

February 11, 2014

ERIE COUNTY COUNCIL – Regular Meeting

Dr. Foust, Chairman, called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at Courtroom H, Erie County Courthouse, Erie, Pennsylvania. Following the Pledge of Allegiance, Mrs. Loll recited the following prayer:

“We have a fellow Council member in the hospital today and we pray that all has gone well and all will be well. We pray that Fiore will be back with us quickly and we will soon enjoy our friend again. Today, Lord, we gather together as one family with different ideas, yet one family. Help us to make decisions as a family would, by expressing our thoughts, but in the end, we all come together with the result of the majority. Lord, help us to accept the results of our decision and move on with friendship. Give us the strength to understand others and work together toward one goal. We thank you for friends and family. We pray this in your name. Amen.”.

Prior to roll call, Dr. Foust asked for a moment of silence for a County employee, Mary Knight-Strong, who passed away last Friday. Since 2008, she was the head of the Veterans Affairs Department for the County and had been with the County in some capacity since 2002.

Roll Call

The County Clerk called the roll:

Members Present: Dr. Foust, Chairman
Mr. Breneman
Mr. DiMattio
Mr. Fatica
Mr. Horton
Mrs. Loll

Members Absent: Mr. Leone, Vice Chairman

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

Hearing of
The Public

Prior to the start of hearing of the public, Dr. Foust went over the procedure for those who were new to the County Council meetings. He explained that those who have called in ahead of time will have five minutes to speak. Speakers are not required to use all of that time. Those thereafter who have not called in ahead of time will be given three minutes to speak. He emphasized that those times are kept strictly and he would let the speaker know when the time is up. In addition, he stated strongly that any person making offensive, insulting, threatening, insolent, slanderous, or obscene remarks, or who becomes boisterous, or who makes threats against any person, against the

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public order and security while in the County Council chambers shall be forthwith barred by the presiding officer from further audience at the meeting unless permission to continue be granted by a majority vote of County Council members present. He stated that speakers do not need to rush to the podium as Council will be available as long as anyone wants to speak during this portion of the meeting.

Casey Wells, Executive Director, Erie County Convention Center Authority; resides in Harborcreek Township. Mr. Wells commented that the Authority does not oppose the project proposed by Scott Enterprises and feels that each project will benefit. He cited numerous articles from the Erie Times News dating back to the 1990's quoting Mr. Scott and Scott Enterprises' intention of developing their bayfront property. He further commented that he supports the County guarantee in the hopes of putting shovels in the ground this year.

Roger Richards, District 2; Chairman of the ECCCA Strategic Planning Committee. Mr. Richards stated he would not repeat the information discussed at the previous meeting, but wanted to update Council on current events. There was a special meeting held today by ECCCA where all information discussed during the sessions with the County Executive, Council members, and the Scotts was disclosed. Mr. Richards stated that the ECCCA engaged bond counsel to review the option of a PILOT agreement and according to counsel, they were prohibited from participating in a PILOT agreement, and the project would fail if a PILOT agreement was done. He commented that the County is the entity guaranteeing the bond, not the city or school district. He further stated that the County Executive suggested a \$65,000 yearly payment to the County only, as a credit enhancement, along with the ECCCA giving a piece of property they own on the northeast corner of the bayfront connector and State Street, at a value of \$250,000, and transfer that land to the Scotts to develop a County parking lot. He urged Council to pass the bond guarantee so as not to lose the \$25 million grant from the State. He further stated that this project will create 200 jobs with a PLA in place, as well as diversity compliance. This project provides the GAF site to be developed, which provides the potential for \$150 million in taxable real estate.

Chuck Iverson, Millcreek Township, Director of Finance for ECCCA. Mr. Iverson wanted to acknowledge the work of the County finance team. There was a lot of information and time spent examining information and the review performed by the County team was detailed, comprehensive and rigorous. He felt it was important to acknowledge the team, including Sue Ellen Pasquale, General Accounting Manager, Jim Sparber, Director of Finance, and Joseph Maloney, Council CPA. Mr. Iverson thanked them each personally for their efforts, time spent, and the patience to go through underlying details to make an informed and balanced decision.

Vince Palermo, 4519 Miller Avenue, City of Erie. Mr. Palermo is the President of the Erie Arts Festival. He stated that the Erie Arts Festival is a community asset and the premiere arts, culture, and music event in the county. He stated that the festival has struggled over the last few years and wanted the County to help guide it into the future. He asked that Council appoint a ten member advisory committee to review options to sustain the event. He commented that the festival is part of the roots of Erie, the arts are valuable to tourism and the Erie Arts Festival is a major player in the economic impact to Erie.

