

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, April 11, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Shank.

OPTIONAL PRAYER OR REFLECTION

An optional prayer or reflection was led by Mrs. Schauerma.

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, and Paul Lichtenwalter

HEARING OF THE PUBLIC

Ms. Slomski read an added citation for National Public Safety Telecommunicators Week.

Jerry Servidio

Mr. Servidio was unable to attend.

Jason Spangenberg

Jason Spangenberg, Edinboro: Mr. Spangenberg stated he was the borough manager, and was there regarding Ordinance 10, GAP funding. He noted the importance of GAP funding for the municipalities, and that Edinboro had previously received \$250K for a project. He stated that small municipalities had a tough time receiving grant funding because it went to larger municipalities. He reported that what they could not find in grant funding the rate payers would have to pay. He claimed that Edinboro had the lowest income of the 38 municipalities in a 2021 American Community survey. He thanked the Council for the previous grant, and hoped they would approve the GAP funding.

Ron Bole

Ron Bole, McKean: Mr. Bole stated that the township had submitted an application in August of 2022 for a \$250K grant and received verbal approval of their request. He noted that the plan was consistent with the McKean Township and Erie County Comprehensive Plan, and had the approval of the PA DEP. He remarked that the replacement of the sewage plant would mitigate a public nuisance and potential health hazard, as well as protect the health, safety, and welfare of the citizens. He stated that McKean Township was forced to take over the plant when a private company abandoned it. He urged city council to approve Ordinance 10.

Mike Whiteman

Mike Whiteman, LeBoeuf: Mr. Whiteman stated that he was a Township Supervisor there to speak for the GAP funding and help for rural townships. He listed his previous taxes, \$2079, and stated that \$1662, or 81% went to the County, and \$417 went to the township. He stated that his county taxes did not come back to his township. He stated they did not have basic services, like EMS and Fire, and the township budget was only \$500K. He stated they drove on mud roads and their infrastructure did not attract business or growth. He remarked that south of I-90 was forgotten until the tax season, and all the money was diverted to the city. He acknowledged that the city was the engine that drove the county, but that the rural areas had been completely forgotten. He referenced Allegheny County, and declared that the Council should follow suit so that the rural areas beyond the city could grow. He stated that they should invest in the County as a whole, and if one area prospered, the others would follow. He stated he found it hard to believe that out of a \$570M budget that more money could not be spent in the rural areas, and if they had more money they could spend more money.

Others

Justin Pacansky, Fairview: Mr. Pacansky stated he was a Supervisor for Fairview Township. He noted that he was not there for just Fairview, but the neighboring municipalities as well. He explained that the Council had a once in a lifetime opportunity to partner with all of them as they attempt to positively impact Erie County. He stated that Fairview's greatest need was broadband internet, and would benefit surrounding areas. He proposed that any and all improvement projects hinged on the Council passing Ordinance 10, and allowing them to go to work to make their communities better.

Brandon Kennedy, Cranesville: Mr. Kennedy stated he was the President of the Cranesville Volunteer Fire Department and there in support of Ordinance No. 31. He noted that CVFD had the largest Fire/EMS district at 75² miles. He reported that volunteers were hard to find, and a merger had been attempted but failed. He stated a commission was then formed by four municipalities that realized there were problems and were dedicated to finding solutions. He stressed that the solution was funding from the Erie County government. He urged the Council to add additional funding to the transformational grant program and pass Ordinance No. 31, because it would not just help the recipient but all those served outside of their area. He noted that 51% of their runs were outside their district. He stated that this fund shows that the county supports municipalities and EMS organizations that have made a positive change within the county. He said not all organizations and municipalities were able or capable of making their own plan, but this grant made applicants prove they were capable. He remarked that local governments have taken emergency services for granted for years with free labor and equipment. He stated the current crisis was here and real, but grants like this jump started organizations.

Bill Vassen, Cranesville: Mr. Vassen stated that he was the President of the Cranesville Borough Council and Chair of the multi-municipalities emergency services commission comprised of Albion Borough, Conneaut Township, Cranesville Borough, and Elk Creek Township. He defined the purpose of the

commission as to ensure sustainable and effective delivery of emergency services in their municipalities, which by nature and definition, was transformative. He urged the Council to vote in favor of Ordinance No. 31 because the funding was of the utmost importance to rural communities. He noted that he could not think of an easier justification of spending tax payer funds than to provide for the health and safety of those very tax payers.

