

February 1, 2011 Amend. Ord. 113, 2010 adopted; Dom Rel SA for Change in IV-D Rev. Calc tabled; Gen Fund SA for Transfer to Dom Rel. for Change in IV D Rev. Calc tabled; PS Revis. Rev & Expend. adopted; In Sprt of Erie Cnty Stormwater Mgmt Plan adopted; Amend Res. 59, 2010 & Bylaws of ECCM adopted; Erie Cnty Conven. Cntr Auth. 2011 Budget apprvd.; First Rdg. Chng in Alloc of Wages Btwn Safe Kids Grant & Cancer Preven. Grant; 2012-2015 Elec. Off. Salaries Ord. Labor Agrmt Btwn Erie Cnty & Local 2666 (Professional Unit) apprvd; Marilyn Kraus appt'd to Erie Cnty Lib. Brd; Dennis W Grow appt'd to ECCM Brd; Janet Anderson reappt'd to Erie Reg. Airport Auth.

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Leone, 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 Clerk called the roll:

Roll Call

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

Members Absent: None

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

Following the roll call, Mrs. Loll recited a prayer.

Minutes

Dr. Foust moved to approve the minutes of the January 18, 2011 Regular Meeting; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Dr. Foust reported the Finance Committee met on January 27, 2011 and agreed to place Ordinances 1, 2, 3 and 4 on the agenda. Due to possible changes to the revenue calculation, Council has agreed to table Ordinances 2 and 3. The Finance Committee also placed previously tabled Resolution 35 of 2010, Resolution 1 of 2011 and the Convention Center Authority Budget on the agenda, as well as a first reading of Ordinance 12 and the possible appointments of Marilyn Kraus to the Erie County Library Board, Dennis Grow to the Erie County Care Management Board of Directors, and Janet Anderson to the Erie Regional Airport Authority.

Personnel
Committee

Mr. Cleaver reported the Personnel Committee met following the Finance Committee meeting on January 27, 2011 and agreed to place on the agenda for a first reading Ordinance Number 13 as well as the possible approval of the labor agreement between Erie County Government and AFSCME Local 2666 Professional Unit with the County of Erie.

Mr. Giles Report

Mr. Giles reported that he attended the annual NACo Justice and Public Safety retreat held from January 19 through January 22, 2011. He submitted the following report:

**Annual NACo Justice and Public Safety Retreat
County officials explore federal, state & local
Intergovernmental priorities at NACo justice and
public safety symposium**

County officials from across the country explored federal, state and local intergovernmental justice and public safety priorities at the 2011 National Association of Counties' (NACo) Annual Justice and Public Safety Symposium, Jan. 19-22 in Orleans Parish, La. The meetings took place at the Chateau Bourbon Hotel at 9:00 a.m. Thursday and concluded at 11:45 a.m. Saturday.

Hosted by Orleans Parish, the Police Jury Association of Louisiana and NACo, members of NACo's Justice and Public Safety (JPS) Steering Committee thoroughly explored these critical priorities with some of the nation's foremost justice and public safety experts and considered how county officials could best shape federal policies and funding to ensure that services for residents in their communities are enhanced.

The theme of the symposium was "Strengthening County, State and Federal Partnerships for Disaster Recovery and Safely Lowering Jail and Prison Populations." Issues included: improving indigent defense and expanding access to justice, the cost effectiveness of bail reform, enhancing long term disaster recovery and emergency communications, the benefits of effective floodplain management, and the importance of intergovernmental partnerships for lowering jail and prison populations, and juvenile detention.

Each year members of NACo's JPS Steering Committee meet with local, state and national experts to discuss important justice and public safety priorities on behalf of the nation's 3,068 counties. The committee is responsible for developing NACo's Justice and Public Safety policies, and advocates for local government priorities before the U.S. Congress, The White House and assorted federal agencies.

Chaired by Sebastian County, Arkansas County Judge David Hudson, the JPS Steering Committee has long been on the forefront of introducing federal and state policy and regulatory initiatives that enhance the quality of life, save taxpayer dollars, and increase public safety for residents in the nation's 3068 counties.

