

April 23, 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:

Let us pray.

Dear Lord, we ask that you guide us to the most important topic on earth: peace. What kind of peace do I mean? Not a peace forced on the world by military power... but a genuine peace- the kind of peace that makes life worth living - the kind that enables men and nations to grow and to hope and to build a better life for their children- and not just a peace for us but peace for all. We ask for peace because of the new face of terror. We all inhabit this planet. We all breathe the same air. We all cherish our children's future... Jesus Christ gave his life to pave the way for peace and his wisdom regarding the enemy is captured in a couple of insightful statements like:

Love your Enemies

Pray for those who persecute you

Father forgive them

We live in times that are tense with danger but also with possibility. The dangers are clear; the possibility is that we will finally learn to follow the ways of God who wants peace as much for us as we want it for our families. Amen.

Roll Call

The County Clerk called the roll:

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

Members Absent: None

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

Moment of Silence

Mr. Giles extended condolences to Mr. Leone on the passing of his brother-in-law Eugene Jordano and asked for a moment of silence in his honor.

Hearing of The Public

Kenneth Przepierski, Erie, referred to the minutes of the March 26, 2013 meeting at which he spoke and expressed his dissatisfaction with the summation of his remarks regarding the Drug & Alcohol Fund Budget. He again spoke regarding the allocation of these monies and asked how they are spent. He also asked for details regarding the dates of the board's meetings. He referred to the various ordinances amending the Administrative Code which he stated was done to distribute restricted gaming funds. He pointed out that the lease for a district judge office space will cost \$193,000 over five years; this money could purchase a building.

Maria Czulewicz, Erie, spoke about leases on buildings for county use. She referred to the cost of the OCY building and inquired about the ownership of the buildings leased by the County. At the rate of \$3200 a month, she inquired as to whether utilities were included. Council should

save taxpayer dollars. She spoke of a free flow fund several years ago with regard to the Barber Center, mental health workers and double dipping into taxpayer dollars and believes nothing has changed.

Minutes

Mr. Leone moved to approve the minutes of the April 9, 2013 Regular County Council meeting. Dr. Foust seconded, and it carried in a unanimous roll call vote.

Finance
Committee

Mr. Leone reported that the Finance Committee met on April 18, 2013 and agreed to place Ordinance 26, revised expenditures of \$5,000 and release of restricted funds in Controller's Office and approval of solicitor contract; Ordinance 36, supplemental appropriation of \$6,804 and creation of line item for unspent donation and the possible adoption of Resolution 18 which was tabled at the last meeting. Also on the agenda for first readings are Ordinance 37, a supplemental appropriation of \$30,402 for DA Project Safe Neighborhood Grant which may become a second; Ordinance 38, a supplemental appropriation of \$5,500 for Aggressive Replacement Training Grant; Ordinance 39, Children & Youth revised expenditures for Court ordered placements; Ordinance 40, a Health Choices Fund Budget creation of line item due to prior year expenses; Ordinance 41, a supplemental appropriation of \$100 and creation of interest income line item; Ordinance 42, also a supplemental appropriation of \$100 and creation of interest income line item for HUD SC Bank Account and the possible adoption of Resolution 19, approving solicitor contract for Tax Assessment Board; Resolution 20, a lease agreement for office space for MDJ Brian McGowan and Resolution 21, exonerating taxes on an abandoned trailer in Millcreek Township. The possible appointments of Diane Papesch to the Library Board, Ralph DeRose to the Industrial Development Authority and Margaret Smith, Ph.D. to the Children and Youth Advisory Board have also been placed on the agenda.

Mr. Giles'
Report

Mr. Giles reported that LECOM held a press conference on April 15th at its facility located on West Grandview Boulevard. Mr. Giles spoke at this conference to a room full of doctors, faculty and staff and expressed his opinion that the sale of beds from Pleasant Ridge Manor to LECOM was a significant step. Equally important is the partnership established with LECOM. The Executive Director approached Mr. Giles and stated she was moved by his comments and offered the use of their interns to assist in staffing Pleasant Ridge Manor. Mr. Giles noted the benefit to both organizations, a cost control for Erie County and a learning environment for LECOM. Should this occur, it has the potential to have a considerable impact in the services provided at Pleasant Ridge Manor. He asked the following be included in the minutes:

State Gives Go-Ahead for New Skilled Nursing Facility
LECOM introduces the next generation of senior living.

Erie, Pa., April 15, 2013- An agreement reached among the Pennsylvania Department of Public Welfare (DPW), Millcreek Health System and Erie County Council on behalf of Pleasant Ridge Manor has cleared the way for a five-story skilled nursing facility. The Lake Erie College of Osteopathic Medicine (LECOM) Senior Living Center will be built on land south of Millcreek Community Hospital (MCH) at 5515 Peach Street in Erie. The new facility is expected to open in 2015.

