

May 15, 2012

ERIE COUNTY COUNCIL – Public Hearing 2012 CDBG Program

Mr. Fatica, Chairman, called to order a Public Hearing regarding the Community Development Block Grant Program Fiscal Year 2012 at 6:00 p.m. in the Erie County Council Chambers, Erie County Courthouse, Erie, Pennsylvania.

Mr. Smith called the roll:

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

Members Absent: Dr. Foust

Also Present: Douglas R. Smith, County Clerk
Joseph Berdis, CDBG Administrator

Mr. Berdis stated that the purpose of this hearing was to identify the projects Erie County proposes to undertake with Fiscal Year 2012 Community Development Block grant funds and to provide the public with an opportunity to comment or ask questions.

Mr. Berdis explained that Erie County is entitled to apply for and receive block grant monies each year from the state under the provisions of Pa. Act 179 of 1984. Since 1985 the County has received nearly \$11.3 million in block grant funds. He advised that the County will be receiving \$276,178 for 2012. The funding application is to be submitted to the state by May 25, 2012. The 2012 allocation is \$63,665 less than last year's grant of \$339,843 which represents a decrease of 18.7%. Mr. Berdis stated that this comes on the heels of a 23% cut from FY 2010 to FY 2011.

Mr. Berdis further explained that the county's funds are to be used to assist "non-entitlement" communities in the county. A non-entitlement community is one which does not receive its own block grant funds from either the state or HUD. Of the 38 municipalities in the county, 30 do not receive their own allocation and have an opportunity to apply for the county's funds.

Mr. Berdis advised that four applications were submitted to the County Planning Department for 2012 CDBG funding consideration and were ranked by the Erie County Planning Commission. Based on earlier funding estimates all four projects were selected for funding with the fourth ranked project to receive only one-half of the request. However, Mr. Berdis stated that with cuts deeper than anticipated, only the top three ranked projects will be funded. Fortunately, the County will be able to provide Waterford Borough, the fourth ranked project, with residual block grant monies to undertake a project of ADA handicapped curb cut ramps.

Mr. Berdis outlined the projects for the proposed funding:

\$70,162 for the Lawrence Park Township Bell Street Sanitary Sewer Replacement Project. This involves the replacement of 235 feet of sanitary sewer along Bell Street from Rankin Avenue to Priestly Avenue. The project will benefit seven families consisting of 15 persons, 13 or 87% of whom are low-to-moderate income.

\$80,152 for the Union City Municipal Authority Putnam Street Sanitary Sewer Replacement Project Phase II. This involves the replacement of 840 feet of sanitary sewer pipe along Putnam Street from Warden Street to PA Route 8. This project will benefit 20 families consisting of 50 persons, 30 or 60% of whom are low-to-moderate income.

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\$76,152 for the Lake City Borough Maple Avenue Sanitary Sewer Replacement Project. This involves the replacement of 245 feet of sanitary sewer pipe along Maple Avenue, from Elk Street to Penn Street. The project will benefit 76 families consisting of approximately 179 persons, 101 or 56% of whom are low-to-moderate income.

\$49,712 has been set aside for Program Administration.

Mr. Berdis asked if there were any comments or concerns regarding these funds.

Mr. Fatica asked how far down the funds will keep dropping. Mr. Berdis replied he has given up speculating. It is difficult to determine what will happen. Based on the 2010 census, Conneaut Township became an entitlement community which means they are entitled to receive block grant monies from the state. Those funds were going to be administered to a program for Conneaut Township. Municipal officials have declined those funds. He explained that the \$85,000 which would have gone to the county to help non-entitlements now goes back to the state. Mr. Beeman asked about Waterford Borough, Lawrence Park and Union City. Mr. Berdis explained those were non-entitlement communities. He further explained that to become an entitlement under the state block grant program two criteria must be met: 4,000 or above in population and considered a distressed community so Waterford Borough, because of the population, does not qualify, nor does Union City Borough which is obviously one of the poorest communities in Erie County. Mr. Berdis believes that Act 179 definitely needs to be re-examined. Washington Township, for example, is an entitlement community, and by every economic statistic, they would not be considered distressed. However, they meet the criteria and for the last three years have declined their funds.

