner along with Council Members Mrs. Loll and Mr. Fatica. Rick Bloomingdale, the guest speaker, spoke about the need and the value of unions in this state. This is their annual kick off where labor donates thousands of dollars within this community to United Way to help the less fortunate.

Dr. Foust took particular pride in that a constituent of his, and someone he calls a friend, Gary Brumbaugh, was presented the J. David Dever Memorial Award for community service for the many hours he has put into the community, particularly with the fire department as well as a few other organizations. Dr. Foust congratulated Mr. Brumbaugh.

Comp. &
Microfilm Equip.

Mr. Smith gave a second reading of Ordinance Number 94, 2010, "Ninth 2010 Library Fund Budget Supplemental Appropriation For Donation For Computer And Microfilm Equipment" Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Gen Fund SA
Post. On Reass.
Forms

Mr. Smith gave a second reading of Ordinance Number 95, 2010, "Thirty-Second 2010 General Fund Budget Supplemental Appropriation For Postage On Reassessment Data Collection Forms." Mr. Giles moved to adopt; Mr. Fatica seconded, and it carried in a vote of 6-1 Mr. Beeman voting no.

PS SA for
Add. Tuber. Grant

Mr. Smith gave a second reading of Ordinance Number 96, 2010, "Seventh 2010 Public Health Fund Budget Supplemental Appropriation For Additional Tuberculosis Grant." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

September 21, 2010

Gen Fund SA
Transfer to PRM

Mr. Smith gave a second reading of Ordinance Number 99, 2010, "Thirty-Fourth 2010 General Fund Budget Supplemental Appropriation For Transfer To Pleasant Ridge Manor." Mr. Giles moved to adopt; Mrs. Loll seconded and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

PH SA Decrease in
Lead Grant

Mr. Smith gave a second reading of Ordinance Number 101, 2010, "Ninth 2010 Public Health Fund Budget Supplemental Appropriation For Decrease In Lead Grant." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Agenda Amended

Mr. Leone moved to amend the agenda to include Ordinances 103, 104, 105, and 106 for second readings. Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Donation of Lowes
Gift Card

Mr. Smith gave a second reading of Ordinance Number 103, 2010, "Thirty-Sixth 2010 General Fund Budget Supplemental Appropriation And Creation Of A New Line Item For A Donation Of A Lowes Gift Card." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

PH SA Decrease in
Tobacco Grant Funds

Mr. Smith gave a second reading of Ordinance Number 104, 2010, "Tenth 2010 Public Health Fund Budget Supplemental Appropriation For Decrease In Tobacco Grant Funds." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Upgrades to Access
PLC System

Mr. Smith gave a second reading of Ordinance Number 105, 2010, "2010 Capital Projects Fund Budget Supplemental Appropriation For Upgrades To Access PLC System And Creation Of New Line Item." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

PRM SA for Transfer
From Gen. Fund

Mr. Smith gave a second reading of Ordinance Number 106, 2010, "First 2010 Pleasant Ridge Manor Fund Budget Supplemental Appropriation For Transfer From General Fund." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Exon. Taxes in City of
Corry & Corry Area SD

Mr. Smith gave a reading of Resolution Number 38, 2010, "Exonerating Taxes on Two Abandoned Properties In The City Of Corry And Corry Area School District." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 6-1, Mr. Cleaver voting no.

In Sprt of App &
Coop.Agrmt btwn
Gen. Auth, GEIDC
& Erie Cnty

Mr. Smith gave a reading of Resolution Number 39, 2010, "In Support Of The Application To The State and Cooperation Agreement Between the Erie County General Authority, Greater Erie Industrial Development Corporation And the County of Erie For A Redevelopment Assistance Capital Program Grant." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

September 21, 2010

Maher Duessel
Appt'd Auditors
HealthChoices

Mr. Giles moved to approve Maher Duessel to perform the audit of the Erie County HealthChoices Program. Mr. Leone seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Adjournment

There being no further business, the meeting adjourned at 7:45 p.m.

Ann M. Bruno, Council Secretary
