

MINUTES

Erie County Council

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Carl Anderson, III, Chairman
Kim Clear, Vice Chairwoman
André R. Horton
Scott Rastetter
Mary Rennie
Ellen Schauerman
Brian Shank

REGULAR MEETING MINUTES

Tuesday, February 16, 2021

**PLEDGE OF
ALLEGIANCE**

**OPTIONAL PRAYER OR
INVOCATION**

Mrs. Schauerman led the optional invocation: When I am troubled, let me not forget that you are greater than my problems and that from you will come the strength I need.

ROLL CALL

Members Present: Chairman Anderson; Vice Chairwoman Clear; Mr. Horton; Mr. Rastetter; Mrs. Rennie; Mrs. Schauerman; Mr. Shank

Also Present: Douglas R. Smith; James Sparber; Tracey Fugagli; Thomas Talarico; Nicole Inan; Amy Swartzfager

**HEARING OF THE
PUBLIC**

Jeff Bartlett Not in attendance.

Jim Nuber Not in attendance.

Margaret Taylor (Erie, 16505): Ms. Taylor thanked Council for their hard work and efforts to help economic growth. She presented information for the endorsement of the National Infrastructure Bank Coalition HR Bill 6422 now gaining immense grassroots support in light of the pandemic. It is a bank based on FDR's Reconstruction Finance Corporation and its passage would pave the way for Erie to diversify its economy while preserving its greatest asset. The bank would be

capitalized through private investment, investors would be given preferred stock and interest 2% above. She will be going to testify on Erie's behalf at the PA State House Committee's hearing on National Infrastructure scheduled for Feb 17 from 11am to 1pm. Listing ways in which a public bank could help Erie county improve and expand its infrastructure as opposed to private lenders who focus on profits for shareholders. Available capital for these kinds of projects would be a boon to growth and might save Erie from succumbing to untested, ambiguous, and potentially disastrous business proposals like the IRG plant.

Freda Tepfer

(Erie, 16502) Ms. Tepfer spoke in support of reducing commissary fees. It is not appropriate to use the fees as a means of behavior modification of incarcerated people the monies that their families have provided them. There are a large amount of individuals in the prison who can't make bail or have mental health issues or substance abuse problems. Taking away the few comforts they have, that their families have struggled to provide for them, is not proper behavioral modification. She offered suggestions of counseling, improving prison conditions, and reducing or eliminating cash bail.

Margaret Watts

(Washington Township, Edinboro) Ms. Watts spoke on Ordinance 6, 2021. Ms. Watts emphasized the Criminal Justice System's disproportionate treatment in people of Black or Brown color, systemically perpetuating disparity and inequality. Ms. Watts gave statistics in regards to the number of inmates of color in the Commonwealth and in Erie County. She suggests that Erie County Prison has created a punitive sentence for the incarcerated's family; a withdrawal fee of 75% of the monies they place in their loved ones account. She discussed the need for empathy with individuals in the prison, and those families that are trying to support them, especially in this pandemic time; encourages a humane response for the families in dealing with the incarcerated being away.

Additional Speakers

Kurt Slater (16417). Mr. Slater works at the Erie County Prison and in the past has worked at the casino. Mr. Slater first spoke in opposition of the elected official's salary ordinance, stating that an increase in wages while officers are being forced to take personal time or unpaid leave during the pandemic is not right. Secondly, he spoke in opposition to Ordinance 6, 2021. He voiced that the inmates are not victims, rather they have victims. When the inmates misbehave, there are very few options. He encouraged Council to visit the prison, talk with officers, and watch the training videos, etc. before making a decision on something that directly effects the supervision being provided.

Tyler Titus (Erie City). Mr. Titus spoke in opposition to Resolution 6, 2021. Unclear as to why County Council is linked to the Community College in academic capacity. He voiced gratefulness to Council for the work that has been

to bring a community college to Erie County. He views it as an over extension of power and influence of Council over the Community College. The Board of Trustees and the Interim President have been established and should be permitted to work towards the Community College tasks as they have been appointed to do. Additionally, Mr. Titus spoke in regard to the Corrections Fees, urging Council to amend the amount from 75% to 0%. While majority of incarcerated are adults, the circumstances are not always fully taken into consideration. Situationally, often times people are forced into crimes of poverty and forced to make decisions they perhaps would not have to make if all the other systems were equal.

Gary Horton (Erie City). Representative of the NAACP. Mr. Horton speaking on the corrections fees. He voiced that a county that is progressive enough to establish election reform and expand election rights is still at a point where it is denying prison rights and prison reform. It is a punitive fee on families, not on the prisoner. He voiced that in a state prison there are jobs that the inmates make money and those fees are taken directly from the inmate's pocket, not the family. He proposed holding this ordinance until the legality of it is established. He suggested utilizing Gaming Funds for fees. He questioned the inclusivity/diversity amongst employees being hired, appointments being made to Boards and Authorities, etc. He stated families put these monies on the inmates account because they can't afford to get them out, as a means to making their stay more humane. He asks that if a Committee is to be formed for the community, then members of the community be able to be on the committee and those voices be heard.

