

MINUTES

Erie County Council

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André R. Horton, Chairman
Carl Anderson, III, Vice Chairman
Kim Clear
Scott Rastetter
Mary Rennie
Ellen Schauerman
Brian Shank

REGULAR MEETING MINUTES

Tuesday, February 4, 2020

PLEDGE OF ALLEGIANCE

OPTIONAL PRAYER OR INVOCATION

Mrs. Rennie prefaced the prayer by saying that on principle she had always been opposed to official prayer, despite the Supreme Court ruling to uphold the constitutionality of legislative prayer as an exemption to the unconstitutionality of official prayer because of the role and tradition of it going back to the found of the United States; however, within the recent years she has come to see the decisiveness, the anger, polarization, dominance, and violence in the country and she has been swayed.

Mrs. Rennie quoted Swami Vivekananda: "All differences in the world are of degree and not of kind, because oneness is the secret of everything."

ROLL CALL

Members Present: Mr. Anderson; Mrs. Clear; Mr. Horton; Mr. Rastetter; Mrs. Rennie; Mrs. Schauerman; Mr. Shank

Also Present: Douglas R. Smith; Tracey Fugagli; Thomas Talarico; Nicole Inan

HEARING OF THE PUBLIC

Mr. Horton offered five minutes to anyone who called in to speak, and three minutes to others wishing to speak. No one from the public spoke at this time.

MINUTES FROM PREVIOUS MEETING

January 21, 2020 - Regular Meeting

Ellen Schauerman moved to approve the minutes from the January 21, 2020 Regular Meeting. This was seconded by Scott Rastetter and carried in a 7 - 0

vote.

REPORTS OF COUNTY OFFICIALS

County Executive and/or her Designee

Mrs. Fugagli stated no report on behalf of the County Executive at this time.

Finance Committee -Mrs. Clear

Mrs. Clear reported that the Finance Committee met on Thursday, January 30, 2020 and agreed to put the following items on the agenda under Old Business items A,B,&C and under New Business items A, D, E, F, &H :

1. A Second Reading of Ordinance Number 1, 2020, "First 2020 Planning Fund Budget Supplemental Appropriation of \$150,000 To Provide Funding from the Act 101 Trust Fund Per Resolution #26 of 2018."
2. A Second Reading of Ordinance Number 2, 2020, "First 2020 General Fund Budget Supplemental Appropriation of \$34,750 for Purchase of a Vehicle for the District Attorney's Office."
3. A Second Reading of Ordinance Number 3, 2020, "Second 2020 General Fund Budget Supplemental Appropriation of \$100,000 for Day Reporting Start-up Funds."
4. A First Reading of Ordinance Number 4, 2020, "Third 2020 General Fund Budget Supplemental Appropriation of \$9,000 To Correct Office Supplies Line Item For the District Attorney."
5. A First Reading of Ordinance Number 7, 2020 " Approving a Waiver of the Bid Requirements of the County Purchasing Code To Select a Printer Qualified by Dominion Voting for Erie County Elections in 2020."
6. Resolution Number 4, 2020 "Resolution Approving a Revision to Erie County's FY2018 Community Development Block Grant Program."
7. Resolution Number 5, 2020 "Setting an Hourly Rate for the County Council CPA."
8. Resolution Number 7, 2020, "Amending Resolution 1, 2020, Approving a Revision to Erie County's FY 2017 Community Development Block Grant Program."

Personnel Committee - Mrs.Rennie

Mrs. Rennie reported that the Personnel Committee met on Thursday, January 30, 2020 and agreed to put the following items on the agenda under New Business, items B & C:

1. A First Reading of Ordinance Number 5, 2020, "Fourth 2020 General Fund Budget Supplemental Appropriation of \$4,568 For Court IT Network Administration Analyst Job Reclassification."
2. A First Reading of Ordinance Number 6, 2020, "Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 For Additional Juvenile

Probation Officer To Meet Mandates of DPW's OCYF."

Other

Mr. Horton welcomed Scouts from Troop 146 of Fairview - Nathan & Asst. Leader Spreegal, and from Troop 104 of Erie & Millcreek - Laura, Dara & Scout Master Smith.

