

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, April 21, 2020**

**PLEDGE OF ALLEGIANCE**

**OPTIONAL PRAYER OR INVOCATION**

Mr. Shank provided a quote from Harry S. Truman: "It's amazing what you can accomplish if you don't care who gets the credit." Mr. Shank offered that, in these trying times that is the gospel.

**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; Joe Maloney; Nicole Inan

**HEARING OF THE PUBLIC**

None to be heard.

**MINUTES FROM PREVIOUS MEETING**

**April 7, 2020 - Regular Meeting**

Brian Shank moved to approve the minutes from the April 7, 2020 Regular Meeting. This was seconded by Kim Clear and carried in a 7 - 0 vote.

**REPORTS OF COUNTY OFFICIALS**

**County Executive and/or her Designee**

No report at this time.

- Finance Committee -Mrs. Clear** Mrs. Clear reported that the Finance Committee met on April 16th, 2020 and have put forth for the agenda Old items A, B, & C: Ord. 18, 2020 - Second Reading of Second 2020 Library Fund Budget Supplemental Appropriation of \$15,179 To Appropriate State Aid-District For Funds Carried Over as Deferred Revenue From July-December 2019; Ord. 19, 2020 - Second Reading of Extending the Discount Rate for the Payment of County Real Estate from April 30, 2020 to June 30, 2020; and Ord. 20, 2020 - Second Reading of Ninth 2020 General Fund Supplemental Appropriation of \$950,060 and Creation New Bureau for COVID 19 Grant and Expense Lines. There are no new business items for discussion.
- Personnel Committee - Mrs. Rennie** Mrs. Rennie reported that the Personnel Committee met on April 16th, 2020 and have added the possible appointment of Martha Nwachukwu to a four year term on the Erie County Convention Center Authority representing District 2; beginning January 1, 2020 and expiring December 31, 2023.
- Other** Chairman of Election Board, Carl Anderson provided an update of activities of the Election Board. The Governor of Pennsylvania has mandated changing the Primary Election date from April 28th to June 2nd. He offered "...patience in virtue as we get through the Primary Election." In the Primary of the Presidential Election for 2016 there were a total of 4500 absentee ballots submitted; in the current Primary, absentee and the approved vote-by-mail option per Act 77, thus far there have been over 4800 applications, with roughly 5500+ still in process. This amount is over 12,000 the entire amount completed in 2016. Mr. Anderson acknowledged that the Elections Department staff are relatively new, and the department has lost over 20 years of experience in the office among the staff. All members of the Elections Board appreciate the work the staff are doing; being diligent, and completing work as quickly as they can. As of last Friday, the Governor has also instituted optional total vote-in by mail leaving that decision up to the Counties to decide, At this time the Election Board is continuing to provide a blended Primary, including mail-in, absentee, mail-in, or going to the polls. Challenges will arise with the amount of mail-in ballots, but with the leadership of the Election Office, the Chair & Vice-Chair of Elections Board has met with the staff in the voters office and have discussed issues and a plan has been put together to develop a fair and impartial way to handle voting. They are expediting all of the remaining applications. Mr. Anderson stated he feels that they are set for the election on set for June 2nd. Mr. Anderson stated that they will call an Election Board meeting when necessary this is not one necessary at that time. Mrs. Ronnie for the undertaking she has provided in assisting.

## **OLD BUSINESS**

- Second Reading of Ordinance Number 18,** Mr. Smith gave a Second Reading of Ordinance Number 18, 2020, "Second 2020 Library Fund Budget Supplemental Appropriation of \$15,179 in District

**2020, "Second 2020 Library Fund Budget Supplemental Appropriation of \$15,179 in District Library State Aid as Deferred Revenue From 2019 "(Finance Committee) (First Reading 4-7-20)**

Library State Aid as Deferred Revenue From 2019." This was moved by Carl Anderson, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

**Second Reading of Ordinance Number 19, 2020 " Extending the Discount Rate for the Payment of County Real Estate from April 30, 2020 to June 30, 2020" (Finance Committee) (First Reading 4-7-20)**

Mr. Smith gave a Second Reading of Ordinance Number 19, 2020 "Extending the Discount Rate for the Payment of County Real Estate from April 30, 2020 to June 30, 2020."

Mr. Anderson moved; there was no second; no action.

**Second Reading of Ordinance Number 20, 2020 "Ninth 2020 General Fund Supplemental Appropriation of \$950,060 and Creation New Bureau for COVID 19 Grant and Expense Lines" (Finance Committee)(First Reading 4-7-20)**

Mr. Smith gave a Second Reading of Ordinance Number 20, 2020 "Ninth 2020 General Fund Supplemental Appropriation of \$950,060 and Creation New Bureau for COVID 19 Grant and Expense Lines."

