

The City Council met in regular session in the Council Chambers on Wednesday,
October 6, 2010 at 9:00 AM

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

On motion of Mr. Winarski, Seconded by Mr. Cappabianca, the reading of
the minutes of the Meeting of September 15, 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, Schember, and Winarski. 6. Nays 0.

Copies of the bills under date of September 10, 2010 and September 17, 2010 were given
to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca,
Horan-Kunco, Jones, Schember and Winarski. 6. Nays. 0.

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

That Joseph Schember is hereby appointed Acting City Council President for the meeting of
October 6, 2010.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,732, Pending Official File Ordinance No. 36-2010

An ordinance appropriating the sum of **\$78,400.00** from unappropriated and anticipated revenue
from the 2009 Justice Assistance Grant Account #241-0613-2009-3304 and providing for the expenditure
thereof by allocating said fund to Account #241-0613-2010-4078 Machinery and Equipment.

October 6, 2010 City Council motion of Mr. Cappabianca, Seconded by Mr. Schember, having
read Council File Ordinance #15,732 now known as Pending Official File Ordinance #36-2010 does
hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco,
Jones, Schember and Winarski. 6. Nays 0.

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Cappabianca, Council File Ordinance #15,733, Pending Official File Ordinance No. 37-2010

An ordinance appropriating the sum of **\$81,131.00** from unappropriated and anticipated revenue
from the 2010 Justice Assistance Grand Account #241-0613-2010-3304 and providing for the
expenditure thereof by allocating said funds to Account #241-0613-2010-4078 Machinery and Equipment

October 6, 2010 City Council Motion of Mr. Cappabianca, Seconded by Mr. Winarski having read
Council File Ordinance #15,733 now known as Pending Official File Ordinance #37-2010 does hereby
adopt on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones,
Schember, and Winarski. 6. Nays 0.

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

**By Mr. Cappabianca, Seconded by Council Members Aleksandrowicz, Horan-Kunco, Jones,
Schember, and Winarski**

RESOLVED BY THE COUNCIL OF THE CITY OF ERIE, THAT

WHEREAS, the City Council wishes to call to the attention of all Erietes the coming of **Dayenu Days**,
which celebrate the first ten days of November as an exciting way of ushering in the holiday season
when during this special time God's goodness to us is celebrated, and

WHEREAS, Dayenu, a Hebrew word meaning gratitude to God for his great blessings to us, with the
celebration beginning on November 1st thru the 10th, and has as its practical purpose to multiply and
involve the entire community to embrace the attitude of gratitude and realize how much we in Erie have
to be grateful for, so as to enter the holiday season with a heightened sense of joy that comes from
sharing, so

THEREFORE BE IT RESOLVED, by the Council of the City of Erie that this call for sharing is
bestowed upon **Mother Mary Beth Kennedy** and encourage all our citizens to partake in the symbols of
Dayenu Days for the betterment of all in our fair city.

October 6, 2010 City Council adopt by yeas. Council Members Aleksandrowicz, Cappabianca,
Horan-Kunco, Jones, Schember, Winarski. 6. Nays. 0.

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

**By Mr. Cappabianca, Seconded by Council Members Aleksandrowicz,
Horan-Kunco, Jones, Schember, and Winarski**

RESOLVED, BY THE COUNCIL OF THE CITY OF ERIE, THAT

WHEREAS, the City Council of the City of Erie wishes to pay special tribute to the **Make-A-Wish Foundation**, for being in the business of amazing distractions, fulfilling wonderful, thrilling wishes for the past twenty-seven years for children living with life threatening medical conditions, and

WHEREAS, the Erie Regional Office opened in March of 1990, and has fulfilled the heartfelt wishes of hundreds of children who receive the experience and excitement of anticipation, joy and comfort of great lifetime memories, where the power of a wish come true can lead to a life changing experience, where a body is healed and a childhood continues, so

THEREFORE, BE IT RESOLVED, by the Council of the City of Erie that this commendation is hereby presented to the **Make-A-Wish Foundation**, Erie Regional Chapter for their twenty-seven years of making wishes come true and extend to them our heartfelt thanks and admiration for a job well done and wish them continued success in all their future endeavors.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

Attachment to 2011 Minimum Municipal Obligation to be presented to City Council

The Minimum Municipal Obligation for the pension plans of the City of Erie is being certified with City Council. This procedure is required under Act 205 which pertains to the funding requirements of State Regulated Employee Retirement Programs.

The 2011 Minimum Municipal Obligation, including \$260,275 for the portion paid by the Erie City Water Authority, totals \$7,302,707. The City of Erie portion of the 2011 Minimum Municipal Obligation is \$388,574 less than the 2010 Minimum Municipal Obligation. The decrease is the result of funding relief available to the City as a result of Act 44 of 2009.

The 2011 Minimum Municipal Obligation is the first MMO that has been prepared using the results of the January 1, 2009 actuarial valuations. Therefore, this is the first time the impact of the 2008 market decline is affecting funding requirements of the City of Erie Pension Plans.

Respectfully submitted,

Casimir J. Kwitowski

By, Mr. Schember, Seconded by Mr. Aleksandrowicz resolved etc,

That the 2011 Minimum Municipal Obligation report as submitted by Casimir J. Kwitowski, City Controller, as per Act 205, for funding requirements of State Regulated Employees Retirement Procedures is hereby received and ordered placed on file. (The 2011 MMO was received by the City Clerk's Office on September 17, 2010).

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the City Solicitor is hereby authorized and directed to prepare an ordinance amending the City of Erie Curfew ordinance by adding a section to define a curfew of students required by the PA Public School Code to attend school during the school day with exceptions covering such conditions, appropriate age limits, all medical conditions, work permits, and home education programs.