Cindy Purvis (Erie City). Ms. Purvis thanked Council for all the work that they do. She expressed her support in the elected official's salary. She stands in opposition of there being any correction fee associated on the commissary. She understands that the Warden and staff at the prison have a difficult job. She believes there should be a way to compensate people if they are forced to leave work due to COVID. She has filed a Right-to-Know request with the County regarding some concerns, and has found it a very difficult process getting information. According to the information she has obtained, there are only 26 other counties that utilize this process, and not even the State system does this. Should be 0%, not 75%. She believes it ludicrous that the Warden and staff had this task on their backs, it is not their job to practice behavior modification, and believes it should be left to the experts.

Art Leopold (Millcreek). Spoke in support of Ordinance 6, 2021 to lower the correction fees. Two years ago he supported the same act, which was passed by Council only to be vetoed. He would like to see a 0%, and feels it is not a necessary action to be taken in the prison. He urged Council and the public to consider if they had a loved one in the system and the money you provided them

was being taken. Mr. Leopold thanked Council for bringing this forward again.

Chuck Nelson (Erie City). Spoke on behalf of the corrections fees. Mr. Nelson suggested taking a closer look at how other counties operate their system. For instance, Allegheny County has the possibility of inmates to work and earn monies for their commissary, here it is purely being taken from the pockets of loved ones and is purely punitive. If this is a matter of cost-recovery, they are not there on their own will, they are incarcerated for our wellbeing. At \$43,000/yr. if they cannot pay rent, he suggests evict them. He stated that it is not only the 75%, there are other associated fees that need to be reviewed including the mark-up on items for purchase. This is a matter of basic human services.

Antonio Howard (16415). Has experience as life prisoner, started serving time at the age of 15 years. He suggested that the behavior modification tool being used may also be attributing to the poverty level out of the facilities. These fees cause resentment against the community, resentment against family because of the false belief that families don't offer support, offers evidence that society doesn't want our families to reach back to support, rehabilitate, or help healing. He suggests the opportunity to live in the prison, observe its dynamics and experience the behavioral modification. He offered personal experience of having money stolen, having to gamble and steal to get the things he wanted.

Cheryl Horton Jong (Erie City). Ms. Jong compared the current correction fees situation to a debtor's prison, which is unconstitutional. Many people are in that prison for not being able to pay child support or other related crimes associated with lack of paying. It's a vicious cycle that needs to be addressed.

Mitch Carman (Erie City). Mr. Carman spoke in opposition to changing Ordinance 6. Speaking as an employee of the prison, as well as in having had a son in the system, he feels that it is a good tool. Personally, Mr. Carman did not put funds on this sons account because the basic needs were being met; he didn't want it to be a "comfortable" experience for his son so it would be a deterrent for returning. Mr. Carman reiterated a point that the Warden had made at the recent Finance Committee Meeting, stating that the money assessed is that of breaking things and fighting, citing the statistics that have been provided previously to Council.

MINUTES FROM PREVIOUS MEETING

February 2, 2021 - Regular Meeting Kim Clear moved to approve the minutes from the February 2, 2021 Regular Meeting. This was seconded by Ellen Schauerman and carried in a 7 - 0 vote.

REPORTS OF COUNTY OFFICIALS

County Executive and/or her Designee No Report.

Finance Committee -Mrs. Clear Finance Chairwoman Clear reported that the Committee met on Thursday, February 11th and submits to agenda Old Business Items A & C, and New Business Items A through I.

Personnel Committee - Mrs. Rennie Personnel Chairwoman Rennie reported that the Committee met on Thursday, February 11th and submits to agenda Old Business Item B, and New Business Items J through U.

Other Councilman Horton: We recently watched a coup attempt at the Capitol in Washington, D.C. We watched the confederate flag raised, and it was a reminder of a dark time in our history. For him, it invoked visions of slavery, the Civil War, lynching, and castrations. It invokes visions of white-only drinking fountains, blacks not allowed to sit at lunch counters or use public accommodations, or ride to the back of the bus. The end of slavery in Pennsylvania did not end until sixty years after the Abolition Act of 1878; if you were a slave and you had children in Pennsylvania your children remained slaves until the age of 28. Mr. Horton referenced the Jim Crow era: runaway slaves, free black men, poor whites; all arrested often on trumped up charges and sent to the "poor house" to work off fines and fees. Blacks and browns are only 7% of the population in Erie County. He thanked all of the public for their comments, welcoming all opinions as it is a democracy; we may not all agree, but everyone should be heard and respected.

Citations in Memoria

Mr. Colten Brown
Mr. Merle Upperman
Mr. Robert Stroup Councilman Rastetter honored Colten Brown by highlighting his life and his service to Erie County.

