

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, October 12, 2021

PLEDGE OF ALLEGIANCE

Chairman Anderson led the Pledge of Allegiance.

OPTIONAL PRAYER OR INVOCATION

Councilwoman Clear led the optional invocation: To whomever we believe in, thank you very much for watching over us as we make these decisions. We hope to do what's right for Erie County, and the greater good for all.

ROLL CALL

Members Present: Chairman Anderson; Vice Chairman Clear; Mr. Horton; Mr. Rastetter; Mrs. Schauerma; Mr. Shank; Mrs. Rennie (via phone)

Also Present: Douglas R. Smith, James Sparber, Ericka Knight, Thomas Talarico, Nicole Inan, Amy Swartzfager, & Mark Blakeney (ASL Interpreter)

SPECIAL PRESENTATIONS

Presentation by City Councilman Mel Witherspoon to Erie County Detectives Todd Manges & Mark Rosenthal

Erie City Councilman Mel Witherspoon recognized Erie County Detective Rosenthal and Detective Manges for their commitment to Erie County youth. The detectives were present at Witherspoon's summer basketball league that hosted over 300 Erie County youth, and over 100 spectators. He emphasized that the presence of the detective deters the incidence of crime and negativity.

Detective Rosenthal thanked Mr. Witherspoon for the recognition on behalf of himself and Detective Manges. He echoed Witherspoon's comments regarding decreased incidence of negative behaviors, and emphasized the importance of building positive community and police relationships.

Chairman Anderson thanked Mr. Witherspoon for the recognition of the detectives and for putting on the program. He recognized the work that the detectives do, and congratulated and thanked Attorney Jack Daneri for outstanding service of he and the County Detective Office on behalf of the entire County.

Citation In Memoriam for Robert Finnell Mr. Smith read the citation in its entirety.

Robert "Bob" Millard Finnell, Jr.
1947 -2021

WHEREAS, Robert "Bob" Millard Finnell, Jr., age 74, a lifelong resident of Harborcreek Township passed away on Tuesday, September 21, 2021; born on May 12, 1947, son of the late Robert M., Sr., and Emma Mary (Dobozy) Finnell; and

WHEREAS, Bob was a 1965 graduate of Harbor Creek High School; he spent his life working as the third-generation owner-operator of Finnell Farms---his family farm; Bob and family at his side grew fresh fruits and vegetables, selling them at their roadside market, grew grapes for Welch Foods, Inc. and at one time provided tomatoes to H.J. Heinz Company; and

WHEREAS, Bob was involved in his community throughout his life serving as a delegate on the board for the National Grape Cooperative Association and most recently serving as the Chair of the Agricultural Security Committee for Harborcreek Township; served as a volunteer fireman for the Harborcreek Fire Department for a time; and

WHEREAS, was an avid John Deere collector who had tractors, would let you show him pictures of your tractors, would invite you over to see his tractors, and would like you—if you were a tractor; and

WHEREAS ,Bob is survived by his beloved wife of 50 years, Deborah; children: Tiffany Laboski (David) and Les Finnell (Holly); grandson, Christopher Laboski (Shannon); great-granddaughter, Cali Laboski; brother, Roger Finnell (Diane); and sister, Mary Lou Gates; and

WHEREAS, Bob Finnell was a devoted family man and a dedicated farmer, who brought to mind the poem by Margaret Sangster:

The dawn is here! I climb the hill;

The earth is young and strangely still;

A tender green is showing where

But yesterday my fields were bare....

I climb and, as I climb, I sing;

The dawn is here, and with it—spring!

NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join Councilman Brian Shank, in celebrating the life of Robert Millard Finnell, a man was cherished his family and friends. May he rest in peace.

IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 12th day of October, 2021.

Councilman Shank commented on the Finnell family property -the sweet smell of grapes, tractors on display in the front yard, and a true hardworking presence in the Harborcreek Community.

