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ERIE COUNTY COUNCIL – Regular Meeting

Chairman Horton called to order a Regular Meeting of the Erie County Council at 7:01 p.m. at Erie County Council Chambers, Erie County Courthouse, Erie PA. Following the Pledge of Allegiance, Mrs. Loll read the following prayer/invocation:

“We pray in the name of Jesus Christ, that we are not like a flashlight without batteries or a radio unplugged, that we use our gifts, talents and skills to enrich lives around us. When we reflect on our blessings through the years, we hope that we have grown strong and offered our greatest to the world around us. Teach us to always use our abilities to the best possible ways that we can and rekindle us to offer our best. We ask this in the name of our Lord. Amen.”.

Roll Call

The County Clerk called the roll:

Members Present: Mr. Breneman
Mr. DiMattio
Mrs. Fatica
Dr. Foust
Mr. Leone
Mrs. Loll
Mr. Horton

Members Absent: None.

Also Present: Douglas R. Smith, County Clerk
Sue Ellen Pasquale, Manager of Accounting
Joseph Maloney, CPA
Thomas Talarico, Solicitor
James Sparber, Director of Finance
Gary Lee, Director of Administration

Hearing of The Public

Mel Witherspoon, City Councilman, presented County Detective Mark Rosenthal with a plaque in appreciation for the hard work and dedication he has shown over the years with the SPOONS Annual Basketball Tournament. Det. Rosenthal’s presence at this tournament has been a tremendous help in making the tournament a success each year.

Freda Tepfer, Erie, PA; Ms. Tepfer is a lifelong transit user and certified orientation mobility specialist helping people in the Erie community who are blind and visually impaired learn to use transit. She was a member of a Citizens Advisory Board for Transit in Washington state. She was responsible for securing schedule change so people could commute on the bus instead of driving 15 miles each way. She worked to get a ballot initiative passed to increase sales tax in order to maintain current levels of transit service in Washington state. She hopes that County Council will join City Council in ratifying the proposed 10 year EMTA charter. It’s a compromise, provides a ten year document with increased representation on the board of directors to be appointed by the County, more proportional funding between the two major entities, and a much needed rider advisory panel. She feels it’s a step forward and necessary step to protect vital services for those who depend on transit. She commented PennDOT’s ultimatum to have an outside agency management the transit system if the resolution isn’t passed would move all decision making to people outside of the Erie area. She felt that ten years is a good compromise. She works with a population that relies on transit and she feels that it’s vital that this resolution be approved.

Passle Helminski, Erie, PA; She is the Chair of the Elderly and Disabled of Erie County. She wanted to thank Mrs. Loll for her “yes” vote on the resolution. Ms. Helminski stated that there are a lot of people who have to go to dialysis on the weekends and doctor appointments. She

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commented that if the resolution doesn't pass those services will stop immediately. She was concerned about the loss of federal funds and wanted to reach out to Council asking that this not happen. She is hoping that she can make phone calls saying that the charter has passed. She would like to see everyone work together and improve the situation once the resolution is passed. She also volunteered her time to work with anyone. She also stated that there are three committees addressing transit – Quality Assurance and the Standing Citizens Advisory Committee that is for people who only ride the bus, along with a committee that Ms. Helminski runs. She also offered to help any Council member on their re-election.

Diana Ames, Erie, PA; Ms. Ames wanted to discuss the members that she serves at the Mental Health Association. It is her job to get individuals out of the center and out to do things. There are a great many individuals who are working, going to school, and rely a great deal on the bus. It is critical for them to continue to have bus service. She stated it is difficult to encourage them to do things if they have no way to get there. She commented that the availability of the bus service to get to the market, to doctor appointments, psychiatric appointments is critical. There are several who use the bus to go to church on Sunday. She felt that with the high rate of poverty in the community, bus service is critical both in the city and in the county.

