

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 18, 2020

PLEDGE OF ALLEGIANCE

OPTIONAL PRAYER OR INVOCATION Mr. Shank offered: When you feel like quitting, think about why you started.

ROLL CALL

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

Also Present: Douglas R. Smith, James Sparber, Tracey Fugagli, Thomas Talarico, Nicole Inan

HEARING OF THE PUBLIC

Brenton Davis

Mr. Davis addressed the Council as a tax payer and representative of tax payers. Stating he is here for one thing: truth and transparency. As Tax payers, invested in government initiatives and as investors have a right to know. He went on to say that Council as an obligation to make sure that tax payers dollars are spent morally, ethically, responsibly, and legally. Mr. Davis named several instances of the "turbulent history" that Erie has had of government scandal and misuse of tax payer funds. He implored Council to review the handout that he provided that references "Failed Government Initiatives and Political Corruption" in Erie's history including: Camtech; Mayor Rick Fillipi / insider trading; Former Erie County Judge Michael Joyce sentenced for fraud; Councilman Beeman for Social Security Fraud; Erie County Prosecutor charged with grabbing a police weapon; GECAC scandal; Catholic Diocese sex scandal; Sonya Arrington's wire fraud; Rebecca Leone's embezzlement; GEIDC bankruptcy; and more that he says adds up to over \$20 Million in taxpayer dollars in less than twenty years.

Mr. Davis went on to discuss the response to the Right-to-know request of Erie County in which he inquired about the financials about Empower Erie & the Pennsylvania Policy Forum, from Solicitor, Richard Perhacs, in which he stated "Empower Erie" and the "Western Pennsylvania Policy Forum" are private entities separate and distinct from the County of Erie." Mr. Davis's question to Council regarding this is that, if Empower Erie is separate from the County, why did Tim McNair current Chair of Empower Erie send a cease and desist letter to Mr. Davis, listing members on Council. He went on to implore Council for transparency in government and better use of tax payer funds to the Ethics Act of Pennsylvania, taken directly from Ethicspa.gov citing Section A on conflict of interest. Mr. Davis went on to point out that Mr. Anderson & Mr. Horton have voted on issues regarding Empower Erie; while both have direct ties as a co-founder and director,

Other

Freda Tepfer-- States that since about 1982 she has been a home owner, and has paid property tax that entire time. She has never had children nor ever benefited from school taxes not going to children of my own and have never minded such. Alumni of Nassau Community College, Skagit Valley College, Bellingham Technical College, Walla Walla Community College, as well as have worked at some of these community colleges. Grateful to be able to be a beneficiary of community college. Concerned about ultimate value to the community may be getting people onto the tax roles that maybe otherwise would not have been without the benefit of a of community college. Mrs. Tepfer expressed gratitude to Pat Howard for the article in the Erie Times News in which he spoke about the lies regarding monies being drawn down from the Erie Community Foundation for NPRC for free tuition. Encouraging truth and value, and caring about members of our community.

Mr. Horton clarified to the public that the Council Meeting is not the place for insinuations of criminal conduct, and directed those concerns to the District Attorney's Office. He requested that individuals refrain from directing policy or conflict of interest matters directly to any one particular council member.

Fred Langill-- Edinboro resident for 40 years; elected representative of the Edinboro Council; term ending 2022; disabled veteran; founder of the Flagship Niagara League in Erie Pennsylvania; on the recruitment and retention committee for the Emergency Services. Mr. Langill stated that education is most imperative for our future. Mr. Langill is the product of Penn State Behrend, stating that Veteran's Affairs had nowhere else to send him in 2002 at the age of 56. He recognized that the Porreco Center was a generous transition from the Porreco Family to that University and he suggests working with all other colleges for a collective effort in establishing a vibrant community college for all of Erie County. Mr. Langill suggested that as businesses look to develop in Erie,

one of the things they seek out is a community college in the area. He emphasized that he is not disrespecting the online community college of the region or any of the other local universities, and went on to stress it is time to look forward, be imaginative and be investing. Taxes need to go toward proper use for the future. He emphasized that the citizens have a lot to be proud of in the community, and that Council have a lot of responsibility to all citizens regardless of political party.

