

MINUTES

Erie County Council

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Brian Shank, Chairman
Mary Rennie, Vice Chairwoman
Charlie Bayle
André R. Horton
Ellen Schauerma
Terry M. Scutella
Jim Winarski

REGULAR MEETING MINUTES

Thursday, December 15, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Shank.

OPTIONAL PRAYER OR INVOCATION

The optional prayer or invocation was led by Mrs. Schauerma.

ROLL CALL

Members Present: Chairman Shank, Vice-Chairwoman Rennie, Charlie Bayle, Andre Horton, Ellen Schauerma, Terry Scutella, and Jim Winarski

Others Present: Julie Slomski, Megan Moore, Solicitor Tom Talarico, Amy Swartzfager C.P.A., Paul Lichtenwalter, Doug Smith

HEARING OF THE PUBLIC

Bruce Kern

Re: Erie Aquaponics Center at Savocchio Park
In my capacity as Vice President, General Counsel and Owner of the CA Curtze Company located on East 12th Street and Downing Avenues, I would like to reiterate our experience as a key employer in Erie County and our commitment to the development of the Erie Aquaponics Center at Savocchio Park.
My great grandfather, Charles August Curtze started our wholesale business in 1878 by supplying food products and merchandise to general stores and oil and lumber camps in the area. Today, my brother, Bruce, and I manage a full line food service distribution business that supplies over 12,000 items from four distribution centers in Erie (PA), Cleveland (OH), Bedford (PA), and Rochester (NY). We have over 425,000 square feet of warehouse and food processing space with about half of that located in the east side of Erie. Out of our Erie operation, alone we deploy, nearly 100 refrigerated trucks and vans, have 100 or so sales personnel, and 450 employees. Also, we are currently hiring!

CA Curtze services a marketing area including nine states: Pennsylvania, New York, Virginia, West Virginia, Ohio, Michigan, Indiana, Kentucky, and Maryland. At our 12th street facility, we process over 75 species of fresh seafood sourced from around the world - our employees cut, process, and pack fish 5 days a week in our federally-inspected facility. We operate a meat processing business called Specialty Steak Service at 1109 Downing Avenue where we store, age and cut beef, pork and veal products. At “3S” we process approximately 14,000 steaks a day and additionally at our downing avenue building, albeit a different part of the facility, we store and distribute millions of dollars per year of fresh produce. On Ore Dock Road we operate Midwest Kitchens where we hand trim, vacuum seal and slow cook meats using a sous vide method. It is a state-of-the-art facility which commenced business in 2017. I know I speak for my entire family and our employees when I say we are very proud of our long history as a family business, consider ourselves an integral part of East Erie and are always looking for ways to give back to our employees, our neighbors and the community. But I want to take an opportunity to speak to the Erie Aquaponics Center at Savocchio Park which is a unique private/public collaboration with huge growth potential. This ambitious urban agriculture project will allow us to locally-source products such as greens, herbs and microgreens which we currently purchase from California and sometimes, Mexico. Having the ability to locally-source products from a controlled environment is not only good for our business, it’s good for our employees and neighbors, by adding jobs. We also believe strongly that the plan to develop Savocchio Park contributes to the community by investing in our neighborhood and renewing an area that has long suffered from systemic divestment.

Our business has been reviewing various aquaponics delivery systems for more than 5 years and have even considered attempting to build hydroponic facilities ourselves. The plan at Savocchio Park was developed under the leadership of the Minority Community Investment Coalition and the Erie County Redevelopment Authority through discussions with our company and more importantly through extensive consultation with Integrated Agriculture Systems (INTAG), who are experienced experts in the

field.

The EAC plan is solid and we are interested in being their primary customer. This is for real.

For us, having a local supplier for some of these goods would eliminate transportation costs, supply

chain challenges, and result in fresher goods for our customers.

Another very attractive part of the EAC plan for our company is the aquaponics fish component of this

facility where we could cultivate and source trout, and maybe even walleye and perch, which are

extremely challenging to purchase, especially during specific times of the year.

The scientists at INTAG

along with MCIC are willing to work with us to research how we might accomplish this.