John Buchna, Erie, PA; Downtown Partnership Director; Mr. Buchna read the following: “On behalf of the Downtown Partnership, we appreciate the opportunity to speak to you regarding a project we have been working on for more than a year in downtown Erie. According to the Reinvestment Fund – Access to Markets in Inner Cities – food insecurity exists when households are forced by economic circumstances to frequently cut back or skip meals. It is often the result of poverty, unavailability of food, or underutilization of food programs. Research on inner city supermarkets indicates that many inner city areas, especially those in socially economic distress, lack stores that offer quality fresh foods at competitive prices. The Reinvestment Fund studied whether economic explanations exist for lack of supermarkets in distressed urban areas. Over 90% of supermarket funding throughout Pennsylvania has been to stores operating in census tracts that have poverty rates of 30%, unemployment rates of at least 1.5 times the national average. Right now, Erie's poverty rate is 29.2% and the unemployment rate is 6.9%, and it's 4.9% nationally. According to the USDA, there are seven census tracts classified as food deserts which together serve thousands and thousands of people. A food desert is defined as an area that lack accessibility to healthy foods and reliable transportation. According to Melissa Lyon, Director of the Erie County Health Department, an ideal way of reducing the number of food deserts is to open more grocery stores in central Erie. We have a chance here to lessen or eliminate these food deserts. Earlier this year, we launched our Downtown Master Plan, a 10 year plan that talks about transforming Erie. This plan calls for the development a new indoor market or food hub that has been in the works more than a year that involves our organization, the city, Emerge 2040, Erie Redevelopment Authority, EMTA, and others. This indoor market is being proposed to be housed in the bottom floor of the new EMTA parking structure that is tied to Phase 2 of their development. It's a \$35 million transformational project for Erie. Please vote yes to a new 10 year EMTA charter so we can move forward in this development. Change can only happen in Erie if we want it to happen. Please make a difference in our community. Thank you.”.

Rob Cooker, Erie, PA; Mr. Cooker commented that there is still backlash, even in 2016, in the disability community regarding what these people really do, what do they contribute to society. He calls it the “forgotten minority”. He stated that a lot of what they contribute is based on their ability to access transportation. He has ridden the LIFT since 1989 and has never taken it for granted. He feels that the LIFT is a great transportation system. Mr. Cooker does a lot of volunteering and fundraising and a lot of that would not be possible if the weekend hours were cut. Reliable transportation is necessary for this community to be able to contribute to society.

One member of the audience who did not state their name read the following: “First I would like to thank the members of Erie County Council that worked on multiple proposals in an attempt to resolve the transportation charter agreement over the past 18 months. Your efforts are appreciated by the citizens you've been elected to serve. Erie County transportation system provides a service that is essential to our community. Numerous citizens of Erie County both with and without disabilities are 100% dependent upon public transportation to maintain their ability to live

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independently. Erie County citizens spend money on public transportation every day to achieve activities of daily living, such as shopping for groceries, traveling to pharmacies for life sustaining medications, and attending entertainment events that bring revenue into Erie County. Many Erie County residents also rely on personal care attendants to assist them with activities of daily living such as getting out of bed, getting dressed, preparing meals, and getting ready for work. Several of these personal care attendants utilize public transportation in order to get to the homes of the residents that they assist. If Erie County Council does not pass the proposed 10 year transportation charter this evening, PennDOT will assign a transit agency in another part of the state to take over operation of EMTA. This takeover will include a reduction in transportation services to the citizens of Erie County. Reduction in service could include the elimination of weekend transportation services for both fixed route and shared ride transportation. If access to weekend transportation services in Erie County is eliminated, citizens who utilize public transportation to get to and from life sustaining dialysis treatments on Saturdays could die. If you choose to vote against the passage of the proposed EMTA transportation charter agreement and a citizen you have been elected to serve dies as a result of the reduction of availability for transportation in Erie County, how will you respond to their loved ones? As you prepare to vote on the proposed transportation charter this evening, remember that you or any of your loved ones could be dependent on public transportation at any point in your life. How would you feel if the availability of a service vital to your survival was in jeopardy of being reduced or eliminated? Also remember the countless citizens of Erie County who elected you to serve them are dependent on public transportation and when the time comes for you to be up for re-election, they will remember how you chose to vote on an issue of preserving a service that is crucial to their survival.”.