Citation - Sgt. Alois F. Ropelewski (1922 - 2020)

Mr. Anderson asked that the citation of Sgt. Alois F. Ropelewski be presented to his family and formally recorded in the minutes. Mr. Anderson had known Mr. Ropelewski for many years, stating that he was committed to his family and the community. Mr. Ropelewski was a Judge of Elections and poll worker in District 5-21 for many years. Mr. Anderson asked that Mr. Smith read the citation in its entirety:

Mr. Alois F. Ropelewski, 1922-2020, WHEREAS, Alois F. Ropelewski passed from this world on January 22, 2020 at the age of 97 years. Mr. Ropelewski was born on April 16, 1922 in Erie to the late Michael Joseph Ropelewski and Helen Elizabeth Wasieleski Ropelewski; and WHEREAS, Mr. Ropelewski attended St. Casimir School, studying in both English & Polish; He graduated from East High School where he lettered in swimming; worked as a pinsetter at several clubs as a teenager; worked for the Pennsylvania Railroad after graduation; spent twenty-nine years at Blilley Electric; and then devoted his time to the Commonwealth of Pennsylvania as a Fire and Safety Inspector; and WHEREAS, Mr. Ropelewski began his extraordinary combat record with the US Army at the bloody Utah Beach on D-Day; survived the ferocious battle for Hill 122, July 3 - 8 of 1944, which cost the lives of 70% of Charlie Company; Al fought on at the battle in Falaise Gap using his bazooka to destroy two German tanks and a half-track; survived incredible odds as a Member of Charlie Company as they fought their way across France; though wounded multiple times, Al battled with bravery and valor; and WHEREAS, Mr. Ropelewski was the past Jr. Vice Commander and Adjutant of the Military Order of the Purple Heart Chapter 197; was a life member and past trustee of the DAV Chapter 73; served as Judge of Elections in Erie 5-21 for many years; and WHEREAS, In addition to his parents and wife, Virginia (Benecki) Ropelewski, Al is preceded in death by his five brothers, John M., Edwin, Richard, Casimir, and Daniel Ropelewski; and five sisters, Sophia Sokolowski, Theresa Kownacki, Gertrude Ropelewski, Joan Ropelewski, and Helen Mae Ropelewski. He is survived by his daughter Patricia Zielewski and her husband Mooch of Erie; grandsons Matthew and David Zielewski of Erie; sisters Anne Marie Ropelewski of Erie, Eileen Ropelewski of Erie, and Elizabeth Wiertel of Mentor, Ohio; sister-in-law Rose Maerie Ropelewski of Erie, his Goddaughter Mary Claire Sperr of Chili, New York; and many nieces and nephews. NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join in celebrating the life of Sgt. Alois F. Ropelewski, a man who epitomized the "greatest generation" and in service of our country earned a Bronze Star, Purple Heart, Good Conduct Medal, Distinguished Unit Citation, American Campaign Medal, European-African-Middle Eastern with 7 Service

Stars, and the French Legion of Honor. Alois F. Ropelewski dedicated his life to his country, his family, and his community, and we will forever be grateful. May he rest in peace. IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 4th day of February, 2020.

OLD BUSINESS

Second Reading of Ordinance Number 1, 2020, "First 2020 Planning Fund Budget Supplemental Appropriation of \$150,000 To Provide Funding from the Act 101 Trust Fund Per Resolution #26 of 2018." (Finance Committee)(Rec'd 1st Reading 1/21/20)

Mr. Smith gave a Second Reading of Ordinance Number 1, 2020, "First 2020 Planning Fund Budget Supplemental Appropriation of \$150,000 To Provide Funding from the Act 101 Trust Fund Per Resolution #26 of 2018." This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7-0 vote.