In conclusion, let me repeat – the Erie Aquaponics Center is good business for Curtze and for Erie. The

Erie Aquaponics Center could open up a whole new business line for our region.

The beauty of the plan

is that it will have the CA Curtze Company as customer for most, if not all of its products, out of the gate

allowing for true potential, growth and expansion.

Quite simply this is an important and significant commercial opportunity and benefit for us as a local

company, to Erie, and importantly a truly underserved community.

MCIC has built their business model on a commitment of a \$1 million grant from the County of Erie. I

implore you to honor your commitment and provide them with the remaining \$500,000 so this project

can move forward without delay.

Most sincerely and respectfully,

B. Scott Kern

Tina Mengine

Tina Mengine, Erie, ECRDA: Ms. Mengine advised the Council regarding the Savocchio Park project to clear up any miscommunications. She stated it was not a spec project as mentioned by the Administration, but fully underway. She noted there were four phases to the project, and they are in the first phase. She also noted that the first phase will create approximately 12 jobs, but by the final phase, 50+ jobs will be created. She cited Mr. Kern's letter, which established Curtze's position as fully committed to the project. She argued that economic development is not just about job creation, although that was important. She maintained that it was also cleaning up a brown field in a distressed neighborhood, creating food opportunities in a food desert, and creating business opportunities for New Americans. She stated this was a holistic approach to solve critical needs in distressed neighborhoods in our community. She urged the Council to honor their votes from last year and this year; they will be amazed by the results.

Laura Eaton

Laura Eaton, Erie, MECA: Ms. Eaton noted she was there to respond to the

inaccurate statements made by the Administration. She affirmed that MECA was up to date with all their 990s, and all of their needed filings. She mentioned the history of MECA, and that they have served Erie County for over 40 years; called upon by the Social Security Administration and Veterans Affairs. She stated that many people would become homeless without the help of MECA, and were turned away by other agencies. She stated that MECA did not turn anyone away, and worked with people who had mental and physical disabilities. She listed some of the services of MECA including guardianship programs, a senior center, and adaptive baseball programs for all ages. She argued that MECA provided services that other agencies could not do, and without county funding MECA could not continue the programs they offered.

Carl Anderson

Carl Anderson, Erie: Mr. Anderson stated that he understood the duty of County Council to pass the budget, and that he was there as a former County Council member. He noted the budget was the only time County Council had a major impact or influence over the money of Erie County. He expressed respect for the ability of the County Executive to administer line item vetoes, but established there were other means to bring items back without disrupting the budget, mostly by supplemental appropriations. He stated that when the line item vetoes were submitted, a veto of the General Fund Budget should also have been proposed, as that would put a balance back in the debits and credits. He stated that if the County Council did not override the vetoes, the budget would have to be reopened. He implored the Council to look at the ARPA funding and the minority communities it was designated to assist, before the fallout and lawsuits happened, which was his concern for the taxpayers of Erie County.

Perry Wood

Perry Wood, ECGRA: Mr. Wood introduced himself and Gary Winschel, a board member of the Authority. He read into record a letter from Ronald G. Cleaver, another board member of ECGRA and former Council member.

December 14, 2022

To Honorable Members of Erie County Council,

This Erie County Council is facing a defining moment. In the days ahead, it will decide whether it made the right decision when it voted to approve a budget containing a well-deliberated mix of funding two weeks ago. Now, you'll have to decide whether to change course under political pressure from the County Executive when - as far as I can see - nothing has changed.

On December 7th, the County Executive vetoed several line-items negotiated and effectively compromised County Council's budget plan, which thoughtfully considered many organizations and citizens in several public hearings. Two of those items placed ARPA dollars in the capable hands of the Erie County Gaming Revenue Authority (ECGRA) for the purposes of municipal infrastructure, small business development, and maintenance on community facilities.

The justification: the County Executive's new economic development department should hand out the funding. The problem: the County Executive's plan

disregards the fact that ECGRA was created in 2008 by County government for this express purpose.