Citation In Memoriam for Mr. Smith read the citation in its entirety:

Patrick Malone

Patrick Malone
1953-2021

WHEREAS, Patrick Malone passed from this world on September 27, 2021 at the age of 68 years. Pat was born on August 8, 1953, son of Anthony “Buddy” and Tina (D’Aurora) Malone, in Erie, PA; and

WHEREAS, Pat was a lifelong resident of Erie, graduating from Cathedral Preparatory School in 1971. He was recently honored at his 50 year reunion with the Prep Man of Courage Award, presented by lifelong friend, Pat Hiegel, on behalf of his classmates. Pat graduated with a B.S. in Business from Mercyhurst University, where he was a member of the men’s baseball team, in 1977. He was employed as the Purchasing Director for the Erie School District for over 35 years, retiring in 2016; and

WHEREAS, Pat was a champion for the sport of bowling in the Tri-State Area. He was a well-respected member of the professional bowling community. Pat won many accolades including: induction into the Erie District Bowling Association Hall of Fame and the Pennsylvania Sports Hall of Fame, Metro Erie Chapter. In addition, Pat won the Times News Open Championship once every decade for a total of five decades, 1979, 1981, 1990, 2005 and 2011; and

WHEREAS, Pat and his father Buddy Malone threw a total of twenty-six 300 games making them one the great father-son combinations in Erie County history; and

WHEREAS, Pat was proud to be the three time Tuesday Night Golf League Champion, boasting that golf was the most difficult sport he ever played. And Pat often said his favorite place was the number two tee at Lawrence Park Golf Club, where he was a member; and

WHEREAS, Pat will be long remembered in the annals of Erie County athletics: playing high school and college baseball, nearly a scratch golfer, a Member of the PBA for 20 years and having played a huge role as a Mercyhurst Prep Booster to the benefit of generations of students; and

WHEREAS, Pat Malone, who was a devoted family man, involved in the lives of his children and grandchildren, is survived by his wife and best friend Andrea Malone, his children Keith Malone (Kelly), Nicole Potosnak (Matt), Anthony Malone (Shannon Speyer), Marissa Malone (Chris Martin), and Alexandra Valerio; his grandchildren Kylin and Aliese Malone, and Charlotte Potosnak; his parents Buddy and Tina Malone, and many family and friends; and

NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join Chairman Carl Anderson, III, in celebrating the life of Patrick Malone, a man who stood for integrity and cherished his family and friends. May he rest in peace.

IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 12th day of October, 2021.

Chairman Anderson commented that Mr. Malone was a close friend and mentor of his who touched his life in many ways. He described Mr. Malone as compassionate, competitive, loving, and dedicated to the Erie community. Chairman Anderson shared a personal story of his appreciation of Mr. Malone and his dedication to his family, career, and community.

**HEARING OF THE
PUBLIC**

There were no members of the public that called ahead for 5 minutes.

Individuals that received three minutes of speaking time:

Brian Pitzer, Washington Township; Representing All Aboard Erie, and speaking in support of Ordinances 87 and 90. Thanked Councilmen Horton and Shank for their attendance of a press conference held in July that triggered this movement. He voiced that the impact of passing these Ordinances would be felt from Chicago to New York and every community in between. He presented former artifacts dating from 2010 to 2014 in support of the rail movement; he pointed out that unfortunately, Erie County is not much further than it was at that time, even with support. He voiced that these ordinances are ground breaking and stressed the economic benefits to Erie County that moving this initiative forward could mean for Erie County.

Cindy Purvis, City of Erie; Spoke in support of rail in Erie County. She pointed out the time differentials that traveling by automobile versus train could mean for Erie County. The expanded service would expand current services and increase those already offered, bringing economic growth to the city which serves the entire county. She pointed out that all current plans call for a Pittsburgh to Cleveland rail system, leaving Erie out of the main plans. She supports a viable plan for rail from Pittsburgh to Erie, further suggesting the rail be built above I-79. She encouraged Council to consider the potential for economic growth that a rail system could bring to Erie County.

Michael Fuhrman, City of Erie, Executive Director of All Aboard Erie; Spoke in support of rail in Erie County. He referenced a current trip from Pittsburgh to Erie taking 7 hours by rail, whereas with this new transportation system, it would be cut to nearly 1 hour. He expressed that the transportation sector in America emits almost 40% of the greenhouse gases in America (80% of that from cars and trucks). He offered that one freight train could take 200 semis off the road. He pointed out the benefits of rail and what it would mean for individuals to come to Erie for work, the beach, and general tourism, and to allow for those citizens who want to remain in Erie County but have opportunities in bigger cities for employment. He urged that moving this forward is economically and environmentally smart, and this is the time.

Kathleen Higgins, Washington Township. Spoke in disapproval of fiscal support of pandemic coordinators in schools. She pointed out that there are 25 facial expressions that children are not learning because of masking. She feels that by extending the pandemic it is putting a dollar amount on our children. She expressed that CDC guidelines are only suggestions. She expressed great concern with the amount of money being spent on testing, when there are clear false positives. She also expressed concern over carcinogens in the tests. She spoke of the significant amount of learning loss that sitting out due to PCR testing causes; she provided an example of General McLane's 2-hour classroom days equating to 90 days of a typical school year. She voiced that it is a disservice to the children

and the community to continue the support of masking.