Second Reading of Ordinance Number 2, 2020, "First 2020 General Fund Budget Supplemental Appropriation of \$34,750 for Purchase of a Vehicle for the District Attorney's Office."(Finance Committee)(Rec'd 1st Reading 1/21/20)

Mr. Smith gave a Second Reading of Ordinance Number 2, 2020, "First 2020 General Fund Budget Supplemental Appropriation of \$34,750 for Purchase of a Vehicle for the District Attorney's Office." This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

Second Reading of Ordinance Number 3, 2020, "Second 2020 General Fund Budget Supplemental Appropriation of \$100,000 for Day Reporting Start-up Funds."(Finance Committee)(Rec'd 1st Reading 1/21/20)

Mr. Smith gave a Second Reading of Ordinance Number 3, 2020, "Second 2020 General Fund Budget Supplemental Appropriation of \$100,000 for Day Reporting Start-up Funds." This was moved by Carl Anderson, seconded by Brian Shank and carried in a 7 - 0 vote.

Mr. Horton stated that although he is voting yes, it is difficult to approve any money for court-related while inmates are being transported in winter from the Erie County Prison in jumpsuits and sandals. He states he has a problem appropriating any money to the County until men and women of the County are taken care of. Mr. Horton described the situation as disgraceful that the County would take 75% of an inmates commissary creating debt that county will never recoup, and yet they are made to be transported to court inadequately dressed.

NEW BUSINESS

First Reading of Ordinance Number 4, 2020, " Third 2020 General Fund Budget Supplemental Appropriation of \$9,000 To Correct Office Supplies Line Item For the District Attorney." (Finance Committee) Mr. Smith gave a First Reading of Ordinance Number 4, 2020, " Third 2020 General Fund Budget Supplemental Appropriation of \$9,000 To Correct Office Supplies Line Item For the District Attorney." (Finance Committee)

First Reading of Ordinance Number 5, 2020, "Fourth 2020 General Fund Budget Supplemental Appropriation of \$4,568 For Court IT Network Administration Analyst Job Reclassification." (Personnel Committee) Mr. Smith gave a First Reading of Ordinance Number 5, 2020, "Fourth 2020 General Fund Budget Supplemental Appropriation of \$4,568 For Court IT Network Administration Analyst Job Reclassification." (Personnel Committee)

First Reading of Ordinance Number 6, 2020, "Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 For Additional Juvenile Probation Officer To Meet Mandates of DPW's OCYF." (Personnel Committee) Mr. Smith gave a First Reading of Ordinance Number 6, 2020, "Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 For Additional Juvenile Probation Officer To Meet Mandates of DPW's OCYF." (Personnel Committee)

First Reading of Ordinance Number 7, 2020 " Approving a Waiver of the Bid Requirements of the County Purchasing Code To Select a Printer Qualified by Dominion Voting for Erie County Elections in 2020." Mr. Smith gave a First Reading of Ordinance Number 7, 2020 " Approving a Waiver of the Bid Requirements of the County Purchasing Code To Select a Printer Qualified by Dominion Voting for Erie County Elections in 2020."

County Purchasing Code To Select a Printer Qualified by Dominion Voting for Erie County Elections in 2020." (Finance Committee)

Mr. Horton clarified for the public that the Administrative code requires a first and second reading. He explained that the items voted on already had first readings at a previous meeting. Items are discussed prior to the formal Council Meeting.

Resolution Number 4, 2020 "Resolution Approving a Revision to Erie County's FY2018 Community Development Block Grant Program." (Finance Committee)

Mr. Smith gave a reading of Resolution Number 4, 2020 "Resolution Approving a Revision to Erie County's FY2018 Community Development Block Grant Program." This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

Resolution Number 5, 2020 "Setting an Hourly Rate for the County Council CPA." (Finance Committee)

Mr. Smith gave a reading of Resolution Number 5, 2020 "Setting an Hourly Rate for the County Council CPA." Moved by Mr. Anderson and seconded by Mr. Rastetter; Mr. Anderson motioned to amend the resolution per the suggested linguistic edits by solicitor Talarico by eliminating all of the verbiage in the original resolution, including title, and replaced with the new language from the title down to make a new Resolution 5. This was moved by Mr. Anderson and seconded by Mrs. Clear.