This approach creates an expensive duplication of services wasting ARPA dollars that could be invested in communities and thereby slowing the progress of these local projects. ECGRA is a county asset, not a competitor or third-party vendor, as asserted in the veto message. ECGRA has well-tested infrastructure to effectively distribute ARPA funds within the guidelines right away to the communities that need it the most. ECGRA is a county authority, a legal appendage of county government, appointed by County Council - its charter breathed into life by County ordinance and its board appointed by elected officials.

The infrastructure for grant making at this level was purposely established outside the courthouse, through an authority, to depoliticize the process. ECGRA has built a grant writing application process that reacts to planning, community support, matching funds, and studies based on data. Local leaders have touted the model over the years because of the results. ECGRA has invested in every community in Erie County and made those investments count. Ten years into this grand experiment, we all know that ECGRA works. Although I was an early critic of ECGRA, I now consider myself an advocate. When I was serving on County Council, voted to support the creation of the Authority. Initially, I regretted my decision when the Authority became entangled in legal challenges. However, that cloud lifted years ago. After serving on the Board, I can attest that ECGRA has a sterling reputation amongst both urban and rural areas, nonprofits and municipal governments, local and state leaders - and it's earned it!

While duplication of government services is reason enough for the County Council to stick to its decision, our communities are counting on us to help them through the ARPA process and ECGRA is well-positioned to do this right now. Small and large communities across Erie County are familiar with the ECGRA process - the County Executive's plan would cause these communities to engage in an unnecessary learning curve to access funding. ARPA adds a layer of regulation that requires strict adherence to guidelines - guidelines already integrated in the ECGRA distribution/reporting process. ECGRA's transparency and attention to the federal guidelines during the first round of ARPA grants is what gives people confidence that our funding was being used properly and that our communities would not be at risk of losing any funding that didn't fit within the ARPA guidelines.

ECGRA has been a partner - listening to our communities and responding to their needs. It effectively invested millions into Erie County main streets, small businesses, building renovations, joint sewer, and water projects, and most recently a rural broadband study. This summer, the ECGRA staff crisscrossed Erie County talking with boroughs and townships about their critical infrastructure needs and aspirational competitive projects. Most of the three million in ARPA dollars being vetoed by the administration were slated to meet those needs.

I encourage County Council to assert its role as the balancing arm of county government and weigh the good of the people over the good of the politician. While, I don't doubt the intention of the County, this work has been underway for more than a year and moving the funding would be unintentionally punitive to our communities.

At this point the decision is in County Council's hands to decide. If the county moves this funding to a new department, it will require building infrastructure that doesn't exist - an unnecessary duplication of services that would cost taxpayers. Should the county utilize one time grant dollars from the federal government to build a new agency within the Courthouse? Or shall we invest prudently in an existing appendage of County government with a proven track record?

Ronald G. Cleaver

Sam Talarico

Sam Talarico, Erie: Mr. Talarico stated that it was important to override the County Executive's vetoes, and recalled the County Executive's message when he took office of "let's put politics aside and let's get to work", but now it was more like "bombs away!" He noted that everything with this administration was political. He questioned the County Executive's belief that he could convince businesses to move to Erie County with his unique expertise and force of personality, and that he needed an unlimited travel budget. He noted that the County Executive also seemed to think economic development was the primary goal, and managing the county was secondary. He discussed the Savocchio Park project, and that it was a development in the most distressed area of Erie County, and noted that eliminating funding was an assault on the minority community, which was a recurring pattern with the Administration. He stated the rationale was always the same playbook: conflict of interest, that can be done better elsewhere, underperforming, and manufactured facts. He maintained projects already in existence were vetoed because of the mere fact that they weren't the County Executive's ideas, and that was political. He quoted the County Executive, "Erie County is financially healthy and any interpretation to the contrary is not factual", and stated that he agreed, but it was disingenuous, as it was past officials who were good stewards of tax dollars, and the reason for the County.

