

August 14, 2012

Mr. Fatica, Chairman, called to order a Regular Meeting of the Erie County Council at 7:03 p.m. at the Washington Township Offices, 11800 Edinboro Road, Edinboro, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited a prayer:

Let us pray. Lord, guide us all with fatherly care, bring us together peacefully into one family and keep us united in brotherly love. Help us to put down earthly pride and banish self-interest and wipe away our individual agendas. Help us to always think of others first. We ask this in the name of our Lord Jesus Christ. Amen.

Roll Call

The County Clerk called the roll:

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

Members Absent: Mr. Cleaver
Mr. Leone

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

Hearing of
The Public

Matt Tighe, Edinboro, stated that he found it outrageous that Mr. Leone had the audacity to berate Mr. Beeman, who has a right to due process of law. Mr. Tighe presented a Right to Know request to Mr. Smith regarding parcels. He stated that Scott Maas does not know what to do with these requests and addressed this issue with the County's Right to Know officer. He suggested this officer advise departments how to handle these requests. He addressed the issue of reassessment and expressed his dissatisfaction with the process. He plans to pursue openness and transparency.

J.J. Johnson, Erie, provided handouts to Council regarding how Erie County Government and Pleasant Ridge Manor discriminates against 85% of the workers in the area and caves into union pressure and how workers who choose not to participate in collective bargaining are excluded. He discovered a bid project advertised for Pleasant Ridge Manor but there is a Project Labor Agreement attached to it. He plans to start a campaign against the resolution and bring public awareness to the County's discrimination against workers who opt out of unions. He does not believe this is fair.

Jeffrey J. Del Fuoco, Fairview, is the attorney for Councilman Beeman on his federal criminal matter and the action filed by the District Attorney. He commended members of Council who recognized the laws of the Commonwealth requiring formal removal proceedings and remained for the meeting. Councilman Beeman is entitled to due process and all protections of the law. He stated this matter is far from concluded and Councilman Beeman is a member of this body until he is properly removed under the law.

Jack Stull, Waterford Township Supervisor, spoke concerning the TIF situation with Lord Corporation. There are issues with the manner in which this financing was put together. He addressed those issues and expressed concern regarding the education dollars and the burden being placed on five municipalities.

Pat Long, Waterford, also addressed the TIF issue. He is concerned that students in the Ft. LeBoeuf School District will be compromised by this plan. As of last Thursday, not one school board member had a copy of this plan which they were scheduled to vote on soon. Mr. Long has also been in contact with Harrisburg regarding this matter. He feels this is against the law.

Jack Stull asked Council to table this issue.

Minutes

Mr. Giles moved to approve the minutes of the July 3, 2012 Regular Meeting; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Giles reported the Finance Committee met on August 9, 2012. There were four presentations at this meeting including the Erie County International Trade Specialist recently hired by the Northwest Planning Commission, David Hayes gave a presentation on the Purple Heart Memorial and their fundraising efforts to locate this near 26th and State Streets; Mary Ann Daniels from Human Services spoke regarding the block grant program which will move forward; Mr. Barber from Erie County Care Management spoke regarding the impact of reductions to the state funding of the Department of Public Welfare and related matters. Some consider Erie County Care Management to be a subsidiary of the County and one of the issues addressed with Mr. Barber was to make certain the same policies are being retained as the County regarding pay raises. He noted that the county is in the middle of the second year of the no pay raise policy. A large measure of pride can be taken that all county employees are working for the same salary for two years. This may be the only county in Pennsylvania that can make this claim. Mr. Maloney, Council CPA, asked Mr. Barber whether anyone has or will receive a pay increase in 2012 and Council was assured that was not the case which is consistent with county policies.

Mr. Giles further reported that the Committee agreed to place Ordinances 80 through 87 on the agenda for first readings. It was agreed at the meeting to move Ordinances 81, 86 and 87 to second readings. Also on the agenda is the possible adoption of Resolutions 35 and 36, the approval of the County's Three Year Plan and the sale of parcels from the repository.

