

The City Council met in regular session in the Council Chambers on Wednesday, June 16, 2010 at 7:30 P.M.

Council Members present: Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

On motion of Mr. Schember, Seconded by Mr. Aleksandrowicz, the reading of the minutes of the Meeting of June 2, 2010 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson.

6. Nays. 0.

Copies of the bills under date of June 11, 2010 and June 18, 2010 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

By Mr. Jones Council File Ordinance #15,720, Pending Official File Ordinance #24-2010
An ordinance appropriating the sum of **\$154,918.00** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD), Account #506-0000-0000-3306 HUD Emergency Shelter Services and providing for expenditure thereof by allocating said funds to various #506-1254-2010-4xxx accounts.

June 16, 2010. City Council on motion of Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,720, and now known as Pending Official File Ordinance #24-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

By Mr. Jones Council File Ordinance #15,721, Pending Official File Ordinance #25-2010
An ordinance appropriating the sum of **\$1,224,861.87** from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD), Account #505-0000-0000-3305 HUD HOME Program and providing for the expenditure thereof by allocating said funds to various #505-1239-2010-4xxx accounts.

June 16, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,721, and now known as Pending Official File Ordinance #25-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

By Mr. Jones Council File Ordinance #15,722, Pending Official File Ordinance #26-2010
An ordinance appropriating the sum of \$3,824,080.00 from unappropriated and anticipated revenue to be received from the U.S. Department of Housing and Urban Development (HUD); \$334,134.00 reprogrammed funds from previous CDBG years; and \$10,000.00 program income for a total of **\$4,168,214.00** and allocating said funds to various 36th year projects in Account Nos. 501-1227; 1238, 1237, 1245, 1251, 1252, 1253, 1255, 1264 and 1283-2010-4xxx accounts.

June 16, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Thompson, having read Council File Ordinance #15,722, and now known as Pending Official File Ordinance #26-2010, does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0

By Mr. Cappabianca, Seconded by Mr. Aleksandrowicz, Resolved, etc.,

That the **Financial Statement and Audit Report** submitted by the **Housing Authority of the City of Erie** as proposed by Robert J. Tauriainen, C.P.A., is hereby received and ordered filed with the Finance Department.

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Cappabianca, Resolved, etc.,

That the Mayor and appropriate City Officials are authorized and directed to execute the necessary agreements with subrecipients to carry out the following **Thirty-two (32) Community Development Block Grant (FY 2010) Projects.**