Ashlyn Keenan, Full-time Gannon student majoring in Secondary Education. Stated that she has worked since the age of 15 years old, saving for college, and is the first person in her immediate family to go to college. She stressed how expensive attending a college is. She feels that it's important to represent her demographic regarding the community college, and how it would benefit people of a variety of socio-economic backgrounds.

Terry Hoolihan, Resident of Harborcreek and has spent most of her 64 years of life in Erie. She states she currently pays \$4000 in property taxes yearly. She does not have children or grandchildren in school, but because she believes in Erie those taxes don't bother her. She has attended many meetings with Empower Erie regarding the community college and have asked questions; she states the answers have been consistent and clear. The speaker believes a community college is definitely something Erie needs. She spoke to the numerous minorities that can't afford to go to college. She stated that she would support a tax increase to support the community college.

Jon Whaley -- Erie. Mr. Whaley voiced his concern in regards to how the community is to be funded and how it will continue to be funded in the future. He made a comparison to the Community College in Harrisburg, whose budget is \$140 Million Dollars; stating they are facing a \$9.7 Million revenue short fall with enrollment down 25% in the last 5 years. He stated his concern is what the scope will be; for example Harrisburg is hiring lifeguards and an assistant basketball coach. He questioned, that if the County is the sponsor of the community college, when why is Empower Erie involved? Why are there members of Council on that Board? Why is there a middle man? Why are we giving tax dollars to a non-profit that is set up as a private foundation? He cited a letter recently requesting \$110,000 in legal fees to be paid, of expert witnesses getting \$30,000 of tax dollars; stating this is not the way monies should be allocated. He stated that there are currently 14 community colleges in PA ; questioning why the County has spent 3 years, \$400,000, why Ron DiNicola has said we are in this for the long fight, why the democratic governor has not put a community college for Erie in his budget, why wont the democratic controlled board approve this.

Rhinata Ently -- City of Erie for many years and now outside of the city. States that statistic the city is in decline. She voiced that the area has colleges and trade

schools locally, citing failed schools that have existed in Erie County. She stated that Erie is not looking for more tourist attractions. She voiced that her perspective is that people do not have work ethics and would rather just collect benefits, further emphasizing that it's not a lack of opportunities in the area, rather a lack of initiative.

Renee Vendetti-- Voiced that a trade school is what is needed for this area. Stating that the kids in this area don't want to go to school, they are behind a game, a computer, a television. She would rather see the monies go towards working on issues with drugs and crime. She feels that taxes are already outrageous, and there have been too many other failing attempts (Camtech, Fortis, and Erie Business Center). Consider the long term investments of other needs in the area.

Jason Lavery -- Lives in Millcreek (Mrs. Clear's District) Business Owner (Mr. Horton's District). Mr. Lavery employees 30 people of whom have degrees, but have a terrible time paying off loans. Mr. Lavery graduated from Northwestern Schools, spent \$50,000 on a bachelor's degree, and then a Master's degree. He has owned a brewery for 10 years. Most of his employees are in their early 20's. He agrees that trades are an awesome option, but had a community college been an option for him he would have chosen that path for himself. College Community would have been a great option for him, and his children. He stated that trades and liberal arts are needed, and that Erie deserves a community college.

John Steiner-- City of Erie; -- Mr. Steiner sees the value of a community college, and emphasized "sticking with the fight." stability. He spoke to civility in politics and social media being "out of control."

Jennifer Gloss -- Teacher in Millcreek Public Schools; Speaking in comparison of the Northern Pennsylvania Regional College in that they stated they offer many of the same programs online. She states as a teacher is helpful to be able to interact with children and anyone learning on a one-on-one basis. In Erie there is a growing community of immigrants and organic questions that need to be answered.