The agreement allows for the transfer of 88 skilled nursing beds from the county-owned Pleasant Ridge Manor to Millcreek Manor, which is now a 50-bed skilled nursing facility connected to MCH. Officials from Millcreek Health System, Pleasant Ridge Manor and Erie County formally announced the agreement today at a news conference held at LECOM.

The agreement opens the way for the county to combine two nursing homes into one facility in Fairview and for LECOM to build its own facility incorporating the next generation of senior living care.

"This building will provide a more welcoming home-like setting for senior living," said James Lin, D.O., director of the LECOM Institute for Successful Aging and a fellowship-trained geriatric physician. "LECOM is developing an innovative model of care that is far from the traditional, sterile nursing home environment"

Dr. Lin added that the senior living center should create 150 to 250 jobs. This facility will also house an expanded LECOM Institute for Successful Aging outpatient center, he said. Construction is scheduled to begin in early summer.

"It's a great day for Erie and our surrounding communities," said Mary L. Eckert, president and CEO of Millcreek Community Hospital. "We're excited to be able to continue meeting our communities' needs by providing enhanced care for the elderly in a new, 138-bed skilled nursing facility. We're also proud to show how non-profits, such as our health system, can work successfully with government in the best interests of the people we all serve."

Upon hearing that DPW has accepted the agreement, Pleasant Ridge Manor Executive Director Robert V. Smith agreed. "While the whole process has taken longer than we had hoped, the end result will benefit us all - Millcreek Health System, Pleasant Ridge Manor, and most importantly, the elderly and disabled residents of Erie County."

LECOM has begun clearing the land south of Millcreek Community Hospital in preparation for construction. Ground breaking for the new senior living center is planned for late June.

Mr. Giles further reported that evening the Governor and the Department of Community and Economic Development presented an annual award for creative and efficient use of local resources to the Council of Governments and the Erie County Gaming Revenue Authority in regard to its latest initiative, the technology project. Both Mr. Fatica and Mrs. Loll had been involved in some of the discussion. All municipalities can participate for the coordination of their individual and joint activities including public works equipment, sharing programs as well as meeting and document management. Mr. Giles noted that this has infinite possibilities and is a very big step in providing a partnership with all local government officials and is a model for statewide implementation across the Commonwealth. Mr. Giles acknowledged Mr. Lesser from the COG, Mr. Wood from ECGRA and to all staff and board members related to this issue in helping to move this forward.

Release of Rest. Funds
In Controller's Ofce
& Approval Contract

Mr. Smith gave a first reading of Ordinance Number 26, 2013, "2013 General Fund Budget Revised Expenditures Of \$5,000, Release Of Restricted Funds In Controller's Office And Approval Of Solicitor Contract." Dr. Foust moved to adopt; Mr. Fatica seconded.

Mr. Leone moved to amend the amount on the face of the ordinance from \$5,000 to \$3,500. Mr. Cleaver seconded, and the motion to amend failed in a roll call vote of 4-3, Mr. Leone, Mrs. Loll and Mr. Cleaver voting yes.

Mr. Giles called for a vote on the ordinance and it carried in a roll call vote of 5-2, Mr. Leone and Mr. Cleaver voting no.

PH SA for Unspent
Donation For Comm.
Needs Assess Prjct

Mr. Smith gave a second reading of Ordinance Number 36, 2013, "Second 2013 Public Health Fund Budget Supplemental Appropriation Of \$6,804 And Creation Of Line Item For Unspent Donation For The Community Needs Assessment Project." Mr. Fatica moved to adopt; Mr. Leone seconded, and it carried in a unanimous roll call vote.

Res. 18 remains
Tabled

Mr. Giles stated that Resolution 18 will remain tabled at this time until some language details can be resolved.

Agenda Amended

Mr. Leone moved to amend the agenda to include Ordinances 37, 39, 41 and 42 as second readings. Dr. Foust seconded, and it carried in a unanimous roll call vote.

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Gen Fund SA
For DA Prjct
Safe Neigh. Grant

Mr. Smith gave a second reading of Ordinance Number 37, 2013, "Twelfth 2013 General Fund Budget Supplemental Appropriation Of \$30,402 And Creation Of Line Items For DA *Project Safe Neighborhood* Grant." Dr. Foust moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

First Rdg.

Mr. Smith gave a first reading of Ordinance Number 38, 2013, "Thirteenth 2013 General Fund Budget Supplemental Appropriation Of \$5,500 And Creation Of Line Items For *Aggressive Replacement Training* Grant In Juvenile Probation."