Mr. Horton asked for any discussion on the new language coming into the resolution. Mrs. Rennie commented that she had hoped that the language in the new resolution would help clarify a certain amount of the work to be done on behalf of County Council. She suggested that, as the highest legislative body in the County, there should be set boundaries for how much to pay someone for their work and that Council has an obligation and responsibility to utilize sound management and ethical practices. She stated that any other department in the county would be expected to operate under said standards, and Council is no different. She said that she cannot support a position with no proposal or pay scale and no supporting documentation, scope, or parameters, as she submits that it is irresponsible management practice.

Mr. Anderson respectfully disagreed with Mrs. Rennie in that Council is not being irresponsible; in fact stepping forward setting a salary for the scope of work that has been the same for the past 41 years, in working on any and all projects that County Council deems necessary for any and all financial stability for Erie County. Parameters have been determined through budget and figured into professional services fee. Not having a financial adviser to help make decisions and offer Council guidance would be irresponsible. There are specific work that he completes for the tax payers of Erie County. Some of those things

are out of County's control in the amount of work that is needed by him. The responsibility to Erie County is to protect that work and to have someone available to provide sound fiscal advice. Voting in favor and proud to step forward in voting in an hourly rate for Mr. Maloney. This resolution offers transparency and allows the community to know who our financial adviser is and that Council is aware of the scope of work needing to be completed.

Mr. Horton acknowledges that there are processes that can be done better, but to characterize the work/hiring as irresponsible he takes issue with. It is hard to say something is irresponsible when there is a 42 year history of work, with a healthy fund balance. He agrees that the scope of work could be more delineated, but there has been a general scope of work as seeing through finances for County Council and financial adviser for the community college effort, until there is a new hire.

Mr. Smith read the Resolution as amended in its entirety. Ratifying an Hourly Rate for the County Council's Accounting Consultant: WHEREAS, Erie County Council retained the services of Joseph Maloney CPA-CFE of Maloney, Reed, Scarpitti & Company LLP as its accountant and financial advisor in 1979 and until his retirement in 2018; and WHEREAS, Erie County Council continues to retain the services of Joseph Maloney, subsequent to his retirement, as a financial consultant to County Council at the hourly rate of \$200.00; and WHEREAS, Joseph Maloney has agreed to provide, and will continue to provide financial consultation, and expert witness services in connection with Erie County's Application for a Community College pending before the Pennsylvania Board of Education. BE IT RESOLVED, the County Council of the County of Erie hereby ratifies and confirms the retention of Joseph Maloney as its independent financial consultant at the hourly rate of \$200.00 per hour.

Mr. Horton called for a role call on the amendment, this was approved 6 to 1. Mr. Horton called for role call on the resolution as amended, this was passed 5 to 2.

**Resolution 6, 2020,
"Opposing the Use of
Conversion Therapy on
Persons Under 18 Years as
a Means of Shifting Gender
Orientation or
Expression." (Finance
Committee)**

Mr. Smith gave a reading of Resolution 6, 2020, "Opposing the Use of Conversion Therapy on Persons Under 18 Years as a Means of Shifting Gender Orientation or Expression." This was moved by Kim Clear, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

Mrs. Clear stated that she was excited to see that this was on the agenda. She stated that she is in charge of the Gay Straight Alliance at McDowell High School. She recognizes that many children have difficulty understanding their identity. Proud that the County is acknowledging that conversion therapy is not serving any psychological purpose.

Mrs. Rennie would like to commend colleagues for bringing this resolution forward. Concur with Mrs. Clear's statements. Should be supported.

Mr. Horton is pleased to co-sponsor this resolution with Councilwoman Clear. Erie County has long been an advocate for equity, fair treatment, and justice. Protect people of criminal backgrounds, of people in the LGBTQ community, of ethnicity, age, etc. The City took a lead in this movement locally, but Mr. Horton wanted to make sure that this was brought forward in the County. He stated there is no scientific basis for conversion therapy.

Resolution Number 7, 2020, "Amending Resolution 1, 2020, Approving a Revision to Erie County's FY 2017 Community Development Block Grant Program." This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.
Community Development Block Grant Program."
(Finance Committee)

ADJOURNMENT

Mr. Anderson moved to adjourn, seconded by Mr. Shank. Adjourned at 7:36PM.