Lou Aliota, Millcreek Township. Spoke regarding a lawful notification letter sent for intent to sue in federal court. He stated concern, and presented an article dated August 29th in which it was named that "County ended religious exemption." Mr. Aliota named this a direct violation of the US and Pennsylvania State Constitution. He recently asked in way of right-to-know the information of contributing factors of deaths recently recorded from public health and has not received the information from the county solicitor.

Christine Coburn, Summit Township. Spoke against allocating monies and time to a pandemic coordinator. She emphasized concern for additional speech therapy and learning problems with children growing up masked.

MINUTES FROM PREVIOUS MEETING

September 28, 2021 - Regular Meeting

Ellen Schauerma moved to approve the minutes from the September 28, 2021 Regular Meeting. This was seconded by André Horton and carried in a 7 - 0 vote.

REPORTS OF COUNTY OFFICIALS

County Executive and/or her Designee

County Executive offered no report at this time.

Finance Committee -Mrs. Clear

Finance Chairwoman Clear reported that the Finance Committee met on Thursday, October 7, 2021 and submitted to the agenda: New Business Items A, C through N, & Q.

Personnel Committee - Mrs. .Rennie / Mr. Shank

Personnel Vice-Chairman Shank reported that the Finance Committee met on Thursday, October 7, 2021 and submitted to the agenda: New Business Items B, O, & P.

Councilman Rastetter - Report on High Speed Rail and Transportation Committee

High Speed Rail Committee Chairman Rastetter reported that the Erie County Rail Forward Committee was formed with the goal to bring better rail systems to Erie County along the lakeshore corridor to be included in the entire transportation process in the Commonwealth, and the three-county region. In a collaborative effort, All Aboard Erie has worked with the corridor and the 6 state connection, to make the lake shore connection a valued commodity. The 6 state organization has named Erie Community a Vital Link – and it is time that WE recognize it ourselves. It is important to note that it is not about High Speed Rail at this stage, but about the opportunity for high speed transportation for passengers and eventual freight. The necessity it to be recognized as a key leader. Existing pluses that exist for Erie County are an existing station and current assets for capacity. Capacity can help create a transit oriented plan. Opportunities are open and the moment is NOW to take advantage of the possibilities that may

not be available for another next century. Communities who are organized, have a plan and follow through with community and regional support will be the ones who capture monies potentially offered in the \$66 billion infrastructure bill.

Working with Wabtec, a LOCAL stakeholder, Erie County can work strategically to make decisions that better suit the community with employment, freight, and economics. With Wabtec's leadership and push for a lessened footprint, Erie County will have a push for an environmental conscious opportunity. The primary components have created an exciting opportunity to once again be a leader coming out of the pandemic - this time in the passenger rail arena and in strategic investments. The Ultimate recommendation of the Committee a Rail and Transportation Commission. Working with a multitude of agencies and organizations in collaboration and cooperation is the initial and imperative move for Erie County. The recommendation is that a commission be upfront on the issue and put these organizations in position of success. With a small amount of investment and funding today, this can put Erie County in a position to capture funding for a stronger tomorrow for all of Erie County.

Other

Chairman Anderson reported that he miss-spoke at the Finance Meeting in regards to Ordinance 87. He described the funding source as that of VGT gaming fund; this was a misinterpretation and he clarified that the funds are from interactive gaming. He differentiated that VGT is reflected in video poker machines, not typically attached to a casino, in comparison to interactive gaming such as sports betting.

OLD BUSINESS

First Reading of Ordinance No action taken.

Number 82, 2021

**"Amending Ordinance 45,
2018 to Revise the Erie
County Human Relations
Commission Ordinance"
(Finance Committee)**

NEW BUSINESS

Councilwoman Clear motioned to move Items B,C,D, F & G to Second Readings, and add Resolutions 45 & 46, 2021 to the agenda; Seconded by Councilwoman Schauerman. Passed 7 to 0.