Mrs. Loll asked whether Mr. Miraldi was consulted regarding the Conneaut Township issue. Mr. Berdis replied that Mr. Miraldi was the one individual who wanted to move ahead with this and felt it was a missed opportunity. He believes Mr. Huston initially appeared to be in favor of accepting the funds, then had second thoughts. Mr. Berdis believes that the reason for the refusal may be that they don't want a higher level of government telling them what they can and cannot do. Mr. Berdis feels the state did not provide enough information to the new grantees as to what their obligations would be and if they had something in writing, they would have had a better feeling about participating in the program. By denying their funds for this year, they are denying their funds for the next three years.

Mr. Berdis reported that in addition to the administration of the County's CDBG program, the Erie County Department of Planning administers the grant of three entitlement communities – Girard Township, McKean Township and North East Borough. Those projects are identified in packets provided by Mr. Berdis to Council.

He further explained that a requirement of the block grant application is that there should be a Three Year Community Development Block Grant Plan. A copy is available in the Planning Department. Council will have the opportunity to approve the application and its submission to DCED by resolution this evening.

Adjournment

There being no further business, the meeting adjourned at 6:11 p.m.

Ann M. Bruno, Council Secretary

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Minutes of May 1, 2012 Reg.Mtg. approved. Agenda amended. PH SA for Inc. in TB grant adopted; Gen. Fund SA for Reduc. In Trans. to PH Fund for TB Grant adopted; Gen. Fund SA to PRM adopted. Agenda amended. First Rdgs: Lib. Fund SA to Cover 2011 deficit; Gen. Fund SA to Cover Year End Deficit; PS Revis. Expend for Act 78 Year End Deficit; PS for HAZMAT Copier Lease; Apprvs. Dispatch Svcs with Millcreek Twp; PH Revis. Epend. For Immunization Grant; PH SA to Cover Year End Deficit; Gen Fund SA for Year End Deficit to State Reduc in Act 537. Bond Issue adopted. First Rdg. Gen Fund SA for Add. Postage in Assessment; C&Y SA for Elim. Of Three Temp. Pos.; Gen. Fund SA for Reduc in Trans. to C&Y. Lease Agrmt for MDJ Manzi adopted; Gen. Auth. Tax Exempt Note adopted. FY 2012 CDBG App. Adopted. 2012 Hazard Mit. Plan adopted. Sale of Parcel apprvd

Mr. Fatica, 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, Mrs. Loll recited a prayer:

What Heroes Gave

Each donned their uniform to be
Defenders of our liberty
Their mission sure, their spirits bright
Guard freedom's home, be brave to fight
One final day each faced their call
Each gave their best enduring all
We'll never know what they went through
But know they loved this country true
Deep down inside we should all feel
What heroes gave, their cost so real
We must stay thankful, grateful of
The gift of freedom through their love
Their loved ones bore the gravest pain
What we can't know, some now sustain
To God I pray their pain will cease
And each will find long-lasting peace
Remember this from year to year
What heroes gave – shan't disappear
We'll never let their special day
Their time for honor slip away
These brave fought for a nation free
If not for them, where would we be?

Roll Call

Mr. Smith called the roll:

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

Members Absent: None

Also Present: Douglas R. Smith, County Clerk
Sue Ellen Pasquale, Manager of Accounting
Jim Sparber, Director of Finance

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Hearing of the
Public

Harry Rearick, Waterford, stated there have been problems with an injection well in Waterford Township. On March 22nd, he became aware of another failure which is the third or fourth. He approached the DEP and spoke with John Scott who acknowledged there was a problem and offered to call after he visited the site. Mr. Rearick has yet to receive that call. Through the Waterford Township Supervisors' attorney, the DEP has been contacted twice as well as the EPA asking for information. It was learned that they are not required to reveal when one of the wells fail. There is a pending request for information. Mr. Rearick asked County Council to send a letter to the DEP and EPA affirming their support for Waterford Township in obtaining that information.

Minutes

Mr. Giles moved to approve the minutes of the May 1, 2012 Regular Meeting. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Finance Committee

Dr. Foust reported that the Finance Committee met on Thursday, May 10, 2012 and agreed to place Ordinances 49, 50 and 51 on the agenda for a second reading. Under New Business, the Committee also agreed to place Ordinances 52 through 60 on the agenda. A discussion was held with respect to moving Ordinance 60 to a second reading in order to take advantage of the market at the appropriate time. Also on the agenda are Resolutions 26 through 30 as well as the possible approval of a sale of parcel from the repository for unsold parcels.

Personnel Committee

Mrs. Loll reported the Personnel Committee met following the Finance Committee and agreed to place Ordinance 61 along with 62 and 63 which are companion ordinances.