Nick Scott, Sr., 1552 South Shore Drive, Erie, Pennsylvania. President/Owner, Scott Enterprises. Mr. Scott commented that it is rare to know the outcome of a vote on a controversial issue before the vote has taken place. He stated that it is known how the vote is going to go and they have lost their bid to stop another publicly funded hotel going on the backs of taxpayers, as well as their subsidizing it with tax collections and them competing with it. He felt that if this issue was placed before the voters and taxpayers, it would be overwhelmingly defeated. He thanked all of his supporters. He further commented that it is frustrating to be in the business world where the biggest competition they face is not a private developer, but government. The harder they work to succeed in their hotels, the more tax they collect from their guests and send the receipts to their competition to spend on their hotel. He further thanked ACES for their support. He expressed his disappointment that no PILOT agreement was reached. He felt that the ECCCA could pay much more than the token \$65,000 offered. He thanked County Council and the County Executive for

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hearing both sides of the story. He hoped the decision has enlightened some citizens and that they can work together with County Council on other issues in the future for the betterment of Erie County.

Kelly Edwards, Lakeview on the Lake, Harborcreek Township. Mr. Edwards explained that he is still in opposition of the hotel competing against him. He stated he is becoming disillusioned by government, and that the \$65,000 agreed upon as payment to the County is an insult and there should be a PILOT agreement. He commented that the meeting held with the ECCCA, County Council members, and the County Executive, among others, did not include all the stakeholders, only the rich, powerful, and politically connected were invited to this private meeting. What about fair competition and a level playing field? He firmly stated that government should not be picking winners and losers in private business.

Randy Barnes, District 5. Mr. Barnes expressed his dismay regarding the guarantee of another hotel bond. He further discussed that the school district and the city need tax revenue and taxable development is needed.

Joseph Curlett, Millcreek Township. Mr. Curlett stated he was in attendance representing the private sector. He stated that this public body making the decision tonight is bad policy and interjecting government into a risky transaction doesn't make sense. Mr. Curlett commented that the vote tonight will resonate throughout the County.

Mark Karuba, Chautauqua Blvd., Erie, PA. Mr. Karuba stated that he is still looking for the opportunity to discuss and debate this issue with Council as a group and is bothered that there is no two way interaction. He felt this bond guarantee is wrong for the citizens and it is wrong for Council to be pressured by the ECCCA.

John Tretter, Erie, PA. Mr. Tretter emphasized his support of the bond guarantee for the ECCCA and he was in support of the decision years ago to put the library on the bayfront. He expressed that this project is the insurance policy on all dollars invested on the bayfront. He stated a "yes" vote would continue moving bayfront development forward and move the community forward.

Dan Harmon, Erie, PA. Mr. Harmon thanked County Council, the Administration, and other entities for their leadership, partnership, and efforts working together. He hopes this is a first step in future cooperation in the projects along the bayfront. He further stated that Gov. Corbett announced in December, 2013, the award of 58 Economic Growth Initiative grants totaling \$133 million for 24 counties in Pennsylvania. Of the 58 projects, there is one for Erie County in the amount of \$5 million, for the Bayfront Place Hotel/ECCCA.

Darryl Fisher. Mr. Fisher stated that he does not know anyone on Council who is representing him. He is very disappointed as a citizen of Erie County. He is a building trades person and these types of jobs are needed. He stated he wanted to speak for people who have been driven to apathy, and whose will has been circumvented so badly and they just don't care anymore.

Patty Sperry, City of Erie. Ms. Sperry wanted to speak regarding Jay Breneman's proposal for the ECCCA to make payments in lieu of taxes on hotels. She referenced the email she sent to each Council member, which included the following: As discussed in the Times article Sunday, February 9, 2014, Jay Breneman "would vote for the debt guarantee only if the Authority makes 'satisfactory' payments in lieu of taxes." Given that hotels are profit making enterprises, that position makes perfect sense. However, my concern is that this action, if implemented from the get-go, may serve to undermine the financial success of the hotel. As a retired, lifelong resident of Erie, I am in complete agreement that a hotel is needed adjacent to the Convention Center. But if the hotel is built while putting the public at risk (debt guarantee) the project should be given every chance to be successful. Initially adding another layer of financial burden (payments in lieu of taxes) could undercut the stability of the project. Would it make sense to incorporate the payments in lieu of taxes as a percentage of profit, net the debt payments, rather than a flat amount? To

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provide transparency in making these calculations a third party accounting firm could monitor the annual payments. This process would provide a win-win situation: Solvency for the Convention Center Authority with surplus revenue going back into the public coffers.

