

## MINUTES

### Erie County Council

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

## REGULAR MEETING MINUTES

**Tuesday, June 29, 2021**

### PLEDGE OF ALLEGIANCE

Chairman Anderson led the Pledge of Allegiance

### OPTIONAL PRAYER OR INVOCATION

Mrs. Schauerma offered the optional invocation: Words by John Lennon, "When I was 5 years old, my mother always told me that happiness was the key to life. When I went to school, they asked me what I wanted to be when I grew up. I wrote down 'happy'. They told me I didn't understand the assignment, and I told them they didn't understand life."

### ROLL CALL

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

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

Chairman Anderson thanked Mr. Smith, Ms. Inan, Attorney Talarico, and CPA Swartzfager for the work put in to the meetings. He additionally welcomed back videographer Dale Evanoff. Chairman Anderson explained to the public the On-the-Road series, thanking them for attending and Councilwoman Schauerma for her efforts arranging with the Borough of Albion.

Councilwoman Schauerma welcomed everyone for attending. She offered her sentiments that it not only is nice to be meeting in person again, but to start off in her District. Thanked everyone from Albion Borough for the arrangement that they have made.

### HEARING OF THE PUBLIC

Ms. Luna (Lana) Rees - Millcreek; Thanked Council for the interest in learning more about child welfare. The history of Child Protective Services has often been a balance of maintaining rights of parents while protecting children and making sure parents understand the responsibility of good parenting. First child welfare were filed under animal cruelty cases, because in most instances children were viewed as the property of their parents and could do with them what they pleased. Minimal standards were put in place, but those standards are not the best believed today. Model has been termed as a fire fighter model rather than a fire

prevention model - usually addressing issues of injury or risk after they occur. She pointed out that child abuse isn't a one-time instance, rather a culmination of many risk factors that go into the point where the child is injured. The 29 positions will help move in the direction that direction so that children don't have to go through as many traumatic events. She thanked Council for their consideration.

David Basnak, Fairview: As a taxpayer, he appreciates the consideration Council is giving to these OCY positions. He has spent 20 years as a paramedic and 2 years as a foster family. As a paramedic, he has dealt with child welfare issues - diapers that has been on children for a week plus to performing CPR on them after being traumatically injured even with those experiences, nothing prepared him for what he has seen as a foster parent. Cannot express the gratitude for how hard the case workers work for the kids. This is a proactive approach - we live longer because we use preventative care. He emphasized the need to intervene now when it comes to abuse and neglect. The issues that we face in society today start at home and how raised. Fiscally \$13 million per year are spent as a County in placement service -- two million dollar savings would well pay for the 20% split. He asked Council to consider the next generations, and progressing society forward to make sure that Erie County can be looked at with pride, that living in Erie County you're taken care of, and that's the security we want for our children. We might not see it today, it is an investment for the future. Child abuse numbers are going up and the population is going down. He emphasized that it is time to right the ship.

Britni Burlingham, Erie: Works at OCY as a Foster Care Liaison and Caseworker, currently works with recruitment. Was a product of the Foster System and adopted her own child from Erie County. She stated that OCY is constantly on the go - kinship, foster care, older youth, and interstates. Due to the understaffing, she described the Office as a "sinking ship;" often staffing between 15 to 18 cases alone, often with multiple children per case. It is becoming difficult to find placement homes for these children, and at times they are not able to be placed together. Juggling leads to child fatality. Quality casework should be obtained on a daily basis. Provided an example of the dynamic of her positions working with the various areas in a day. There is a push for kinship but no time to identify those ties. She identified needs for the department. Encouraged Council to consider the trenches and ensuring child safety.

## **MINUTES FROM PREVIOUS MEETING**

### **June 8, 2021 - Regular Meeting**

André Horton moved to approve the minutes from the June 8, 2021 Regular Meeting. This was seconded by Kim Clear and carried in a 7 - 0 vote.