"The NACo Justice and public safety symposium is a great opportunity to hear directly from experts on many of the critical justice and public safety issues affecting counties across the country," Hudson said. The critical matters explored at the meeting will improve and enhance public safety in states and local communities."

Featured federal, state and local government speakers included: Lynn Overmann, Deputy Counselor, Access to Justice Initiative, U.S. Department of Justice; John Wool, Director, New Orleans office, Vera Institute of Justice; Kim Allen, former Director, Louisville/Jefferson County Criminal Justice Coordinating Council; Paul Rainwater, Commissioner of Administration, State of Louisiana; Walter Maestri, former Director of Emergency in Jefferson County, LA; Michael Hunnicutt, Mitigation Compliance Director, Louisiana Recovery Office, Federal Emergency Management Agency; Story County, Iowa Sheriff Paul Fitzgerald, incoming President, National Sheriffs' Association; Sheila Bedi, Deputy Legal Director, Juvenile Justice Policy Group, Southern Poverty Law Center, and Katherine Guidry, JDAI Site Coordinator, Louisiana Commission on Law Enforcement.

Mr. Giles further reported that Congress is looking at reducing funding for a lot of programming. As a member of the NACo Executive Committee, they have been working by conference call since the beginning of January and have crafted a policy statement that he would like to share with Members of Council regarding NACo's posture both in lobbying and how to deal with the huge deficit that the federal government faces. He distributed copies of the report to Council and administration. Mr. Giles noted that this is very thoughtful and provocative. There is a large degree of anxiety in the levels of both state and local governments due to the requirements through statutes and mandates and the amount of resources coming from both state and federal governments. There will be dramatic impacts at every local government level, especially in the county.

Mr. Giles stated that the Annual Legislative Conference is always held at the beginning of March. Members have an opportunity to meet with senators, members of Congress and the White House. This will give everyone an early heads up on what the general policy will be regarding both those negotiations and what Council's policy will be in dealing with shrinking resources and continuing demand in mandated services.

DRAFT
NACo STATEMENT ON DEFICIT REDUCTION
January 26, 2011

As President Obama and the U. S. Congress evaluate alternatives to control the Federal Government's rising deficit, counties are concerned that too much emphasis will be placed on reductions to domestic, discretionary spending programs that will affect the American people. When a recession occurs or the economy falters and there is high unemployment, that is when services at the county level are needed most. Historically, there is a greater need for social services, health care, counseling, job training and local economic development during times like we are facing now. Domestic, discretionary programs are critical to the ability of counties to carry out their responsibilities as service providers for both the federal and state governments.

The current economic climate has translated into diminished revenue streams at the local level. Over the past three years, counties have seen revenue collections drastically diminish. Local governments across the nation are facing a perfect storm through a combination of decreased local tax revenues (primarily property and sales) and major reductions in state financial assistance, while at the same time facing an increased demand for social and health services. As a result, counties of all sizes and in all parts of the nation have been forced to institute significant layoffs, furloughs and service reductions. We anticipate that this climate will continue through at least 2014, and perhaps beyond.

While we are not calling for additional increases in assistance like the 2009 stimulus plan, we are asking the Administration and the Congress to consider the following points as they deal with the difficult issue of deficit reduction:

- **YOU CAN NOT SOLVE THE BUDGET DEFICIT BY ONLY CUTTING DOMESTIC, NON-MILITARY DISCRETIONARY PROGRAMS.** The current national debt is over \$14 trillion. Non-Military, discretionary programs are only 12%, or approximately \$430 billion, of the annual federal budget of \$3.6 trillion. These cuts will not put a significant dent in the deficit. So, why decimate important domestic programs carried out by state and local government that serve our national goals and our common residents?

The National Association of Counties supports maintaining federal financial assistance for county programs at the 2010 fiscal year levels.