Gery Nietupski, Solicitor for Emergency Services Commission: Mr. Nietupski stated he had never seen a disaster like the one brewing in rural communities now. He presented the example of Conneautville's finances, whose bill was \$200K for emergency services and only had a total of \$200K in the bank. He noted the idea of the volunteer fire fighter was no longer common. He stated that rural communities were suffering and had real trouble. He said they were hard-working people that wanted the best for Erie County. He urged the Council to help the rural communities provide fire and emergency services.

Cathy O'Neil, Millcreek: Mrs. O'Neil stated she was concerned about the future of the county care home, Pleasant Ridge Manor. She noted that she was familiar as a former nurse and worked in a long-term care facility, and realized that the pandemic put a strain on all resources. She stated that research showed the county had decided to manage PRM in 1982, and maintain a non-profit status to protect services for primarily low-income seniors and people with disabilities. She defined herself as a health care advocate, and was concerned about who did and did not have health care benefits. She stated that she hoped there would be public hearings if an attempt was going to be made to sell PRM. She noted one of the greatest lessons she had learned was that people, especially the elderly, do not have someone to advocate for them. She concluded that decisions should be made with the best interest of the public in mind.

Janice Kennedy, Cranesville: Mrs. Kennedy stated that a crisis was a time of difficulty where problems needed to be solved and important decisions were made. She noted that the crisis now was fire and emergency services sustainability. She said the solving effort was to form a commission to handle calls with paid positions and volunteers. She declared that the important decision was now up to the Council to release money for departments to apply for and thrive. She stated their commitment was 24/7 365 days a year, but fundraising was not close to the money needed. She proclaimed that the objective for them was to time to run calls, train, and the business at hand. She said the County Council had many issues to ponder but a crisis should be a top priority. She announced she could attest to this, as her husband served for over 50 years in the local fire department.

Art Leopold, Millcreek; Mr. Leopold stated there was a great need in the county that had been neglected. He shared a list with the Council of funds that townships and municipalities had already received from ARPA, and stated a need still existed. He stressed that there would be funds from the Infrastructure Bill that could be used instead of ARPA dollars. He highlighted that the question was how the Council would respond now, and that the Council had chosen a different

course in the allocation of funds so far. He reiterated that there were hurting communities throughout the county, but within the urban environment, systemic communities had been harmed for generations.

Freda Tepfer, Erie: Ms. Tepfer made a public service announcement regarding Medicaid membership renewal, and a PennDOT survey. She relayed information from a PennDOT webinar she attended about the Infrastructure Bill, and noted that there were people available to help prepare and understand the bill. She questioned again if other avenues had been investigated for funding, rather than using ARPA funds. She concluded that she supported Ordinance 25 on the agenda.

Darren Smith, Waterford: Mr. Smith stated "if you build it they will come." He noted that more people would mean more volunteers or a bigger tax base to pay people. He maintained that the Council should let them build their communities, and it would fill up.

MINUTES FROM PREVIOUS MEETING

March 28, 2023- Regular Meeting

A motion to accept the minutes was made by Scutella, seconded by Schauerma, and carried 7-0.

REPORTS OF COUNTY OFFICIALS

County Executive and/or his Designee

There was no report from the County Executive or Administration.

Finance Committee - Mrs. Schauerma

Chair Schauerma of the Finance Committee stated the Finance Committee met on April 5th and submitted to the agenda Old Business: Items A-E and New Business: Items A-J and M-R.

Personnel Committee - Mr. Scutella

Chair Scutella of the Personnel Committee stated the Personnel Committee met on April 5th and submitted to the agenda New Business: Items K & L.

Other

Chair Shank thanked all the men and women who belong to a volunteer fire department; he belongs to the Fairfield Hose Company. He said to trust him, help was coming. He stated they should not give up and to keep answering the calls, because when his phone goes off because of a stubbed toe in the city of Erie at 2am, he feels their pain.