Theresa Olin, intern at MHA; she has relied on the bus service to get to school at Edinboro University. She knows that there are several citizens at the MHA that rely on the bus service to get to their appointments, school, get groceries, and is crucial that they have service accessible on the weekends. She hopes that Council looks at the needs of the city that need to be met and get the charter settled.

Julie Minich, All Aboard Erie; Ms. Minich stated that this has been a two year journey and it needs to end in a positive way. Ms. Minich stated that she lives next to a bus route that isn't very popular. She is concerned if the state took over, that route might be cut. She commented that there are a lot of people who build their lives around transit hubs and bus stops. She asked that Council back the community up and pass the 10 year charter.

Buddy Brandon, Erie, PA; Mr. Brandon the use of Uber and taxi cabs instead of public transportation. He stated his wife has a degenerative disease and last year lost her kidney function. She has lost most of her eyesight and a lot of her mobility. She has to use a wheelchair and needs to get to dialysis three times a week. In order to do this, she has to use the LIFT. She would not be able to use a service like Uber or a taxi cab because they don't have wheelchair accessible vehicles. He urged Council to vote in favor of the charter.

Connie Scheu, Millcreek, PA; Ms. Scheu is hopeful that all will vote yes to the resolution. She has been a lifelong resident of Erie County and currently resides in Millcreek. She is blind and has always been dependent on the LIFT and bus service. Her concern is the future and she would like to see the resolution pass. She felt that whether you are disabled or not, you should have the freedom to have public transportation available. It cannot be diminished in any way. She encouraged Council to pass the resolution.

Clayton Myer, Erie, PA; Member of ATU 568 and bus operator; Mr. Myer stated that he is a taxpayer and it's taxpayer money being used for EMTA and he hoped that it's not being thrown into a black hole. He hoped that Council knew where this money is being spent and how it's being spent. He commented that he's not asking Council members to vote yes or no, but that they are responsible for the money.

Joe Lavelle, Erie, PA; Mr. Lavelle stated that his mother is disabled and relies on EMTA for everything. Mr. Lavelle uses it to get back and forth to work. He commented that the park and ride areas would be worthless if the transportation system stops. He asked that Council vote yes

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for the riders, the employees, the kids, and all who rely on it. The buses are important and are needed.

Leslie Holmes, Erie, PA; Ms. Holmes stated that if it wasn't such an important issue she wouldn't be at the meeting; she doesn't drive and is going to school. She relies on the bus to get to and from school, along with many others. Poverty is high, unemployment is high, and schools are shutting down. Ms. Holmes commented that the bus service is extremely important to those who depend on it and can't be taken away.

Shelly Rhodes, Corry, PA; Ms. Rhodes is employed and is visually impaired. She travels with a guide dog. Public transit is extremely valuable to her. She stated that it costs \$66.50 one way to come from Corry to Erie using a yellow cab or Hansen Errand Service. She asked how many would be willing to pay \$133 to travel to Erie to go to an appointment. The LIFT is extremely valuable for the County and she stated that the Corry loop has been amazing. It has allowed people to go to work, to go shopping, doctor appointments, and is a blessing in Corry. She understands that it is a 10 year charter, which sounds like a lot, but it's a lot better than 50. It is a compromise. She urged Council to vote yes.

James Gilmore, Erie, PA; Mr. Gilmore was here at the request of Ms. Diana Ames. He commented that if he couldn't get a bus on Sunday, he would walk to church, but others need the bus transportation for life sustaining things. He stated that it is heartbreaking to hear that people are actually relying on the bus for life sustaining treatments and doctor appointments.

Angela Johnson, Erie, PA; Ms. Johnson is a former employee of Voices for Independence. Ms. Johnson stated that most of the clients there are college educated people with disabilities. She commented that it's demoralizing to not be able to do the things that you like to do. The LIFT can take her anywhere she needs to go in the city or the county. She stated that the disability community is the fastest growing community on the planet because of war and disease. She asked that Council please vote yes on the resolution.