October 6, 2010 City Council adopt by yeas. Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, and Winarski. 4. Mr. Jones and Schember. Nays. 2.

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, Seconded by Mr. Winarski resolved etc,

That the proper City Officials be and they are hereby authorized and directed to execute an Easement Agreement between the City of Erie and the U. S. General Services Administration for the placement of concrete planters in the City rights-of-way around the perimeter of the Erie Federal Courthouse Complex, 17 South Park Row. See attachment for additional information.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, Seconded by Ms. Horan-Kunco resolved etc,

1. Arsen Georgiy Akopyan, 4122 Burton Avenue, Erie, PA
2. Geoffrey Devore, 7844 McGill Road, Harborcreek, PA
3. John Charles Clopp, 404 Brechtel Road, Wilcox, PA

That the above listed three (3) names are as they appear on the current Civil Service Eligibility List for Police Officers. Be it resolved that Arsen G. Akopyan, 4122 Burton Avenue, Erie, PA No. 1 on list, having been nominated by Chief Stephen E. Franklin, is hereby appointed as a Probationary Patrolman at the current salary of #34,170-24 and that he is on probation for one (1) year from the date of his appointment on Monday, October 11, 2010

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, Seconded by Mr. Winarski resolved etc,

That the following amounts be and they are hereby transferred to the Public Works, Bureau of Municipal Garage. :

<u>Transferred From</u>			<u>Transferred To</u>		
<u>Amount</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>	<u>Account</u>	<u>Title</u>
\$5,000.00	002-0719-0000-4033	Operating Supplies	\$5,000.00	002-0719-0000-4056	Repair & Maint. Svc.
\$5,000.00	002-0719-0000-4047	Heat, Power, Light	\$5,000.00	002-0719-0000-4056	Repair & Maint. Svc.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

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

That the Proper City Officials 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 said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **Empire Stack Testing LLC**, 5252 Ramsey Road, Ashville, NY to provide Quarterly/Annual Testing and Preventative Maintenance of the continuous Emission Monitoring System at the Wastewater Treatment Plant of one (1) year through February 4, 2012, at the contract price of \$12,000.00 per year plus an unscheduled maintenance cost of \$95.00/hour for the Bureau of Sewers (contract extension).
2. **HUBB Systems DBA:DATA 911**, P.O. Box 1089, San Jose, CA for seven (7) DATA911 M6 Mobile Data Systems and mounting equipment at \$5,299.84 each per PA State Costars contract pricing #003-038 for the Bureau of Police at a total cost of \$37,098.88.
3. **CDW-Government Inc**, 300 North Milwaukee Avenue, Vernon Hills, IL for server backup equipment for the Bureau of Computer Services at a total cost of \$40,582.00.
4. **Suit-Kote Pennsylvania**, 10965 McHenry Street, Meadville, PA for Proposed Crack Filling of Various City Streets in the sum of \$50,000.00. (Lowest of COG bids).
5. **Day Fleet Sales**, 1600 Golden Mile Highway, Monroeville, PA for two (2) 2011 Ford Crown Vic Police Cruisers, for the Bureau of Police at a total cost of \$50,601.00. Paid by JAG.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk.

By Mr. Schember, 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. **Airgas Safety Inc**, PO Box 951884, Dallas, TX for twelve (12) HEPA vacuum's with electric beater bars @\$329.50 each for the Department of Economic and Community Development (Lead Hazard Control Program) at a total cost of \$3,954.00.
2. **Markl Supply Company**, 904 Perry Highway, Pittsburgh, Pa for 7 cases of SPEER .45 Gold Dot Ammunition, for the Bureau of Police, at a total cost of \$2,245.51
3. **Richard Troy**, 5041 Orchard Avenue, Bethal Park, PA for the purchase of **bicycle training** which includes instructor travel, expenses, books, classroom materials, certification and memberships for 13 officers for the Bureau of Police at a total cost of \$4,500.00.
4. **DAS Group, Inc**, 3251-C Old Frankstown Road, Pittsburgh, PA for repair parts and flotation vaughn cutter pumps, for the Bureau of Sewers at a total cost of \$2,295.00.
5. **Mobilcom**, 16343 Conneaut Lake Road, PO Box 1234, Meadville, PA for a radio repeater, for the Bureau of Sewers at a total cost of \$2,354.00. (Emergency Purchase).
6. **ONEX**, 2225 Colonial Avenue, PO Box 8436, Erie, PA, for emergency inspection and cleaning of ash silo, for the Bureau of Sewers in the amount of \$3,244.00.
7. **Jordan Erie**, 1645 West 26th Street, Erie, PA for a heating supply pump and replacement valves for the Bureau of Sewers at a total cost of \$4,348.12.
8. **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 \$4,833.30.
9. **Hach/American Sigma, c/o S.M. Sawchuk Sales**, 2207 Collections Center Drive, Chicago, IL for an ultrasonic open channel flow meter, for the Bureau of Sewers at a total cost of \$5,005.20.
10. **WM. T. SPAEDER COMPANY**, 1602 East 18th Street, Erie, PA for installation of baffles in #2 floatation tank, for the Bureau of Sewers at a total cost of \$5,687.00. (Other quotes: E. E. Austin & Son - \$7,700.00).

11. **ONEX, Inc**, 2225 Colonial Avenue, PO Box 8436, Erie, PA for annual preventative maintenance repair of incinerator #2, for the Bureau of Sewers, in the amount of \$7,280.00.

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

October 6, 2010. Signed by the Acting President. Attested by the City Clerk

October 6, 2010. City Council on motion of Mr. Jones, Seconded by Mr. Aleksandrowicz adjourned at 11:07 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Horan-Kunco, Jones, Schember, and Winarski. 6. Nays. 0.

Acting President of City Council

Attest:

City Clerk