Wendy Neckers

Wendy Neckers, Corry: Ms. Neckers listed her occupation and community involvement; she is the owner of the Painted Finch Gallery and Epiphany's Emporium, President of the Downtown Corry Business Association, President of Impact Corry, and Board Member of the Corry Community Foundation. She expressed her trust and support of ECGRA, an institution that funds pivotal projects throughout Erie County. She noted that building a strong trust relationship was not an easy feat in rural areas that often feel overlooked. She described a listening session with ECGRA the previous summer that was significantly attended, with great collaboration and exchange of information. She

noted that personally, as an entrepreneur and board member, she saw ECGRA as a partner. She listed the benefits Corry has reaped from the ECGRA investments. She noted that adding revenue was important, but even more so was the outlook of the community. She described the improved thoughts and actions of the community, as well as the ripple effect of positive actions. She stated that ECGRA's interest validates projects and increases interest from other funding sources. She emphasized that Corry trusts ECGRA, and they are a strong partner for the community.

Others-3 Minutes

Art Leopold, Millcreek: Mr. Leopold questioned cutting funds to assist disabled people, but increasing a person's travel budget. He stated that communities cannot prosper and grow until all facets of neighborhoods and their residents can prosper and feel hope together. He also noted that the trickle-down theory doesn't work as an immediate benefit for groups that have suffered from chronic and systemic disenfranchisement. He referenced Resolution 43, and stated it recognized race as a severe health crisis, and allocated funds to attempt to heal the ills that have occurred due to generational neglect. He stated that a community cannot move forward until all residents are in balance, and targeted investments directly to adversely impacted areas are needed at this time. He noted a community cannot prosper until all have equal opportunity and are at the table to make the plans for hope. He listed many in the community who understand the need to create equity and grow hope for all Erie County residents.

Michelle Schroeck, Erie, Sisters of Mercy: Ms. Schroeck stated she was there to request an override of the veto for the funding for Savocchio Park. She noted that she was a member of the Eastside Grassroots Coalition, and Savocchio Park has been part of their strategic plan since 2018, as well as the Minority Investment Coalition's strategic initiative, and both coordinated by an outside consultant. She also voiced her happiness as a neighbor in the area to see something happen after years of neglect.

Freda Tepfer, Erie: Ms. Tepfer announced that all the Council members needed to do that night was stand by their votes. She noted that it was befuddling to see a County Executive who has a broad job focus all his energy on economic development, which was not his job, and create a duplicative department that siphons money from where it was really needed. She noted that she shares the excitement and hope of the community at the prospects of this well-thought-out plan.

Ann McCarthy, Harborcreek, Benedictines for Peace, Benedictine Sisters of Erie: Ms. McCarthy spoke in support of overriding the vetoes. She described the Savocchio Park project as an innovative, creative, grass-roots effort to revitalize a former Superfund site. She noted it was a fitting tribute to Joyce Savocchio. She also voiced her support for MECA and the other items that were vetoed.

Scott Rastetter, Washington Township: Mr. Rastetter mentioned that during his

tenure he investigated ECGRA because of the rumors about mishandling of money. He reported that the results showed it was just political nonsense. He noted that the group had strict state regulations, they had been around for a long time, and knew what they were doing. He also noted that he advised Mr. Wood to look more into distributing funds in the rural areas, which he did.

**COUNTY EXECUTIVE
ACTIONS FOR
OVERRIDE
CONSIDERATION**

Chairman Shank asked Solicitor Talarico for a definition of the veto.

Solicitor Talarico stated the simplest form is a challenge to an ordinance or law, to cancel the item. He stated that with the Home Rule Charter, it is a limited veto, and gives the County Executive access to challenge the budget. Mr. Talarico gave different scenarios for the budget process. He explained ownership of the budget by the County Council. He argued about the power, or lack of power, of the County Executive.

Ms. Slomski reviewed the voting process for the Council members. To override the veto, it is a yes vote of the majority plus one, and to keep the veto is a no vote.

There was discussion amongst the Council, the Solicitor, and County Clerk how to proceed with the vote.

**Gaming Fund Veto-
\$30,000 grant to MECA.**

A motion to override the veto was made by Mrs. Rennie, seconded by Mr. Horton, and failed 4-3.

Mrs. Rennie stated this was a 7-0 vote at the budget hearing. She stated it was thrown into question by a series of statements that were ignorant, untrue, and disingenuous. She noted these statements were proven untrue. She questioned what possible reason a Council member could have for changing their vote now. She stated they should have to state why they are changing their minds because it is either because of false statements, or political pressure, and both are atrocious. Yea-Horton, Rennie, Scutella, Winarski
Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Reduction of County
Executive Travel line by
\$10,000.**

Mr. Horton stated there was a legal opinion by the County Council Solicitor that, according to the Home Rule Charter, these vetoes were illegal and should be struck from the agenda.