OLD BUSINESS

Second Reading of Ordinance Number 20, 2023, "Second 2023 Public Health Fund Budget Supplemental

Ms. Slomski gave a Second Reading of Ordinance Number 20, 2023, "Second 2023 Public Health Fund Budget Supplemental Appropriation of \$54,523 for Mosquito Disease Control Additional Grant Funds Awarded by the Commonwealth of Pennsylvania". A motion was made by Schauerma, seconded by Scutella, and carried 7-0.

Appropriation of \$54,523 for Mosquito Disease Control Additional Grant Funds Awarded by the Commonwealth of Pennsylvania" (First Read 3/28/23)(Finance Committee)

Second Reading of Ordinance Number 21, 2023, "Seventh 2023 General Fund Budget Supplemental Appropriation of \$182,687 for PA Opioid Settlement Revenue 2022 Carryover and Additional Funds Received in 2023 by the Office of the District Attorney and Creation of New Lines" (First Read 3/28/23)(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 21, 2023, "Seventh 2023 General Fund Budget Supplemental Appropriation of \$182,687 for PA Opioid Settlement Revenue 2022 Carryover and Additional Funds Received in 2023 by the Office of the District Attorney and Creation of New Lines". A motion was made by Schauerman, seconded by Winarski, and carried 7-0.

Second Reading of Ordinance Number 22, 2023, "Eight 2023 General Fund Budget Supplemental Appropriation of \$726,359 for Pennsylvania Commission on Crime and Delinquency (PCCD) Grant for the Erie County Gun Violence Reduction Initiative and Addition of New Position" (First Read 3/28/23)(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 22, 2023, "Eight 2023 General Fund Budget Supplemental Appropriation of \$726,359 for Pennsylvania Commission on Crime and Delinquency (PCCD) Grant for the Erie County Gun Violence Reduction Initiative and Addition of New Position". A motion was made by Schauerman, seconded by Rennie, and carried 7-0.

Second Reading of Ordinance Number 25, 2023 "Amendment to Ordinance No. 121, 2021-Restriction of ARPA Funds" (First Read 3/28/23)(Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance number 25, 2023 "Amendment to Ordinance No. 121, 2021-Restriction of ARPA Funds". Mrs. Schauerman stated she would go along with this, but no money could move anyway, and that it seemed silly. A motion was made by Horton, seconded by Rennie, and failed 3-4. (Bayle, Schauerman, Shank, and Winarski)

**TABLED - 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) (Tabled 2/21/23)
(Finance Committee)**

A motion to remove Ordinance 10, 2023 from the table was made by Bayle, seconded by Winarski, and carried 6-1(Horton).

Mr. Horton remarked that there had been an ad-hoc ARPA committee that was supposed to bring a breakdown of remaining ARPA funds, and that was never achieved. He stated for weeks that he and his colleagues had questions from the Administration that were not answered. He noted that a lot of the items within the ordinance could be achieved with Infrastructure Bill funds, rather than ARPA funds; the opposite was not true, and entities covered under ARPA would not be eligible for Infrastructure Bill funds. He mentioned that at the NACo conference they were told that these projects were germane to infrastructure funds, and when speaking with the Erie County Administration, they agreed that these projects could be funded with Infrastructure Bill money if found. He stated the Fusion Center's mission was to track ARPA funds, but also to attract other grants and opportunities, and the Administration just stated at the last meeting that they don't know where those grants were. He reported that one of the main jobs of the Fusion Center, like budget and policy was the Council's, was to look for grants, and in almost two years nothing had come out of there. He referenced his background in Public Safety, and stated there was a need beyond EMS, like State Police, but the answer was not using ARPA funds. He rejected the narrative that the rural county was not getting anything because substantial investments had been made through the COG, Planning Department, DCED-CDBG, Corry, and Waterford, and was proud of the distribution rate. He reported that the black community still had not received any funding. He expressed his pride in EMS, and stated that he sympathized with them, but ARPA funding was not going to fix the problem. He stated that ARPA was intended for communities most negatively impacted by Covid-19, and this was not a Covid-19 problem, but one that had been in existence. He mentioned the County supported 60 % of the salary for an EMS position because they knew they needed help, and had gotten creative during the first round of CARES funding when many VFDs were not eligible because the need was recognized. He disagreed that it was rural versus urban, and was irked by that narrative because he had done as much for the rural areas as he had for the city in the last ten years. He remarked that he would not vote for this ordinance because other funding that was better designated for it was available. He stated the community's needs were many, and the County government's first priority was human services. He stated that these were unprecedented funds to do unprecedented things. He stressed that he was committed to helping EMS find infrastructure dollars to meet their needs. He maintained that the first priority of the new director of Economic Development should be writing grants and seeking grants to fund these projects. He stated it was unacceptable for the Administration to say they could not find these grants and then pilferage ARPA funds.

