

**AGENDA**  
Erie County Council

**WATCH A MEETING ON  
YOUTUBE –  
LINK AVAILABLE AT  
[www.eriecountypa.gov](http://www.eriecountypa.gov)**



André R. Horton, Chairman  
Jay Breneman, Vice Chairman  
Edward T. DiMattio, Jr.  
Kathleen Fatica  
Dr. Kyle Foust  
Fiore Leone  
Carol Loll

**REGULAR MEETING**

**Tuesday, October 25, 2016**

6:30 P.M. - Council Caucus  
7:00 P.M. – Council Meeting

1. **PLEDGE OF ALLEGIANCE**
2. **OPTIONAL PRAYER OR INVOCATION**
3. **ROLL CALL**
4. **HEARING OF THE PUBLIC**
  - A. Recognition of Mark Rosenthal, County employee, by City Councilman Mel Witherspoon
  - B. Freda Tepfer
  - C. Passle Helminski
  - D. Diana Ames
  - E. John Buchna
5. **MINUTES FROM PREVIOUS MEETING**
  - A. October 11, 2016 – Regular Meeting
6. **REPORTS OF COUNTY OFFICIALS**
  - A. County Executive and/or her Designee
  - B. Finance Committee – Dr. Foust
  - C. Personnel Committee – Mr. Breneman
  - D. Other

7. **OLD BUSINESS**

- A. Second Reading of Ordinance Number 86, 2016, “First 2016 Liquid Fuels Fund Budget Supplemental Appropriation of \$16,990 for Emergency Allocation Passed by Liquid Fuels Committee”. (Finance Committee)
- B. Second Reading of Ordinance Number 87, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$34,000 from Emergency Funding for Franklin Township Project”. (Finance Committee)
- C. Second Reading of Ordinance Number 88, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$50,000 from Emergency Funding for Wayne Township Project”. (Finance Committee)
- D. Second Reading of Ordinance Number 89, 2016, “2016 General Fund Budget Revised Revenue and Expenditures of \$3,711 for Stonegarden FY 14-16 Grant”. (Finance Committee)
- E. Second Reading of Ordinance Number 96, 2016, “Amendment to the Administrative Code Article 2, Section 5(IV)(3)(C), the Human Relations Commission of Erie County”. (Finance Committee)
- F. Second Reading of Ordinance Number 97, 2016, “Amendment to Ordinance Number 39, 2007, ‘Erie County Human Relations Commission’”. (Finance Committee)
- G. Second Reading of Ordinance Number 98, 2016, “2016 Capital Project Fund Revised Expenditures of \$211,723 for Veterans Affairs Relocation Project”. (Finance Committee)

8. **NEW BUSINESS**

- A. First Reading of Ordinance Number 99, 2016, “Thirty-Second 2016 General Fund Budget Supplemental Appropriation of \$15,000 PCORP Grant for LED Parking Lot Lighting at Public Safety”. (Finance Committee)
- B. First Reading of Ordinance Number 100, 2016, “Fifth 2016 Library Fund Budget Supplemental Appropriation of \$3,000 for LSTA Maker Grant Program”. (Finance Committee)

- C. First Reading of Ordinance Number 101, 2016, “Sixth 2016 Library Fund Budget Supplemental Appropriation of \$22,000 for a Donation from Friends of the Library”. (Finance Committee)
- D. First Reading of Ordinance Number 102, 2016, “Seventh 2016 Library Fund Budget Supplemental Appropriation of \$10,566 Donation for Foundation Center Fold 3 Databases/Print Reference”. (Finance Committee)
- E. First Reading of Ordinance Number 103, 2016, “Thirty-Third 2016 General Fund Budget Supplemental Appropriation of \$16,564 for Personnel Change in Coroner’s Department”. (Personnel Committee)
- F. Possible Adoption of Resolution Number 49, 2016, “Resolution to Approve Agreement Between Erie County and LECOM Health System, Inc., Millcreek Manor and Millcreek Community Hospital (City of Erie Properties) (Finance Committee) **(SEE ATTACHED)**
- G. Possible Adoption of Resolution Number 50, 2016, “Approving a 10 Year EMTA Charter Agreement”. (Councilman DiMattio and Councilwoman Loll) **(SEE ATTACHED)**
- H. Possible Sale of Parcel from Repository for Unsold Property at Index Number:

#24-006-021.0-003.01

9. **ADJOURNMENT**

RESOLUTION NUMBER 49, 2016

*Resolution to Approve Agreement Between Erie County and LECOM Health System,  
Inc., Millcreek Manor and Millcreek Community Hospital  
(City of Erie Properties)*

WHEREAS, on April 6, 2015, LECOM Health System et al., hereinafter, "LECOM," filed a Notice of Assessment Appeal at Docket No. 2015 - 11143 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, on April 6, 2015, LECOM filed a Notice of Assessment Appeal at Docket No. 2015 - 11144 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, on February 3, 2016, LECOM filed a Notice of Assessment Appeal at Docket No. 2016 - 10263 with the Court of Common Pleas of Erie County, Pennsylvania; and