Mr. Colten David Brown (1996-2021)

WHEREAS, Colten (Colt) Brown passed from this world on January 6, 2021, at the age of 24 years. Colten was born on June 27, 1996 in Warren, Pennsylvania to David Brown and Pamela Bright; and

WHEREAS, Colt graduated from Warren High School. Colt furthered his education at Jamestown Community College and Penn State Behrend, earning a bachelor's degree in psychology; and

WHEREAS, Colt served as an Erie County Adult Probation Officer beginning in November of 2019. Colt's positive demeanor, focus, and dedication to his responsibilities in the office and to the offenders he worked with earned him high regard amongst his colleagues; and

WHEREAS, devoted to his community, family, and friends, Colt spread messages of inspiration, encouragement, and love to others through his daily Snapchat's, messages, and use of quotes and bible verse. Colt was the "go to" friend, always offering a helping hand, a hug, or a listening ear; an

WHEREAS, Colt valued spending time with family and friends, working on his truck (Rhonda), going to the gym, hunting, fishing with his pal Ryan, and travels with his father and brother. Colt was a member of Praise Fellowship Church, Delta Chi Fraternity, North Star Lodge #241, Farrah Grotto, and the Penn State Behrend Competitive Cheer Team. He was also a past Mr. Penn State Behrend; and

WHEREAS, in addition to his parents, Colt is survived by his brother, Cody Brown (wife Meggi), stepbrother Brandon Shields (fiancé Jacqueline Couch), stepsister Patricia Shields (fiancé Enrique Sanchez), stepbrother Chris Bright (wife Toryn), niece Adley Brown, nephews William and Emilio Sanchez, nephew Keenan and Levi Bright, niece Raena Bright, as well as several uncles, aunts and cousins; and

NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join in celebrating the life of Colten Brown, a beacon of light to those whose life he reached. May he rest in peace.

IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 16th day of February, 2021.

Councilman Shank honored Robert Stroup by highlighting his life and offering personal stories of his interactions with Mr. Stroup and his late wife. Mr. Shank joins a grateful Harborcreek community for all of the professionalism and education Mr. Stroup provided over the years.

Mr. Robert A. Stroup (1939-2021)

WHEREAS, Robert Stroup passed from this world on February 2, 2021 at the age of 81 years. Robert was born February 17, 1939 to the late Russell A. and M. Oleta (Campbell) Stroup in Karns City, PA; and

WHEREAS, Robert had lived in Harborcreek since 1963. He taught Industrial Arts for 40 years, 38 of them at Harbor Creek High School where he was also a basketball coach for boys and girls there for over 30 years. He was a member of Faith Lutheran Church since 1967. He had served as usher and on church council, as well as a member of the property committee; and

WHEREAS, Robert was a founding father of the Chi chapter of Alpha Kappa Lambda Fraternity at California University of Pennsylvania, where he graduated

in 1961. An Eagle Scout at age 14 in Butler County, he served on the staff at Camp Bucoco for three years. Robert also served Harborcreek Boy Scout Troop 151 as a committee member, accompanying the young men to Philmont, New Mexico in 1990; and

WHEREAS, Robert was an avid Pittsburgh sports teams fan: the Steelers, Penguins and Pirates. Robert enjoyed hunting and fishing, and was a member of the Lawrence Park Fish Club. He enjoyed woodworking, his regular Monday morning retiree breakfasts with colleagues, and being active in the Harborcreek Historical Society in the early days of its inception; and

WHEREAS, Robert was preceded in death by his wife, Carlene. He is survived by his daughter Dr. Christine Stroup-Benham and her husband Tobin of Costambar, Dominican Republic, daughter Carol Sue Walters and husband O.D. "Ponch" of Flower Mound, Texas and son Robert Adam and wife Laura of Honeoye Falls, N.Y. He is further survived by the joys of his life, four grandchildren, Victoria "Tori" Walters and Hanna, Rudy and Charlotte Stroup. One brother, Richard (his wife, Nancy) Stroup in Evans City, Pa. and several nieces and nephews also survive; and

NOW THEREFORE WE THE UNDERSIGNED, Members of Erie County Council join with a grateful Councilman Brian Shank, in celebrating the life of Robert Stroup, an educator and mentor to hundreds of Harborcreek and surrounding youth. May he rest in peace.

IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 16th day of February, 2021.

Chairman Anderson honored Merle Upperman by highlighting his life and offering personal stories of his friendship and that of the friendships other generations their families share.

Mr. Merle Samuel Upperman (1949-2021)

WHEREAS, Merle "Butch" "The Beer Man" Upperman passed from this world on February 2, 2021 at the age of 71 years. Butch was born August 20, 1949 to the late Merle Hollis and Lillian Inez (Morse) Upperman in Erie, PA; and WHEREAS, Butch was a proud graduate of Harborcreek High School. He worked as a salesman and all-brand manager for 30 years, retiring from Glenwood Beer. An Erie entrepreneur, in 2005 Butch founded Wholesale Tee's and More; and

WHEREAS, Butch was a lifetime member of the Siebenbuerger Club, a member of the Sunflower Club, and the Nuova Aurora Club, where he enjoyed singing Doo-wop with his buddies. He was an avid softball player and baseball coach, playing and coaching most of his life. He coached generations of his family including his two sons and his grandson all for the love of the game. He worked

with the Millcreek Youth Association and was the former President of the Pony League, along with his good friend, Leo Williard; and
 WHEREAS, Butch was an avid Cleveland Indians and Browns fan. He was also a longtime fan and season ticketholder of the Gannon Golden Knights basketball team. Butch enjoyed golf and previously served as President of his golf league; he had two career hole-in-ones. Butch was also a long-time bowler at Eastland Bowl and many other lanes including Eastway Lanes where he bowled a coveted 300 game; and