## **REPORTS OF COUNTY OFFICIALS**

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>County Executive and/or her Designee</b>       | No report at this time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Finance Committee -Mrs. Clear</b>              | Finance Chairwoman Clear reported that the Finance Committee met Thursday, June 24, 2021 and submit to the agenda under Old Business: Items A through C, and E; under New Business: A through F and H through I.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Personnel Committee - Mrs. Rennie</b>          | Personnel Chairwoman Rennie reported that the Personnel Committee met Thursday, June 24, 2021 and put forth to the agenda Old Business Items D and F, and New Item G.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Citations in Memorium</b>                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Mr. Mark Miller</b>                            | <p>Mr. Smith read aloud the citation.</p> <p>Councilman Shank offered his sentiments on the loss of Mr. Miller: Offered the citation to Mr. Miller to his wife, Erin.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Other</b>                                      | <p>Chairman Anderson recognized Malik Moffat, a native Erie resident who presented at the Olympic Trails last week for long jumping. He commended him for his efforts in excellence. He named Moffat's father Chet, Coach Heidelberg, and his mother Felicia Pulliam-Presley as proud. Mr. Andersons son grew up with Moffat, and he is familiar with the family.</p> <p>Chairman Anderson reported that before another Council Meeting he will be traveling CCAP NACo in Maryland. CCAP is putting forward a member of Pennsylvania, Christian Wienbauch, to be a National Officer. Pennsylvania is one of the most active and largest members of NACo; PA has never had a chairman on national level. Mr. Anderson will also be participating in CCAP August. Encouraged the newer members of importance and significance of CCAP and NACo - a bipartisan effort to work in unity to get the work of the people done. Erie County has always had a strong presence in those organizations.</p>                                                |
| <b>Ordinance 44, 2021 ad hoc Committee Report</b> | Mrs. Rennie reported that the ad hoc committee met on Monday, June 21, 2021. Stated that many concerns are brought to the table, and responsibilities and taken very seriously in the interest of the taxpayers and the community at large. She state that even with concerns, Council has found it possible to work towards resolving issues. Tough questions were brought to the table; in some cases, even more difficult were the answers being provided. Erie County has seen a steady rise in reported cases of child abuse and neglect over several years. She stated it is bad enough that crimes against children are increasing is bad enough, but worse is knowing that we aren't meeting the minimum state standards and being evaluated as falling short. The Pennsylvania Auditor General and the Pennsylvania Department of Child Welfare have identified that Erie County Welfare Caseworkers and staff are stretched dangerously thin. The workload consist of more than paperwork and numbers it's about human beings who are |

vulnerable and powerless against those who are abusing them. As many as 70% of Pennsylvania child fatalities or near-fatalities involve cases that have been previously reported but screened out because of lack of staffing to handle. In Erie County, the majority of nearly 10,000 referral calls that the local office of Children and Youth receives annually end up being screened out; that's nearly 6000 children. The majority of local county tax dollars go to courts and prison system; beyond that County Government is most about human services. Social problems begin in childhood and infancy. She explained that being a public official isn't just about saying no to all public requests for funding, it is about spending wisely and setting priorities for the good of our community. She supports the effort that the State is putting forth by contributing eighty cents of every dollar, to getting ahead of the curve. She stated that putting the investment where it belongs and looking at what will be an investment in the future is imperative. She offered that it is likely that we will not see an immediate savings because of these positions; however it is an investment in our children and our futures.

Chairman Anderson thanked Mrs. Rennie, Mr. Rastetter, and Mr. Horton for their work on the committee, as well as Solicitor Talarico for guidance provided.

## **OLD BUSINESS**

### **Resolution Number 10, 2021 "Approving A Professional Services**

### **Contract For Zelenkofske & Axelrod, Certified Public Accountants For Consultation On Pandemic Related State And Federal Funding" (Finance Committee)(Tabled 3/16/21)**

Councilwoman Clear moved to take the item off the table; seconded by Councilman Horton. Motion passed 7 to 0.

Councilwoman Clear motioned for a vote on the item, seconded by André Horton. Chairman Anderson explained that a "Yes" vote would be to accept the Resolution as under Z&A and a "No" vote would be to turn down the Resolution.

Councilman Horton commented that he will not be voting for Z&A. He asked it be noted that originally he supported and endorsed Z&A, and feels that they do excellent work. He is not voting down Z&A because of performance, rather a conflict of perceptions.