- **FEDERAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS WILL HELP MITIGATE FURTHER LAYOFFS.** According to the Congressional Budget Office, the \$800 billion stimulus plan passed in early 2009 provided a boost to the economy that preserved at least 1.4 million jobs. Even with this assistance, state and local governments still had to shed more than 200,000 jobs in 2010. It would have been even worse without the stimulus package. With the stimulus funds running out in 2011, more layoffs are probable this year. With further major cuts in domestic programs, even more reductions are likely, adding to the already high 9.4% unemployment rate.
- **FEDERAL INVESTMENT IN STATE AND LOCAL INFRASTRUCTURE PRODUCES PRIVATE SECTOR JOBS.** Investment by the Federal Government in county programs such as transportation, water and sewer projects, energy efficiency, rural development, CDBG, PILT, and others produce both public and private sector jobs, has a multiplier effect, and promotes local economic development.

Deteriorating infrastructure is a hindrance to economic expansion, while infrastructure investments unlock untapped potential in our economy leading to higher GDP and increased tax revenues. Counties are responsible for a substantial portion of America's infrastructure – 45% of the nation's bridges, 44% of the roads and highways, one-third of the airports and transit systems, and much of our water and sewer system. We can, therefore, vastly contribute to the creation of jobs and economic recovery.

- **DEFICIT REDUCTION SHOULD NOT BE ACCOMPLISHED BY SHIFTING COSTS TO COUNTIES, IMPOSING UNFUNDED MANDATES, OR PRE-EMPTING COUNTY PROGRAMS OR TAXING AUTHORITY.** Cost shifting to, or imposing underfunded or unfunded mandates on, state and local government will only exacerbate the current fiscal strain and delay efforts toward economic recovery.

County governments are partners with the states and the federal government in providing important programs and services to the American people. We are working hard, making significant cuts, instituting reforms, and being creative in facing the worst fiscal crisis since the Great Depression. Counties will participate in addressing the challenges our nation is facing and expect the federal government and Congress to do the same without drastically hurting the people we all serve.

Mr. Leone's
Comments

Mr. Leone recognized students in the audience from Gannon University's Nursing Program. He stated it was nice to see such a large group in attendance. He explained that the screen on the wall will clarify what is happening with the items on the agenda and further noted that ordinances have two readings and resolutions are only read once.

Amend. Ord 113,
2010

Mr. Smith gave a second reading of Ordinance Number 1, 2011, "Amending Ordinance Number 113, 2010 And Article II, Section 5 II A(1) Of The Administrative Code." Mr. Giles moved to adopt; Mr. Fatica seconded.

Mr. Giles moved to amend Exhibit A of the ordinance as follows:

D. The Board of Directors of the Corporation

The Board of Directors of the Corporation shall be composed of eleven (11) members. Two (2) members of the Board shall serve "ex officio," as non-voting members and shall consist of ~~the County Executive, or~~ **the Director of Human Services** and the Chairman of County Council, or his designee.

Mrs. Loll seconded and it carried in a roll call vote of 4-3, Mr. Cleaver, Dr. Foust and Mr. Beeman voting no.

Dr. Foust moved to further amend Exhibit A of the ordinance by adding the following line at the end of the first paragraph of Section D:

Except where otherwise noted in this section, no county employee shall serve as an ex officio member of the Board after February 2, 2011.

Mr. Giles seconded the motion, and it carried in a roll call vote of 6-1, Mr. Cleaver voting no.

Mr. Leone called for a vote on Ordinance Number 1, 2011, as amended, and it carried in a roll call vote of 5-2, Mr. Beeman and Mr. Cleaver voting no.

Ords. 2 & 3
Tabled

Mr. Giles moved to table Ordinance Number 2, 2011, "First 2011 Domestic Relations Fund Budget Supplemental Appropriation For Change In IV-D Revenue Calculation" and Ordinance Number 3, 2011, "First 2011 General Fund Budget Supplemental Appropriation For Transfer To Domestic Relations Fund Budget For Change In IV-D Grant Revenue Calculation." Dr. Foust seconded, and it carried in a unanimous roll call vote.