WHEREAS, the life of the party, Butch loved spending time with his family and friends poolside and during the family trip to Myrtle Beach, S.C. each year. Throughout his career, Butch traveled extensively, and met celebrities and sports stars a long his way. Aside from baseball, family was Butch's number one love. He enjoyed serving as campaign manager and chief financial officer for the election of his brother-in-law, Judge Timothy Beveridge; and

WHEREAS, in addition to his partner for life, Vicki D. (Beveridge) Upperman, Butch is survived by three children: Terry K. Upperman (Norma), Renee M. Triana (Jason), and Mitchel S. Upperman; four grandchildren: Vanessa Schauble, Adam Upperman, Annabella, and Vincent Triana; one great-granddaughter, Zoey Schauble; one brother, William Gray; one sister, Violet Sidman; special uncle and aunt, Pete and Jay Benoit; as well as many nieces nephews, in-laws, and dear friends. In addition to his parents, Merle was preceded in death by his brother, Richard Gray; sister-in-law, Katie Gray; and brother-in-law, Richard Sidman; and

NOW THEREFORE WE THE UNDERSIGNED, Members of Erie County Council join in celebrating the legacy of Merle "Butch" Upperman, a man with love and pride for his family and this community. May he rest in peace.

IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 16th day of February, 2021.

OLD BUSINESS

**Second Reading of
Ordinance 3, 2021
"Approval of Single
Vendor Contract for Court
Branch Computer Assisted
Legal Research Firm"
(Finance Committee)**

Mr. Smith gave a Second Reading of Ordinance 3, 2021 "Approval of Single Vendor Contract for Court Branch Computer Assisted Legal Research Firm" This was moved by André Horton, seconded by Scott Rastetter and carried in a 7 - 0 vote.

Second Reading of

Mr. Smith gave a Second Reading of Ordinance Number 5, 2021 "Elected

Ordinance Number 5, 2021 "Elected Officials Salary Ordinance 2022-2025" (Personnel Committee)

Officials Salary Ordinance 2022-2025" This was moved by Kim Clear, seconded by André Horton.

Councilwoman Rennie commented acknowledged that she has heard the concerns of concerned citizens regarding the pay increases for elected officials. Mrs. Rennie served as the Chair of the Committee to examine compensation. The Committee looked at salaries across Pennsylvania. She clarified that Council is not voting themselves a pay increase, and that these salaries will take effect in 2022; effecting only new appointees. These positions only get a pay raise every four years. She stated, with Council salaries specifically, the goal is to find individuals who are good public servants and will represent the diversity of our community. County Council wage has not kept pace with the cost of living, and is far below the minimum wage. Last year County Council voted a raise for approximately 369 non-bargaining non-union positions within the county; this raise still keeps these positions at 35% below the cost of living. She supports the Ordinance and thanked the other committee members for their assistance in this process.

Councilwoman Clear echoed the remarks of Mrs. Rennie, and thanked her for taking the lead on this project. She reiterated these raises are for the future elected officials.

Chairman Anderson thanked the committee members, and echoed some of the comments made by Mrs. Rennie. He clarified that one of the duties of being elected to County Council is to set the salaries of all elected officials in Erie County. This is a duty and responsibility that County Council has, and it is taken very seriously. He stated that it may be difficult to entice younger qualified candidates to positions within the county because of the salaries. He submitted that no one on the Council took office because of their care of salary, they took the position because they committed to the community. The elected official salaries are the only salaries, and the County Council Office is the only office, that the salaries have not been taken care of with adjustments to what was put together for what was put together as the pay plan for Erie County. Elected officials fall outside of the pay plan, but they have nor been adjusted in the same manner many of the positions in the pay plan have been adjusted. The argument that has been put forth is that the duties and responsibilities continue to grow, and that is just as evident in the work of County /Council or other elected officials. Council is responsible for a \$425,000,000 budget and endless departments and regulations that come forward. He stated they need to have people who have the ability and education to be able to do this job, and that much is owed to the members of this community. The members of this community deserve that. Mr. Anderson does not agree with the way in which the adjustments were made, and fall short. For example, for the County Executives wage to fall below some of the department heads, he does not believe that that is

proper. He does not believe that at 3% the County Council salaries will not move forward at a rate to catch up to where these positions should be set. He respects the work of the Committee, and acknowledged the Committee taking into consideration the pandemic. He reiterated that the salaries will not change for those positions again for four years.

Vote carried 5 to 2; Anderson and Shank voting no.

Second Reading of Ordinance 6, 2021 "Amending Ordinance 83, 2014 'Revised Fee Schedule in Department of Corrections'" (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance 6, 2021 "Amending Ordinance 83, 2014 'Revised Fee Schedule in Department of Corrections'" This was moved by André Horton, and seconded by Ellen Schauerma.

Councilman Horton implored that 25% is a compromise, as he feels it should be no charge. He continues to question the legality. If the funds continue to be taken, he would be interested in seeing the ledger of where these funds are going, and if he controller has access to these funds.