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".

Mrs. Rennie stated she was sympathetic to causes heard that night. She noted

that the Council had voted to give \$5M to municipalities from ARPA, and then another \$5.5M to ECGRA for municipalities. She stated once the ARPA money was gone, it was gone. She maintained that the Council had always supported an equitable distribution of funds, and they were aware of the needs throughout the county. She determined there was some misunderstanding as far as what county government did, and stated that her county tax dollars do not fix city roads and sewers, or fund city fire and police services. She stated that county taxes fund the courts, human services, and some public safety measures along with state and federal sources, but the county did not pour money into the city as some seemed to think. She offered support for the municipalities and stated she understood their needs.

A motion was made by Schauerman, seconded by Bayle, and carried 6-1 (Horton).

NEW BUSINESS

A motion to move items A and B to a second read, and to group items M-R to be voted on as one was made by Rennie, seconded by Schauerman, and carried 7-0.

First Reading of Ordinance Number 27, 2023 "Amending the Exhibit for Ordinance Number 97, 2022 'Second 2022 Capital Projects Fund Budget Supplemental Appropriation of \$235,514 to Move the Location of the Match for Keystone Grant for Blasco Library Renovations to the Capital Projects Budget'" (Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 27, 2023 "Amending the Exhibit for Ordinance Number 97, 2022 'Second 2022 Capital Projects Fund Budget Supplemental Appropriation of \$235,514 to Move the Location of the Match for Keystone Grant for Blasco Library Renovations to the Capital Projects Budget'".

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

First Reading of Ordinance Number 28, 2023, "Third 2023 Public Health Fund Budget Supplemental Appropriation of \$13,500 for Additional Tuberculosis Grant Funds" (Finance Committee)

Ms. Slomski gave a Second Reading of Ordinance Number 28, 2023, "Third 2023 Public Health Fund Budget Supplemental Appropriation of \$13,500 for Additional Tuberculosis Grant Funds".

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

First Reading of Ordinance Number 29, 2023 "2023 Children & Youth Fund Budget Revised Expenditures of \$15,000 for

Ms. Slomski gave a First Reading of Ordinance Number 29, 2023 "2023 Children & Youth Fund Budget Revised Expenditures of \$15,000 for the Creation of Expense Line Items due to Court Ordered Placements".

**the Creation of Expense
Line Items due to Court
Ordered
Placements"(Finance
Committee)**

First Reading of Ordinance Number 30, 2023, "Ninth 2023 General Fund Budget Supplemental Appropriation of \$60,000 for Increase in Professional Fees Line in Human Resources Department"(Finance Committee) Ms. Slomski gave a First Reading of Ordinance Number 30, 2023, "Ninth 2023 General Fund Budget Supplemental Appropriation of \$60,000 for Increase in Professional Fees Line in Human Resources Department".

First Reading of Ordinance Number 31, 2023, "First 2023 Gaming Fund Budget Supplemental Appropriation of \$1,000,000 and Creation of New Line Item for Continuation of the Fire/EMS Transformational Grant Program"(Finance Committee) Ms. Slomski gave a First Reading of Ordinance Number 31, 2023, "First 2023 Gaming Fund Budget Supplemental Appropriation of \$1,000,000 and Creation of New Line Item for Continuation of the Fire/EMS Transformational Grant Program".

First Reading of Ordinance Number 32, 2023, "Tenth 2023 General Fund Supplemental Appropriation of \$38,252 For Veterans Affairs Office Relocation and Related Expenses"(Finance Committee) A motion to move the item to a second reading was made by Winarski, seconded by Bayle, and carried 6-1 (Horton).