Mrs. Clear - Stated that she would be voting this down due to the amount of time and work put in by the Finance Department. The new language created a new department for the COVID 19 Bureau, and after the recommendation by the Solicitor and Joe Maloney, the recommendation was to place this under the finance department. She complimented the work of Finance Department employees, Jim Sparber & Tracey Fugagli, as well as County Clerk Smith. Mrs. Clear stated that she will be putting forth a replacement of this Ordinance.

Mr. Anderson stated that without question he appreciates the work that has been done by the finance committee. He clarified the procedure of what the actions of Council mean on this item: He described a prior Court case (25 years ago) that tried to show that County Council overstepped their bounds by changing job descriptions, overseeing termination of jobs, when it was not within the budgetary time period. So, even though Council could potentially amend the Ordinance with language, it will just be clearer to vote this Ordinance down and bring forth a new one with clearer language. Mr. Anderson stated that he will also be voting "no" on this item.

This was moved by Carl Anderson, seconded by Scott Rastetter and Failed 7-0.

**NEW BUSINESS**

Mr. Anderson motioned to Amend the Agenda to include Resolution 18, 2020 "Authorization to File Application for Funds with The City of Erie Department of Community and Economic Development for Emergency Solutions Grant CARES Act Funding," to include Resolution 19, 2020 "To Waive the Penalty on County Real Estate Taxes Due in 2020," and to Amend the Agenda to include Ordinance 22, 2020 "Ninth 2020 General Fund Budget Supplemental Appropriation of \$950,060 COVID 19 Bureau Under the Department of Finance," and to add the "Possible Appointment of Martha Nwachukwu to a four year term on the Erie County Convention Center Authority representing District 2; beginning January 1, 2020 and expiring December 31, 2023." The Amendment to the Agenda was seconded by Kim Clear, and approved unanimously. Mr. Anderson clarified that on his motion Ordinance 22, 2020 would be as a first reading.

Resolution 18, 2020 "Authorization to File Application for Funds with The City of Erie Department of Community and Economic Development for Emergency Solutions Grant CARES Act Funding," This was moved by Mr. Anderson, Seconded by Brian Shank, and passed in a 7-0 vote.

Resolution 19, 2020 "Waive the Penalty on County Real Estate Taxes Due in 2020." Moved by Mr. Anderson, Seconded by Mrs. Clear.

Mr. Anderson thanked the Chairman for his work on this Resolution and the intent he had putting it forth for the citizens of Erie County in this time of crisis. He also thanked the Tax Collectors for their willingness to be open for these potential changes. Mr. Anderson showed appreciation to Attorney Talarico for his research and assistance in editing the language of the Resolution. He went on to state that, after talking with tax collectors, he was surprised to find out that 75-80% that are paid are held by mortgage companies and therefore that advantage of the 2% discount; those people are not affected by this and will still be held to the April 30th date. The base time period ends July 30th, which then under normal circumstances, a large portion of the remaining 20% pay their taxes, and it comes down to a small penalty. The penalties this year are going to include a larger portion of that 20%. This will not create an additional burden for the Tax collector because it is not revenue they are waiting for, rather they will still get the base amount and the portion of the penalty. By doing it this way, we are helping the community, and not hurting the local municipal government. Passed with a 7-0 vote.

First Reading of Ordinance 22, 2020 "Ninth 2020 General Fund Budget

Supplemental Appropriation of \$950,060 COVID 19 Bureau Under the Department of Finance."

Mr. Anderson thanked Finance Committee Chairman Clear for diligent work at finance committee has under taken. He additionally thanked Solicitor Talarico, Financial Advisory Joe Maloney, and County Clerk Doug Smith for working with the finance department on this Ordinance, stating that with hard work and determination all can work together to create something great for the community.

Mrs. Clear seconded Mr. Anderson's comments on the assistance of the professional partnerships and the diligence of the Finance Committee.

Mr. Horton thanked Mrs. Clear for taking the lead, although he still has several questions: Who's going to get paid out of this? What is the plan for the money? Testing? Screenings? Can it be used for other alternative services? If they are paying employees out of this money for salary, then where does the employee's original salary money go?

Possible Appointment of Martha Nwachukwu to a four year term on the Erie County Convention Center Authority representing District 2; beginning January 1, 2020 and expiring December 31, 2023.

Mr. Horton explained that she will be replacing Khadija Horton. Mr. Anderson motioned, seconded by Mr. Rastetter, and passed 7-0.

## **ADJOURNMENT**

Mr. Horton thanked everyone and gave words of encouragement in this time of crisis. Offered items on the horizon as: working with the administration, review of the administrative code, hiring a CPA for Council, work on the community college, development of homeless shelter.

Meeting adjourned at 4:36pm.

**The next Finance/Personnel Meeting is scheduled for April 30, 2020 at 4:00 PM. The next Regular Meeting of Erie County Council is scheduled for May 5, 2020. Zoom-Conferencing information to be made available to public prior to the meetings.**