

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, October 6, 2020**

**PLEDGE OF ALLEGIANCE**

**OPTIONAL PRAYER OR INVOCATION**

Chairman Horton called for a minute of silence for the +200,000 Americans who have lost their lives to COVID-19.

Mrs. Schauerman led the optional invocation: "No man has a right to do as he pleases, unless he pleases to do right."

**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**

**September 22, 2020 - Regular Meeting**

Mr. Shank moved to approve the minutes from the September 22, 2020 Regular Meeting. This was seconded by Mrs. Schauerman and carried in a 7 - 0 vote.

**REPORTS OF COUNTY OFFICIALS**

**County Executive and/or**

None to report.

**her Designee**

**Finance Committee -Mrs. Clear** Finance Committee Chair, Kim Clear, reported that the Committee met on Thursday, October 1, 2020 and put forward for the agenda new business items A through N.

Mrs. Clear also reported on the CARES Act Funding: There have been 17 municipalities receiving money, with a total of nearly \$850,000; 104 nonprofits, including fire departments, out of 107 applications will be recipients. Although unsure when small businesses will receive their funds, current approximation is nearly \$5.5 million.

**Personnel Committee - Mrs. Rennie** Personnel Committee Chair, Mary Rennie, reported that the Committee met on Thursday, October 1, 2020 and put forward for the agenda new business item O.

**Other**

**Citation for Mr. David Nelson (Mr. Anderson)** Mr. David P. Nelson  
1947 - 2020

WHEREAS, David P. "Digger" Nelson passed from this world on September 24, 2020, at the age of 73 years; born in Erie, Pennsylvania to the late Rexford K. and Dorothy Blodgett Nelson; and

WHEREAS, David graduated in 1965 from Strong Vincent High School, where he was named to the Scholastic All-American swim team on numerous occasions in various individual and team events; He went on to claim the PIAA State Championship in the 50-yard freestyle, and more notably the world record holder in the 60-yard freestyle. Additionally, David was named as "Athlete of the Year; David went on to earn a swim scholarship to Syracuse University, where among many wins, he set a school record in the 50-yard freestyle;" and

WHEREAS, David was honored by his induction to the Erie Sports Hall of Fame in 2006, as well as one of the first inductees to the Northwest PA Aquatic Hall of Fame; and

WHEREAS, in addition to his love of swimming, David enjoyed fishing and golf with his sons, and was a skilled woodworker often crafting custom golf clubs. No stranger to hard work, David worked for National Fuel Gas, retiring after more than 30 years; and

WHEREAS, David lived a joyful life, touched the lives of many with his smile and warm personality; survived by his loving wife of 52 years, Mary M. Benacci Nelson; sons, Jon D. Nelson (Jennifer) and Robert K. Nelson; his sister, Marty Nelson; grandson, Jacob Nelson; bonus granddaughters, Lauryn and Ryleigh Robie; his brothers-in-law, Robert Benacci and Joseph Benacci (Sandy); and sister-in-law, Nancy Cox (Michael). "Uncle Digger" is further survived by his nephews, Tim Benacci (Jennifer), and Matthew Benacci (Allison); his niece, Alexandra Benacci; and many great nieces and nephews. In addition to his parents, he was preceded in death by his sister, Barbara Fitting and a brother, John Nelson, who died serving his country in Vietnam in 1969.

NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council join in with our former County Council Colleague, Kathy Fatica, whose family shared a special bond of friendship with the Nelson family, in celebrating the life of David P. Nelson, a man who exuded great passion for family, friends, and life; 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 6th day of October, 2020.

**OLD BUSINESS**

None

**NEW BUSINESS**

Chairman Horton offered that his father always said: "One of the biggest sins in the world is a sin of in-gratitude." Chairman Horton acknowledged the County Council staff. The Voter Registration Office, and Board of Elections. He spoke of ensure the sanctity of the ballot and the process of elections. Additionally, staff has been serving in a transitional role in the Community College Board of Trustees EC with administrative support, rearranged all schedules, and have kept morale up.

Mrs. Clear moved to Amend the Agenda to move items A through H, K, & L to Second Readings and to add Resolution 53, 2020. Seconded by Mr. Anderson and passed in a 7-0 vote to amend.

