

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

Tuesday, February 21, 2023

PLEDGE OF ALLEGIANCE

The Chair led the reciting of the Pledge of Allegiance.

OPTIONAL PRAYER OR REFLECTION

Mrs. Schauerma gave the optional prayer or reflection.

ROLL CALL

Members Present: Chair: Brian Shank, Vice-Chair: Mary Rennie, Charlie Bayle, Andre Horton, Ellen Schauerma, Terry M. Scutella, and Jim Winarski
Others Present: Julie Slomski, Megan Moore, Solicitor Tom Talarico, Deputy Solicitor Jay Stranahan, Paul Lichtenwalter, Chris Carroll

HEARING OF THE PUBLIC

Freda Tepfer

Art Leopold, Millcreek: Mr. Leopold discussed posing a question with Dr. Ken Louie at the Jefferson Society, and economic opportunity cost. He sent a link to the Council members on Friday that had been shared with him by Dr. Louie. He noted that the essence of the documents was that the area had lost out from GDP and the economy because investments had not been made in the systemically disadvantaged populations. He shared that \$71 trillion dollars had been lost in the last 30 years from not investing in everyone.

Freda Tepfer, Erie: (late arrival, 5 minutes) Ms. Tepfer recited a poem by Miller Williams, Compassion. She stated that she was on the autism spectrum. She reported that she received a letter from the Election Board Chair Charlie Bayle saying that "There have been numerous occasions where you have disturbed our Council or Board of Elections meetings. You not only made inappropriate gestures, talked loudly and moved throughout the meeting, but also interrupted the Board speaking as well. Your behavior not only disturbed the board but others in attendance. Please consider this a final warning that this behavior will not be tolerated." She disputed that she did anything wrong, and questioned what people are allowed and not allowed to do at meetings. She stated she would do her best to comply with clear and reasonable behavior requests that are applied to everyone. She discussed Project NePTWNE, and the \$1.5 M for renovations of an existing building. She stated that the problem with the project is that it is totally vague. She also mentioned \$2M for St. Vincent's. She concluded that

ARPA money should go to the historically disadvantaged, and hoped all on the Council would act with integrity during this election.

Carl Anderson, Erie: Mr. Anderson stated it was unfortunate that in this Administration an atmosphere of divisiveness had been created, particularly with ARPA funding. He noted that Project NePTWNE was recommended previously by the Covid Impact and Revitalization Committee he chaired, but using revenue replacement, a proper funding source. He suggested it was unfortunate that the County Executive had used up the revenue replacement available to try to balance the budget for one-time operational expenses, and was wasting the leverage of ARPA funding. He emphasized that what was being funded in the Project NePTWNE ordinance was not dealing with water pollution, but the renovation and erection of buildings, and was a capital project that did not qualify for ARPA funding. He urged the Council to vote down or table the ordinance, and find different funding before Erie County taxpayers were responsible for paying the ARPA funds back. He noted that the project deserved to move on, but in the proper manner.

Sam Talarico, Erie: Mr. Talarico stated that the Board of Elections would make important decisions regarding upcoming elections in the next ten months. He referred to the previous Board of Elections meeting on February 17th, and what he called a travesty, as Brian Shank improperly acted in the meeting, chose to participate, and seconded the nomination of Charlie Bayle as Chair. (Chairman Shank admonished Mr. Talarico for addressing him by name.) He highlighted the fact that any issue that may come before the Election Board could favor the Shank candidacy, produce a conflict of interest, and an appearance of a quid pro quo that they begged be avoided. He acknowledged that the actions of the Chairman compromised not only himself, but by association, also Mr. Bayle, who did nothing wrong. He stressed that the absence of illegality was the lowest possible standard, and what was done was lawful and awful. He noted that a perfectly reasonable request for the Chairman to declare the status of his candidacy, citing compelling public interest, was proffered and declined, but instead he danced around the concept of "official candidacy". Mr. Talarico agreed with Chairman Shank's statement that there was no Council policy for refusal, but debated that was because the importance of absolute neutrality was universally understood and never questioned until now. He questioned Mr. Shank if he knew better than those of the last 40+ years, and stated that at times public officials must put the needs and interest of the body they serve before personal interest, and this was one of those times.

Laura Coulter, Millcreek: Ms. Coulter spoke on the topic of child poverty in the city of Erie (44%), and the County of Erie (27%). She noted that the pandemic opened her eyes to the needs of children, when it was reported that many would not get meals without the school being open. She stated it was a crisis in the county that needed to be fixed for the next generation. She contended that a universal basic income was needed to decrease poverty, mental health issues, and violence, and this could not be accomplished when basic needs are not met. She urged the Council to consider a universal basic income in Erie County.