Personnel
Committee

Dr. Foust reported that the Personnel Committee met following the Finance Committee and agreed to place Ordinance 88 on the agenda for a first reading regarding the OCY Solicitor position.

Mr. Giles'
Report

Mr. Giles reported that he is a board member of the National Association of Counties and Pennsylvania's representative on NACo's board. NACo held its annual meeting in Pennsylvania for the first time. The meeting was held in Pittsburgh from July 13 through 17. Speakers included Sandra Day O'Connor, the retired justice and Dave Barry. Governor Corbett opened the ceremony with a welcoming speech.

Mr. Giles explained that within the NACo structure, there are four elected officers and four regional representatives. As the district representative for the Executive Committee, Mr. Giles represents the counties from Maine to West Virginia to Maryland and Washington, D.C. He has held this position for the past three years and was recently re-elected. The Executive Director for NACo retired and the Executive Committee became the pivotal committee for approving a replacement which put the Committee more in the limelight. The new Executive Director is Matt Chase who was the Executive Director for the National Association of Development Organizations and is extremely capable with current technology. There is an expectation that he will help the organization move forward with the use of technology.

Mr. Giles commented that a social event was held in Heinz Field. Everyone wore a jersey of their favorite team. Mr. Giles chose an Otter's hockey jersey. A photo was taken of all 3500 commissioners in Heinz Field and Mr. Giles believes the Otter jersey stood out. The event was very successful and was an economic boost for the area.

Mr. Giles distributed a copy of *County Jails and the Affordable Care Act: Enrolling Eligible Individuals in Health Coverage* from NACo.

Councilman Giles helps shape national policies affecting counties during NACo Annual Conference

PITTSBURGH, P.A. – Erie County Councilman Joe Giles helped lead 1,800 fellow county officials from across the country July 13-17 to adopt policies and share ideas to help lead the nation toward economic recovery during the National Association of Counties' (NACo) 2012 Annual Conference and Exposition in Allegheny County/Pittsburgh.

Giles is NACo's elected Northeast Region Representative and serves on the association's Executive Committee, which is a committee of the Board of Directors. The Northeast Region includes Delaware, Washington, D.C., Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and West Virginia.

NACo's Annual Conference is the most important gathering of county officials of the year. Decisions made each summer during the conference allow counties to speak with a strong, clear and unified voice to the Administration, Congress and the American people on issues ranging from transportation infrastructure, access to health care, and court and jail systems.

Giles said the conference was productive and informative.

"We are not alone in the challenges we are facing here at home to deliver services and programs during these tough economic times," said Giles, a member of the Board of Directors. "Only by talking with our fellow county officials sharing best practices and practical solutions will we be able to kick-start our economy. NACo's educational workshops are a terrific vehicle for that interaction and engagement."

Giles is an active member of NACo's Justice & Public Safety Policy Committee and the Membership Committee.

NACo President Lenny Eliason, Commissioner, Athens County, Ohio, said the nation's counties are deeply concerned about funding for a variety of federal programs, which directly affect counties and communities and new federal regulations under consideration.

"The Administration and Congress need to be reminded almost daily how the decisions they make affect us at the county level and the services we provide directly to the American people," Eliason said. "We work tirelessly all year to preserve local governing authority and caution Washington when they try to shift federal costs onto states and local governments."

Counties in most states are responsible for providing essential services to communities, including maintaining roads and bridges, operating airports and other transit systems, delivering critical health care services, providing law enforcement, courtroom and jail services, funding schools, and numerous human services for seniors, children and families. Counties are the first line of defense for natural disaster emergencies and pandemic preparedness and response.

During the Annual Conference in Pittsburgh, county officials through NACo's 11 policy steering committees set the county agenda and legislative priorities for 2012-13 so counties can speak with one voice before the Administration and Congress. Issues addressed included budget and revenue; rural and urban development, green government; transportation; public safety; emergency preparedness and response; housing and more. Policy resolutions adopted at the conference will be posted soon at www.naco.org.

Conference participants also attended a variety of educational workshop sessions to gain greater understanding of issues affecting county government and how many counties are finding innovative, cost-effective way to provide services and programs.