First Reading of Ordinance Mr. Smith gave a First Reading of Ordinance Number 83, 2021 "2022
Number 83, 2021 "2022
Revenue/Tax Claim Fee
Schedule Revision"
(Finance Committee) Revenue/Tax Claim Fee Schedule Revision"

First Reading of

Mr. Smith gave a Second Reading of Ordinance Number 84, 2021, "Eleventh

Ordinance Number 84, 2021, "Eleventh 2021 Public Health Fund Budget Supplemental Appropriation of \$546,000 Workforce Development Grant and Transfer of Existing Position into This New Bureau" (Personnel Committee)

2021 Public Health Fund Budget Supplemental Appropriation of \$546,000 Workforce Development Grant and Transfer of Existing Position into This New Bureau"
This was moved by Ellen Schauerman, seconded by Scott Rastetter and carried in a 7 - 0 vote.

First Reading of Ordinance Number 85, 2021, "Second 2021 Planning Fund Budget Supplemental Appropriation of \$250,000 from Release of Restricted Act 152 Demolition Fees" (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 85, 2021, "Second 2021 Planning Fund Budget Supplemental Appropriation of \$250,000 from Release of Restricted Act 152 Demolition Fees" This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.

First Reading of Ordinance Number 86, 2021 "Fourteenth 2021 General Fund Budget Supplemental Appropriation of \$250,000 from Release and Transfer of Restricted Act 152 Demolition Funds to the Planning Fund" (Finance Committee)

Mr. Smith gave a Second Reading of Ordinance Number 86, 2021 "Fourteenth 2021 General Fund Budget Supplemental Appropriation of \$250,000 from Release and Transfer of Restricted Act 152 Demolition Funds to the Planning Fund"
This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.

First Reading of Ordinance Number 87, 2021, " First 2021 Gaming Fund Budget Supplemental Appropriation of \$4,326,531 in FY 2019

Mr. Smith gave a First Reading of Ordinance Number 87, 2021, " First 2021 Gaming Fund Budget Supplemental Appropriation of \$4,326,531 in FY 2019 Interactive Gaming Fees and Approval of Community Projects"

**Interactive Gaming Fees
and Approval of
Community Projects"
(Finance Committee)**

- First Reading of Ordinance Number 88, 2021, " Ninth 2021 Library Fund Budget Supplemental Appropriation of \$22,450 for Friends of the Library Donation" (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 88, 2021, " Ninth 2021 Library Fund Budget Supplemental Appropriation of \$22,450 for Friends of the Library Donation" This was moved by André Horton, seconded by Ellen Schauerman and carried in a 7 - 0 vote.
- First Reading of Ordinance Number 89, 2021, " Tenth 2021 Library Fund Budget Supplemental Appropriation of \$158 for Erie Regional Library Foundation Book Endowment" (Finance Committee)** Mr. Smith gave a Second Reading of Ordinance Number 89, 2021, " Tenth 2021 Library Fund Budget Supplemental Appropriation of \$158 for Erie Regional Library Foundation Book Endowment" This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.
- First Reading of Ordinance Number 90, 2021 "To Create and Establish the Erie County Rail Future Commission" (Finance Committee)** Mr. Smith gave a First Reading of Ordinance Number 90, 2021 "To Create and Establish the Erie County Rail Future Commission"
- Chairman Anderson congratulated and commended his colleagues for bringing this forward. He voiced the importance of positioning Erie County in a progressive way as we fight to come out of the pandemic. He reiterated that this item is being left at a first reading to be transparent to the community in what is being done. In addition to Council, Chairman Anderson expressed his gratitude to the Administration and specifically to the Finance Department led by Jim Sparber in working together to move these imperative initiatives forward for Erie County.
- Chairman Anderson requested that Solicitor Talarico work to further create the Ordinance, including stipulations on creating a Board.
- Resolution Number 39, 2021 "A Resolution in Support of Senate Bill 698, Amending Section 5602 of Title 53, the Municipal Authorities Act" (Finance Committee)** Mr. Smith read Resolution Number 39, 2021 "A Resolution in Support of Senate Bill 698, Amending Section 5602 of Title 53, the Municipal Authorities Act" in its entirety. This was moved by Kim Clear, seconded by André Horton.
- Chairman Anderson again recognized the forward thinking movement of the Council, in setting funds aside during ARPA fund distribution for Public Safety