Councilman Rastetter voiced that he supports looking further into the legality, but moves to amend the Ordinance to 50% for progress sake, in fear that at another rate it would be vetoed as previously and to encourage progress. Mr. Shank seconded the motion.

Councilwoman Rennie agrees that there are problems with the criminal justice system nationwide, and that there is a problem with systemic racism and it contributes to the situations in our prisons. The criminal justice system unfairly punishes those living in poverty. The prison is charged with maintaining order and safety and acting in the interest of the citizens at large for Erie County; this is what her understanding of what the fee schedule is designed to do. She agrees, additional information needs to be sought, and proposed the idea of a committee or task force be established to study the situation and fact find.

Councilwoman Schauerma appreciates the public input regarding this subject. She pointed out that the majority of those speakers were not present when the warden spoke to Council at the prior meeting when statistics were reviewed and discussed what the monies were taken for. It was reinforced at that time that money is not routinely taken out of accounts unless there is misbehavior. The warden was able to show that the statistics on assaults and fights and other mannerisms of misbehavior were down once this practice was put in place. She concurs about further investigating the legalities. She stressed that money is taken from the privilege account.

Chairman Anderson noted that during the formal meeting, members are recognized once for comments per item and then moved on.

Chairman Anderson stated that two years ago he supported, along with Rastetter & Horton, moving commissary fees from 75% to 25%, as this rate seems close to exorbitant. There is not a clear picture of what is being charged to what areas of the commissary fees. Some say it is only against those being penalized, while others that have had inside contact say it occurs to everyone. In addition, there is an additional \$4.00 fee anytime money is put in (for every \$100 that is 4%). It was suggested that if families do not want to have that extra fee, they can utilize the internet to add money at no additional fee; however of the people being affected, many of them do not have access to computers or internet. This is a poor tax, that effects those who can least afford it. The Director of Administration and the Warden have both stated that this is only being used for a behavioral modification technique, then it was suggested that it's only being used for people that cause damage to the prison, and it has been suggested that the tax payers are going to end up paying the bill if the fees are lowered. He pointed out that when someone is in prison, the taxpayers pay the bill anyway; which equates to \$43,000 per year per prisoner. There is no question that someone who commits a crime is incarcerated because they committed such crime, but there is no need to continue to turn it into a socio-economic war against the poor and disadvantaged. It has been suggested that County Council stay out of the business of the prison; however, this is a County Council created resolution that started at 25%, was increased to 75%, and the statistics across the Country from each state are realizing that charging these exorbitant fees is not working and is actually working adversely. There was a \$60,000 uncollected rate in 2013 and that rate is \$4.3 Million today. Millions of dollars are spent on giving people a second chance, promote the idea of giving people a second chance, yet burden them with these uncollected rates following them to collection agencies. They cannot get apartments, cars, get to a move environment; they are stuck in the system, and many tend to return to the system. If changes are going to made to be positive and proactive, we need to begin with the commissary fees that they are being charged and look for a better, more progressive, way to discipline behaviorally and modify what the prison system is saying that they are hoping to correct.

On the Amendment to the Ordinance, passed 4 to 3.

Councilman Rastetter reiterated that although he is in favor of looking further into the legalities, he sees this as an opportunity for progress and compromise to help the issue in the least.

Chairman Anderson thanked Mr. Rastetter for the research that has been done, and offering the amendment in line with the Pennsylvania State Prison system.

Councilman Horton also thanked Mr. Rastetter. He made the distinction about the state 50% being taken, those inmates earn money from working, and the

money is not being taken from the money that loved ones add to their accounts.

Councilwoman Clear also thanked Mr. Rastetter, and although she would like to see this at 0-25%. She believes there needs to be education on what behavior modification means and what that looks like. She agrees that there needs to be additional work and investigation on this. She feels that if she does not vote at 50%, it may be vetoed and stay at 75%, so she will support it at this rate.

Councilman Shank clarified getting paid on the state level is between .15-.50/hour. On a state level, there can be restriction to cells whereas on the county level they do not do this; maybe this or other tools could be utilized. Per the warden's statement at the last meeting, the average stay is 53 days for an inmate, except if being held on a trial. In the State Prison System it is 2+ years. There is not much time for therapeutic interventions with a shorter stay; in the state system there are those things. Commissary is a privilege.

On the Ordinance, as amended, passed 6 to 1; Mr. Horton voting no.

NEW BUSINESS

Chairwoman Clear moved to amend the agenda to move items A, B, D, & E to a second reading, and to moved items J through U (possible appointments) in one vote; seconded by Mr. Horton. Passed 7 to 0.

First Reading of Ordinance Number 7, 2021 "Approving a Single Vendor Contract and Renewal of Three Year West Library Maintenance Agreement for County Law Library and Court Library" (Finance Committee) Mr. Smith gave a Second Reading of Ordinance Number 7, 2021 "Approving a Single Vendor Contract and Renewal of Three Year West Library Maintenance Agreement for County Law Library and Court Library." This was moved by Kim Clear, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

First Reading of Ordinance Number 8, 2021, "Fourth 2021 General Fund Budget Supplemental Appropriation of \$102,352 and New Line Item for Late CARES Expenses" (Finance Committee) Mr. Smith gave a Second Reading of Ordinance Number 8, 2021, "Fourth 2021 General Fund Budget Supplemental Appropriation of \$102,352 and New Line Item for Late CARES Expenses." This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.