501-1251-2010-4394	CHRB-VFI	\$ 12,000	Req. #607881
501-1252-2010-4146	GEIDC-Brownfield Coordinator	\$ 40,000	Req. #607882
501-1252-2010-4146	GEIDC-Brownfield	\$ 50,000	Req. #607883
501-1252-2010-4205	Erie Center on Health & Aging	\$ 22,000	Req. #607884
501-1252-2010-4406	Multicultural Community Resource Ctr	\$ 25,000	Req. #607885
501-1252-2010-4421	Community Health Net-Renovations	\$ 37,500	Req. #607886
501-1252-2010-4431	Economic Development Corporation	\$ 40,000	Req. #607887
501-1252-2010-4435	BTW Center-HR	\$ 50,000	Req. #607888
501-1252-2010-4448	ERA-Brownfield	\$ 60,000	Req. #607889
501-1252-2010-4452	ERA-Façade Renovation	\$ 57,000	Req. #607890
501-1252-2010-4457	Evening Teen Mentoring Program	\$ 90,000	Req. #607891
501-1252-2010-4458	Stairways-Roof Renovation	\$110,000	Req. #607892
501-1252-2010-4471	GECAC-Weatherization	\$ 6,000	Req. #607893
501-1252-2010-4477	GECAC-Homemaker Services	\$ 8,250	Req. #607894
501-1252-2010-4508	St. Paul Neighborhood Clinic	\$ 10,000	Req. #607895
501-1252-2010-4518	Bethesda Children's Home-Trinity Center	\$ 21,000	Req. #607896
501-1252-2010-4520	JFK Center-HR	\$ 60,000	Req. #607897
501-1252-2010-4535	Bayfront NATO-MLK Center-HR	\$ 50,000	Req. #607898
501-1252-2010-4556	Gannon-Retail Development Services	\$ 80,000	Req. #607899
501-1252-2010-4566	St. Martin Center	\$ 50,000	Req. #607900
501-1252-2010-4574	ERA-Blighted Property	\$ 50,000	Req. #608301
501-1252-2010-4581	ERA-Disposition	\$ 50,000	Req. #608302
501-1252-2010-4582	ERA-Housing Rehabilitation	\$300,000	Req. #608303
501-1252-2010-4585	ERA-Relocation	\$ 45,000	Req. #608304
501-1252-2010-4587	ERA-HOME	\$ 45,000	Req. #608305
501-1252-2010-4606	ERA-Housing Rehab-LEAD	\$150,000	Req. #608306
501-1252-2010-4633	VFI-Sidewalk Replacement	\$ 8,510	Req. #608307
501-1255-2010-4397	American Red Cross-Summer Rec	\$ 11,000	Req. #608308
501-1255-2010-4435	BTW Center-Summer Rec	\$ 7,500	Req. #608309
501-1255-2010-4518	Trinity Center-Summer Rec	\$ 7,500	Req. #608310
501-1255-2010-4520	JFK Center-Summer Rec	\$ 3,880	Req. #608311
501-1255-2010-4535	MLK Center-Summer Rec	\$ 5,000	Req. #608312

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Cappabianca, Resolved, etc.,

That the Mayor and appropriate City Officials area authorized and directed to execute the necessary agreements with subrecipients to carry out the following five **(5) HOME (FY 2010) Projects.**

505-1239-2010-4500	HANDS-New Construction-Midtown	\$375,000	Req. #608324
505-1239-2010-4504	HANDS-CHDO Operating	\$ 29,370	Req. #608322
505-1239-2010-4557	St. Martin Center-Homebuyer	\$225,000	Req. #608326
505-1239-2010-4575	BEST-Homebuyer	\$100,000	Req. #608325
505-1239-2010-4582	ERA-Rehabilitation	\$434,491	Req. #608323

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Cappabianca, Resolved, etc.,

That the Mayor and appropriate City Officials are authorized and directed to execute the necessary agreements with subrecipients to carry out the following nine **(9) Emergency Shelter Grant (FY 2010) Projects.**

506-1254-2010-4404	SafeNet-Bridge House	\$16,905	Req. #608313
506-1254-2010-4420	Community of Caring	\$14,490	Req. #608314
506-1254-2010-4429	Community Shelter Services	\$31,783	Req. #608315
506-1254-2010-4511	City Mission	\$16,905	Req. #608316

506-1254-2010-4519	SafeNet	\$16,905	Req. #608317
506-1254-2010-4521	Mercy Center for Women	\$16,302	Req. #608318
506-1254-2010-4522	The Refuge	\$16,905	Req. #608319
506-1254-2010-4570	SafeNet-TLC	\$ 3,623	Req. #608320
506-1254-2010-4591	St. Patrick's Haven	\$13,283	Req. #608321

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mr. Cappabianca, Resolved, etc.

That the Mayor and appropriate City Officials are authorized and directed to execute an agreement between the City of Erie and **Mullin and Lonegren Associates, Inc.**, 2370 York Road, Suite E-2, Jamison, PA. for professional services including preparation of the Environmental Review Record, preparation of an Analysis of Impediments to Fair Housing, and ongoing technical services for the Department of Economic and Community Development for a total compensation of \$40,000.