Committee)	and Fire Authorities. Passage of Senate Bill 698 would allow counties to have the option to create such authorities. These services are currently in critical condition. In 2001 the state had nearly 334,000 volunteer fire fighters, today there nearer 31,000.
	Resolution carried in a 7 - 0 vote.
Resolution Number 40, 2021 "Section 504 and ADA Designation of Coordinator" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 40, 2021 "Section 504 and ADA Designation of Coordinator" This was moved by Kim Clear, seconded by André Horton and carried in a 7 - 0 vote.
Resolution Number 41, 2021 "Approval of Payment in Lieu of Taxes Agreement between the County of Erie, the City of Erie, the City of Erie School District and the Lutheran Home for the Aged" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 41, 2021 "Approval of Payment in Lieu of Taxes Agreement between the County of Erie, the City of Erie, the City of Erie School District and the Lutheran Home for the Aged" This was moved by Kim Clear to table, seconded by André Horton and carried in a 7- 0 vote.
Resolution Number 42, 2021 "Resolution Approving The FY 2021 Community Development Block Grant Application and Authorizing its Submission to the Pennsylvania Department Of Community And Economic Development" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 42, 2021 "Resolution Approving The FY 2021 Community Development Block Grant Application and Authorizing its Submission to the Pennsylvania Department Of Community And Economic Development" This was moved by Kim Clear, seconded by Ellen Schauerman and carried in a 7 - 0 vote.
Resolution Number 43, 2021 "County of Erie Fair Housing Resolution" (Finance Committee)	Mr. Smith gave a reading of Resolution Number 43, 2021 "County of Erie Fair Housing Resolution" This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.
Resolution Number 44, 2021 "Resolution Approving a Revision to Erie County's FY 2018 Community Development Block Grant Program" (Finance Committee-	Mr. Smith gave a reading of Resolution Number 44, 2021 "Resolution Approving a Revision to Erie County's FY 2018 Community Development Block Grant Program" This was moved by André Horton, seconded by Kim Clear and carried in a 7 - 0 vote.

Attached)

Possible Appointment of Katrina L. Byrd to the Erie County Human Relations Commission representing District 2. This appointment will fill the remainder of the term held by Caitlyn Strohmeier. Term to expire December 31, 2022. (Personnel Committee)

Councilman Horton gave an overview of Mr. Byrd's qualifications and emphasized his strong support for her. This was moved by André Horton, seconded by Kim Clear and carried in a 7 - 0 vote.

Possible Appointment of Cindy Wells to the Erie County Planning Commission representing District 6, filling a current vacancy. Term to expire December 31, 2022. (Personnel Committee)

Councilman Rastetter offered that Ms. Wells has worked with Planning for a long time, and is a hard worker and welcomed addition to the Commission. This was moved by Kim Clear, seconded by Ellen Schauerma and carried in a 7 - 0 vote.

Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 18-051-016.0-201.00 (Finance Committee)

Mr. Smith gave a reading of the Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 18-051-016.0-201.00. This was moved by Ellen Schauerma, seconded by Kim Clear and carried in a 7 - 0 vote.

ADJOURNMENT

Added to the Agenda are two Resolutions:

1. Mr. Smith gave a reading of Resolution 45, 2021 "In Support of the Acquisition and Subdivision of Properties by Impact Corry Using Greenways, Trails and Recreation Program Funding"

Motioned by Councilman Horton and Seconded by Councilman Rastetter.

Chairman Anderson congratulated the work that the Corry Region is doing, particularly IMPACT Corry. This resolution is reaffirming a grant opportunity for IMPACT Corry for an additional \$54,000 Greenway trail grant. This will allow them to leverage this sourcing and allow additional matching funding from other sources, including the Ordinance 87 supporting the project in Corry. This will allow access to a technology center. This is in an attempt to create a new industry with broad band splicers and certified teachers at Erie County Community College going forward.

Passed 7 to 0.

2. Mr. Smith gave a reading of Resolution 46, 2021 "Resolution Approving a Study of Erie County's Residential Recycling Efforts"

Motioned by Councilwoman Clear, Seconded by Councilwoman Schauerman.

Councilwoman Schauerman motioned to amend the language of glass in addition to plastic; seconded by Mrs. Clear, passed 7 to 0.

Resolution, as amended, passed 7 to 0.

Meeting adjourned at 7:54pm

**The next Finance/Personnel
Committee Meetings are Thursday
October 21, 2021 at 4pm in room
114A, Erie County Courthouse or
via zoom. The next Regular
Meeting of County Council is
Tuesday October 26, 2021 at 6pm
in room 117, County Courthouse.**

**Members of the public wishing to
speak at an upcoming Regular
Meeting of Council or those
requiring specific accommodation
are encouraged to call or email the
Council Office at (814) 451-6303 or
Councilrequests@eriecountypa.gov.**