PS Revis.
Rev. & Expend.
Tower Rent

Mr. Smith gave a second reading of Ordinance Number 4, 2011, "2011 Public Safety Fund Budget Revised Revenue & Expenditures And Creation Of New Line Items For Tower Rent." Mr. Fatica moved to adopt; Mr. Cleaver seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Res. 35, 2010
Removed from
Table

Mr. Giles moved to remove Resolution Number 35, 2010, "In Support Of The Erie County Stormwater Management Plan" from the table. Mr. Cleaver seconded, and it carried in a roll call vote of 5-2, Mr. Beeman and Dr. Foust voting no.

Stormwater
Mgt Plan

Mr. Smith gave a reading of Resolution Number 35, 2010, "In Support Of The Erie County Stormwater Management Plan." Mr. Giles moved to adopt; Mr. Cleaver seconded, and it carried in a roll call vote of 4-3, Dr. Foust, Mrs. Loll and Mr. Beeman voting no.

Res. 1, 2011
Removed from
Table

Mr. Giles moved to remove Resolution Number 1, 2011, "Amending Resolution Number 59 Of 2010 And The Bylaws Of Erie County Care Management" from the table. Mr. Fatica seconded, and it carried in a roll call vote of 6-1, Mr. Cleaver voting no.

Amend. Res. 59, 2010
Bylaws ECCM

Mr. Smith gave a reading of Resolution Number 1, 2011, "Amending Resolution Number 59 Of 2010 And The Bylaws Of Erie County Care Management." Mr. Giles moved to adopt; Mr. Fatica seconded.

Mr. Giles moved to amend Exhibit A of the Resolution as follows:

SECTION 4.2. The Board of Directors of the Corporation. The Board of Directors of the Corporation shall be composed of eleven (11) members. Two (2) members of the Board shall serve "ex officio," as non-voting members and shall consist of ~~the County Executive,~~ **or the Director of Human Services** and the Chairman of County Council, or his designee.

Mr. Fatica seconded, and it carried in a roll call vote of 4-3, Dr. Foust, Mr. Beeman and Mr. Cleaver voting no.

Dr. Foust moved to further amend Exhibit A of the Resolution by adding the following at the end of the first paragraph of Section 4.2:

Except where otherwise noted in this section, no county employee shall serve as an ex officio member of the Board after February 2, 2011.

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

Mr. Leone called for a vote on Resolution Number 1, 2011, as amended, and it carried in a roll call vote of 6-1, Mr. Cleaver voting no.

ECCA Budget
Removed from Table

Dr. Foust moved to remove the Erie County Convention Center Authority 2011 Budget from the table. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Dr. Foust moved to approve the 2011 budget of the Erie County Convention Center Authority, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

First Rdgs.

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 12, 2011, "2011 Public Health Fund Budget Revised Expenditures And Creation Of New Line Items For Change In Allocation Of Wages Between Safe Kids Grant And Cancer Prevention Grant"

Ordinance Number 13, 2011, "2012-2015 Elected Officials' Salaries Ordinance"

Labor Agrmt
Approved

Mr. Giles moved to approve the Labor Agreement Between Erie County Government and Local 2666 (Professional Unit) of American Federation of State, County, and Municipal Employees (AFSCME) beginning January 1, 2011 and ending December 31, 2014. Dr. Foust seconded.

February 1, 2011

Labor Agrmt
Approved

Mr. Cleaver commended both the administration and AFSCME for understanding the problems this community is facing. As a member of Council, he expressed his appreciation for the agreement to freeze wages for the next two years. Mr. Fatica noted his agreement with Mr. Cleaver's comments, adding that this will be a difficult year for state and federal governments as well.

Mr. Leone called for a vote on the labor agreement, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Marilyn Kraus
Appt'd to
Library Brd

Mrs. Loll moved to appoint Marilyn Kraus to the Erie County Library Board. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Dennis Grow
Appt'd to
ECCM Brd

Dr. Foust moved to appoint Dennis Grow to the Erie County Care Management Board of Directors. Mr. Cleaver seconded, and it carried in a unanimous roll call vote.

Janet Anderson
Reappt'd to
Airport Auth.

Mrs. Loll moved to reappoint Janet Anderson to the Erie Regional Airport Authority. Mr. Giles seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:25 p.m.

Ann M. Bruno, Council Secretary