Kim Carnes-- Lifelong resident of Erie County and Small Business Owner. She is an educator in support of a wide range of learning. As an educator, she supports opportunities for furthering learning in a wide variety of ways. Erie is lucky to have a variety of institutions for higher learning, but pointed out that not all students find success at the 4-year level. Accessible, affordable post-secondary education is imperative to Erie's growth and progress.

Tim McNair, Resident of Millcreek, Chair of Empower Erie which has worked last 3 years to help move forward this county's application for a community

college. Mr. McNair thanked County Council for having the fortitude and foresight two years ago to agree that Erie County needs a community college. Process has been long, but will come to a head March 18th at the State Board Hearing. Erie County has meet every requirement of the Community College Act, to be awarded a Charter for a community college. Mr. McNair stated we need a community college, because the poorest zip code in Pennsylvania is in Erie (16505). People cannot get out of that poverty if they have to pay \$40,000 a year for college; community college offers accessible, affordable training and education and gives people a pathway to a 4-year degree if they choose. Tax payers complain about paying taxes for a community college, but have been paying taxes for a community college since 1964 with nothing to show for it. Erie County, in the past ten years, has sent \$28 million to Harrisburg towards community colleges. He voiced that a community college should be within a reasonable commuting distance of every major population center; Erie is the 4th largest city in Pennsylvania.

James Tobin, Erie. --States he has a Dead degree from Tri-state Business, they changed to Fortis now have two dead degrees. Son was educated at Tech Memorial, who has gone on to be a machinist making 6 figures (no college background). Mr. Tobin was educated at Erie County Technical School as an inspection mechanic, has raised six children, has a home that is paid for; emphasized he did not go to a college or community college. He went on to say that the community is over-taxed, under-serviced, lied to, and information is kept from the public. Asked Council to be watchdog's as a two-year degree is useless.

MINUTES FROM PREVIOUS MEETING

February 4, 2020 - Regular Meeting Ellen Schauerma moved to approve the minutes from the February 18, 2020 Regular Meeting. This was seconded by Carl Anderson and carried in a 7 - 0 vote.

REPORTS OF COUNTY OFFICIALS

County Executive and/or her Designee 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, February 13, 2020 and agreed to put the following items on the agenda: Old Business items A & D; New Business items A, B & C:
1. Second Reading of Ord. 4, 2020, "Third 2020 General Fund Budget

Supplemental Appropriation of \$9,000 To Correct Office Supplies Line Item For the District Attorney.” (Rec’d First Reading 2/4/20)

2. Second Reading of Ord. 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” (Rec’d First Reading 2/4/20)

3. First Reading of Ordinance Number 8, 2020, “Sixth 2020 General Fund Budget Supplemental Appropriation of \$2,000 Donation by the Disabled American Veterans to Erie County Veterans Treatment Court.”

4. Resolution Number 9, 2020, “Three Year Agreement Between the County of Erie and the Law Firm of MacDonald, Illig, Jones & Britton, LLP for Lien Free Tax Sales.”

**Personnel Committee -
Mrs. Rennie**

Mrs. Rennie reported that the Personnel Committee met on Thursday, February 13, 2020 and agreed to put the following items on the agenda: Old Business items B & C; New Business item D:

1. Second Reading of Ord. 5, 2020, “Fourth 2020 General Fund Budget Supplemental Appropriation of \$4,568 For Court IT Network Administration Analyst Job Reclassification” (Rec’d First Reading 2/4/20)

2. Second Reading of Ord. 6, 2020, “Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 for Additional Juvenile Probation Officer to Meet mandates of DPW-OCYF ” (Rec’d First Reading 2/4/20)

3. Resolution Number 8, 2020, “Designation of County Section 504/ADA Coordinator.”

4. Possible reappointment of Jack Lee to the Erie County Land Bank for a five-year term ending December 31, 2024. (District 5 Representative)

5. Possible appointment of Yavette Miller to the Office of Children and Youth Advisory Board for a four-year term ending December 31, 2023. (District 3 Representative)