Councilwoman Rennie stated she will be voting in favor of Z&A, knowing she will be in the minority. She is not confident that the finding of conflict of interest in this situation is well founded. Disappointed because she knows that Z&A are highly regarded throughout the state. She is aware of other options and appreciate the ability to review such.

Chairman Anderson commented that this item has been bogged down in discussion of conflict of interest concerns. Z&A does audits for the annual budget for the County, and do a fantastic job of it. With the amount of Federal and State Funds at this level amongst different programs, there were concerns by various members of Council regarding the conflict of interest that may arise. Council's financial advisor and solicitor have been diligent in reviewing this item. The County Executive and Chairman could not come to agreement to get this passed with a majority vote. With the amount of ARPA Funds coming

forward, an agreement was made to remove the item, and for another firm to be looked at that has done work with Erie County and has similar expertise.

Item failed 2 to 5; Councilwomen Rennie and Clear voting yes.

Chairman Anderson offered that in speaking with the Administration, they would be bringing forth a new resolution at the next meeting.

**Second Reading of Ordinance Number 26, 2021, "Fifth 2021 Library Fund Budget Supplemental Appropriation of \$105,500 for Libraries' Historic Newspaper Digitization Project and Approval of a 6 Year Purchase Agreement with NEWSBANK" (Finance Committee) (Tabled 5-4-21)**

No motion to take item off of table

**Second Reading of Ordinance Number 27, 2021, "Ninth 2021 General Fund Budget Supplemental Appropriation of \$105,500 for Library's Historic Newspaper Digitization Project" (Finance Committee) (Tabled 5-4-21)**

No motion to take off of table.

Attorney Talarico reported that they have accepted all requests made. He advise can be removed from table. He drafted a letter addressing the Newsbank contract as three separate documents: license agreement, invoice as amended, and letter as main agreement. Newsbank did offer a \$20,000 discount; at which time Council may move the item from the table, amendments and exhibits will need to be revised.

**Second Reading of Ordinance Number 44, 2021 "2021 Children and Youth Fund Budget Revised Expenditures of \$811,466 for Creation of 29 New Positions Approved in the State's Needs Based Budget" (First Read 5-25-21/ Tabled 6/8/21)(Personnel Committee)**

Mr. Smith gave a Second Reading of Ordinance Number 44, 2021 "2021 Children and Youth Fund Budget Revised Expenditures of \$811,466 for Creation of 29 New Positions Approved in the State's Needs Based Budget"

This was motion to be removed from the table by André Horton, seconded by Ellen Schauerma; motion passed 7 to 0.

Councilman motioned that Ordinance 44, 2021 be voted, Councilwoman Schauerma Seconded the motion.

Councilman Horton commented that he will voting to support ordinance. He articulated concerns that 60% of children that are reported or removed are African American and no data is being kept in the system. He spoke to the concern of most data presented has been from other counties. He voiced that the

core of County Government needs to be Human Services, and that there is not greater resource than that of a citizenry and especially our children.

Councilwoman Schauerman shared that as a nurse, she has witnessed first-hand how cases are escalating at an unbelievable rate. She has seen first-hand how OCY is overwhelmed by requirements made by the state. She stated her support for the Ordinance.

Councilwoman Clear stated that as a mandated reporter she has had to make the phone calls to OCY reporting child abuse. She voiced that there is not enough that can be done sooner enough to end this cycle for the safety of the children.

Chairman Anderson stated his appreciation for all the work being done by Mrs. Rennie, Mr. Rastetter and Mr. Horton; stated that they are dedicated public servants to this community and to research for issues important to this community. Colleagues can rest assured that the questions have been asked. The general public needs to know why we are moving forward and the cost - the State has moved forward-- millions of grant money. not all positions are mandated as such - if they changes are not followed through, the escalating issue funding could be at risk. Although these positions are not mandated, the positions are still tied up. The State comes forward with 80% funds, Erie County needs to come forward in how to expend that money and tax payers would be responsible 20%. Millions of dollars are lost in the system because the system continues to cycle. He stated that taxpayers should be aware that there is a cost to any community and that is to take care of those who cannot take care of themselves. Thanked OCY for dedication and commitment in pushing forward. Huge undertaking and will take time to roll out and hire and well over a year to train.

The motion passes 7 to 0.