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Seconded by Mrs. Horan-Kunco, Resolved, etc.,

That **Change Order #1 for the Parade Street Development Revitalization Project** is hereby authorized; the original contract amount was \$1,961,988.96 (of which \$1,486,500 was funded by PennDOT), final contract amount is \$2,116,217.99; resulting in an increase of \$154,229.03 to the reimbursement agreement with the Erie Redevelopment Authority (project sponsor); increasing the reimbursement agreement from \$465,488.96 to \$629,717.99, as recommended and concurred with by the Bureau of Engineering.

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Seconded by Mr. Winarski, Resolved, etc.,

Resolution for Plan Revision for New Land Development

Resolution of the Council of the City of Erie, Erie County, PA.,

WHEREAS, Section 5 of the Act of January 24, 1966, P.O. 1535, No. 537, known as the "Pennsylvanian Sewage Facilities Act", as Amended and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71, Title 25, of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS, Gannon University, land developer, has proposed the development of a parcel of land identified as **New Residence Hall**, name of subdivision, and described in the attached Sewage Facilities Planning Module, and proposes that such subdivision can be served by: (list all that apply), sewer tap ins, sewer extension, new treatment facility, individual on-lot systems, community on-lot systems, spray irrigation, retaining tanks, other, **Sewer Tap-Ins**.

WHEREAS, THE CITY OF ERIE finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the **CITY OF ERIE** hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the Official Sewage Facilities Plan of the municipality the above referenced Sewage Facilities Module which is attached hereto.

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.

June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Seconded by Mr. Jones, Resolved, etc.,

That the proper City officials are hereby authorized to **abate the rubbish lien** in the amount of **\$234.42** against property commonly known as **503 East 13th Street**, Erie, PA. and identified as Index #(15)020-0280-21800 by the Erie County Tax Claim Bureau. The lien was filed subsequently to the transfer of the property to the current owners and its existence was not known prior to the transfer of title.

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Horan-Kunco, Jones, Winarski, and Thompson. 5. Nays 1. Cappabianca
June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Thompson, Seconded by Mr. Jones, Resolved, etc.,

That the proper City officials are hereby authorized to **abate the demolition lien** in the sum of **\$10,621.89** against property commonly known as **669 Hess Avenue, Erie, PA.**, and identified as Index # (14)001-0010-23600 by the Erie County Tax Claim Bureau. The lien was filed subsequently to the transfer of the property to the current owners and its existence was not known prior to the transfer of title.

June 16, 2010. City Council **Fail to Adopt** by yeas, Council Members, Aleksandrowicz, Jones, and Thompson. 3. Nays Cappabianca, Horan-Kunco, Winarski, 3.
June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Seconded by Mr. Winarski, Resolved, etc.,

That the Mayor and City Controller are authorized and directed to execute contracts between the City of Erie and the following individuals and/or companies for goods and/or services as noted and the City Council does hereby ratify and confirm the transactions which are to be charged to the respective Budget Code Numbers , viz:

1. **Sungard Pentamation**, 3 West Broad Street, Suite 1, Bethlehem, PA, for software upgrades (\$46,650.000) and re-instatement fees (\$16,875.00) for the City Treasurer and Code Enforcement Offices for a total cost of \$63,525.00.
2. **Jim Brozell Construction**, 9298 Peach Street, Waterford, PA for 2010 Curb and Sidewalk Replacements at various locations in the amount of \$14,516.00 for the Bureau of Streets. (lowest of 4 bids received)

June 16, 2010. City Council adopt by yeas, Council Members, Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski, and Thompson. 6. Nays 0.
June 16, 2010. Signed by the President. Attested by the City Clerk.