Ben Sidell, Franklin Township/Supervisor; Mr. Sidell commented that each public official took an oath to keep the best interest of the taxpayer in mind. He was concerned that his children and grandchildren would pick up the tab for this bond if the project fails. He asked that Council consider tabling this ordinance as the public has been left out of it and there are too many unanswered questions.

Michael Chevalier, Fairview Township. Mr. Chevalier asked for minority inclusion in the ECCCA projects. He stated that ECCCA has embraced minority inclusion in their projects with 6% of the population on the Erie Insurance Arena project were minorities, and over \$2 million brought into the minority community as a result of ECCCA's inclusion.

Bob Merski, City of Erie/City Councilman. Mr. Merski stated he was speaking as a citizen of Erie and that the vote is to guarantee a bond issue, not a public vs. private issue. He commented that ECCCA is the only entity that has significantly transformed the bayfront over the last decade. He is concerned that the city has applied for RACAP monies and if the \$25 million is rejected, it could jeopardize the application for funding for the city project. The community is struggling and he urged Council to take all of this into consideration.

Chip Folletti, Springfield Township. Mr. Folletti commented that the people on the ECCCA and other boards and authorities volunteer their time and are still able to move projects forward in the area. He did not feel that people realize the work that ECCCA does as volunteers to bring projects to Erie.

Steve Rennick, Washington Township. Mr. Rennick pleaded for Council not to stick taxpayers again, as is what happened with CAMTech. He commented that the average taxpayer does not make a living wage and prices are going up on everything, but wages are not. He did not feel that Council is a good trustee of taxpayer dollars and 90% of the taxpayers do not want this bond guarantee. He urged Council to vote "no" on the ordinance.

Al Isaac, City of Erie. Mr. Isaac hoped that Mr. Horton moves to table this ordinance. He commented why guarantee a loan that ECCCA could not get on their own and asked who else ECCCA has talked to about developing the property. He further commented that ECCCA's role is to have the vision, but let private enterprise do the building. He felt it should be a taxable property and not in direct competition with private enterprise. He stated that if the project can't support itself, how can Council vote "yes" on something that can't succeed.

Tom Spagle, 4517 Sunnydale, Erie, PA. Mr. Spagle stated that there is an awful lot of effort into how much money is not being paid by non-taxable entities. The median income is \$34,000 in Erie County. There is no income tax to support infrastructure and the only thing left in the community is the bayfront – there is no other viable asset. With a "yes" vote, it will be non-taxable forever. He commented that residents are suffering with smaller budgets and the money could be used towards education. He felt that if there was a PILOT agreement that was more realistic, it might make more sense. He felt that the students and children of Erie County are the long term viability and the investment should be on them.

Kim Daniels, Lawrence Park Township. Mr. Daniels referenced the Bosworth Report from 2001 which suggested the need for 400 rooms. He felt that this project is good for the community and he is a small businessman, among others in the audience, and felt that all could benefit.

Approval of
Minutes

Mr. DiMattio moved to approve the minutes from the January 9, 2014, and January 14, 2014, meeting. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

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Report by
County Executive

County Executive Dahlkemper thanked the citizens for coming to the meeting and expressing their feelings.

Finance Committee
Report

Mr. Fatica stated that the Finance Committee met on February 6, 2014, and agreed to move on tonight's agenda Ordinance 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.

Personnel Committee
Report

Mr. DiMattio reported that the Personnel Committee met immediately following last week's Finance Committee meeting and discussed the possibility of adding Ordinance 27 regarding the part time assistant Public Defender, as well as Resolution 9 regarding the solicitor contract for the Office of Children and Youth.

Motion to Amend
Agenda

Mr. DiMattio moved to amend the agenda to move Ordinances 18, 19, 23, 24, 26, and 27 to second readings. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

Dr. Foust explained to those who were new to the procedures of meetings, the Unfinished Business on the agenda has to do with second readings that have been heard once before and Council will dispose of those matters this evening. In the essence of time, oftentimes with grants and other business, Council will move them to a second reading to dispense with that business somewhat quickly.

