

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, November 10, 2020

PLEDGE OF ALLEGIANCE

OPTIONAL PRAYER OR INVOCATION

Mrs. Schauerman led the optional prayer: This is the beginning of a new day. We have been given this day to use as we will. We can waste it or use it for good. What we do today is important because we are exchanging a day of our life for it. When tomorrow comes, this day will be gone forever; leaving in its place something we have traded it for...we want it to be a gain and not a loss, a good and not evil, success and not failure in order that we shall not regret the price that we paid for it.

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; Amy Swartzfager, CPA

HEARING OF THE PUBLIC

None to be heard.

MINUTES FROM PREVIOUS MEETING

October 20, 2020 - Regular Meeting

Chairman Horton accepted a motion to accept the minutes from the October 20th Regular meeting and the November 5th Public Budget Hearing from Mr. Shank, This was seconded by Mr. Rastetter and passed 7 to 0.

November 5, 2020 - Budget

Hearing of the Public**REPORTS OF COUNTY OFFICIALS**

County Executive and/or her Designee No report provided.

Finance Committee -Mrs. Clear Finance Chair Clear stated that the Finance Committee met on Thursday, November 5th and present Old Business items A through T, and New Business items A through F.

Personnel Committee - Mrs. Rennie Personnel Chair Rennie reported that the Personnel Committee met Thursday, November 5th and bring forth New Items G through X.

Other Election Board Chairman Anderson provided an update on the Election proceedings of November 3rd General Election. Pre-Canvass began at 8am on Election day, which turned into the Canvass, and continues to be in process. Expected to complete timely in accordance with State reporting codes. Mr. Anderson went on to compliment the dedication of the Election Staff, and the leadership and professionalism of Election Clerk Smith. He went on to compliment the dedication, knowledge, and commitment of Elections Supervisor Tonia Fernandez. Calling the staff, "second to none." Commenting on the desire to enfranchise the voter. Mr. Anderson thanked all of the Board of Elections for their commitment and contributions during the election; thanking Vice-Chair Rennie for staying engaged and involved in the entire process. He stated that a recount is entailed only if there is less than a 1% gap. The Board must certify the count by November 23rd. Thus far, all challenges that have been put forth have been withdrawn. He commended all of the Elections staff on the commitment for bringing forth a fair and impartial election that Erie County can be proud of.

Vice- Chair Rennie offered compliments to Election Board Chairman Anderson for his steadfast leadership and the confidence that he has had in the Erie County voting process and staff.

OLD BUSINESS

Second Reading of Ordinance Number 81,2020 "Repealing Ordinance No. 104, 2018 which amended Ordinance 45 of 2018, Mr. Anderson stated that the original changes that were made two years ago, were made to ensure a positive direction for the Human Relations Commission and to set a positive tone. Mr. Anderson stated he would be voting "no" on this Ordinance and the following. His outlook is that as there has been a successful path over the past two years, and there would be no need to change such. He

Article V, §C(3) of the Erie County Human Relations Commission; and Amending Ordinance 45 of 2018, Article V, §C(3) of the Human Relations Commission" (Finance Committee)(Rec'd First Reading 10/20/20)

compared the Allegheny County HRC, Reading, the City of Philadelphia, & Allentown, and the State HRC as related to Section 12.1 and Erie is on par with these. Mr. Anderson pointed out that Council is the Commission and appoints the Commissioners and it is Council's responsibility to ensure the success and direction of the organization. He feels that it would be irresponsible to turn over authority to volunteers and have County staff supervising County employees who are then hired and fall under the jurisdiction of volunteers. It would be a dangerous precedent to set. He reminded that the responsibility of the Council is to this organization and to the taxpayers. Any lack of clarity in the State Guidelines in any other HRC Organization throughout the state is clarified throughout the Administrative Code. Point made regarding the difference that an HRC under a 501C-3 and get separate funding from a separate governmental entity of a community.

Mrs. Rennie agreed with much of Mr. Anderson's view; however, stated that there are many HRC's that participate or take charge in appointing the Director of the HRC. Supporting the independence of the HRC would include the selecting of the director and support staff. She will support both of the Ordinances on the agenda. Also, no political stance should be reflected in appointments as such.

Mr. Rastetter stated that with the multitude of disagreements that are being had, they are not currently capable of directing themselves or hiring Directors. Most of the staff have only been there a limited amount of time. The basis of the Human Relations Commission is to be able to work out problems between parties, and they should be able to handle this amongst themselves but are not at his time.

Mrs. Schauerman voiced that people are being hired would be County employees. The County would hire them and pay for them; with that, it would be nonsensical for the County to not have any say in who is being hired.