First Reading of Ordinance Mr. Smith gave a First Reading of Ordinance Number 9, 2021, "Fifth 2021

Number 9, 2021, "Fifth 2021 General Fund Budget Supplemental Appropriation of \$33,334, New Line Item and Waiver of Bid Requirements for Administration of Community College RACP Grant" (Finance Committee) General Fund Budget Supplemental Appropriation of \$33,334, New Line Item and Waiver of Bid Requirements for Administration of Community College RACP Grant"

First Reading of Ordinance Number 10, 2021, "First 2021 Library Fund Budget Supplemental Appropriation of \$9,521 for 2020 Balance of Beehive Innovation Network Grant Funds" (Finance Committee) Mr. Smith gave a Second Reading of Ordinance Number 10, 2021, "First 2021 Library Fund Budget Supplemental Appropriation of \$9,521 for 2020 Balance of Beehive Innovation Network Grant Funds." This was moved by Kim Clear, seconded by Scott Rastetter and carried in a 7 - 0 vote.

First Reading of Ordinance Number 11, 2021, " Second 2021 Library Fund Budget Supplemental Appropriation of \$1,000 for ALA Connecting You to Coverage Grant that Lapsed in 2020 Due to COVID 19" (Finance Committee) Mr. Smith gave a Second Reading of Ordinance Number 11, 2021, " Second 2021 Library Fund Budget Supplemental Appropriation of \$1,000 for ALA Connecting You to Coverage Grant that Lapsed in 2020 Due to COVID 19" This was moved by Ellen Schauerma, seconded by Mary Rennie and carried in a 7 - 0 vote.

First Reading of Ordinance Number 12, 2021, "2021 Library Fund Budget Revised Expenditures of \$2,600 for Elimination of Part-Time Position and Creation of Full Time Position" (Finance Committee) Mr. Smith gave a First Reading of Ordinance Number 12, 2021, "2021 Library Fund Budget Revised Expenditures of \$2,600 for Elimination of Part-Time Position and Creation of Full Time Position"

First Reading of Ordinance 13, 2021 "Assignment of an Administrator for COVID-19 Hospitality Industry Recovery Program" (Finance Committee)(attached)	Mr. Smith gave a First Reading of Ordinance 13, 2021 "Assignment of an Administrator for COVID-19 Hospitality Industry Recovery Program." Chairman Anderson commented that this item was generated from a grant from the State to Erie County for just over \$3 million to be distributed for the hospitality industry. Council must assign an administrator of funds by March 1st. There will be a special meeting to offer the Redevelopment Authority to speak in front of Council before the end of the month.
Resolution Number 6, 2021 "The Administration, Council and the Community College Board Working in Unity with to Move Community College Funding Forward for the Benefit of the Institution and Erie County Citizens" (Finance Committee)(attached)	Mr. Smith gave a reading of Resolution Number 6, 2021 "Erie County Council, The Erie County Executive's Administration and the Erie County Community College Board of Trustees working in Unity to Move the Community College Funding Forward for the Benefit of the Erie County Community College and Erie County Citizens." Moved by Mrs. Clear, Seconded by Mr. Rastetter. Councilwoman Clear moved to amend the Ordinance in listing the members of the Committee, to include: "...the interim president, until the president is named, who will then be a member of the Committee or their designee.."; Seconded by Mrs. Schauerma. On the amendment, passed 5 to 2. Chairman Horton read into the record a letter he sent to Council and the Administration in opposition of this Resolution: Good Afternoon Fellow Members, I stand in opposition to Resolution number 6 2021; "The Administration, Council and the Community College Board Working in Unity with to Move Community College Funding Forward for the Benefit of the Institution and Erie County Citizens". While I am grateful to Chairman Anderson and Vice Chairwoman Clear for the work put forth to draft this resolution, I must contend it is inappropriate and ill advised; no matter how well intentioned. I say this for a number of reasons. It is an intrusion into the affairs and duties of the Erie County Community College Board of Trustees (ECCCB). The ECCCB is an autonomous board, obligated to carry out their duties as outlined under the Community College Act, and their own 120 day plan. They have retained legal counsel, a very capable accountant, and hired Dr. Judith Gay to serve as an Interim President to serve as their administrator. How can Council consider this action without having officially heard from Dr. Gay on the subject? Do we really want to undercut her position in this way? The Administration and Council have defined roles outlined in the Home Rule Charter in relationship to the Erie County Redevelopment Authority Board. Why

do we feel the need to inject ourselves or anyone else further into the ECRDA's process? I would be interested to know how the nine members of the Board and their Legal Counsel feel about this.

This Council already has the ability to collectively or independently request information from the ECCCB and its President via a number of avenues: Request Dr. Gay or Board Members come before this body; ask for a written report or regular updates; use our Solicitor, or our Liaison. I fail to see the need, rhyme or reason for what is proposed in Resolution 6 based on those reasons alone.