Second Readings

Mr. Smith gave a second reading of Ordinance Number 15, 2014, Second Reading of Ordinance Number 15, 2014, "Approving A Certain Project And The Financing Thereof, Briefly Describing The Same, Determining The Realistic Estimated Useful Life Of The Project And Stating The Estimated Project Completion Date; Stating The Maximum Aggregate Principal Amount Of The Bonds Or Notes To Be Issued By The Erie County Convention Center Authority To Be Secured By A Certain Guaranty Agreement Of The County Of Erie As Described Herein And Stating That The Debt Thereunder Is To Be Incurred As Lease Rental Debt As Defined In The Pennsylvania Local Government Unit Debt Act, 53 PA. Cons. Stat. §8001 Et Seq., As Amended; Authorizing And Directing Officers Of The County To Prepare And Verify A Debt Statement Required By Section 8110 Of The Debt Act And A Borrowing Base Certificate And Directing The County Clerk To File Such Statement And Certificate, Together With A Certified Copy Of This Ordinance And Proofs Of Publication, With The Pennsylvania Department Of Community And Economic Development And To Pay Any Necessary Filing Fees; Authorizing And Directing The Manner Of Approval, And The Execution And Delivery, Of The Guaranty Agreement By The County; Stating The Maximum Annual Amounts Of Principal And Interest To Be Paid Under The Guaranty Agreement, Covenanting The Payment Thereof And Pledging The Full Faith, Credit And Taxing Power Of The County Therefor; Undertaking to Provide Certain Continuing Disclosures, if Necessary, Authorizing The Officials Of The County To Take Other Appropriate Action; Repealing All Ordinances Inconsistent Herewith And Stating The Effective Date Of This Ordinance".

This was moved by Mr. Fatica and seconded by Mr. DiMattio.

Mr. Horton recognized and acknowledged the hard work of his colleagues, the County Executive, ECCCA, and other interested parties that was put in to reaching an agreement, but stated his concerns of the project remain unaddressed in three areas and asked that the ordinance be tabled until there is more transparency and possibly entering into a community benefit agreement that would benefit all parties and all stakeholders, not just the business people, but the residents who live on the east bayfront and the west bayfront. Mrs. Loll seconded this motion to table the ordinance. There being no discussion on tabling, Dr. Foust clarified that a "yes" vote on this roll call would mean the member wants the Ordinance tabled, a "no" vote would mean the member did not want the Ordinance tabled.

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Dr. Foust then asked for a roll call vote, and tabling the Ordinance was defeated in a 4-2 vote, with Mr. Horton and Mrs. Loll voting “yes” to tabling.

Mr. DiMattio moved to amend Ordinance 15, 2014, to have it enacted on today’s date, as well as adding Schedule I, which lays out the maximum annual amounts payable under the guarantee agreement with the bond issue. This was seconded by Mr. Fatica and carried in a 6-0 roll call vote to amend Ordinance 15, 2014.

Mrs. Loll read the following statement: “No matter how the vote goes tonight, I plan to accept it and let all differences go. I hope all in this room tonight can do the same. Working on separate sides will solve nothing and working together, well, I can imagine the possibilities. It could be wonderful, a great development to our county and a place for our residents to be proud of. I have talked to as many as I could find on the subject to get opinions and have listened to so many ideas. But most of all, I have listened to the constituents all over Erie County with their thoughts and concerns. The taxpayers of our County can’t be asked to co-sign, if you will, a bond issue that, if defaulted on, they will be obligated to pay. After studying the information provided to me and the information I have found, I believe it will be very difficult for the Convention Center Authority to pay back the Sheraton bond issue, let alone adding another \$60 million to the balance owed. The taxpayers have unanimously said they did not want to be put in this position. Even if I wanted to vote for the bond issue at hand, I don’t feel it would be the right thing to do because I was elected to speak for them as they feel and this is not what they want.”.

Mr. Horton commented that he does appreciate all the hard work that his colleagues, the County Executive, ECCCA and the other stakeholders that were included in the discussions. He said there were three things that remain unanswered in his mind and the process has been flawed from the start. The grant was applied for in April, it was accepted in early September, he was sworn in on January 2, 2014, and the following week this ordinance is pushed in front of Council. He commented that this does not address the long term issue and is against government being in the hotel business. Moving forward, as the District 2 representative, where this project is located, talking to those in close proximity is necessary. He further commented that \$800,000 a year that should be received from the ECCCA had they been forced to pay taxes, yet Council is settling for \$65,000. It doesn’t address the long term job issues and a bad deal is a bad deal. He stated he is not against the hotel, but is against government being in the hotel business.