**First Reading of Ordinance** Mr. Smith gave a Second Reading of Ordinance Number 66, 2020, "Seventh Number 66, 2020, "Seventh 2020 Library Fund Budget Supplemental Appropriation of \$2,000 for American 2020 Library Fund Budget Library Association to Promote Submissions of Census Information." This was

**Supplemental Appropriation of \$2,000 for American Library Association to Promote Submissions of Census Information" (Finance Committee)** moved by Carl Anderson, seconded by Ellen Schauerman and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 67, 2020, "2020 Public Health Fund Budget Revised Revenue of \$116,749 from Great Lakes Restoration Initiative For Lake Erie Small Treatment Flow" (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 67, 2020, "2020 Public Health Fund Budget Revised Revenue of \$116,749 from Great Lakes Restoration Initiative For Lake Erie Small Treatment Flow. "This was moved by Carl Anderson, seconded by Brian Shank and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 68, 2020, "Twenty-Eight 2020 General Fund Budget Supplemental Appropriation of \$58,374 GLRI Grant Reducing County Transfer to Public Health Fund" (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 68, 2020, "Twenty-Eight 2020 General Fund Budget Supplemental Appropriation of \$58,374 GLRI Grant Reducing County Transfer to Public Health Fund." This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 69, 2020, "Public Safety Budget Waiver of the Purchasing Code to Transfer Ownership of 20 Year-Old Incident Support Vehicle and Equipment to Edinboro for Use as Borough Incident Support** Mr. Smith gave a second reading of Ordinance Number 69, 2020, "Public Safety Budget Waiver of the Purchasing Code to Transfer Ownership of 20 Year-Old Incident Support Vehicle and Equipment to Edinboro for Use as Borough Incident Support Vehicle "This was moved by Brian Shank, seconded by Kim Clear and carried in a 7 - 0 vote.

**Vehicle" (Finance Committee)**

**First Reading of Ordinance Number 70, 2020, "First 2020 Public Safety Fund Budget Supplemental Appropriation of a Donated Asset by NWPAERG with a Value of \$1,752" (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 70, 2020, "First 2020 Public Safety Fund Budget Supplemental Appropriation of a Donated Asset by NWPAERG with a Value of \$1,752" This was moved by Kim Clear, seconded by Brian Shank and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 71, 2020, "Second 2020 Public Safety Fund Budget Supplemental Appropriation of \$356,856 for Receipt of Additional 9-1-1 Surcharge Funds" (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 71, 2020, "Second 2020 Public Safety Fund Budget Supplemental Appropriation of \$356,856 for Receipt of Additional 9-1-1 Surcharge Funds" This was moved by Carl Anderson, seconded by Brian Shank and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 72, 2020, "Twenty-Ninth 2020 General Fund Budget Supplemental Appropriation of \$339,856 Reducing the Transfer to Public Safety Due to Additional 911 Funds" (Finance Committee)** Mr. Smith gave a second reading of Ordinance Number 72, 2020, "Twenty-Ninth 2020 General Fund Budget Supplemental Appropriation of \$339,856 Reducing the Transfer to Public Safety Due to Additional 911 Funds" This was moved by Ellen Schauerma, seconded by Carl Anderson and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 73, 2020, "Thirtieth 2020 General Fund Budget Supplemental Appropriation of a** Mr. Smith gave a second reading of Ordinance Number 73, 2020, "Thirtieth 2020 General Fund Budget Supplemental Appropriation of a Donated Vehicle Lease for the District Attorney's Office Valued at \$11,497 " This was moved by Brian Shank, seconded by Carl Anderson and carried in a 7 - 0 vote.

**Donated Vehicle Lease for the District Attorney's Office Valued at \$11,497 "**  
**(Finance Committee)**

**First Reading of Ordinance Number 74, 2020 "Approving a Single Vendor Contract with Westlaw to Provide Legal Research Platform for the County Law Library"**  
**(Finance Committee)**

Mr. Smith gave a First Reading of Ordinance Number 74, 2020 "Approving a Single Vendor Contract with Westlaw to Provide Legal Research Platform for the County Law Library"

**First Reading of Ordinance Number 75, 2020 " Thirty-First 2020 General Fund Budget Supplemental Appropriation of \$148,729 and Creation of New Bureau for Tech and Civic Life Grant" (Finance Committee)**

Mr. Anderson moved to amend agenda to make this a second reading; Seconded by Mrs. Clear, and passed 7-0 for the amendment.