Lastly, and of equal importance, Erie County, the Commonwealth---this nation is facing the most catastrophic pandemic event of our lifetime. Council must remain focused on its own business---this community's health and welfare, both medically and economically. Firstly, pressing the Administration on Health Department initiatives to stop and/or slow the spread of the virus. What are their plans to get vaccine to all the County residents who desire it? These activities are crucial to children and educators returning to in-person instruction. What about our small businesses which are barely hanging on? We are accountable in these matters. Micromanagement of the Community College is a destructive path. I urge you to pull Resolution 6, 2021 or vote no to affirm and acknowledge the Erie County Community College Board of Trustees is autonomous, and not bound by any of the terms proposed.

Councilwoman Rennie concurred with Mr. Horton's statements. She stated this is a case of too many cooks in the kitchen. County Council has fiscal responsibility, it does not extend to every corner of county operations. County Council has never exercised direct oversight of initiative, grant projects, programs, services, or facilities; that falls to administration and management. That type of attention to detail requires expert knowledge, professional knowledge, and technical detail awareness. She voiced that this process is highly specific and technical (RACP funding), as is the administration of such. One of the concerns of the Community College from the nay-sayers has been that this project would fall prey to political and special interests. It is imperative that the integrity and autonomy of the Community College Board of trustees be maintained and championed. She attended the Executive Board Meeting of the Community College yesterday, and heard the Chairman of the BOT disavow any knowledge of or support for this Resolution. She feels that there is either a miscommunication, a misunderstanding, or a misrepresentation of Dr. Gaye's feelings and thoughts regarding this Resolution. She would like the Resolution tabled or a "no" vote.

Councilwoman Clear echoed the thoughts of Mr. Horton & Mrs. Rennie in protecting the autonomy of the Board. She also agrees that the Community College Board needs to be protected from political interests. She is voting yes for this because its states in the Resolution that... "WHEREAS, the Erie County

Community College will have the responsibility for selecting the qualifying project(s) and plans for use of intended RACP Grant funds..." which protects their autonomy and interests. When she thinks of a committee, she thinks of minds coming together and listening going on so that no one's special interests are being to influence the Board. She worries that in a year, when potentially very few members will remain on Council, what will happen then. The current County Executive won't be in place to have the best interests of the Erie County Community College in mind. Unity and coming together to support each other, not to give directive. She gave the example of the CARES Committee disbursing \$24 million by working together.

Councilman Rastetter stated that the Councilpersons for this Resolution want to inject themselves in order to protect the Community College and the Board of Trustees from an attempt from the Administration to handicap the Board and strap the College into the city. He wants the Community College to be available to the entire county. He feels that the Administration wants to be able to control the Board of Trustees.

Councilman Shank agrees with Mr. Rastetter. He has not been a supporter of the Community College; however, now that it is in the lap of Council, he wants it done properly and in the proper locations. The push from the administration to have the college on the lower east side does not reflect a community wide endeavor. He is for the satellite options to those areas. He concurs with Mr. Rastetter, and does not trust Kathy Dahlkemper on this issue.

Councilwoman Schauerman stated that this Resolution does not take any autonomy or authority away from the Board of Trustees. It is meant to open communication between all parties. All decisions are still theirs.

Chairman Anderson, spoke as one of the crafters of this Resolution. He stated he has been there to protect the Community College effort every step of the way, and will continue to do so. He voiced not only is the Resolution appropriate, but it is necessary; especially to keep it away from the political and special interest groups suggesting they are not involved on what is happening with the Community College. They are there 100% off the way behind closed doors suggesting, threatening, maneuvering, to get their agenda pushed forward. That agenda does not represent a majority of this Council nor a majority of this County Government. He would not think that a Resolution put forward with the words: supportive, unity, experience, responsibility, encourage, collaborate, empower, teamwork, partnership, togetherness, discussions, conversations, communications, priorities, a pledge of cooperation, a pledge for unity, a pledge to successfully move this endeavor forward; would create so much controversy and concern by those people who put forth an Ordinance to take control of the

entire RACP funding without one time connecting with, collaborating with, talking to, having discussion, or working with the Community College Board of Trustees. The Resolution lays it out in a transparent way that all work together in unity and transform this community in unity. He cautioned Council that at the meeting in which the money is discussed, Council will be faced with their most important task- the most important endeavor. The Resolution is an insurance policy to insure that the Community College Board of Trustees is a central part of decisions. The makeup itself has four members of the BOT, 3 members of Administration, and 2 members of Council. He suggested that the RACP funding moving forward (\$10 million) is a reimbursement program, and is imperative how it is set up for the future Council and Administration. Mr. Anderson has been in contact with all parties included in the decisions, including the Administration and the Governor's office. He called the Administrations process for choosing an administrator for this a sham; it was designed to be geared toward one specific organization that is controlled by the Administration. The Administration chose to bring forward their own committee and deny having any other partners involved. They denied adding any outside input from the Board or otherwise. This is a complete oversight of the Administration; they are listed as the applicant and sub-applicant, the grantee and the sub-grantee, or the RACP application when the intended recipient is the Community College itself; the Community College should be listed at the sub-grantee. There are experts all over the state that can provide the expertise and knowledge in moving this forward, but they say the only one standing is the Redevelopment Authority. The Redevelopment Authority, who one of the members of the Community College Board, has gone to as the expert for the only inventory of locations which are available throughout Erie County. Chairman Anderson emphasized that a Resolution shouldn't have needed to be put together, but the philanthropic community is demanding to show unity. County Council's responsibility has not diminished by giving autonomy to the Board of Directors, in fact it's increased. Administration has admitted that this is a several year process. An understanding of the reimbursement process is absolutely necessary, and that has to be done by collaboration.