Mr. Leone's Report

Mr. Leone reported that he is a member of the Local Governor's Advisory Committee, and the Committee has met three times. The first meeting was a telephone conference held December 20, 2011; meetings were also held on February 24 and May 4, 2012. The mission of this Committee is to be the eyes and ears of local government across the State of Pennsylvania and to try to formulate policies for this particular administration. He stated that some of the issues discussed at the February 24, 2012 meeting included the many problems confronting cities, boroughs, townships and counties; human services system reform; funding for infrastructure and transportation; shale gas impact; new revenue opportunities and increase in tax fairness; assessment reform; maintaining and improving 911 services; District Attorney funding; strengthening Conservation Districts' relationship with DEP; oil and gas pipeline safety; recycling fees and restoring county recycling fees and some of the unfunded mandates were discussed. Non-profit corporations and duplication of services was also discussed, as well as pension problems throughout the state; Act 46 which includes the deferred compensation program. At the May 4, 2012 meeting discussion included municipal bargaining process, Act 111, Act 95 reform; Act 47 amendments; mandates and entitlements; tax fairness; streamlining process reviews, permitting and reimbursements; retirement options, intergovernmental cooperation, liquid fuels, prevailing tax, transportation and the bankruptcy problem that some cities are experiencing.

Mr. Leone advised another meeting will be held in a couple months. He will keep Council informed on what transpires. Mr. Fatica asked for an email regarding this information.

Happy Birthday

Mr. Fatica wished Mr. Giles, Mr. Cleaver, Mrs. Pasquale and Kevin Flowers a happy birthday.

PH SA for Inc.
In TB Grant

Mr. Smith gave a second reading of Ordinance Number 49, 2012, "Fifth 2012 Public Health Fund Budget Supplemental Appropriation Of \$189 And Creation Of New Line Items For Increase In TB Grant." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

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Reduc in Trans.
To PH for TB
Grant

Mr. Smith gave a second reading of Ordinance Number 50, 2012, "Ninth 2012 General Fund Budget Supplemental Appropriation Of \$374 For Reduction In Transfer To Public Health Fund For TB Grant." Mr. Giles moved to adopt; Mr. Leone seconded and it carried in a roll call vote of 6-1, Mr. Beeman voting no.

Trans to PRM
Cont. to Pension
In 2012

Mr. Smith gave a second reading of Ordinance Number 51, 2012, "Tenth 2012 General Fund Budget Supplemental Appropriation Of \$166,771 For Transfer To Pleasant Ridge Manor For Annual Required Contribution To Pension In 2012." Mr. Leone moved to adopt; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Agenda Amended

Mr. Leone moved to include Ordinance Number 60, 2012 as a second reading. Dr. Foust seconded and it carried in a unanimous roll call vote.

First Rdgs

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 52, 2012, "Second 2012 Library Fund Budget Supplemental Appropriation Of \$38,161 And Creation Of New Line Item To Cover 2011 Year End Deficit"

Ordinance Number 53, 2012, "Eleventh 2012 General Fund Budget Supplemental Appropriation Of \$38,161 For An Associative Transfer To Cover A Year End Deficit In The Library Fund" (Finance Committee)

Ordinance Number 54, 2012, "2012 Public Safety Fund Budget Revised Revenues & Expenditures Of \$10,750 And Creation Of Line Item For 2011 Act 78 Year End Deficit"

Ordinance Number 55, 2012, "2012 Public Safety Fund Budget Revised Revenues And Expenditures Of \$1,000 And Creation Of Line Item For HAZMAT Copier Lease

Ordinance Number 56, 2012, "Approving Erie County Public Safety/911 Dispatch Services Supplemental Cooperation Agreement With Millcreek Township"

Ordinance Number 57, 2012, "2012 Public Health Fund Budget Revised Expenditures Of \$2,775 And Creation Of A Line Item For The Immunization Grant"

Ordinance Number 58, 2012, "Sixth 2012 Public Health Fund Budget Supplemental Appropriation Of \$134,132 And Creation Of Line Item To Cover A Year End Deficit In The 2011 Public Health Fund From State Reduction In Act 537"

Ordinance Number 59, 2012, "Twelfth 2012 General Fund Budget Supplemental Appropriation Of \$134,132 For An Associative Transfer To The Public Health Fund To Cover A 2011 Year End Deficit From State Reduction In Act 537"