WHEREAS, Erie County intervened in the above Appeals on behalf of the Tax Payers of the County of Erie; and

WHEREAS, on July 18, 2016, the Erie County Board of Assessment Appeals revoked the tax exempt status of several properties owned by LECOM; and

WHEREAS, on August 26, 2016, LECOM filed applications/appeals from the Erie County Board of Assessment Appeal's revocation of July 18, 2016, as above mentioned; and

WHEREAS, on September 20, 2016, LECOM filed a Motion to Voluntarily Discontinue the Notice of Assessment Appeal filed at Docket No. 2016 - 10263 with the Court of Common Pleas of Erie County; and

WHEREAS, on September 21, 2016, Erie County filed a Consent to LECOM's Motion to Voluntarily Discontinue; and

WHEREAS, on October 11, 2016, the Court granted the Property Owners' Motion to Voluntarily Discontinue; and

WHEREAS, Erie County and LECOM have agreed to cooperate, to settle their differences and to end the tax appeals pending before the Court of Common Pleas and file with the Erie County Board of Assessment Appeals.

**NOW THEREFORE BE IT RESOLVED**, by the County Council of the County of Erie, pursuant to Article II, Section 3B(1) and Article III, Section 5(H) of the Erie County Home Rule Charter that the Agreement between Erie County and LECOM, a copy of which is attached hereto and marked Exhibit "A," is hereby APPROVED.

RESOLUTION NUMBER 49, 2016

*Resolution to Approve Agreement Between Erie County and LECOM Health System,  
Inc., Millcreek Manor and Millcreek Community Hospital  
(City of Erie Properties)*

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this resolution was passed on the \_\_\_\_ day of \_\_\_\_\_, 2016 by a vote of \_\_\_\_ to \_\_\_\_.

Approved by:

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

\_\_\_\_\_  
Kathy Dahlkemper, County Executive  
of the County of Erie

\_\_\_\_\_  
Andre R. Horton, Chairman  
Erie County Council

\_\_\_\_\_  
Jay Breneman, Vice Chairman

\_\_\_\_\_  
Edward T. DiMattio, Jr.

\_\_\_\_\_  
Kathy Fatica

\_\_\_\_\_  
Dr. Kyle Foust

\_\_\_\_\_  
Fiore Leone

\_\_\_\_\_  
Carol J. Loll

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

Date: \_\_\_\_\_

**RESOLUTION NUMBER 50, 2016**

**Approving a 10 year EMTA Charter Agreement**

**WHEREAS**, County Executive Kathy Dahlkemper and City of Erie Mayor Joseph Sinnott have reached agreement on the following conditions which would constitute a basis for a new Charter for the Erie Metropolitan Transit Authority:

1. The EMTA Articles of Incorporation will be amended to reflect a board make-up composed of five members appointed by the City of Erie and four members appointed by the County of Erie; and
2. The parties agree that the EMTA's combined local match from the City and the County will be divided by 55% to the City and 45% to the County; and
3. EMTA Articles of Incorporation will be amended to specify a term of existence of ten (10) years; and
4. The City of Erie and County of Erie will jointly request EMTA to revise its by-laws such that no less than one City and one County board appointee will serve as officers on the EMTA's board at all times.
5. An advisory committee will be created, consisting of appointees who will represent the interests of transit riders.

**NOW THEREFORE BE IT RESOLVED**, by the County Council of the County of Erie, that we the undersigned agree to the conditions above as a basis for a new City/County EMTA Charter; that other terms listed here or not would be negotiated between parties prior to agreement unless otherwise stipulated.

**BE IT FURTHER RESOLVED** that any agreement by the undersigned is conditioned upon the passage of a similar resolution by Erie City Council.

On the motion of \_\_\_\_\_, seconded by \_\_\_\_\_, this resolution was passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by a vote of \_\_\_\_ to \_\_\_\_.

COUNTY COUNCIL OF THE  
COUNTY OF ERIE, PENNSYLVANIA

Attest:

\_\_\_\_\_  
Douglas R. Smith  
County Clerk

\_\_\_\_\_  
André R. Horton, Chairman

Date: \_\_\_\_\_

\_\_\_\_\_  
Jay Breneman, Vice Chairman

\_\_\_\_\_  
Edward T. DiMattio, Jr.

Approved by:

\_\_\_\_\_  
Kathy Fatica

\_\_\_\_\_  
Kathy Dahlkemper,  
County Executive

\_\_\_\_\_  
Dr. Kyle Foust

Date: \_\_\_\_\_

\_\_\_\_\_  
Fiore Leone

\_\_\_\_\_  
Carol J. Loll