Mr. Breneman read the following statement: “As a combat veteran, I am well versed in having to make choices that impact lives and livelihoods and I can readily recall the countless families, the dozens of communities, and the tens of millions of dollars that could rest upon the shoulders of so few. The greatest lesson war taught me is that we have to look beyond binary choices and challenge ourselves to move beyond entrenched viewpoint. There are always more options, undiscovered opportunities, and overlapping values, which are readily available if we are willing to put forth the effort. In weighing today’s decision, I took into account what our bayfront will look like for my two young children, Elijah and Paige, both of whom will be about my age when this bond matures. With all that I have seen, heard, researched, and asked for (from private citizens and public officials), I am confident that our children’s future will include a financially sound County government, and a successful and beautiful bayfront that they can readily access and enjoy. And that is because all properties, all properties on the bayfront, include both public and private investment. Early on, I knew that the impact of this issue will shape the identity of the city I call home, the region we are all invested in, and a generation we are preparing the future for, and it is because of this that we cannot resign ourselves to the sidelines, nor can we afford a hodgepodge of asynchronous efforts. I know that the dialogue we have had, and the tangible results of which we see today are a positive step forward. But it is clear, as some of my colleagues have pointed out that more needs to be done to ensure a unified and successful bayfront that will serve as a beacon of accomplishment for our region. Let us continue this work and do so constructively and thoughtfully.

Mr. DiMattio stated that he has received numerous phone calls and emails and has taken this issue very seriously. It is not empty rhetoric and both projects will exercise public monies. He stated

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that he has done his due diligence and the taxpayers have as well. He stated that Mr. Merski said it best when he said that there is grant money and if money is sent back to Harrisburg, it will be a huge setback to the community. There is already \$10 million invested in the remediation of the site and going forward, that site could be a gem down there that will generate tax dollars. He felt that both projects would complement each other tremendously. He would like to put differences aside and have all parties come together on this and work out what is best for the community. He commented on the need to move forward on this very difficult decision and believes that they are doing what is best for the constituents. He clarified that the only way the taxpayers will be responsible for this bond is if the ECCCA defaults. With the other developments in the works, the property will be worth a lot more than \$60 million to someone who would want to come in and help the County.

Mr. Fatica thanked everyone for attending the meeting and appreciated the discussion. He stated we are looking at blue gold out there – this is a regional asset and it can work for both parties. He commented that Council would be foolhardy to give \$25 million back to Harrisburg because it would never be seen again, that is how it works in Harrisburg and Washington. He wants Erie to be a destination city. He stated that Council unanimously signed a resolution to support the Scotts' efforts. He further commented that the library is what started the bayfront development and when that occurred, the people came forward saying that this is the biggest boondoggle in the world. It is the library that brings 400,000 people a year to that site. Last year was spent celebrating the Perry 200, we have celebrated who we were, who we are, and should now celebrate who we will become.

Dr. Foust commented that he voted yes for the first bond guarantee and is fully aware of the ramifications of decisions we make today, the importance of them, and the controversy that will spark within the community. He has a different view of government and public service and believes that this is a republic, not a democracy. People are elected in this country to make decisions based on our behalf and he would hope that the citizens have elected people that have looked at the issues, that have investigated the issues and invested a lot of time to make sure that the decision is made that is best for the community. For anyone to say that Council is thumbing their nose at the feelings of the constituents, that is not the case. Dr. Foust explained that he will not make up his mind on political noise or emotion. He further wanted to clarify that ECCCA is asking the County to co-sign a loan because they will save \$19 million over the life of the loan, which will allow them to pay the bond back short of 30 years. That money can be used to build the infrastructure on the GAF site, which will then become taxable property. Right now, where the hotel is going to go, is not taxable property, and that would not change whether a hotel went there or not. He stated he will be voting yes for the very same reasons he voted yes in 2005.

Dr. Foust asked for a roll call vote on Ordinance Number 15, 2014, as amended, and it passed in a 4-2 vote, with Mr. Horton and Mrs. Loll voting no.