During Tuesday's Election of Officers and Business meeting, NACo membership elected and installed its 2012-13 officers: President: Chris Rodgers, Commissioner, Douglas County, Neb.; First Vice President: Linda Langston, Supervisor, Linn County, Iowa; Second Vice President: G. Riki Hokama, Council Member, Maui County, Hawaii; and Immediate Past President Lenny Eliason, Commissioner, Athens County, Ohio.

On Monday, President Eliason announced that Matthew D. Chase has been named the association's new Executive Director. He will replace the retiring Larry E. Naake this fall. Chase joins NACo from the National Association of Development Organizations (NADO), which represents the nation's local government-based regional planning and development organizations. He has served as NADO's Executive Director since 2003 and was previously the Director of Legislative Affairs and Deputy Executive Director.

In addition, conference attendees heard from experts and prominent national speakers throughout the five-day conference including Secretary of Agriculture Tom Vilsack; political journalists Mark Halperin and John Heilemann; retired Supreme Court Justice Sandra Day O'Connor; and author Jay Wilkinson. See below or visit www.naco.org for summary of remarks.

For more information about the 2012 NACo Annual Conference, contact Jim Philipps at jphilipps@naco.org or 202.942.4220.

Mr. Giles further reported that the CCAP Conference was held August 5 to 8 in Hershey, Pennsylvania. The County Commissioners Association represents every Pennsylvania county by law. Mr. Giles has served on that board for approximately 20 years. He noted that the state budget and proposed federal budget will have a direct and immediate impact to local government. Almost two-thirds of funds come from federal and state government, much of which is focused on human services. Many people fail to realize that organizations such as the Barber Center get a great deal of their funding from federal and state sources through the county. There will be some very difficult decisions in the future.

County Commissioners Gather in Dauphin County

Joe Giles, Carol Loll and Fiore Leone, members of Erie County Council, recently attended the County Commissioners Association of Pennsylvania (CCAP) 126th Annual Conference in Dauphin County. County leaders from around the commonwealth gathered to attend workshops and training sessions, network with their peers, discuss state and federal policies that impact counties and elect Association leaders for the next year during the Annual Conference. The Conference ran from August 4-8, 2012.

"The Association serves to strengthen the ability of Pennsylvania's counties to govern their own affairs and improve the well-being and quality of life for their constituents," said Joe Giles "To this end, the Association offers conferences such as these and training opportunities to help county commissioners and council members and county employees to better serve their constituency.

"I now know and have a better understanding of the many issues that impact Erie County. We share many of the same challenges of other counties statewide. The CCAP Annual Conference allows us to not only learn about the issues and how to solve them, but also allows commissioners from across the commonwealth to meet one-on-one to learn from each other," according to Joe Giles.

The County Commissioners Association of Pennsylvania (CCAP) is the voice of county government, a statewide, nonprofit, nonpartisan Association representing all of Pennsylvania's 67 counties. CCAP membership includes the county commissioners, council members, county executives, administrators, chief clerks and solicitors. Founded in 1886, CCAP is an affiliate of the National Association of Counties.

Mr. Beeman's
Comments

Mr. Beeman welcomed everyone to Washington Township which is in his district. He encouraged everyone to show up at the finance meetings where Council discusses the details of the agenda items. Those meetings are listed at eriecountygov.org.

Dr. Foust's
Comments

Dr. Foust welcomed Mary Jo Campbell, a commissioner in Washington Township and expressed his appreciation to her for hosting the meeting.

Agenda
Amended

Mr. Giles moved to amend the agenda to include Ordinances 81, 86 and 87 as second readings. Dr. Foust seconded, and it carried in a unanimous roll call vote.

First Rdg

Mr. Smith gave a first reading of Ordinance Number 80, 2012, "Fourth 2012 Library Fund Budget Supplemental Appropriation Of \$8,000 And Creation Of A Line Item For Donation From Friends Of The Library."