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Bond Issue

Mr. Smith gave a reading of Ordinance Number 60, 2012, "Authorizing The Incurring Of Nonelectoral Debt By The Issuance Of General Obligation Refunding Bonds, Series C Of 2012 (The "Bonds") In The Aggregate Principal Amount Not To Exceed Thirteen Million Five Hundred Thousand And 00/100 Dollars (\$13,500,000); Covenanting To Pay And Pledging Unlimited Taxing Power For The Payment Of The Bonds; Establishing A Sinking Fund And Appointing A Paying Agent, Sinking Fund Depository, Registrar And Escrow Agent In Respect Of The Bonds; Fixing The Form, Interest Rate, Maturity, Redemption And Other Provisions For The Payment Thereof; Accepting A Proposal For The Purchase Of The Bonds; Authorizing The Filing Of Required Documents With The Department Of Community And Economic Development; Ratifying And Directing Certain Actions Of Officers; Approving The Official Statement; And Making Certain Other Covenants And Provisions In Respect Of The Bonds." Mr. Giles moved to adopt; Dr. Foust seconded.

Mr. Giles noted that waiving the rules this evening to consider Ordinance Number 60, 2012 for a second reading will allow County Council to provide the County finance team with the ability to go to market when the moment is right saving taxpayers interest costs on the 2005 and 2009 issues which were not included in the last bond refinancing because the timing was not right.

Mr. Fatica called for a vote on the ordinance 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 61, 2012, "Thirteenth 2012 General Fund Budget Supplemental Appropriation Of \$29,180 For Additional Postage In Assessment With Savings From Vacant Positions"

Ordinance Number 62, 2012, "First 2012 Children & Youth Services Fund Budget Supplemental Appropriation Of \$148,820 For Elimination Of Three Temporary Positions"

Ordinance Number 63, 2012 "Fourteenth 2012 General Fund Budget Supplemental Appropriation Of \$29,764 For A Reduction In Transfer To Children & Youth Services Fund From The Elimination Of Three Temporary Positions"

Lease Agmt Btwn
West Erie Cnty
Emer. Comm. Center
& Erie Cnty Govt.

Mr. Smith gave a reading of Resolution Number 26, 2012, "Approving Lease Agreement Between West Erie County Emergency Communications Center, Inc. And Erie County Government." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Lease Agrmt for
MDJ Manzi

Mr. Smith gave a reading of Resolution Number 27, 2012, "Approval Of Tentative Lease Agreement For The Lease By The County Of Erie As Lessee Of Office Space For Magisterial District Judge G. Paul Manzi With Township Of Millcreek Located At 3608 West 26th Street, Erie, Pennsylvania." Mr. Giles moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Resolution 28
Tabled

Mr. Smith gave a reading of Resolution Number 28, 2012, "Erie County General Authority Not To Exceed \$950,000 Tax-Exempt Note (Christian Institute Of Human Relations Project)." Mr. Leone moved to adopt; Mrs. Loll seconded.

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Res. 28 Tabled

Dr. Foust asked whether Mrs. Pasquale could provide additional information regarding this project as it involves Crawford County and the Erie County General Authority's approval. It has passed muster through all the attorneys, but he finds it odd that Erie County has to fund something that is moving out of county. Mrs. Pasquale replied that she is not aware of any discussion held during the finance meeting as she was not in attendance. Mr. Sparber noted there was no discussion held regarding this matter. Mrs. Pasquale believes this resolution went to Council and bypassed the administration. Mr. Fatica expressed his agreement with Dr. Foust and suggested this resolution be tabled. Mr. Leone moved to table; Mr. Giles seconded and it carried in a unanimous roll call vote.

Apprv. FY 2012
CDBG App.

Mr. Smith gave a reading of Resolution Number 29, 2012, "Resolution Approving The FY 2012 CDBG Application And Authorizing Its Submission To The Pennsylvania Department Of Community And Economic Development." Mr. Giles moved to adopt; Mr. Leone seconded and it carried in a unanimous roll call vote.

Mr. Fatica took this opportunity to thank Mr. Smith, Mrs. Bruno and Mrs. Wright for putting together the power point presentations for the meetings. It is so much easier for everyone to follow the meetings.

2012 Hazard
Mitig. Plan

Mr. Smith gave a reading of Resolution Number 30, 2012, "Erie County 2012 Hazard Mitigation Plan County Adoption Resolution." Dr. Foust moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Sale of Parcel
Apprvd.

Dr. Foust moved to approve the sale of Parcel from Repository for Unsold Properties at Index Number 47-011-027.2-007.75. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:28 p.m.

Ann M. Bruno, Council Secretary

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