Molly Brechtel, Erie: Ms. Brechtel expressed the need to examine the resources that were used for the prison and court systems, and stated that violence could be fought by investing in universal basic income. She noted other counties have invested millions of dollars in universal basic income because it works. She reported that \$2M in ARPA money would fund a pilot program at \$400 a month for 300 families. She maintained that it was time to abolish poverty, not put a Band-Aid on it.

Catherine O'Neil, Millcreek: Ms. O'Neil stated the quality of our water was important, but had questions about Project NePTWNE. She queried whether there was any coordination with the Tom Ridge Center, which already did studies and had a Regional Science Consortium. She also wondered why ARPA funds were being used, and how the project would continue to be funded.

Valerie Perkins, Erie: Ms. Perkins questioned the status of Diverse Erie. She noted that racism had been declared a public health crisis. She also stated the DEIC had been funded, and the funds had still not been released. She expressed the need for the County Council to call the County Executive into order, rescind his letter to remove the last three black members of the Commission, and get the funds released. She questioned why the County Executive was meddling in Diverse Erie so they could not carry on with business. She stated the Council was elected to serve the people of Erie, and they should serve the people of Erie.

Jerry Servidio, Millcreek: Mr. Servidio congratulated Mr. Bayle and Mr. Winarski for being elected as the Chair and Vice-Chair of the Election Board. He stated he saw integrity, honesty, and truthfulness in them. He hoped that they would lead the rest of the Council with these qualities. He stated there were enough attacks on the right to vote, and that there were a lot of angry, misguided, gullible Americans out there. He voiced his dismay at officials that work for the citizens, but let their own views get in the way of the good of the people.

MINUTES FROM PREVIOUS MEETING

**December 20, 2022-
Regular Meeting**

**February 7, 2023- Regular
Meeting**

REPORTS OF COUNTY OFFICIALS

**County Executive and/or
his Designee**

A motion to approve the minutes was made by Rennie, seconded by Schauerma, and approved by 7-0.

Chris Carroll stated that after the Council's request at the last Finance meeting, the head of the Finance Department, Paul, gave the Council a 68-page packet, in great detail, on the ARPA money. He stated they were working with the IT Department to get them access to the shared file and could monitor the

continuously updated documents, and they were working on that as soon as possible. He rebutted the public speakers, and urged the Council to pass Project NePTWNE, and stated nothing about it was vague. He referenced the luncheon with Dr. Taylor and himself, where the project was discussed in great detail. He noted the Great Lakes Science and Research facility would become a community asset. It could be for people and kids in middle school to learn about the water and about plastic pollution, which is important. He checked with Dr. Taylor in the audience, and confirmed that they were going to do something with the Regional Science Consortium, so there was a bit of a partnership there, which was nice to see. He also encouraged the Council to pass the GAP funding which would benefit the County in all four corners. He stated it wasn't pretty money to install sewer lines and wells and things like that, but it is a necessity for the rural communities, and how they move forward with this infrastructure. He stated that the Council had their position on the General Fund ordinance, and the County Solicitor had his position as well, and they stood with their position. He encouraged the Council to pass the ordinance to fund that deficit there, and to fill the budget vetoes and the lack of action on their position. He remarked that if the Council decided that was not okay, and didn't want to table it or shoot it down the Administration would continue to work forward on a different alternative to fill that hole.

Finance Committee - Mrs. Schauerman Mrs. Schauerman stated the Finance Committee met on February 16th, and submitted to the agenda Old Business: A-E and New Business: A & B and D-H.

Personnel Committee - Mr. Scutella Mr. Scutella stated the Personnel Committee met on February 16th, and submitted to the agenda New Business: C and I-Q.

Citations and Certificates

Certificate for Constable Carl Prindle A certificate for his service at the site of an automobile accident was awarded by Chairman Shank for going above and beyond the call of duty.

Citation for DeMitta Moore A citation was awarded to DeMitta Moore by Councilman Horton in recognition of her long-time service to Erie County and the Magisterial District Justice office.

Citation for Ross Hugh Peters A citation was awarded post mortem to Ross Hugh Peters by Chairman Shank.

Other Chairman Shank decided that Vice-Chair Rennie and Mr. Horton would offer their oration prior to the citations and certificates being handed out.