**Second Reading of Ordinance Number 46, 2021 "Comprehensive Revision and Re-enactment of the Erie County Government Administrative Code" (First Reading on 6-8-21)(Finance Committee)**

Mr. Smith gave a Second Reading of Ordinance Number 46, 2021 "Comprehensive Revision and Re-enactment of the Erie County Government Administrative Code"

Chairman Anderson thanked Mr. Smith, the Administration, and staff for making the changes necessary to keep things moving smoothly.

This was moved by André Horton, seconded by Kim Clear and carried in a 7 - 0 vote.

Mr. Smith offered that Ms. Inan did the majority of this work and deserves much credit. Council applauded the notion.

**Second Reading of Ordinance Number 50, 2021, "Nineteenth 2021**

Mr. Smith gave a Second Reading of Ordinance Number 50, 2021, "Nineteenth 2021 General Fund Budget Supplemental Appropriation of \$44,177 for Creation of New Position in the District Attorney's office for Domestic Violence Cases"

**General Fund Budget  
Supplemental  
Appropriation of \$44,177  
for Creation of New  
Position in the District  
Attorney's office for  
Domestic Violence Cases"  
(First Reading 6-8-  
21)(Personnel Committee)**

This was moved by André Horton, seconded by Kim Clear.

Councilman Rastetter commented that he supports this Ordinance 100%, and this system has very lacking way it is. He emphasized that this is another step in the right direction.

Councilman Shank voiced that as a first responder, he imagines this needing to be done ten years ago. He proudly supports the Ordinance and all that the District Attorney's office does.

Councilman Horton voiced that crime is up and families have to deal with the realities of behavioral issues, including those of which have been coming out in the time of pandemic. Mr. Horton looks at this Ordinance in being in line with the Resolution declaring Racism as a Crisis in Erie County. He recalled PA 2711, a domestic violence law. From his understanding this will be utilized as a tool to work with both the perpetrator and victim. He commended the office for taking a proactive approach and communicating.

Chairman Anderson echoed the comments and commended Jack Denari, a dedicated servant to this county as he takes a proactive approach.

Motion carried 7 to 0.

**NEW BUSINESS**

Vice Chairwoman Clear moved to amend the agenda, moving items A,B,C,D, & G to Second Readings, and amend Item I "a lot in Greengarden Terrace on West 29th St and Ellsworth Ave"; Seconded by Councilman Horton. Motioned passed 7 to 0.

**First Reading of Ordinance  
Number 51, 2021  
"Seventeenth 2021 General  
Fund Budget Supplemental  
Appropriation for Donation  
of 25 Personal Contractor  
First Aid Kits to Sheriff  
Department by JRG Tools,  
LLC" (Finance Committee)**

Mr. Smith gave a Second Reading of Ordinance Number 51, 2021 "Seventeenth 2021 General Fund Budget Supplemental Appropriation for Donation of 25 Personal Contractor First Aid Kits to Sheriff Department by JRG Tools, LLC" This was moved by Kim Clear, seconded by Brian Shank.

Councilman Shank stated that Council is made up of a huge spectrum of backgrounds, passions, education, and life experiences; his niche is in first responders and law enforcement. He wants to make sure that the areas of which the County has control of, such as the sheriff department are taken care of. When he reached out to the community, there was overwhelming support. A gentleman working for Mac Tools reached out for this donation. Mr. Shank acknowledged that the Sheriff's and Deputies are not advanced paramedics, but he wanted to ensure that if they came across an emergency they would be prepared with tools to assist until training professionals could arrive.

Chairman Anderson thanked Mr. Shank for his efforts on this item.

Councilman Horton thanked Mr. Shank for his vigilance on first responders and by proxy our community.

Councilwoman Clear echoed the sentiments or thanks.

Motion carried 7 to 0.