Other

Mr. Anderson addressed the body: "If we do what we've always done then we will get what we've always had, no vision, no future, and no hope for a large segment of our population. Council needs to work to provide the opportunity for our community to have a better future. There are people who sit here and talk about transparency and fact, and they post on the internet taxing scares. The

most recent of which Mr. Anderson has seen says that the taxpayers of Erie County will be taxed \$500 per taxpayer if this community college is put into place; to put that into perspective: the present millage of Erie County is 5.71 mill, that means on a value on a hundred thousand dollar home, each tax payer pays \$571; amount to 14 billion dollars in value in Erie County, resulting in 81 million dollars towards our annual budget. So, if we pay \$500 per taxpayer to pay for the community college, we will roughly be raising 81 million dollars when in fact the community college plan says that we are looking to raise 3 million dollars per year, an exaggeration of more than ten times of what we will actually be charged, if tax payers are actually taxed. If tax payers are taxed at \$50, that is approximately one-tenth of what is claimed by those people who say they want transparency and only live in fact when the real fact is that they don't live in reality. Mr. Anderson stated that he is honored to have been part of the body who has made the decisions to go forward; naming Council as bold, forceful, and in support of not allowing it's citizens go unserved. Mr. Anderson named "real" concerns that should be being talked about such as the escalating cost in the social services budget and escalating cost in prison. We won't complain about paying \$41,000 per year per inmate to house somebody in prison, yet we will complain if we have to invest in another human being \$3,000 per year. He went on to emphasize that he was always been for the community college, remains for the community college, and will fight for one until we get an answer from the State Board of Education who has taken over \$28 million dollars of our taxpayer dollars and spent it in other parts of the state. We should all be outraged that over 300 million dollars per year is spent everywhere in this state except for Erie County. Should be outraged that there is another organization that is serving Erie County right now that in their 5 years of existence, has less than two graduates, and yet the taxpayers have paid 27 million dollars. Should be outraged that their full-time equivalent students amount to less than a dozen students in Erie County and it's costing the taxpayers more than \$113,000 per student. He implores the community to be outraged in reality and the right things, that this community has been treated as a second-class citizen to the rest of the state of Pennsylvania.

Mr. Horton addressed the community college in that it will not be re-litigated. On March 18th there will be the evidentiary hearing, and the 3 things will be voted on, of which the Erie County application has already provided and of which has already been determined that Erie County has met those criteria. Mr. Horton stated that anyone is able to go on to Erie County website and see all expenditures in real time. Mr. Horton says he is a huge proponent of transparency. The items that people are requesting of the County, should be requested of Empower Erie. Mr. Horton warned that insinuating that something illegal has been done is a very slippery slope, and he encouraged anyone feeling such way to report it to District Attorney Jack Denari for investigation.

(1926-2020)