Ms. Slomski gave a Second Reading of Ordinance Number 32, 2023, "Tenth 2023 General Fund Supplemental Appropriation of \$38,252 For Veterans Affairs Office Relocation and Related Expenses".
Mrs. Rennie stated the county had, more than ever, offered a great deal of support for veterans' issues and affairs, and invested a good deal of resources. She explained that she disagreed with this ordinance in particular for two reasons. She noted first, that it was a relocation into a building that would soon see road construction for a considerable amount of time that would restrict access to the building and restrict parking. She reported that the second reason, even more important, was that the county was operating at a budget deficit already. She highlighted that the Administration had brought forth no ideas on how to cut costs or get them under control. She drew attention to the fact that the current office had access and space. She added that when hired, the new director, who had done a super job, was to go out and meet people directly. She concluded that she would not support the costs of moving to another facility and a lease

agreement, but she supported veteran services.

Mr. Horton declared that he was proud to be a veteran, and proud of the work that was being done by Veteran Services. He noted that he had two jobs on the Council, the budget and policy. He stated that a year ago there was a facility analysis completed which showed all the leases of the county, some of them very costly. He revealed that the last budget had been a difficult job. He advised that every time a new expenditure came down it would add to the deficit, and that would eventually lead to a tax increase, most likely this coming year and which should have happened last year. He concluded that any new expenditures, in particular for buildings and facilities, he could not support as it was a vote against the budget he helped to formulate.

A motion was made by Schauerma, seconded by Winarski, and carried 5-2 (Horton, Rennie).

**Resolution Number 16,
2023 "Approval of Lease
Agreement between the
County of Erie and EMTA
for Suite#2-208 East
Bayfront
Parkway"(Finance
Committee)**

Ms. Slomski read Resolution Number 16, 2023 "Approval of Lease Agreement between the County of Erie and EMTA for Suite#2-208 East Bayfront Parkway". A motion was made by Schauerma, seconded by Scutella, and carried 5-2 (Horton, Rennie).

**Resolution Number 17,
2023 "Approving Salary for
New Erie County Director
of Business & Economic
Development"(Finance
Committee)**

Resolution 17, 2023 was pulled from the agenda at the request of the Administration.

**Resolution Number 18,
2023 "Resolution ECDPH
Donation of Unused Dental
Equipment to
MHEDS"(Finance
Committee)**

Ms. Slomski read Resolution Number 18, 2023 "Resolution ECDPH Donation of Unused Dental Equipment to MHEDS". A motion was made by Schauerma, seconded by Scutella, and carried 7-0.

**Resolution Number 19,
2023 "In Support of Sarah
A. Reed Children's Center
St. Ann's Campus
Enhancement: Phase
I"(Finance Committee)**

Ms. Slomski read Resolution Number 19, 2023 "In Support of Sarah A. Reed Children's Center St. Ann's Campus Enhancement: Phase I". A motion was made by Horton, seconded by Scutella, and carried 7-0.

**Possible reappointment of
Ronald Whitey Cleaver to
the Erie County Gaming
Revenue Authority. Term**

A motion was made to reappoint Ronald Whitey Cleaver to the Erie County Gaming Revenue Authority by Winarski, seconded by Schauerma, and approved 7-0.

**to Expire December 31,
2027. (Winarski)**

**Possible appointment of
Rebecca Hover to Erie
County Care Management.
Term to expire December
31, 2026. (Schauerman)**

A motion was made to appoint Rebecca Hover to Erie County Care Management by Schauerman, seconded by Rennie, and approved 7-0.

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-080.0-
024.00 Lake LeBoeuf
Gardens Lot 184**

A motion to accept parcel sales M-R was made by Schauerman, seconded by Winarski, and carried 7-0.

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-080.0-
025.00 Lake LeBoeuf
Gardens Lot 185**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-076.0-
027.00 Lake LeBoeuf
Gardens Lot 125**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-076.0-
028.00 Lake LeBoeuf
Gardens Lot 126**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-076.0-
029.00 Lake LeBoeuf
Gardens Lot 127**

**Possible Sale of a Parcel
from the Repository for
Unsold Property at Index
Number: 47-026-076.0-
001.00 Lake LeBoeuf**

Gardens Lot 128

ADJOURNMENT

A motion to adjourn was made by Horton at 7:12pm.

***The next Finance/Personnel Committee Meetings are Thursday, April 20, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.**

***The next Regular Meeting of County Council is Tuesday, April 25, 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.**