C&Y Revis. Exp.
For Ct. Ord. Place.

Mr. Smith gave a second reading of Ordinance Number 39, 2013, "2013 Children & Youth Services Fund Budget Revised Expenditures For Creation Of Expense Line Items For Court Ordered Placements." Mr. Leone moved to adopt; Dr. Foust seconded. Mr. Giles explained this ordinance adds additional agencies for placement of troubled youth. Mr. Giles 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 40, 2013, "2013 Health Choices Fund Budget Creation Of Expense Line Item Due To Prior Year Expenses."

Liq. Fuels SA &
Creat. Of Line Item

Mr. Smith gave a second reading of Ordinance Number 41, 2013, "First 2013 Liquid Fuels Fund Budget Supplemental Appropriation Of \$100 And Creation Of *Interest Income* Line Item." Dr. Foust moved to adopt; Mr. Leone seconded. Mr. Giles explained that the state has requested that liquid fuels funds be dispensed through a state designed formula and requires the funds be placed in an interest bearing account. He called for a vote on the ordinance and it carried in a unanimous roll call vote.

Plann. Fund SA
& Creat. Of Inter.
Inc. Line Item

Mr. Smith gave a second reading of Ordinance Number 42, 2013, "Fourth 2013 Planning Fund Budget Supplemental Appropriation Of \$100 And Creation Of *Interest Income* Line Item For HUD SC Bank Account." Dr. Foust moved to adopt; Mr. Fatica seconded, and it carried in a unanimous roll call vote.

Solic. Contract for
Tax Assess/Brd of
Assess Appeals

Mr. Smith gave a reading of Resolution Number 19, 2013, "Approving Solicitor Contract Submitted By The Office Of Tax Assessment/Board Of Assessment Appeals." Mr. DiMattio moved to adopt; Dr. Foust seconded.

Mr. Fatica moved to amend No. 10 on Exhibit A to include the following language:

This Agreement is subject to approval of County Council

Dr. Foust seconded, and the motion to amend carried in a unanimous roll call vote.

Mr. Giles called for a vote on the resolution, as amended, and it carried in a unanimous roll call vote.

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Lease Agrmt
Btwn Erie County
& Summit Twp
For MDJ McGowan

Mr. Smith gave a reading of Resolution Number 20, 2013, "Approval of Tentative Lease Agreement for the Lease by the County of Erie as Lessee of Office Space for Magisterial District Judge Brian McGowan with Summit Township Located at 1230 Townhall Road, Erie, Pennsylvania." Dr. Foust moved to adopt; Mr. DiMattio seconded.

Mr. Leone noted that Mr. Przepierski brought up the issue of the cost of this lease. Mr. Leone stated he had mentioned in the past, with respect to all lease agreements, the cost of these lease agreements. This is a lucrative payment to realtors, and in this particular case, Mr. Leone stated his disappointment since this is a township building and he believes there shouldn't be a cost associated with this office space. The county is spending millions of dollars to lease office space for the district judges and he feels a building could be built and paid for with less money. Dr. Foust reminded Mr. Leone that the county is not responsible for the maintenance of these buildings. He agrees better deals could probably be made, but upkeep and maintenance of a building comes with great costs along with personnel. Mr. Fatica noted that two of the district judge offices will go away in the near future. Mr. Giles pointed out that this does include the cost of utilities. Mr. Leone expressed his belief that including utilities, owning a building would be more cost efficient. Mr. Giles called for a vote on the resolution and it carried in a roll call vote of 6-1, Mr. Leone voting no.

Exon. Taxes in
Millcreek Twp

Mr. Smith gave a reading of Resolution Number 21, 2013, "Exonerating Taxes On One Abandoned Trailer/Property In Millcreek Township And The Millcreek Township School District." Mr. Fatica moved to adopt; Dr. Foust seconded, and it carried in a unanimous roll call vote.

Diane Papesch
Appt'd to Lib. Brd
Ralph DeRose
Appt'd to ECIDA
Margaret Smith
Appt'd to C&Y
Advisory Brd

Mr. DiMattio moved to approve the following appointments:

Appointment of Diane Papesch to a three-year term on the Erie County Library Board to represent Mr. DiMattio's District

Appointment of Ralph DeRose to a five-year term on the Erie County Industrial Development Authority to represent Mr. DiMattio's District

Appointment of Margaret Smith, Ph.D., to an unexpired four-year term on the Erie County Children & Youth Advisory Board to represent Mr. DiMattio's District

Dr. Foust seconded, and it carried in a unanimous roll call vote.

Adjournment

There being no further business, the meeting adjourned at 7:36 p.m.

Ann M. Bruno, Council Secretary