Mrs. Schauerma questioned if this was an increase or if it just went back to the original budget amount.

The accountant clarified it was an increase to the budget passed by the County Council, and agreed with Solicitor Talarico that the County Executive only had the power to reduce the budget, not increase the budget.

Mrs. Rennie questioned the accountant, if the items were approved, would they have to reopen the budget. (Answer: Yes)

Mr. Smith interjected that the Administration disagreed with Solicitor Talarico's opinion, and that according to the Home Rule Charter, if a vote was not taken the vetoes would take effect.

Mr. Horton stated the Administration could not force the Council to do anything illegal. He stated the Council is the check and balances, and this is the Council's

budget, and they were discussing that budget, not what the County Executive proposed.

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Reduction of travel line in
Community Relations &
Economic Development
Bureau by \$35,000.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Reduction of Professional
Fees Line in Community
Relations & Economic
Development from \$100,000
to \$26,036.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Reduction of Economic
Development Initiatives by
\$80,000 and restrict \$20,000
in Community Relations &
Economic Development
Bureau.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Elimination of HR Position
Number #002200-010.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Elimination of new Deputy
Director Position in
Revenue/Tax Claim Office.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**General Fund Veto-
Elimination of IT Position
Number #002812-005.**

A motion was made by Mr. Horton to strike items C-H from the agenda , seconded by Mrs. Rennie, and carried 4-3.

Yea-Horton, Rennie, Scutella, Winarski

Nay-Bayle, Schauerma, Shank

**American Rescue Plan
Fund Veto-\$750,000 to
Savocchio Park project
with the Erie County
Redevelopment Authority
acting as the fiscal agent.**

The motion to override the veto was made by Mr. Horton, seconded by Mrs. Rennie, and failed 4-3.

Mrs. Rennie stated this project has many positives, explained many times over. She noted this item passed 6-1, and never would have imagined a 7-0 vote turning without any justification. She stated this project was ready to go, and the gem of all projects brought forward, it is ready to go and benefits everyone,

including business development.
Yea-Horton, Rennie, Scutella, Winarski
Nay-Bayle, Schauerman, Shank

**American Rescue Plan
Fund Veto-\$3,000,000 to
Erie County Gaming
Revenue Authority for
Building Back Better
Future Program.**

A motion was made by Mr. Horton, seconded by Mr. Winarski, and failed 4-3. Mr. Horton stated he echoed Mrs. Rennie's comments, that the original vote on this item was 7-0, and he was interested to see how this vote would turn out. He referenced the previous votes, and said if it followed suite, it would be a travesty. He said at the conclusion of today's meeting, the citizens should hold the Council's feet to the fire, collectively and individually. He welcomed anyone to call him, anytime, to explain his vote, as everyone should be transparent.
Yea-Horton, Rennie, Scutella, Winarski
Nay-Bayle, Schauerman, Shank

**American Rescue Plan
Fund Veto-\$737,500 to Erie
County Gaming Revenue
Authority to fund the
Beehive Network.**

A motion to override the veto was made by Mr. Horton, seconded by Mrs. Rennie, and passed 5-2.
Mrs. Rennie stated this would be particularly telling, as the Beehive representatives she had spoken to support ECGRA administering the grant, not the Erie County Department of Economic Development, or whatever you call it. She stated it wasn't even clear how the money could go directly to the Beehive, as it is multiple entities. She stated the Beehive representatives prefer the expertise of ECGRA.
Mr. Horton gave a brief reminder that the previous vote was 7-0, and questioned what had changed, if anything. He urged the people to participate in government, and hold their feet to the fire, and to tell everyone how the County Council voted. He stated it should be posted everywhere.
Yea-Horton, Rennie, Scutella, Winarski, Shank
Nay-Bayle, Schauerman

ADJOURNMENT

The motion to adjourn was made by Mr. Horton.