Mrs. Rennie moved to table the Resolution for further information gathering. No second, table fails.

On the Resolution, as Amended, passed 5 to 2; Mrs. Rennie & Mr. Horton voting no.

Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 03-016-029.0-005.00, Concord Road. (Finance Committee)

Mr. Smith gave a reading of the Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 03-016-029.0-005.00, Concord Road. This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.

Possible reappointment of Caitlyn Strohmeier to a second four-year term to the Erie County Human Relations Commission Advisory Board. This term will expire December 31, 2024. (District 2 - Councilman Horton)(Personnel Committee)

The approval of all appointments was motioned by Brian Shank, seconded by Kim Clear and carried in a 7 - 0 vote.

Possible reappointment of Christine Rush to a second five-year term to the Erie County Land Bank. This term will expire December 31, 2025. (District 2 - Councilman Horton)(Personnel Committee)

Possible appointment of Ann Villella to the Erie County Board of Elections to serve until Certification of the May Primary Election (Election Board Chairwoman Rennie) (Personnel Committee)

Possible reappointment of Chief Dan Spizarny, of the Erie City Police Department, to a three-year term to the Public

**Safety Advisory
Committee. Chief
Spizarny's initial partial
term expired December 31,
2020. This term will expire
December 31, 2023.
(County
Executive)(Personnel
Committee)**

**Possible appointment of
John Bonnett to as
member-at-large to the
Public Safety Advisory
Committee. Mr. Bonnett
would fill the vacancy of
Jamie Neumaier, whose
term expired December 31,
2019. This partial term
will expire December 31,
2022. (County
Executive)(Personnel
Committee)**

**Possible appointment of
Joseph Walko, of the Erie
City Fire Department, to a
three-year term to the
Public Safety Advisory
Committee. Mr. Walko will
be replacing Mr. Guy
Santone. This partial term
will expire December 31,
2021. (County
Executive)(Personnel
Committee)**

**Possible appointment of
Jessica Horan-Kunco to a
three-year term to the
Public Safety Advisory
Committee. This term will
expire December 31, 2023.**

**(County
Executive)(Personnel
Committee)**

**Possible appointment of
Ms. Pat Davis, of Edinboro
Borough Council, to a
three-year term to the
Public Safety Advisory
Committee. This will be
Ms. Davis' first full term.
Her partial term expired
December 31, 2019. This
term will expire December
31, 2022. (County
Executive)(Personnel
Committee)**

**Possible appointment of
Bob Gandley, of Erie
County Local Emergency
Planning Committee, to a
three-year term to the
Public Safety Advisory
Committee. This term will
expire December 31, 2023.
(County Executive)
(Personnel Committee)**

**Possible appointment of
Andrew Pennock, of West
County Emergency
Management, to a three-
year term to the Public
Safety Advisory
Committee. He will be
filling the unexpired term
of Chuck Kanaar. This
term will expire December
31, 2021. (County
Executive)(Personnel
Committee)**

Possible appointment of Tina M. Freeman to a five-year term to the Erie County Housing Authority Board. Ms. Freeman will represent the City of Corry. She will be replacing Ms. Doris Gernovich, whose term will expire March 31, 2021. This term will expire March 31, 2026. (County Executive)(attached)(Personnel Committee)

Possible reappointment of Ron Jones to a five-year term to the Erie County Industrial Development Authority. This will be Mr. Jones' second full term. This term will expire December 31, 2025. (County Executive)(attached)(Personnel Committee)

ADJOURN Chairman Anderson announced there will be a Special Meeting to be announced to name an Administrator for the funds discussed earlier.
MENT

Councilman Horton moved to adjourn at 06:57 PM; seconded by Councilwoman Clear.

Zoom Video Available

at: https://us02web.zoom.us/rec/share/kwuXlzZsfXJ1fCZUNN2kg75I6X8OHpOyag0i_vLLqjB6x7OHCir3jy2DvLDYhHtY.aLy_qVFKLmzHVwFm Passcode: Z7t\$y.^k

The next Finance & Personnel Committee Meetings will occur February 25, 2021 at 4:00pm via zoom conference.

The next Regular Meeting of Council will occur March 2, 2021 at 4:00pm.

**Caucus will begin at
3:30pm.**

**For social-distancing
measures and consistency
with CDC Guidelines,
meetings will be held via
zoom conferencing
(zoom.us). Agendas and
zoom information available
at www.eriecountypa.gov.
Call the Council office at
451-6303 for specific
inquiries.**