Mr. Smith gave a second reading of Ordinance Number 75, 2020 " Thirty-First 2020 General Fund Budget Supplemental Appropriation of \$148,729 and Creation of New Bureau for Tech and Civic Life Grant" Mr. Anderson motioned, Seconded by Mrs. Clear, and passed 7-0.

**First Reading of Ordinance Number 76,2020, "Second 2020 Gaming Fund Budget Supplemental Appropriation \$401,702 and New Line Item for 2020 Community College Budget Request" (Finance Committee)**

Mr. Smith gave a second reading of Ordinance Number 76,2020, "Second 2020 Gaming Fund Budget Supplemental Appropriation \$401,702 and New Line Item for 2020 Community College Budget Request" This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

**First Reading of Ordinance Number 77, 2020, "Approving the 2020 Erie County Community College Budget" (Finance Committee)**

Mr. Smith gave a second reading of Ordinance Number 77, 2020, "Approving the 2020 Erie County Community College Budget" This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

Mr. Anderson offered thanks to the Chairman and the other support that has been given on behalf on the Community College as the Board begins making many major decisions.

Chairman Horton emphasized that the Board of Trustees will need to begin working more independently.

**Resolution Number 51, 2020, "Approving the Intergovernmental Transfer Agreement Between the PA Department of Human Services - Office of Long Term Living and the County of Erie" (Finance Committee)**

Mr. Smith gave a reading of Resolution Number 51, 2020, "Approving the Intergovernmental Transfer Agreement Between the PA Department of Human Services - Office of Long Term Living and the County of Erie" This was moved by Ellen Schauerma, seconded by Kim Clear and carried in a 7 - 0 vote.

**Resolution Number 52, 2020, " Approving the FY 2020 Community Development Block Grant Application and Authorizing it's Submission to the Pennsylvania Department of Community and Economic Development" (Finance Committee)**

Mr. Smith gave a reading of Resolution Number 52, 2020, " Approving the FY 2020 Community Development Block Grant Application and Authorizing it's Submission to the Pennsylvania Department of Community and Economic Development" This was moved by Kim Clear, seconded by Ellen Schauerma and carried in a 7 - 0 vote.

**Possible Appointment of Cynthia Viverelli to the Children & Youth Advisory Board to fill an unexpired term ending June 30, 2021. (County Executive Dahlkemper)**

Mr. Horton gave a reading of Possible Appointment of Cynthia Viverelli to the Children & Youth Advisory Board to fill an unexpired term ending June 30, 2021. This was moved by Carl Anderson, seconded by Kim Clear and carried in a 7 - 0 vote.

## **ADJOURNMENT**

Item P. Resolution Number 53, 2020 "Approving Appointment of Amy Swartzfager CPA-MBA - Maloney Reed & Scarpitti & Company LLP as Financial Advisor for Erie County Council" Mr. Smith read the Resolution in its entirety. This was moved by Carl Anderson, seconded by Brian Shank and carried in a 7 - 0 vote.

Attorney Talarico questioned contractual agreements of terms and conditions; Chairman Horton clarified that proposals were received, Resolution passed to acknowledge they were firm of choice, and have yet to discuss scope of work.

Chairman Horton assuring that during the budget sessions, there will be specific set time lines -- no less than 30 days to have public hearing and get back to County Executive by December 1st. He encouraged Council to ask questions. Department meetings will be via zoom.

Chairman Horton requested that issues of HRC brought forth during earlier discussion be considered.

Chairman Horton called the meeting adjourned at 4:54pm.

**The next Finance and Personnel Committee Meetings are scheduled for Thursday, October 15, 2020 at 4 pm. The next Regular Meeting of Council is scheduled for 4 pm on Tuesday, October 20, 2020. Attendance will be open to the public via zoom conference until further notice. Details will be published on the County website;  
[www.eriecountypa.gov](http://www.eriecountypa.gov).**