

MINUTES

Erie County Council

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

SPECIAL MEETING MINUTES

Friday, July 28, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Shank.

ROLL CALL

Members Present: Chair Brian Shank, Charlie Bayle, Andre Horton, Ellen Schauerma (via Zoom), Terry M. Scutella, and Jim Winarski (via Zoom)
Others Present: Megan Moore, Jill Pennsy, Solicitor Tom Talarico

HEARING OF THE PUBLIC

3 Minutes

Freda Tepfer, Erie: Ms. Tepfer highlighted her familiarity with District Three, gained through her tenure at the Erie County District Revision Commission. Emphasizing the importance of local representation, she recommended that the Council consider appointing an Erie resident to the new Council position, as there was a lack of Council members who resided in the city.

Karen Dorich, Erie: Ms. Dorich, Chairperson of the Board of Erie County Retiree's Association, advocated for Council's backing of an essential House Bill. She noted she had obtained a resolution in support from the Erie County Retirement Board, signed by Andre Horton, Terry Scutella, and Brian Shank. She urged the Council to consider providing a resolution in support also. Addressing Council members attending the CCAP Convention, she called upon them to stand in support of CCAP endorsing the bill when it reached the floor.

Cindy Pervus, Erie: Ms. Pervus expressed her thanks for the Council's service. She raised important concerns regarding the resignation of the former Vice-Chairwoman, seeking clarity on the underlying reasons for her resignation. Emphasizing the Council's responsibility to serve the people in their district, she highlighted the significance of transparency and accountability in all their actions. She voiced her concern regarding the Fairview project, specifically questioning whether the existing business park was at full capacity. She urged the Council to provide more information about the project because it was crucial in providing confidence among taxpayers that their tax dollars were being utilized properly. She noted the importance of adhering to the established rules and guidelines in the hiring process for the District Three Council spot,

expressing her hope that the Council would follow proper procedures to ensure fairness.

Jerry Servidio, Millcreek: Mr. Servidio expressed his gratitude to former Vice-Chairwoman, Mary Rennie, for her dedicated service during her tenure. Drawing attention to the current state of the Council, he urged the selection of a candidate who shared similar values to Mrs. Rennie, aiming to restore a sense of balance within the Council. He emphasized that Council members were not limited to representing only their respective districts but were entrusted to serve the greater interest of Erie County as a whole. He emphasized the importance of working for the good of the County, not just the good of their appointed district. He highlighted the significance of going beyond partisan lines and promoting unity in the Council's decision-making process.

Sam Talarico, Erie: Mr. Talarico highlighted multiple issues that marked the year. He acknowledged the removal of the LGBTQ+ display and the multiple resignations, including those of Ms. Slomski, Mr. Maloney, Mrs. Rennie, and Ms. Barthelmes. He raised concerns about the recurring challenges within the Davis Administration, drawing attention to the appearance of fascism and authoritarianism that seemed to filter through the situation. He urged the Council to be mindful of the public's watchful eyes, cautioning that people were keenly observing and recording developments.

Art Leopold, Millcreek: Mr. Leopold expressed his heartfelt gratitude towards both Ms. Slomski and Mrs. Rennie for their dedication and service during their time in office. He stressed that from the clash of different opinions emerged the greatest truth. He implored the Council to refrain from seeking candidates who merely mirrored their own perspectives. Instead, he encouraged them to nominate an individual with diverse opinions, enabling a broad view.

Mark Tanenbaum, Millcreek: Mr. Tanenbaum expressed his desire to fill the District Three Council position. He emphasized the importance of representing the citizens and keeping the Council spots full.

NEW BUSINESS

Consideration of Appointment of a District 3 Council Member

Chairman Shank requested Solicitor Talarico to give a quick overview of the procedure for appointing a new Council member.

Solicitor Talarico clarified the process of appointing a new Council member, as outlined in both the home rule charter and administrative code. According to those guidelines, when a Council Member resigns, the replacement candidate must be from the same political party. He highlighted the longstanding practice of appointing a replacement within ten days, without the need for advertising or conducting formal interviews. Despite the administrative code containing various requirements related to advertising and interviewing potential candidates, he

observed that those specific steps had been waived over the years. He shed light on the past procedure, where the party that lost a member would promptly appoint a candidate without the need for interviews or advertising. He noted that if the Council was not inclined to follow that method or if the Democrats did not have a suitable candidate ready for appointment within the designated ten days, the advertising process would be initiated as an alternative route. He conveyed the specific timeline for the appointment process, underscoring the critical deadline of August 3rd, which marked ten days from Mrs. Rennie's resignation. If a candidate were not appointed by this date, the Council would proceed with the advertising phase. He detailed that the Clerk would publish a notice in the newspaper, inviting interested applicants to apply. He outlined that interested individuals would need to respond to the published notice by no later than August 8th to receive the necessary documents. Afterwards, the council would conduct interviews with the applicants. He clarified that if multiple applicants were to apply, the Council would then narrow down the list to no more than five candidates. He emphasized the importance of the Council convening by the 18th to discuss the potential candidates. He underlined the significance of reaching a decision before the crucial date of August 23rd to select the preferred candidate. He clarified that if the Council failed to arrive at a decision by that deadline, then the Council would take the necessary step to petition the Court of Common Pleas, seeking their assistance in making the appointment.

Chairman Shank sought confirmation from Mrs. Schauerman if she had a clear understanding of Solicitor Talarico's explanation.

Mrs. Schauerman replied affirmatively but requested to have the dates written down as a reminder for further follow-up.

Chairman Shank acknowledged that the decision on how to proceed with the process rested with the Council members. He emphasized that he believed it would be a disservice if they did not encourage applications from the community within the district.

Councilman Bayle shared his view that advertising the listing would be most suitable.

Mr. Horton expressed his opinion that the Democratic Party should have the opportunity to put forward potential candidates for the Council's consideration.

Chairman Shank turned to Councilwoman Schauerman, seeking her preference between advertising applications or considering a candidate nominated by the Democratic party.

Mr. Horton emphasized the need for more discussion on the matter.

Mr. Talarico highlighted that the Democratic Party would select candidates no differently than anyone else. He added that one of the Democrats would make the appointment, and then the entire party would evaluate the candidate. He stated

they should vote on whether they wanted to pick someone within the timeframe without advertising or whether they wanted to advertise and interview.

Mr. Horton expressed his openness to applications but believed the Democratic party should have the chance to nominate candidates.

Mr. Shank stated he had no problem with them putting a name forward and if it was at the will of the body, they would take a look the following Monday.

Mrs. Schauerman questioned whether the Democratic party was limited to one nomination.

Mr. Talarico responded that they were not limited to one nomination.

Mrs. Schauerman suggested taking the names from the Democratic party advertise for applications.

The Council unanimously accepted they would take the names from the Democratic party and advertise for applications.

Mr. Talarico recommended a formal roll call vote on the motion to advertise.

Councilman Scutella made the motion to advertise, seconded by Councilman Bayle, and passed 6-0.

ADJOURNMENT

Councilman Horton made a motion to adjourn the meeting at 11:30am.

***The next Finance/Personnel Committee Meetings are Thursday, August 3, 2023 at 4pm in room 114A, Erie County Courthouse or via Zoom.**

***The next Regular Meeting of County Council is Tuesday, August 15, 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.