Approval of Minutes

Mr. Leone made a motion to approve the minutes from the October 11, 2016, regular meeting. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

Reports of County Officials

Gary Lee, Director of Administration, commented that he was there on behalf of the County Executive and the Administration to request that Council pass this very important charter. He stated that as he was listening to the speakers share their stories, it comes to mind that this is a lifeline for many individuals. He stated that all know what is at stake - \$35 million project which would provide jobs to the region; \$500,000 delivery of new buses; 22% cut in services; and up to 33 employees being laid off. He commented that what also should be kept in mind are the men and women who work at EMTA. Their lives have been placed on hold for the last 18 months and they have been very concerned about what is going to transpire this evening. He stated that the Administration and County Executive feel this is very, very important, and they have worked with County Council on this particular issue and he encouraged Council to pass the charter for the riders and the citizens of the region.

Dr. Foust stated that the Finance Committee met on October 20, 2016, and agreed to bring back under Old Business Ordinances 86-89 and 96-98, add under New Business Ordinances 99 (2nd reading), 100, 101, 102, Resolutions 49 and 50, and Sale of Parcels to the Agenda.

Mr. Breneman stated that the Personnel Committee met after the Finance Committee and agreed to add Ordinance 103 to the agenda under New Business.

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Mr. Leone read the following report:

“Every year since the start of Home Rule, there has been some controversies involving the community. This year is no different. The EMTA fiasco is now being considered by County Council.

The issue of EMTA has gone far enough. City Council members are of the attitude that the City of Erie should be the conduit for EMTA. None of these representatives are using good judgment. The City of Erie believe it or not is part of the County. I believe some of these individuals don't understand that concept. I have heard from many about the EMTA issue and concerns that the community expresses.

In the beginning of this EMTA controversy, I appointed Dr. Foust along with other Council members to review and present to Council its findings. Dr. Foust and his committee did an excellent job in presenting facts that determined the County of Erie should step up and fund the program, and relieve the City of this awesome burden. We all agreed and commended Dr. Foust and his committee for excellent work. What would this accomplish for City taxpayers?

The City at present taxes city residents via city taxes for bus service. The County taxes county residents for bus service. The answer was and still is simple. It's double taxation for city residents. Why would City Council members continue to fight this issue? Perhaps they don't know or understand they are also County residents.

The money saved by the City could be used to hire more police or for that matter any other service they deem necessary, and relieve the burden from the taxpayers. What successes has the County accomplished in past years?

Throughout the first ten years, we built a library on the Bayfront. The catalyst for development and now one of the finest facilities in this county, along with many excellent branches. This was the beginning of Bayfront development.

The Convention Center was another achievement of the County of Erie and its Council members. We need not comment on this as it too has become a successful event. As a side note here, the funding in all of these areas were from County tax dollars. The airport is another area of accomplishment with County dollars. We need to express, again, the fact that the City of Erie is part of the County of Erie. Without the \$10 million dollars committed by the County, the airport expansion would never have taken place. Another area that is called the “city airport”. Is this truly a city airport or is it a metropolitan airport belonging to all of the residents of Erie County?

Enough about our successes. Let's discuss the EMTA presently on this agenda. There have been various proposals from members of County Council at our last discussion. One presents a 4-4 membership to the Board – 4 city and 4 county and one from the Governor's office, making it a 9 member board. I don't criticize my colleague in this area. He is trying to compromise and I understand his position, but he also advocates a 15 year charter. Does that make a difference? I don't think so.

Another proposal was a 6-3 membership – 6 from the County and 3 from the City. This would require the city to pay for 1/3 of the local match and the County to pay 2/3. I again am not criticizing my colleague for his presentation. He, too, is trying to resolve a critical issue.

Our other presentation presents an 11 member board, with the County assuming all funding, along with a 20 year charter. Each of these Council members should be commended for their efforts to alleviate an already explosive situation. I only wish that City Council members were aware of their financial crisis.

Is the best proposal the one on the table for the County of Erie? No, it isn't the best and it's certainly not the best for the City of Erie.

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I have to commend the County Executive for her efforts in trying to resolve this critical situation. She has her concerns, as well as many citizens, along with County Council members.

In the end, how will we vote on the proposal sent by Erie City Council? As I indicated many times before, the art of compromise is just that – give some and take some. In this case, I don't know what the County or the City is getting. I know as I indicated previously, the city residents will be double taxed.