By Mr. Aleksandrowicz, Seconded by Mr. Winarski, Resolved, etc.,

That the Purchasing Agent is authorized and directed to issue purchase orders to the following individuals and /or companies for goods and /or services as noted and the City Council does hereby ratify and confirm the said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Eaton Corporation**, 1111 Superior Avenue, Cleveland, OH for a 3 year maintenance agreement which covers new batteries for the city's phone system UPS (Uninterruptible Power Supply) at a total cost of \$3,512.00 for the Information Technology (IT)Department.
2. **Serius Computer Solutions**, 613 N.W. Loop 410, Suite 1000, San Antonio, TX for the Pentamation RS/6000 annual Hardware Maintenance Agreement, for the IT Department at a total cost of \$3,538.73.
3. **Networking Technologies**, 3910 Caughey Road, Suite 207, Erie, PA., for the annual Checkpoint Firewall Support Contract for the IT Department in the amount of \$6,367.00.
4. **Smoracy, LLC**, PO Box 77000, Detroit, MI for repair parts for the Beast Grinder, for the Municipal Garage at a cost of \$3,744.31.
5. **Jemko Petroleum Equipment, Inc.**, 4895 East Lake Road, Erie, PA., for the replacement of Veeder-Root TLS risers on the gas and diesel tanks for the Streets Department at a cost of \$4,995.00.
6. **David Milano Construction**, 1827 West 36th Street, Erie, PA for installing sanitary manhole at 725 German Street for the Bureau of Sewers at a cost of \$2,345.86. (Material Costs only)
7. **David Milano Construction**, 1827 West 36th Street, Erie, PA for installing new sanitary lateral at 462 West 2nd St., at a cost of \$2,689.94 (Material costs only) and repairing sanitary lateral at 621 East 8th Street at a cost of \$2,484.30 (Material costs only) for the Bureau of Sewers.
8. **David Milano Construction**, 1827 West 36th Street, Erie, PA for repairing sanitary sewer main at 2001 and 2020 Woodrow at a cost of \$3,479.70 (Material Costs only) for the Bureau of Sewers.

9. **National Conveyors Company, Inc.** 33 Nicholson Road, East Granby, CT for replacement bag filters for the incinerator ash system for the Bureau of Sewers at a total cost of \$4,858.30.
10. **Bobcat of Erie**, 9 Circuit Street, Waterford, PA for an 84" Angle Broom for the Bobcat located at the Compost Facility at a cost of \$4,542.52.

June 16, 2010. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

June 2, 2010. Signed by the President. Attested by the City Clerk.

**PETITION TO REPAIR, REPAVE AND RESTORE THE MSGR. MCBRIDE VIADUCT
ON THE EASTSIDE OF ERIE**

Dear Mayor Sinnott, Members of City Council, et al.,

This petition is a request for your direct intervention in repairing, repaving, and restoring the almost 70 year old Msgr. McBride Viaduct as a direct access transportation and pedestrian walk-way link on the Eastside of Erie from the Buffalo Road area, and points south on East Avenue, to the East 12th Street area, and points north on East Avenue.

It was named in honor of the legendary Catholic Pastor Monsignor Lawrence McBride of St. Ann's who worked timelessly in the 1930's with City Government Officials, Residents, Clubs, Businesses, and Schools to design and construct it as a safe passageway to the lower Eastside and central Eastside of Erie.

The City of Erie has a responsibility to repair, repave and restore bridges, viaducts and roadways with taxpayer money. As a taxpayer of the City of Erie, I am requesting that the taxpayer money be used in this instance. Government Officials are elected and paid to represent the majority of their constituents and to make decisions based on the taxpayers best interest.

Eastside Businesses and their Customers, Churches and their Parishioners, Schools and their Students, Clubs and their Members along with Commuters and Residents rely on the viaduct as a frequent passageway.

The Bayfront Parkway cannot handle an additional traffic load of 4,500 vehicles per day nor the large number of student pedestrians and others who need a direct link between Buffalo Road and East Avenue.

Thank You for considering this petition to maintain the McBride Viaduct rather than permanently close it and/or demolish it.

6/16/2010 s/Father Jerry Priscaro, 921 East Avenue
Petitions signed by approximately 2300 people.

June 16, 2010. City Council receives and files in the Office of the City Clerk.

June 16, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Aleksandrowicz adjourned at 9:15 P.M. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Winarski and Thompson. 6. Nays. 0.

President of City Council

Attest:

City Clerk