Mrs. Rennie shared part of an article from the February edition of City and State Pennsylvania, which contained an article on the power of diversity and listed the most influential black leaders of Pennsylvania in politics and beyond. She stated it was a power list, and was proud and happy to report that numbers 86 and 95, respectively, were Erie's own Gary and Andre Horton. She highlighted the areas of recognition for Gary Horton, sharing that he had campaigned for John F.

Kennedy's presidential campaign as a child, was a social activist, headed the NAACP Erie Chapter, and was president of the Urban Erie Community Development Corporation. She called attention to the spotlight on Andre Horton's legacy in the article as Councilman of District 2 since 2014, his leadership in obtaining more than 400 part-time jobs through the Summer Jobs program, founding the non-violence initiative, Blue Coats, in local school districts, and successfully lobbying for an Erie County Community College to be built. She stated the Horton brothers were true treasures of Erie County, and had given tirelessly of themselves to the community and its residents over the years, and she expressed her deepest gratitude.

Mr. Horton mentioned that it was Black History month, which highlighted the achievements of African Americans. He noted his commentary that night would be in relation to ARPA funding. He communicated details of the NACo conference the previous week that he attended, as well as Councilwoman Schauerman and multiple members of the Administration. He described some of the federal lectures that he and others from the County were part of, and that he was irate by their ending. He reported that the presenters talked about EB, electric batteries and being specifically earmarked in the infrastructure bill, but Erie County designated \$5M in ARPA funding towards an EB project. He maintained that Erie County residents may have to pay that money back. He highlighted that there were also grants available for projects like NePTWNE. He noted that one of the biggest points made was that money should be granted through an equity prism, something said but not done in Erie County, and the opportunity should be seized to invest in communities that had been historically disadvantaged, BIPOC communities. He recommended to the others at the conference, and that night, that the only way to solve Erie County's problems was to work together, and suggested a work session between the Administration and the Council. He expressed his dismay and disillusionment at being walked over to a table by Jon Whaley, and being told the MCIC should apply for a grant for aquaponics that was advertised. He questioned where the resolve was to help the black and brown communities, from the Administration and from the County Council; where is the resolve to help the poor, change home ownership statistics, drug deaths, and the process of OCY. He noted that the duplication of effort line was brought up when it was a black or brown project, but that it was okay here with Project NePTWNE. He stated this was what systematic racism looked like. He stated that Erie County has human needs problems, and they should turn their attention back to that, and not do economic development. He questioned how projects that test water or batteries were negatively impacted by Covid-10 and why \$6.5M should go to institutions of higher learning, but they are fighting black people for \$3.5M. He referred to the RCAP designations and that none of them were black and brown projects. He discussed how the DEIC is criticized, but also that some of it was warranted and he was not happy about their actions either. He clarified that it was the governing of black people that had them in the situation they are in today; with their kids locked up, uneducated, parental rights terminated, and blacks thinking they were inferior, while whites felt superior. He declared that any community deprived of resources, whether black, brown or white, would get the same outcome; crime, drug deaths, homelessness, illiteracy,

and hopelessness. He suggested that people look at all of Erie County during Black History month. He stated that Erie was built on nepotism, and questions needed to be asked about those being awarded contracts, jobs, and work to level the playing field. He asked who would speak about these issues if he didn't, and questioned where Bishop Persico, Bishop Brock and the other 10 African American bishops, the center leadership, Investment Erie, or the EDDC were at. He concluded that he stands up every meeting and salutes the flag, the flag that he defended, that said he was only 3/5 of a man, but he doesn't concentrate on what it hasn't done, but on what the meaning the flag aspires to be, and for him to have liberty, freedom, and justice. He questioned where justice was for the black and brown communities in Erie County, and stated he couldn't see it, and that was what systemic racism was.