I certainly don't wish to hurt any citizen or taxpayer in this community. The scare tactics being used by the State aren't amusing. That's just what they are – scare tactics. Where were they when we were contemplating the takeover? The one rep they sent couldn't tell us anything. Now they want to tell us what to do. I'm not impressed by any one of them.

This agreement this evening will be passed by the majority members of this Council and if that is so, I will pledge to abide by the majority. I only hope and pray that a future mayor and new Council members will eventually understand that this is in fact a metropolitan service and not just a city service. I listened to many of you talk about the LIFT Program that has been funded and will never be discontinued no matter what had to be done. He asked if anyone knew how many buses travel to one of our greatest resource – the peninsula? They don't have one single bus going there. This Council was never out to devastate the system, we were out to improve the system. I think the funding sources we have come from one central pot – the county taxes – which everyone pays. It's the most fair way of doing this – no other way. I thank you very much for your time”.

OLD BUSINESS

Ord. 86, 2016 – Liquid Fuels SA for Emergency Alloc. Passed by LF Committee

Mr. Smith gave a second reading of Ordinance Number 86, 2016, “First 2016 Liquid Fuels Fund Budget Supplemental Appropriation of \$16,990 for Emergency Allocation Passed by Liquid Fuels Committee”. This was moved by Mrs. Loll and seconded by Dr. Foust.

Mr. DiMattio commented that these emergency liquid fuel monies come from a liquid fuel pool. He felt that the criteria for the municipalities that apply for this money needs to be changed. It falls within the criteria that the state of Pennsylvania prescribes, but unfortunately it leads to certain townships and municipalities that want to hoard this money. It is supposed to be used for emergency situations for roads and bridges, but some take advantage.

Ordinance Number 86, 2016, then carried in a unanimous roll call vote.

Ord. 87, 2016 – LF Rev. Exp. For Franklin Twp. Project

Mr. Smith gave a second reading of Ordinance Number 87, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$34,000 from Emergency Funding for Franklin Township Project”. This was moved by Mrs. Loll, seconded by Dr. Foust, and carried in a unanimous roll call vote.

Ord. 88, 2016 – LF Rev. Exp. For Wayne Twp. Project

Mr. Smith gave a second reading of Ordinance Number 88, 2016, “2016 Liquid Fuels Fund Budget Revised Expenditures of \$50,000 from Emergency Funding for Wayne Township Project”. This was moved by Mrs. Loll, seconded by Dr. Foust, and carried in a unanimous roll call vote.

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**Ord. 89, 2016 - GF
Rev. Revenue &
Exp. For Stonegarden
FY 14-16 Grant**

Mr. Smith gave a second reading of Ordinance Number 89, 2016, "2016 General Fund Budget Revised Revenue and Expenditures of \$3,711 for Stonegarden FY 14-16 Grant". This was moved by Mrs. Loll, seconded by Mr. Breneman, and carried in a unanimous roll call vote.

**Ord. 96, 2016 – Amend.
Admin. Code – HRC**

Mr. Smith gave a second reading of Ordinance Number 96, 2016, "Amendment to the Administrative Code, Article 2, Section 5(IV)(3)(C), the Human Relations Commission of Erie County". This was moved by Mr. Leone and seconded by Mrs. Loll.

Dr. Foust moved to amend the ordinance to reflect the Executive Director as non-gender specific, changing it from "he" to "Executive Director" in Exhibit A. This was seconded by Mr. Leone and carried in a unanimous roll call vote.

Dr. Foust then commented that although he will not be voting in favor of this ordinance, but Council feels that they are being well intentioned, the HRC is something that when he ran for Council 13 years ago, it was a pillar of his election campaign and something he believed in to his core. He felt it has done a lot of good for the community, not just what it has accomplished, but just fact that this community has an organization that is available to it to address grievances of discrimination and not have to go to Pittsburgh and get in a longer line where cases take forever to resolve. Dr. Foust stated it is a responsibility and the HRC, he didn't believe, either the Commission or Advisory Board has abused over the years, nor has the executive director abused that responsibility over the years. Dr. Foust commented that he has no issue with Council needing to insert oversight where it's needed and he has voted to do that in the past in other areas. He does not think that this is something that is needed or deserved here. What he fears is that in the future, the executive director or staff or all combined will have to worry first, and maybe foremost, about how a politician stands on a particular issue on discrimination, rather than solving the issue of discrimination itself. He did not feel that delicate balance coming in to play will serve the HRC well and for that reason, primarily, he will vote no.