entirety: WHEREAS, Mary Elizabeth Lee Kennedy passed from this world on January 25, 2020 at the age of 93 years. Mrs. Kennedy was born on August 14, 1926, in Newcastle, Pa.; and WHEREAS, After moving to Erie in her youth, Mary Elizabeth attended Holy Trinity Church of God in Christ; participated in youth activities at the Erie City Mission; was the valedictorian of the 1944 graduating class of Strong Vincent High School. She attended Temple University on a full scholarship secured for her by a mentor, graduating in 1948 with a Bachelor of Arts in Psychology; and WHEREAS, Mary Elizabeth met her beloved husband, Charles Kennedy, Sr., at an American Friends Service Committee gathering in 1946; marrying in 1949 in New York City.; going on to live in Puerto Rico for five years before missionary work took the couple to Liberia in 1956 until their return to Erie in 1964; and WHEREAS, Mother Kennedy and Rev. Kennedy strove to share God's love with the community, the couple founded Community Country Day School for at-risk students whose needs were not being addressed by the public schools; the Community Drop-In Center (now Community Shelter Services), offering emergency counseling for teenagers who need shelter and structure; and the Community of Caring, a social service agency which works to meet its clients' basic needs of shelter, food, counseling; and WHEREAS, A lifelong member of the Church of God in Christ, she remained active in overseas work, traveling to at least 30 countries over her lifetime; establishing schools, orphanages, and clinics in Liberia, Ivory Coast, the Democratic Republic of Congo, Cuba, Haiti, the Dominican Republic, and many more; ending her international journeys in 2010; and WHEREAS, In addition to her missionary work, Mother Kennedy was a licensed midwife, earning a practical nursing degree focusing on medical missions; received a professional teaching certificate in the education of students with intellectual and physical disabilities from Edinboro State University in 1983; earned a master's degree in Bible theology from the International Bible Institute and Seminary in 1981; received an honorary doctorate from Edinboro University; published volumes of inspirational poetry and instructional books including: Teach Me Lord, a children's study book of Bible stories; Habla Conmigo, a book of conversational Spanish; and Love Therapy, a manual on proprietary techniques developed at the Community Country Day School; and WHEREAS, Mother Kennedy has been the recipient of many awards including the prestigious United Way De Tocqueville Award; awarded the Community Service Award in 2017 by the Erie Community Foundation; was an Oblate with the Benedictine Sisters of Erie; and WHEREAS, In addition to her parents and husband, Mary Elizabeth was preceded in death by her son, Charles Kennedy, Jr. and son-in law, Billy Brown. She leaves a daughter-in-law (Cindy Kennedy), three daughters (Mary Ann Brown, Elizabeth "Betsy" Rooks (Bill), and Grace Kennedy Foster (Cary)); eight grandchildren, four great-grandsons, a sister-in-law, nephews Tom Lee and Gary Lee, and many other family members. NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join in celebrating the life of Mother Mary Elizabeth Lee Kennedy, a woman dedicated to spreading God's love through compassion, strength, and resilience; strengthening the community

and the world with her resourcefulness, determination, and above all---love. May she rest in peace. IN WITNESS WHEREOF, we have set our hands and the Seal of Erie County this 18th day of February, 2020.

OLD BUSINESS

Second 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 on 2-4-2020)

Mr. Smith gave a Second 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. "This was moved by Kim Clear, seconded by Scott Rastetter and carried in a 7 - 0 vote.

Second 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) (Rec'd first reading 2/4/20)

Mr. Smith gave a Second Reading of Ordinance Number 5, 2020, "Fourth 2020 General Fund Budget Supplemental Appropriation of \$4,568 For Court IT Network Administration Analyst Job Reclassification". This was moved by Mary Rennie, seconded by Carl Anderson and carried in a 6 - 1 vote.

Second Reading of Ordinance Number 6, 2020, "Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 For Creation of Juvenile Probation Position to Meet DPW-OCYF Mandate" (Personnel

Mr. Smith gave a Second Reading of Ordinance Number 6, 2020, "Fifth 2020 General Fund Budget Supplemental Appropriation of \$58,240 For Creation of Juvenile Probation Position to Meet DPW-OCYF Mandate. "This was moved by Mary Rennie, seconded by Carl Anderson and carried in a 7 - 0 vote.

Committee)(Rec'd first reading 2/4/20)

Second 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" (Finance Committee) (First Reading on 2-4-2020)

Mr. Smith gave a Second 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." This was moved by Kim Clear, seconded by Carl Anderson.