**First Reading of Ordinance Number 52, 2021, "Twentieth 2021 General Fund Budget Supplemental Appropriation of \$66,379 And Creation of New Line Item For District Services State Aid Carryover from Prior Year" (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 52, 2021, "Twentieth 2021 General Fund Budget Supplemental Appropriation of \$66,379 And Creation of New Line Item For District Services State Aid Carryover from Prior Year" This was moved by Kim Clear, seconded by Ellen Schauerma and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 53, 2021, "Second 2021 Child & Youth Services Fund Budget Supplemental Appropriation of \$771,968 and Creation of Line Items for the Division X Grant" (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 53, 2021, "Second 2021 Child & Youth Services Fund Budget Supplemental Appropriation of \$771,968 and Creation of Line Items for the Division X Grant" This was moved by André Horton, seconded by Ellen Schauerma. Councilman Horton share that as a youth, his family fostered 50 to 60 children over a time span. He is glad to see this ordinance come forward, as many times foster children reach age 18 and "age out" with no support system in place. He stated any opportunity that we have to extend care, concern, and love to those who do not receive that as they deserve, is much needed - there is no greater resource than our children.

Motion carried 7 to 0.

**First Reading of Ordinance Number 54, 2021, "Approving Waiver of Bid Requirements of County Purchasing Code to Select Gohrs/Haines Printing for Erie County Elections in 2021" (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 54, 2021, "Approving Waiver of Bid Requirements of County Purchasing Code to Select Gohrs/Haines Printing for Erie County Elections in 2021" This was moved by Kim Clear, seconded by Brian Shank. Councilman Shank stated that as Council, it is important that tax dollars are spent in Erie County. Until having this company receive its certification, there was not a local option and Erie Elections would have had to utilize New York. As Gohrs is in North East, Mr. Shanks District, it makes he even more proud to be able to support them.

Chairman Anderson mentioned that Erie County is fortunate to have a company that was willing to undertake this assignment. The changes and mandates that the State of Pennsylvania have made in Erie County Elections have not all been easy to follow, but necessary to do such. He stated that one of the costs of paper ballots is having someone with expertise, and Erie County is lucky to have that locally. Chairman Anderson touched on the following Ordinance, of \$300,000 to

increase monies in the Elections department to cover such fees of the mandates. He stated he is thankful to the election department, ensuring the election is fair, that when the election is over everyone is confident in the results, and in a non-biased manner.

Motion carried 7 to 0.

**First Reading of Ordinance Number 55, 2021, "Twenty-First 2021 General Fund Budget Supplemental Appropriation of \$300,000 and Creation of New Line Items for Additional Election Costs" (Finance Committee)** Mr. Smith gave a First Reading of Ordinance Number 55, 2021, "Twenty-First 2021 General Fund Budget Supplemental Appropriation of \$300,000 and Creation of New Line Items for Additional Election Costs"

**First Reading of Ordinance Number 56, 2021, "Twenty-Second 2021 General Fund Budget Supplemental Appropriation of \$1,000 for Creation of Temporary Staff Line Item in the County Executive's Office" (Finance Committee)** Mr. Smith gave a First Reading of Ordinance Number 56, 2021, "Twenty-Second 2021 General Fund Budget Supplemental Appropriation of \$1,000 for Creation of Temporary Staff Line Item in the County Executive's Office"

**First Reading of Ordinance Number 57, 2021, "Twenty-Third 2021 General Fund Budget Supplemental Appropriation of \$19,953 For Creation of New Position in the Erie County Prison" (Personnel Committee)** Mr. Smith gave a Second Reading of Ordinance Number 57, 2021, "Twenty-Third 2021 General Fund Budget Supplemental Appropriation of \$19,953 For Creation of New Position in the Erie County Prison" This was moved by Ellen Schauerma, seconded by Brian Shank and carried in a 7 - 0 vote.

**Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 18-050-013.0-209.00 333 E 20th St 41.25X135.** Mr. Smith gave a Reading of the Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 18-050-013.0-209.00 333 E 20th St 41.25X135. This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.

**Possible Sale of a Parcel from the Repository for Unsold Property at Index** Mr. Smith gave a reading of the Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 19-062-031.0-115.00 PT LT8 BLK G 45X119.055 in Greengarden Terrace at 29th Street and Ellsworth Ave.

**Number: 19-062-031.0-  
115.00 PT LT8 BLK G  
45X119.055**

**ADJOURNMENT**

**Upcoming Meeting  
Information**

Chairman Anderson thanked the public for being in attendance and announced the next meetings - July 15th for Finance and Personnel and July 20th for Regular Meeting at Asbury Woods. Councilman Shank motioned to adjourn. Meeting adjourned at 7:34pm.