Ordinance Number 96, 2016, as amended, then carried in a 6-1 roll call vote, with Dr. Foust voting no.

**Ord. 97, 2016 – Amend.
Ord. 39, 2007 – HRC**

Mr. Smith gave a second reading of Ordinance Number 97, 2016, "Amendment to Ordinance Number 39, 2007, 'Erie County Human Relations Commission'". This was moved by Mr. Leone, seconded by Mrs. Loll, and carried in a 6-1 roll call vote, with Dr. Foust voting no.

**Ord. 98, 2016 – Cap.
Proj. Fund Rev. Exp.
For VA Relocation
Project**

Mr. Smith gave a second reading of Ordinance Number 98, 2016, "2016 Capital Project Fund Revised Expenditures of \$211,723 for Veterans Affairs Relocation Project". This was moved by Mrs. Loll, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**MOTION TO AMEND
AGENDA**

Mr. Leone moved to amend the agenda and place Resolution Number 50, 2016, as the first item under New Business on the agenda. This was seconded by Dr. Foust and carried in a unanimous roll call vote.

Dr. Foust then commented that the dispute from County Council's perspective primarily over a year ago in our earnest desire to not only stabilize the current service but to expand it for not only

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those who may be disadvantaged or disabled in some way, but for all the riders. Council wanted to do so not and knew they could do so because the County has the financial resources as the taxing authority of all of Erie County to be able to take on the local share. Dr. Foust stated that there is a lot of emotion in the room and he did not seek to minimize that at all. He stated that they have an advocate in him to make sure that the service is stabilized and provided as best in the future. There has been a lot of talk about the future of transit services and as an elected official, he has to keep in mind the riders of EMTA, but more so than that, he needs to keep in mind all the residents of Erie County so that the County remains viable financially into the future so that this type of service and other services that are provided by the County helping not only the poor and those that are disadvantaged, but also the middle class who rely on these services as well. Dr. Foust commented that the most distressing thing about this whole dispute is that County Council had two primary goals that were at the start of this dispute. One was to regionalize the board, which it is not now and the compromise now won't achieve that either, so that representation on the EMTA would basically be reflective of this body so every region of Erie County would have a representative. The reason being that the transit needs of Mr. DiMattio's district, Mrs. Loll's district, and Mr. Horton's district are vastly different from his so they need someone to advocate for them and speak to the needs of those particular areas. That won't be achieved with this compromise. He stated that the other goal, which was more important and Mr. Leone touched upon, was the financial commitment that the city will have to commit. Currently, it's roughly \$260,000 but within the next four years it will increase over 73% and on an annual basis it will increase over \$638,000 and more if they allowed the County to foot the whole bill, which the County was willing to do and this Council voted unanimously to do so in the beginning. What could be accomplished with that money? When you look at the great disservice that has been done is that no one on this Council, no one on City Council, the Mayor or the County Executive are able to state where those funds are going to come from to pay for those services. In his opinion, that is a travesty. Dr. Foust felt that three things will have to happen for the city to get the money – 1. Raise taxes, which will hurt the poor and middle class and overall hurt the community; 2. They will have to cut current services, which more likely will fall on the backs of the poor and middle class; or 3. They will not be able to provide services that they would have otherwise been able to provide had this money been available to them. The issues of blight and violence that have come to the forefront lately are examples of that and not being able to do that is a real disservice to the citizens of Erie. They are going to be double taxed and for the City to not be able to have a budget that reflects other needs that are just as viable if not more is a disservice. Dr. Foust stated he is a permanent east county resident and has lived in Harborcreek his whole life, but he knows that the plight of the city is important to the whole community. If the City can't remain financially viable, and they certainly have serious financial straits, and if that falters in some way, and he fears it will, with the increased budgetary obligations they will have with EMTA, it makes their job harder and it makes Erie County as a whole that much less viable. That is something that can't be accepted as elected officials. He stated it is precisely why things don't change in this community as much as they should. When issues like this come in, emotions are high, the stories that people tell are real, and they are gut wrenching and are impossible to ignore and therefore, elected officials react to that, and solve that pain that is in front of them at that particular point, but the long term, systemic, transformational problems that this community has are not solved as a result. He stated he did not get elected to vote and support measures in that manner. If it costs him his next election because of how he votes tonight, that's the way it goes. He doesn't want that to happen and he enjoys serving on County Council immensely, but he feels that the long term view of where this community is going to be is the most important thing that this Council needs to vote on and when that can be done, the needs of the transit riders are going to come right along with them. They are not going to be curtailed, they are going to be stabilized and increased. For that reason, he will vote as he will.

