

March 26, 2013

ERIE COUNTY COUNCIL – Regular Meeting

Mr. Giles, 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 the following:

On Good Friday, a plain brown robin flying over Jerusalem was curious about the “nest” atop Jesus’ head. When the bird realized it was a crown of thorns, he tried to dislodge it. As the robin pulled out a long thorn from Jesus’ forehead, a drop of blood landed on the bird’s breast, staining it red. Now the robin’s red breast is a symbol of Jesus’ loving sacrifice, and the robin’s early-spring song is a reminder of Jesus’ joyful resurrection.

Roll Call

The County Clerk called the roll:

Members Present: Mr. Giles, Chairman  
Mr. DiMattio  
Mr. Fatica  
Dr. Foust  
Mr. Leone  
Mrs. Loll

Members Absent: Mr. Cleaver, Vice Chairman

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

Presentation  
of Citation

Mr. DiMattio introduced Mr. George Peters who has been a member of the Mill Village Fire Department for 60 years. Mr. DiMattio stated that by Mr. Peters’ leadership, consisting of two years as president and 45 years as treasurer, everyone can learn a lesson through his frugality and accomplishments. Approximately ten years ago, the department undertook the building of a new fire hall at a cost of approximately \$354,000 with an intent to pay it off in ten years. Under Mr. Peters leadership this was paid off in five years. Mr. DiMattio further noted that Mr. Peters has done a lot for the community as well. He presented Mr. Peters with a citation. Mr. Peters expressed his appreciation and stated it was a pleasure to serve and he enjoyed every year of his service.

Mr. Giles asked for a round of applause for all member of the Mill Village Fire Department in the audience. He thanked them for their service.

Hearing of  
The Public

Kenneth Przepierski, 640 East 12<sup>th</sup> Street, Erie, spoke about a new scourge called K2 which he believes is being sold in stores and is devastating young people. He believes it needs to be eradicated and feels Council can bring it to the attention of state legislators. He questioned the Drug and Alcohol Fund noting that a great deal of money has been spent and there are still issues relating to drug usage. Mr. Przepierski believes the best solution to the drug problem is to take the customer away from the dealer. He also questioned Ordinance 35 on the agenda and amending the Administrative Code.

Mr. Giles explained that this particular amendment concerns donations to the county which are sometimes small such as the \$100 couch on the agenda. This will change the threshold for the amount of donations to be approved by Council.

Tammy Ruiz, 3910 Calico Drive, spoke regarding her divorce and support issues with the Courts. She believes coming before Council in January has provided some help with her problems concerning the judge and various related offices.

Maria Czulewicz, 636 East 12<sup>th</sup> Street, Erie, noted that the previous speaker is her niece. She recalled the same problems with judges happened with OCY in the past, and the attorneys in this current situation are lying as well. She stated this problem with judges and attorneys needs to be corrected. Council needs to address the problems with employees who misplace records in the offices that deal with the support and divorce issues.

Minutes Mr. Leone moved to approve the minutes of the Regular Meeting of March 12, 2013. Dr. Foust seconded, and it carried in a unanimous roll call vote.

Finance Committee Mr. Leone reported that the Finance Committee met on Thursday, March 21, 2013 and agreed to place on the agenda Ordinances 24, 25 and 27 for second readings and first readings for Ordinances 29, 30, 31 with possible second readings of Ordinances 32, 33 and 34. Also for a first reading is Ordinance 35 along with the possible adoption of Resolutions 13, 14 and 15. The appointment of Mr. Eighmy to the Erie County Redevelopment Authority and the reappointment of Ferki Ferati to the Erie Metropolitan Transit Authority along with the possible approval of the sale of parcels from the repository for unsold properties have also been placed on the agenda.

Couch donated To Ct. Admin. Mr. Smith gave a second reading of Ordinance Number 24, 2013, "Ninth 2013 General Fund Budget Supplemental Appropriation Of A Couch Donated To Court Administration And Creation Of Line Items." Mr. Leone moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Ord. 25 Tabled Mr. Leone moved to table Ordinance Number 25, 2013, "Tenth 2013 General Fund Budget Supplemental Appropriation Of \$6,700 For Assessment Appeal Court Case." Mrs. Loll seconded and it carried in a unanimous roll call vote. Mr. Giles understands this ordinance will be addressed on April 4<sup>th</sup> with some input from Mr. Maas and the County Solicitor's Office with respect to Mr. Talarico's suggestion.

PH Rev. Expend. From Reduc. Of Immun. Grant Mr. Smith gave a second reading of Ordinance Number 27, 2013, "2013 Public Health Fund Budget Revised Revenue And Expenditures Of \$45,000 From State Funding Reduction Of Immunization Grant." Mr. Fatica moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Agenda Amended Mr. Leone moved to amend the agenda to include Ordinances 32, 33 and 34 as second readings. Dr. Foust seconded, and it carried in a unanimous roll call vote.