Chairman Horton voiced that when the Commission was first founded, Council did the hiring for a number of years. Council then found that it did not line-up with the state law; the County Solicitor expressing the same opinion. Of 450 HRC's in the Commonwealth, Erie County is the only one that currently proceeds this way. No one seemed to know who they worked for, including the commissioner. After much fatality, there was another hiring process, the Commission has turned much around; however, and it still runs contrary to State Law. The Commissioners produce finding of fact, they do not "work out" the problems; often times resulting in litigation. Time to give back independence.

This was moved by Carl Anderson, seconded by Mary Rennie and failed in a 2 - 5 vote.

Second Reading of Ordinance Number 82, 2020 "Repealing Ordinance No. 105, 2018, which amended Article II, §5 IV3(C)(5) of the Administrative Code and Amending Article II, §5 IV3 (C)(5) of the Administrative Code of Erie County" (Finance Committee) (Rec'd 1st Reading 10/20/20)

Mr. Anderson stated that as a companion to Resolution 81, 2020, he will be consistent in a no vote.

This was moved by Carl Anderson, seconded by Scott Rastetter and failed in a 2 - 5 vote.

Second Reading of Ordinance Number 83, 2020 "2021 Debt Service Fund Budget" (Finance Committee)

Mrs. Clear moved to table Agenda Items C through T under Old Business, Seconded by Mr. Anderson, and agreed 7 to 0.

Second Reading of Ordinance Number 84, 2020 "2021 Employee Fringe Benefit Fund Budget" (Finance Committee)

Second Reading of Ordinance Number 85, 2020 "2021 HealthChoices Fund Budget" (Finance Committee)

Second Reading of Ordinance Number 86, 2020 "2021 Mental Health/Intellectual Disabilities Fund Budget"

(Finance Committee)

**Second Reading of
Ordinance Number 87,
2020 "2021 Drug and
Alcohol Abuse Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 88,
2020 "2021 Children and
Youth Services Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 89,
2020 "2021 Planning and
Community Development
Fund Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 90,
2020 "2021 Domestic
Relations Fund Budget"
(Finance Committee)**

**Second Reading of
Ordinance Number 91,
2020 "2021 Library Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 92,**

**2020 "2021 Public Health
Fund Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 93,
2020 "2021 Public Safety
Fund Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 94,
2020 "2021 Gaming Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 95,
2020 "2021 Liquid Fuels
Fund Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 96,
2020 "2021 Pleasant Ridge
Manor Operating Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 97,
2020 "2021 Pleasant Ridge
Manor Depreciation
Reserve Fund Budget"
(Finance Committee)**

**Second Reading of
Ordinance Number 98,
2020 "2021 Erie County
Care Management Budget"
(Finance Committee)**

**Second Reading of
Ordinance Number 99,
2020 "2021 General Fund
Budget" (Finance
Committee)**

**Second Reading of
Ordinance Number 100,
2020 "2021 Real Estate Tax
Levy" (Finance
Committee)**

NEW BUSINESS

Mrs. Clear motion to move New Business items A through D a Second Reading. Seconded by Mr. Anderson, and passed 7 to 0.

First Reading of Ordinance Number 101, 2020, "Eighth 2020 Library Fund Budget Supplemental Appropriation of \$1,000 for Connecting You to Coverage Grant from the American Library Association" (Finance Committee) Mr. Smith gave a second reading of Ordinance Number 101, 2020, "Eighth 2020 Library Fund Budget Supplemental Appropriation of \$1,000 for Connecting You to Coverage Grant from the American Library Association" This was moved by Mary Rennie, seconded by Kim Clear and carried in a 7 - 0 vote.

First Reading of Ordinance Number 102, 2020, "Ninth 2020 Library Fund Budget Supplemental Appropriation of \$4,909 from the Regional Library Foundation for the Bookmobile Campaign" (Finance Committee) Mr. Smith gave a second reading of Ordinance Number 102, 2020, "Ninth 2020 Library Fund Budget Supplemental Appropriation of \$4,909 from the Regional Library Foundation for the Bookmobile Campaign" This was moved by Mary Rennie, seconded by Scott Rastetter and carried in a 7 - 0 vote.

Bookmobile Campaign"
(Finance Committee)

First Reading of Ordinance Number 103, 2020, "Third 2020 Planning Fund Budget Supplemental Appropriation of \$40,450, Creation of a New Bureau and Line Items for CDBG Program Grant to Millcreek Township for COVID-19 Activities"
(Finance Committee)

Mr. Smith gave a second reading of Ordinance Number 103, 2020, "Third 2020 Planning Fund Budget Supplemental Appropriation of \$40,450, Creation of a New Bureau and Line Items for CDBG Program Grant to Millcreek Township for COVID-19 Activities" "This was moved by Ellen Schauerman, seconded by Kim Clear and carried in a 7 - 0 vote.