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NEW BUSINESS

**Res. 50, 2016 – Appr.
10-year EMTA Charter**

Mr. Smith gave a reading of Resolution Number 50, 2016, “Approving a 10-year EMTA Charter Agreement” in its entirety:

WHEREAS, County Executive Kathy Dahlkemper and City of Erie Mayor Joseph Sinnott have reached agreement on the following conditions which would constitute a basis for a new Charter for the Erie Metropolitan Transit Authority:

1. The EMTA Articles of Incorporation will be amended to reflect a board make-up composed of five members appointed by the City of Erie and four members appointed by the County of Erie; and
2. The parties agree that the EMTA’s combined local match from the City and the County will be divided by 55% to the City and 45% to the County; and
3. EMTA Articles of Incorporation will be amended to specify a term of existence of ten (10) years; and
4. The City of Erie and County of Erie will jointly request EMTA to revise its by-laws such that no less than one City and one County board appointee will serve as officers on the EMTA’s board at all times.
5. An advisory committee will be created, consisting of appointees who will represent the interests of transit riders.

NOW THEREFORE BE IT RESOLVED, by the County Council of the County of Erie, that we the undersigned agree to the conditions above as a basis for a new City/County EMTA Charter; that other terms listed here or not would be negotiated between parties prior to agreement unless otherwise stipulated.

BE IT FURTHER RESOLVED that any agreement by the undersigned is conditioned upon the passage of a similar resolution by Erie City Council.

This was moved by Mr. Breneman and seconded by Mr. DiMattio.

Mr. Leone commented that it looks like the majority members of Council will vote for this particular resolution. If that happens, Mr. Leone stated he would abide by the majority of the Council. As indicated previously, he does not think it is the best possible solution for what’s going to go on, but he will abide by the majority members of Council.

Mr. Breneman commented as a city taxpayer, we are fed a steady diet of how our city cannot afford essential small cost items such as a code enforcement officer, and just about anything else. If a search is done on the past year, one would find multiple representatives from the City stating how they can’t manage decline, we don’t have the money for resources, etc. It is something that is part of the daily dialogue in Erie about how we can’t afford anything. Even when looking at how the city budget went last year when some recommendations were made to take some of the funding that departments weren’t spending at and they wanted to reallocate that money to other things that would have benefitted the community and immediately, that was knocked down and the answer that there is not a penny to spare. Mr. Breneman stated that throughout this process, some folks in City Hall were eager to have the County leave the charter and how eager a few at City Hall were to take on this financial burden without even explaining to taxpayers how they were going to pay for it. Mr. Breneman wanted to commend Dr. Foust and his other colleagues who really saw and understood the fact that as goes our city, so goes our region. There is a transformational opportunity to strengthen the city and do some amazing things and this would have provided the resources to do that. Unfortunately, the powers that be were a little more interested in maintaining the status quo of power and those that are advocating for City Hall to maintain the power of this charter are doing that not out of concern for the ridership in the city or the taxpayer. He hopes that in a few years, City Hall and the Courthouse will revisit this issue and realize that we can no longer

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afford to manage the decline and the status quo. He further commented that the County has saved the school district millions of dollars each year and the city by taking on the huge burden of taking on a library that was about to shut down. For the past five years, the County has saved the City over a million dollars a year for the 911 center. The County has a track record for expanding services for the city residents and has never diminished services for city residents. He hopes that in a few years they can upend the status quo and change the region as it so desperately needs.