Mr. Smith gave a second reading of Ordinance 16, 2014, "2014 Capital Project Fund Supplemental Appropriation Of \$180,000 And Creation Of Line Item For Sale Of Vacant Land Near County Public Safety Building". This was moved by Mr. DiMattio, seconded by Mrs. Loll and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 17, 2014, "2014 Children & Youth Services Fund Budget Revised Expenditures Of \$18,000 And Creation Of Catholic Charities Greenburg Court Ordered Placement Line". This was moved by Mr. Breneman, seconded by Mr. Horton, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 18, 2014, "An Ordinance Of The County Of Erie, Pennsylvania (The "County") Authorizing And Directing The Execution And Delivery Of A Guaranty Agreement For The Benefit Of Pleasant Ridge Manor ("Pleasant Ridge") And Compliance With The Provisions Thereof And Incurring Nonelectoral Debt Thereby; Approving A \$700,000 Letter Of Credit Agreement From Pleasant Ridge To PNC Bank, National Association; Directing The Proper Officers Of The County To Take Necessary Actions; And Repealing All

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Inconsistent Ordinances.” This was moved by Mr. Fatica, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 19, 2014, “First 2014 Public Safety Fund Budget Supplemental Appropriation Of \$45,000 Pass Through Grant For *PSAP Regional Shared Services Assessment Guidance*”. This was moved by Mr. DiMattio, seconded by Mr. Fatica, and carried in a unanimous roll call vote.

Mr. Smith gave a first reading of Ordinance Number 20, 2014, “Second 2014 Public Safety Fund Budget Supplemental Appropriation Of \$563,615 And Creation Of Line Items For Northern Tier Project”.

Mr. Smith gave a first reading of Ordinance Number 21, 2014, “Third 2014 Public Safety Fund Budget Supplemental Appropriation Of \$72,600 And Creation Of Line Item For *JAG Grant* And Next Generation Radio System Analysis And Design”.

Mr. Smith gave a first reading of Ordinance Number 22, 2014, “Third 2014 General Fund Budget Supplemental Appropriation Of \$50,703 For Transfer To Public Safety Fund”.

Mr. Smith gave a second reading of Ordinance Number 23, 2014, “Fourth 2014 Public Safety Fund Budget Supplemental Appropriation Of \$43,343 For Hazardous Materials Response Fund Grant”. This was moved by Mr. Fatica, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 24, 2014, “Fifth 2014 Public Safety Fund Budget Supplemental Appropriation Of \$10,500 And Creation Of Line Items For *Citizen Corps Program Training Grant*”. This was moved by Mr. DiMattio, seconded by Mr. Horton, and carried in a unanimous roll call vote.

Mr. Smith gave a first reading of Ordinance Number 25, 2014, “Fourth 2014 General Fund Budget Supplemental Appropriation Of \$49,094 And Creation Of New Line Item For Completion Of Sheriff Radio Project”.

Mr. Smith gave a second reading of Ordinance Number 26, 2014, “Fifth 2014 General Fund Budget Supplemental Appropriation Of \$3,000 And Creation Of New Line Items For Reimbursable Overtime In Sheriff School Resource”. This was moved by Mr. Breneman, seconded by Mr. Fatica, and carried in a unanimous roll call vote.

Mr. Smith gave a second reading of Ordinance Number 27, 2014, “2014 Appointed Official’s Salary Ordinance – Part Time Assistant Public Defender”. This was moved by Mr. DiMattio, seconded by Mr. Breneman, and carried in a unanimous roll call vote.

Resolutions

Mr. Smith gave a reading to Resolution number 9, 2014, “Approving Solicitor Contract Submitted by the Erie County Office of Children and Youth”. This was moved by Mr. Fatica, and seconded by Mr. Breneman.

Dr. Foust asked if amendments had been received on this resolution, and Mr. Smith commented that the contract for this resolution was changed through Attorney Talarico’s efforts with Attorney Amy Jones at OCY, which is the Exhibit A attachment. Attorney Talarico passed along his okay on the changes that have been made. Mr. Smith clarified that this resolution would need to be amended, and explained the changes. Initially, the contract was for \$50/hour for 100 hours a month maximum. The new contract is \$75/hour with a maximum of 50 hours per month. In the end, it amounts to less cost to the County.

Mr. Horton moved to amend Resolution 9, 2014, and Mr. DiMattio seconded. This carried in a unanimous roll call vote.

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Dr. Foust then asked for a roll call vote on Resolution 9, 2014, as amended, and it carried unanimously.

Appointments

Mrs. Loll moved to appoint Richard Wagner to the Erie County Care Management Board. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

Sale of Parcels
From Repository

Mr. DiMattio moved to approve the sale of parcels from repository for unsold properties at Index Numbers 15-020-028.0-211.00 and 42-010-036.0-013.00. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

Dr. Foust commented that no matter how his colleagues voted, Council and the County Executive put a lot of time into this effort and posterity will tell whether the right decision was made.

There being no further business, the meeting adjourned at 8:56 p.m.

Deneé M. Breter, Council Secretary

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