Mr. Anderson moved to amend the ordinance to read: "Approving a Waiver of the Bid Requirements of the County Purchasing Code to Select GOHRS Printing Service, An Erie County Company, Qualified by Dominion Voting for Erie County Elections in 2020," "WHEREAS, Erie County voters will use pre-printed paper ballots when voting in the 2020 Primary and General Election; and WHEREAS, Dominion Voting, our partner and new election equipment provider, highly recommends the use of company certified printers to insure absolute performance and accuracy of its scanners and software; and WHEREAS, GOHS Printing Service, A Division of Haines Printing Company, is currently the only Pennsylvania printing company certified by Dominion Voting; and WHEREAS, absentee ballots, and mail-in ballots must be ready for voters by the end of February, making a local "Request For Proposal" impossible to complete this year. NOW THEREFORE BE IT ENACTED by the County Council of the County of Erie pursuant to Article II, Sections 3B1 and 3B2(f) of the County Home Rule Charter, that the purchasing requirements of Article III, Section 1D of the Administrative Code are hereby waived; GOHRS Printing Service, is selected for the printing of Erie County Ballots in 2020." Moved by Councilwoman Clear, Seconded by Mr. Shank.

Mr. Shank stated that Council is proud of Haines Printing of North East as being a local printer certified for the ballots. There is not another printer in Pennsylvania that is certified to complete this work. Certification was a tedious process in that it is specific paper, the way the machines are cleaned, specific ink, the way the process needs sealed, etc. Proud to have taxpayer dollars paid in our County, spent in our County.

Mr. Anderson explained that Pennsylvania was mandated by the state to institute a new system of voting. Since that time, Council has chosen Dominion Voting. He stated that Pennsylvania Law Act 77 requires that we now have paper ballot backup. With that, the equipment that was purchased from Dominion Voting required particular specifications to ensure that their equipment is properly used and stays in warranty. He clarified that the closest printing company outside of this new certification was in Rochester, NY. Dominion sent the County the certification of Haines stating they met the qualifications so the amendments to the resolution reflect that.

Mr. Smith took a roll call to accept the amendments to the Ordinance. This was passed in a 7-0 vote. Mr. Smith took a roll call on the ordinance as amended, this was passed in a 7-0 vote.

NEW BUSINESS

- First Reading of Ordinance Number 8, 2020, "Sixth 2020 General Fund Budget Supplemental Appropriation of \$2,000 Donation by the Disabled American Veterans to Erie County Veterans Treatment Court." (Finance Committee)** Mr. Smith gave a First Reading of Ordinance Number 8, 2020, "Sixth 2020 General Fund Budget Supplemental Appropriation of \$2,000 Donation by the Disabled American Veterans to Erie County Veterans Treatment Court."
- Resolution Number 8, 2020, "Designation of County Section 504/ADA Coordinator." (Personnel Committee)** Mr. Smith read Resolution Number 8, 2020, "Designation of County Section 504/ADA Coordinator. "This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.
- Resolution Number 9, 2020 "Three Year Agreement Between The County Of Erie and the Law Firm Of MacDonald, Illig, Jones & Britton, LLP For Lien Free Tax Sales" (Finance Committee)** Mr. Smith read Resolution Number 9, 2020 "Three Year Agreement Between The County Of Erie and the Law Firm Of MacDonald, Illig, Jones & Britton, LLP For Lien Free Tax Sales. "This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.
- Possible reappointment of Jack Lee to the Erie County Land Bank for a five-year term ending December 31, 2024. (District 5 Representative)** Mr. Horton read aloud the possible appointment. This was moved by Scott Rastetter, seconded by Kim Clear and carried in a 7 - 0 vote.

(Personnel Committee)

Possible appointment of Yavette Miller to the Office of Children and Youth Advisory Board for a four-year term ending December 31, 2023. (District 3 Representative) (Personnel Committee) Mr. Horton read aloud the possible appointment. This was moved by Mary Rennie, seconded by Ellen Schauerma and carried in a 7 - 0 vote.

ADJOURNMENT

Mr. Horton announced the next meeting dates. Mr. Anderson moved to adjourn, Seconded by Mrs. Clear. Adjourned at 08:05PM.

The next Finance/Personnel Meeting is scheduled for February 27, 2020 at 4:00 PM in Room 114A of the Erie County Courthouse. The next Regular Meeting of Erie County Council is scheduled for March 3, 2020 at 7:00 PM in Fiore Leone Erie County Council Chambers, Room 117 of the Erie County Courthouse.