First Readings Mr. Smith gave first readings of the following ordinances:  
  
Ordinance Number 29, 2013, "Third 2013 Planning Fund Budget Supplemental Appropriation Of \$238,032 And Creation Of Line Items For Act 13 Greenway Grant"  
  
Ordinance Number 30, 2013, "Eleventh 2013 General Fund Budget Supplemental Appropriation Of \$3,400 And Creation Of Restitution Fees Line Item In District Attorney Budget"

Ordinance Number 31, 2013, "2013 Public Safety Fund Budget Revised Revenue And Expenditures Of \$175,181 In COPS Grant Budgeted In 2013 But Expended In 2012"

PH Revis. Rev. &  
Expend. Of \$18,000

Mr. Smith gave a second reading of Ordinance Number 32, 2013, "2013 Public Health Fund Budget Revised Expenditures Of \$18,000 And Creation Of Temporary Staff Line In Aids Grant Bureau For Unpaid Medical Leave." Mr. Leone moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Temp Staff for  
Unpaid Leave in  
PD Ofc

Mr. Smith gave a second reading of Ordinance Number 33, 2013, "2013 General Fund Budget Revised Expenditures Of \$15,854 And Creation Of A Temporary Staff Line Due To Unpaid Leave In Public Defender Office." Mr. Leone moved to adopt; Mr. DiMattio seconded, and it carried in a unanimous roll call vote.

Trans. From Ct.  
Admin. To PD for  
Death Penalty Case

Mr. Smith gave a second reading of Ordinance Number 34, 2013, "2013 General Fund Budget Revised Expenditures And Transfer Of \$4,000 From Court Administration To Public Defender For Death Penalty Case." Mr. Fatica moved to adopt; Mrs. Loll seconded. Mr. Giles expressed his gratitude to Attorney Kennedy, Public Defender, for her presence at the meeting regarding the two issues on the agenda. He called for a vote on the ordinance, and it carried in a unanimous roll call vote.

First Rdg.

Mr. Smith gave a first reading of Ordinance Number 35, 2013, "Amending The Administrative Code Of Erie County, Article II, Section 2(c)(i)(ii) Department Of Finance Article V, Section 11(A)9 County Council Previously Amended By Ordinance Number 17, 2012." Mr. Giles noted the inspiration for this particular change in the Administrative Code is as a result of Ordinance Number 24, 2013, the donation of a couch valued at \$100.

Small Games  
Of Chance

Mr. Smith gave a reading of Resolution Number 13, 2013, "In Support Of Amending Act 2 Of 2012 Regulating Small Games Of Chance In Pennsylvania." Mrs. Loll moved to adopt; Mr. Leone seconded. Mrs. Loll explained that the Small Games of Chance Law has made the ruling that 70% of the profits from small games of chance are to be turned over to charity and 30% can be kept by the organization. There are also restrictions for the first \$40,000 that the organization is allowed to keep. The Senate will now attempt to amend this situation. This resolution is in support of that amendment. Senator Wiley will make an amendment on the floor which proposes that the \$40,000 not have restrictions unless it is to pay fines and fees. The Senate will also attempt to change it to a 50/50 split with 50% of the profit being given to charity and 50% kept by the organization. Mr. Giles called for a vote on the resolution and it carried in a unanimous roll call vote.

Asian Carp  
In Great Lakes

Mr. Smith gave a reading of Resolution Number 14, 2013, "Keeping Asian Carp Out Of The Great Lakes." Dr. Foust moved to adopt; Mr. Leone seconded. Dr. Foust explained that support of this resolution will hopefully aid efforts to pass federal legislation to address the problem of Asian Carp in the Great Lakes. Mr. Giles called for a vote on the resolution and it carried in a unanimous roll call vote.

Exon. Taxes in  
UC & UC SD

Mr. Smith gave a reading of Resolution Number 15, 2013, "Exonerating Taxes On One Abandoned Trailer/Property In Union City Borough And The Union City Area School District." Mr. DiMattio moved to adopt; Mrs. Loll seconded, and it carried in a unanimous roll call vote.

Harry Eighmy  
appt'd to Redev.  
Auth.

Dr. Foust moved to appoint Harry Eighmy to an unexpired five year term on the Erie County Redevelopment Authority as a countywide representative. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Ferki Ferati appt'd  
To EMTA

Dr. Foust moved to reappoint Ferki Ferati to a five year term on the Erie Metropolitan Transit Authority as a countywide representative. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Sale of Parcels

Dr. Foust moved to approve the sale of parcels from Repository for Unsold Properties at Index Nos. 14-010-022.0-121.00 and 14-010-035.0-112.00. Mr. Leone seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:37 p.m.

Ann M. Bruno, Council Secretary

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