OLD BUSINESS

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| <p>Second Reading of Ordinance Number 9, 2023, "Second 2023 ARPA Fund Budget Supplemental Appropriation of \$1,500,000 and Creation of New Line Item for Project NePTWNE" (First Read 2/7/23)(Finance Committee)</p> | <p>Ms. Slomski gave a Second Reading of Ordinance Number 9, 2023 "Second 2023 ARPA Fund Budget Supplemental Appropriation of \$1,500,000 and Creation of New Line Item for Project NePTWNE". A motion was made by Mrs. Schauerman, seconded by Mr. Winarski, and carried 6-1 (Horton).
Mr. Scutella stated that he supported this project because, based on the happenings throughout the country with polluted and undrinkable water, it would benefit all people of Erie County to have something like this project that was designated to safeguard Lake Erie and our drinking water for future generations. He also felt there was a great benefit for students of Erie County from the educational center.</p> |
| <p>Second Reading of Ordinance Number 10, 2023, "2023 ARPA Fund Budget Revised Revenue and Expenditures of \$5,000,000 for Municipal GAP Funding" (First Read 2/7/23)(Finance Committee)</p> | <p>Ms. Slomski gave a Second Reading of Ordinance Number 10, 2023 "2023 ARPA Fund Budget Revised Revenue and Expenditures of \$5,000,000 for Municipal GAP Funding". A motion to table the ordinance was made by Mrs. Rennie, seconded by Mr. Horton, and carried 4-3 (Bayle, Schauerman, Shank).</p> |
| <p>Second Reading of Ordinance Number 11, 2023, "Amendment to 2023 Gaming Fund Budget" (First Read 2/7/23)(Finance Committee)</p> | <p>Ms. Slomski gave a Second Reading of Ordinance Number 11, 2023 "Amendment to the "2023 Gaming Fund Budget". A motion was made by Mrs. Schauerman, seconded by Mr. Scutella, and carried 6-1 (Rennie).</p> |
| <p>Second Reading of Ordinance Number 12, 2023, "Amendment to 2023 ARPA Fund Budget" (First Read 2/7/23)(Finance Committee)</p> | <p>Ms. Slomski gave a Second Reading of Ordinance Number 12, 2023, "Amendment to 2023 ARPA Fund Budget" . A motion was made by Mrs. Schauerman, seconded by Mr. Winarski, and carried 5-2 (Rennie, Scutella).</p> |

Second Reading of Ordinance Number 13, 2023, "Amending Ordinance Number 165, 2022 '2023 General Fund Budget' to Reflect Changes of Vetoed Items" (First Read 2/7/23)(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 13, 2023, "Amending Ordinance Number 165, 2022 '2023 General Fund Budget' to Reflect Changes of Vetoed Items". A motion was made by Mrs. Schauerman, seconded by Mr. Bayle, and failed 0-7. Mrs. Rennie stated she was encouraged by the discussion in Caucus, and that a supplemental appropriation was the correct way to readdress items, but that adding to a budget would be improper. Mr. Horton stated he was hopeful when Mr. Smith addressed the Council at the Finance and Personnel meetings and was agreeable to the supplemental appropriation route, and believed this was not the right way to go.

NEW BUSINESS

Mrs. Rennie motioned to amend the agenda and move Ordinance 14 to a second reading as well as combine Resolutions 9-12 as one vote, seconded by Mrs. Schauerman, and carried 7-0.

First Reading of Ordinance Number 14, 2023 "Fifth 2023 General Fund Budget Supplemental Appropriation of \$126,500 for Ballot Sorter Purchase in the Conduct of Elections"(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 14, 2023 "Fifth 2023 General Fund Budget Supplemental Appropriation of \$126,500 for Ballot Sorter Purchase in the Conduct of Elections". A motion was made by Mrs. Schauerman, seconded by Mrs. Rennie, and carried 7-0.

First Reading of Ordinance Number 15, 2023 " An Ordinance of the County of Erie, Pennsylvania Authorizing and Directing the Execution and Delivery of a Guaranty Agreement for the Benefit of Pleasant Ridge Manor and Compliance with the Provisions Thereof and Incurring Nonelectoral Debt Thereby; Approving a \$700,000 Letter of Credit Agreement from Pleasant Ridge to First National Bank of Pennsylvania; Directing the Proper Officers of the County to Take Necessary Actions; and Repealing All Inconsistent Ordinances"(Finance Committee)

Ms. Slomski gave a First Reading of Ordinance Number 15, 2023 " An Ordinance of the County of Erie, Pennsylvania Authorizing and Directing the Execution and Delivery of a Guaranty Agreement for the Benefit of Pleasant Ridge Manor and Compliance with the Provisions Thereof and Incurring Nonelectoral Debt Thereby; Approving a \$700,000 Letter of Credit Agreement from Pleasant Ridge to First National Bank of Pennsylvania; Directing the Proper Officers of the County to Take Necessary Actions; and Repealing All Inconsistent Ordinances".