Mrs. Loll commented that she agrees with all of the Council members who spoke this evening and the riders that spoke as well. She is also a city taxpayer but owns property in the city and she will be double taxed along with the other residents of the city. She commented that this is not the best agreement for anyone, but it is the only agreement that they have and so they have to vote on what they have in front of them and hopefully, as Mr. Breneman said, they will revisit this in the near future and make this work for everybody.

Mr. DiMattio commented that this has been a long year and a half. He stated that he agrees with everyone on Council and they all have the best intentions at heart. Everyone wanted this to work out perfectly for everyone. He stated that Council was painted into a corner and Mrs. Loll is right that this isn't the best deal for everyone but it is a deal and it's something that Council has to do to ensure service for all of the people who attended tonight's meeting as well as all the residents of Erie County. To the young lady from Corry, he commented that the loop service is a huge success out there and it's very important. Mr. DiMattio hopes that those services do not go away and all can continue into the future and expand services. He stated that he will vote the way he votes because he hopes to do things in good conscience and do what is right for all involved. He thanked the audience for their participation and explained that Council tried to work the best they could to come to a resolution.

Resolution Number 50, 2016, then carried in a 6-1 roll call vote, with Dr. Foust voting no.

Mrs. Fatica then made a motion to move Ordinances 99 and 103 to second readings. This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

**Ord. 99, 2016 –
GF SA for LED
Parking Lot Lights
At Pub. Safety**

Mr. Smith gave a second reading of Ordinance Number 99, 2016, "Thirty-Second 2016 General Fund Budget Supplemental Appropriation of \$15,000 PCORP Grant for LED Parking Lot Lighting at Public Safety". This was moved by Mr. Leone, seconded by Mrs. Loll, and carried in a unanimous roll call vote.

**Ord. 100, 2016 –
SA for LSTA Maker
Grant Program**

Mr. Smith gave a first reading of Ordinance Number 100, 2016, "Fifth 2016 Library Fund Budget Supplemental Appropriation of \$3,000 for LSTA Maker Grant Program".

**Ord. 101, 2016 –
SA for Donation
From FOL**

Mr. Smith gave a first reading of Ordinance Number 101, 2016, "Sixth 2016 Library Fund Budget Supplemental Appropriation of \$22,000 for a Donation from Friends of the Library".

**Ord. 102, 2016 –
SA for Donation
For Foundation Ctr.
Fold 3 Databases/
Print Reference**

Mr. Smith gave a first reading of Ordinance Number 102, 2016, "Seventh 2016 Library Fund Budget Supplemental Appropriation of \$10,566 Donation for Foundation Center Fold 3 Databases/Print Reference".

October 25, 2016

**Ord. 103, 2016 – GF
SA for Personnel
Change in Coroner’s
Dept.**

Mr. Smith gave a second reading of Ordinance Number 103, 2016, “Thirty-Third 2016 General Fund Budget Supplemental Appropriation of \$16,564 for Personnel Change in Coroner’s Department”. This was moved by Mr. Leone, seconded by Mrs. Fatica, and carried in a unanimous roll call vote.

**Res. 49, 2016 –
Approve Agmt.
b/w Erie County
& LECOM (City
Of Erie Properties)**

Mr. Smith gave a reading of Resolution Number 49, 2016, “Resolution to Approve Agreement between Erie County and LECOM Health System, Inc., Millcreek Manor and Millcreek Community Hospital (City of Erie Properties)”. This was moved by Mr. Leone, seconded by Mr. DiMattio, and carried in a unanimous roll call vote.

SALE OF PARCELS

Mr. Leone moved to approve the Sale of Parcel from Repository for Unsold Property at Index Numbers:

#24-006-021.0-003.01

This was seconded by Mr. Breneman and carried in a unanimous roll call vote.

There being no further business, the meeting then adjourned at 8:25 p.m.

Deneé M. Breter, Council Secretary
