

Erie County Gaming Revenue Authority Minutes for February 12, 2009

The meeting was called to order by Chairman Cleaver at 11:45 a.m. at the Erie County Public Safety Building. Present were Board members Kathy DeSante, Jennifer Dobbs Woods, David Sample, Pat Bruno via telephone, Mike Paris, Arthur Smaltz, Board Solicitor Thomas Talarico, as well as others including Chief Clerk Douglas Smith, County Director of Economic Development Robert Spaulding, and Gaming Revenue Manager Carolyn Gold.

During the public comment period Mr.'s Figaski and First spoke against R-2007-6 Millcreek Pumping Station Project as being unnecessary, Mr. Retasel of the Millcreek Sewer Authority spoke in its favor. Mr. Schmitt questioned why projects R-2007-6 and R-2007-21 were brought forward and not others on the list.

At 12:00 noon Mr. Cleaver called for an executive session so that a discussion could be held concerning the lawsuit against the Authority by Summit Township et al, seconded by Ms. DeSante and approved by all. The executive session ended at 12:15 pm. The first piece of business after the executive session ended was the motion by Ms. Dobbs-Woods to amend the agenda for the Board to reconsider the status of Project R-2007-6 Millcreek Pumping Station. Ms. Dobbs-Woods stated that information has not been made available to her team when the project was first considered and that she now did not support the project moving forward to the ranking/funding phase. Information provided by Mr. Voytek of the Erie Water Authority and other sources made it clear that the Millcreek project would not be needed for 2-3 years and that the Summit Pump Station Project (R-2007-18) achieves the same ends and has nexus to the licensed facility. . Ms. Dobbs-Woods then made the motion that R-2007-6 be rejected for a lack of nexus with the operation of the licensed facility. The motion received a second from Mr. Sample and was approved unanimously.

The ranking process was next on the agenda. The projects are being ranked in four categories:

- 1) Importance to the Community- 30 points
- 2) Achieves Multiple Objectives- 15 points
- 3) Risks & Rewards Associated – 15 points
- 4) Real & Substantial Association with Operations of Licensed Facility - 40 points

The first project under consideration was **R-2007-17 Summit Water System Improvements** presented by Ms. DeSante.

- 1) 29 out of 30 stabilizes growth, fortifies water supply
- 2) 14 out of 15 relieves Peach street water issue
- 3) 14 out of 15
- 4) 39 out of 40 96 points out of 100

Motion to accept ranking made by Mrs. Freeman, seconded by Ms. DeSante; approved unanimously.

The next project under consideration was **R-2007-7 Millcreek Police Officer** presented by Mrs. Freeman.

1) 25 out of 30

2) 10 out of 15

3) 10 out of 15

4) 15 out of 40

60 points out of 100

Motion to accept ranking, seconded by Mrs. Freeman; approved unanimously.

The next project under consideration was **R-2007-16 Perry Highway**

1) 27 out of 30

2) 13 out of 15

3) 15 out of 15

4) 35 out of 40

90 Points out of 100

Motion to accept ranking made by Mrs. Freeman, seconded by Jennifer Dobbs-Woods, approved unanimously.

The next project under consideration was **R-2007-18 Summit Pump.**

1) 29 out of 30

2) 14 out of 15

3) 14 out of 15

4) 39 out of 40

96 Points out of 100

Motion to accept ranking made by Mr. Paris, seconded by Ms. DeSante, approved unanimously.

The next project under consideration was **R-2007-21 Summit Interceptor Upgrade**

1) 30 out of 30

2) 10 out of 15

3) 15 out of 15

4) 40 out of 40

95 Points out of 100

Motion to accept ranking made by Mrs. Freeman, seconded by Ms. DeSante, approved unanimously.

Resolution # 1 recommending these projects to County Council for approval – moved by Mrs. Freeman, seconded by Jennifer Dobbs-Woods, approved unanimously.

Funding approved projects was next on the agenda– moved by Ms. Freeman, seconded by Mr. Sample

The first project under consideration was **R-2007-17** - \$2,644,073 in gaming funds was approved.

\$1,484,073 immediately; rest next year. Moore Road wells not included, because DEP did not grant the permit so \$77,000 was deducted.

Ms. DeSante moved to fund at the level noted above, Mr. Sample seconded, approved unanimously.

The next project under consideration was **R-2007-18** Summit Pump Station- \$52,442 was awarded.

Moved to fully fund by Mrs. Freeman, seconded by Mr. Paris, approved unanimously.

The next project under consideration was **R-2007-21** - \$510,000

Moved by Mrs. Freeman, seconded by Mr. Sample, approved unanimously.

The next project under consideration was **R-2007-016** Summit Ladder Truck \$306,800 was awarded.

Truck & training costs only

Moved by Mr. Paris, seconded by Mr. Sample, approved unanimously.

The next project under consideration was **R-2007-7** Millcreek \$55,052 – one year.

Moved by Mr. Sample, seconded by Ms. DeSante, approved unanimously. Mrs. Freeman stated more data is needed next year to consider funding for additional years.

Ms. DeSante moved to recommend these projects to County Council for funding; Ms. Dobbs-Woods seconded, approved unanimously.

A lengthy discussion followed concerning uncommitted funds. Ms. DeSante questioned how soon the funds may be made available for public application. Mr. Cleaver suggested that some time should pass so as to give the Authority time to deal with 2008 funding applications. Ms. Dobbs-Woods and others asked how much in uncommitted funds the Authority might have after the 2007 awards are approved. Attorney Talarico noted that Council must approve projects selected and funded by the Authority via ordinance. After Council approval, a calculation of how much remained in uncommitted funds could be made. He further opined that dates for the next funding cycle for 2008 restricted/committed funds should be set at the next meeting. Chairman Cleaver thanked all for their vigorous and dedicated efforts; a sentiment echoed by Mr. Bruno.

The next meeting was set for Monday February 23, 2009; 2:00 p.m. in the County Council Caucus Room.

At 1:20 p.m. a motion was made to adjourn.

NOTE: These minutes were approved at the March 19, 2009, meeting of the Erie County Gaming Revenue Authority. s/Carolyn E. Gold, Esquire; October 16, 2009.