First Reading of Ordinance Number 104, 2020, "Second 2020 Capital Projects Fund Budget Supplemental Appropriation of \$94,465 for Creation of New Bureau and New Line Items for Renovations to Create Offices for Intake Officers in the Department of Domestic Relations"
(Finance Committee)

Mr. Smith gave a second reading of Ordinance Number 104, 2020, "Second 2020 Capital Projects Fund Budget Supplemental Appropriation of \$94,465 for Creation of New Bureau and New Line Items for Renovations to Create Offices for Intake Officers in the Department of Domestic Relations" This was moved by Ellen Schauerman, seconded by Mary Rennie and carried in a 7 - 0 vote.

Resolution Number 55 , 2020 "Approving Appointment of Deputy Tax Collector in Edinboro Borough, Pennsylvania"
(Finance Committee)

Mr. Smith gave a reading of Resolution Number 55 , 2020 "Approving Appointment of Deputy Tax Collector in Edinboro Borough, Pennsylvania" This was moved by Ellen Schauerman, seconded by Brian Shank and carried in a 7 - 0 vote.

Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 14-010-036.0-104.00 (Finance Committee)

Mr. Horton entertained a Motion for the Possible Sale of a Parcel from the Repository for Unsold Property at Index Number: 14-010-036.0-104.00. This was moved by Brian Shank, seconded by Kim Clear and carried in a 7 - 0 vote.

Possible reappointment of Dr. Mathew Sipple to the Erie County MH/ID Board. This is his second three-year term scheduled to expire December 31, 2023. (County Executive Dahlkemper) (Personnel Committee) Mr. Anderson motioned to Amend the Agenda to read items G through X read as one motion; seconded by Mr. Shank, and passed 7 to 0. On the amendment, moved by Carl Anderson, seconded by Brian Shank and carried in a 7 - 0 vote.

Possible reappointment of Heather May Casper to the Erie County MH/ID Board. This is her second three-year term scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible appointment of Selina Uglow to the Erie County MH/ID Board. This is her first full three-year term scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Tim Connelly to the Erie County MH/ID Board. This is his second three-year term scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Douglas Murphy to the Erie County General Authority/Community Services Financing Authority. This five-year

**term scheduled to expire
December 31, 2025.
(County Executive
Dahlkemper)(Personnel
Committee)**

**Possible reappointment of
Kate Phillips to the Erie
County Redevelopment
Authority. This five--year
term scheduled to expire
December 31, 2025.
(County Executive
Dahlkemper)(Personnel
Committee)**

**Possible reappointment of
Catherine Schaaf to the
Erie County Care
Management Board. This
will be her second four-
year term, scheduled to
expire December 31, 2024.
(County Executive
Dahlkemper)(Personnel
Committee)**

**Possible reappointment of
Dr. David Kozak to the
Erie County Care
Management Board. This is
his second four-year term,
scheduled to expire
December 31, 2024.
(County Executive
Dahlkemper)(Personnel
Committee)**

**Possible reappointment of
Ashley Lawson to the Erie
Metropolitan Transit
Authority Board. This is
her first full five-year term,
scheduled to expire**

October 22, 2025. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Deborah Phillips to the Erie County Agricultural Land Preservation Board. This three-year term, scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of John Mason to the Erie County Agricultural Land Preservation Board. This three-year term, scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Paul Pangratz to the Erie County Agricultural Land Preservation Board. This three-year term, scheduled to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Mary Kay Eisert to the Erie County Drug & Alcohol Advisory Board. This term to expire December 31, 2023. (County Executive Dahlkemper)(Personnel

Committee)

Possible reappointment of Joelyn Bush to the Erie County Drug & Alcohol Advisory Board. This term to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Depend Tamba to the Erie County Drug & Alcohol Advisory Board. This term to expire December 31, 2023. (County Executive Dahlkemper)(Personnel Committee)

Possible appointment of Charles Klenk to the Erie County Drug & Alcohol Advisory Board, replacing Christine Konzel. This term to expire December 31, 2020. (County Executive Dahlkemper)(Personnel Committee)

Possible reappointment of Mary Ann Tempestini to the Erie County Library Board. This is her second three-year term scheduled to expire December 31, 2023. (District 3 Representative Rennie)(Personnel Committee)

Possible appointment

of Reverend Dr. John P. Downey to the Erie County Housing Authority Board. Reverend Dr. Downey will be replacing the vacancy left by Mr. McGoey. This term will expire March 31, 2025. (County Executive Dahlkemper) (Personnel Committee)

ADJOURNMENT

**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.**

Correction: Next meeting will be Tuesday, November 17th.
Chairman Horton adjourned at 5:02 pm