Grant for
Summer Rdg.
Prgm

Mr. Smith gave a second reading of Ordinance Number 81, 2012, "Fifth 2012 Library Fund Budget Supplemental Appropriation Of \$200 Library State Grant For Summer Reading Program." Dr. Foust moved to adopt; Mrs. Loll seconded, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

First Rdgs.

Mr. Smith gave first readings of the following ordinances:

Ordinance Number 82, 2012, "2012 Liquid Fuels Fund Budget Revised Expenditures Of \$19,380 For Replacement Of Road Culvert In Waterford Borough"

Ordinance Number 83, 2012, "2012 General Fund Budget Revised Expenditures Of \$6,000 For Homicide Case Assigned To Public Defender"

Ordinance Number 84, 2012, "Twenty-First 2012 General Fund Budget Supplemental Appropriation Of \$51,472 And Creation Of Line Items For AOPC – MDJ Perimeter Security Grants"

Ordinance Number 85, 2012, "2012 Capital Projects Fund Supplemental Appropriation Of \$10,000 And Creation Of New Line Item For PCORP Loss Prevention Grant"

Capital Prjcts
SA to Replace
Intercom System
At Prison

Mr. Smith gave a second reading of Ordinance Number 86, 2012, "2012 Capital Projects Fund Supplemental Appropriation Of \$100,500 To Replace Central Control Intercom At The Erie County Prison." Mr. Giles moved to adopt; Dr. Foust seconded, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

Gen Fund SA
Prof. Fees to
Establish
Ownership of
Lib. Art Collec.

Mr. Smith gave a second reading of Ordinance Number 87, 2012, "Twenty-Second 2012 General Fund Budget Supplemental Appropriation Of \$10,000 For Professional Fees For Research And Mediation To Establish Legal Ownership Of The Library Art Collection." Mr. Giles moved to adopt; Dr. Foust seconded.

Mr. Giles noted that the agreement with the County Solicitor Ron DiNicola states that periodic reports would be provided to Council regarding the success and costs related to this matter.

Mr. Fatica called for a vote on the ordinance, and it carried in a roll call vote of 4-1, Mr. Beeman voting no.

First Rdg.

Mr. Smith gave a first reading of Ordinance Number 88, 2012, "2012 Children & Youth Services Fund Budget Revised Expenditures Of \$16,075 And Filling A Vacancy In Department Solicitor Position 005100-033."

Appt Council
Sol. To Adj.
Rights

Mr. Smith gave a reading of Resolution Number 35, 2012, "Appointment Of Council's Solicitor To Adjudicate The Rights Of Certain Parties Under The Local Agency Law." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Apprv. Auditors
Rprt of COG

Mr. Smith gave a reading of Resolution Number 36, 2012, "A Resolution To Approve The Independent Auditor's Report Of The Erie Area Council Of Governments For The Calendar Year Ending December 31, 2011." Mr. Giles moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Apprvl of 2013-
2015 Oper & Cap. Plan

Dr. Foust moved to approve Council's response to the 2013 to 2015 Operational and Capital Plan. Mrs. Loll seconded and it carried in a unanimous roll call vote.

Sale of Parcels from
Repos. Apprvd.

Dr. Foust moved to approve the sale of parcels from the repository at Index Nos:
02-001-013.1-005.00
15-021-024.0-503.00
44-21-34-4.01
Mrs. Loll seconded.

Mr. Giles asked Mr. Sparber to detail what these three parcels entail. Mr. Sparber explained that these parcels are listed because of unpaid taxes. The parcels went through the initial sale process, after two years of unpaid of taxes, the parcels then go through an upset sale. This sale still has any liens on the property. If the properties are not sold in the second year, then in the third year, they go through the judicial sale process or a lien free sale. This is an open bidding process carried on by the County. If the properties are not purchased during these sales, they are put into the repository. The county repository has a minimum bid of \$250. If no one chooses to bid against that amount, the property can be purchased for \$250. Mr. Fatica explained that Mr. Sparber is the Director of Finance.

Mr. Fatica called for a vote on the sale of parcels from the repository, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:49 p.m.

Ann M. Bruno, Council Secretary