First Reading of Ordinance Number 16, 2023," Second 2023 Appointed Official's Salary Ordinance Full Time Assistant Public Defender"(Personnel Committee)	Ms. Slomski gave a First Reading of Ordinance Number 16, 2023," Second 2023 Appointed Official's Salary Ordinance Full Time Assistant Public Defender".
Resolution Number 8, 2023 "Approval of the Redevelopment Assistance Capital Grant Application and the Cooperation Agreement among the Erie County General Authority, Saint Vincent Health Center, Allegheny Health Network, and the County of Erie for the Saint Vincent Hospital Expansion Project"(Finance Committee)	Ms. Slomski read Resolution Number 8, 2023 "Approval of the Redevelopment Assistance Capital Grant Application and the Cooperation Agreement among the Erie County General Authority, Saint Vincent Health Center, Allegheny Health Network, and the County of Erie for the Saint Vincent Hospital Expansion Project". A motion was made by Mrs. Schauerma, seconded by Mrs. Rennie, and carried 7-0.
Resolution Number 9, 2023 "Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of Pleasant Ridge Manor and Preparation of Form 990 for Calendar Year Ending December 31, 2022"(Finance Committee)	Ms. Slomski read Resolutions 9-12: Resolution Number 9, 2023 "Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of Pleasant Ridge Manor and Preparation of Form 990 for Calendar Year Ending December 31, 2022", Resolution Number 10, 2023 "Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of Pleasant Ridge Manor Pension Plan for Calendar Year Ending December 31, 2022", Resolution Number 11, 2023 "Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of Erie County Care Management and Preparation of Form 990 for Calendar Year Ending December 31, 2022", Resolution Number 12, 2023" Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of the County of Erie for Calendar Year Ending December 31, 2022". A motion was made by Mrs. Schauerma, seconded by Mr. Horton, and carried 7-0.
Resolution Number 10, 2023 "Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of Pleasant Ridge Manor Pension Plan for Calendar Year Ending December 31, 2022"(Finance Committee)	A motion was made by Mrs. Schauerma, seconded by Mr. Horton, and carried 7-0.
Resolution Number 11, 2023 "Appointment of Zelenkofske Axelrod, LLC	A motion was made by Mrs. Schauerma, seconded by Mr. Horton, and carried 7-0.

to Perform an Audit of Erie County Care Management and Preparation of Form 990 for Calendar Year Ending December 31, 2022"(Finance Committee)

Resolution Number 12, 2023" Appointment of Zelenkofske Axelrod, LLC to Perform an Audit of the County of Erie for Calendar Year Ending December 31, 2022"(Finance Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Horton, and carried 7-0.

Resolution Number 13, 2023 "Approving Revisions to the Bylaws of Human Relations Commission"(Personnel Committee)

Ms. Slomski read Resolution Number 13, 2023 "Approving Revisions to the Bylaws of Human Relations Commission". A motion was made by Mrs. Schauerma, seconded by Mr. Scutella, and carried 7-0.

Possible appointment of Shalan Anderson to the Erie County Public Safety Advisory committee. Term to expire on December 31, 2023. (County Executive)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Winarski, and carried 7-0.

Possible appointment of Earl Brown to the Erie County Agricultural Land Preservation Board. Term to expire December 31, 2025. (County Executive)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Bayle, and carried 7-0.

Possible appointment of Thomas G. Wilkinson to the Erie County Agricultural Land Preservation Board. Term to expire December 31, 2023. (County

A motion was made by Mrs. Schauerma, seconded by Mr. Scutella, and carried 7-0.

**Executive)(Personnel
Committee)**

Possible appointment of Paul Kokhanevich to the Erie County Diversity, Equity and Inclusion Commission. Term to expire December 31, 2025. (County Executive)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Scutella, and carried 7-0.

Possible appointment of Michael D. Orr to the Erie County Planning Commission. Term to expire December 31, 2026. (County Executive)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Winarski, and carried 7-0.

Possible appointment of Suzanne Weber to the Erie County Land Bank. Term to expire December 31, 2027. (County Executive)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mrs. Rennie, and carried 7-0.

Possible appointment of Todd J. Deitrick to the Erie County Convention Center Authority. Term to expire December 31, 2024. (Terry Scutella)(Personnel Committee)

A motion was made by Mrs. Schauerma, seconded by Mr. Scutella, and carried 7-0.

Possible appointment of Eric Rogers to the Erie County Airport Authority. Term to expire December 31, 2027. (Charlie Bayle)(Personnel Committee)

A motion was made by Mr. Bayle, seconded by Mrs. Schauerma, and carried 7-0.

Mr. Horton stated it was proper to have a resume attached with appointments, and asked for that to be done in the future.

ADJOURNMENT

A motion to adjourn was made by Mr. Winarski at 7:18pm.

***The next Finance/Personnel**

Committee Meetings are Thursday, March 2, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.

***The next Regular Meeting of County Council is Tuesday, March 7, 2023 at 6pm in room 117, Erie County Courthouse or streamed live at the link provided on the County website.**

***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, no later than the end of business 5 days prior to the meeting. The public must be present at the meeting to speak.**