

The City Council met in regular session in the Council Chambers on Wednesday, January 19, 2011 at 7:30 P.M.

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

On motion of Mr. Jones, Seconded by Mr. Schwartz, the reading of the minutes of the Meeting of January 5, 2011 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

Copies of the bills under date of January 14, 2011 and January 21, 2011 were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

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By Mr. Schember, Council File Ordinance 15,739, Pending Official Ordinance #2-2011

An ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the **Codified Ordinances** of Erie, Pennsylvania.

January 19, 2011. City Council on motion of Mr. Schember, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance, 15,739, and now known as Pending Official File Ordinance #2-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

By Mrs. Horan-Kunco, Council File Ordinance 15,740, Pending Official Ordinance #3-2011

An ordinance amending and **restating Article 145** Officers' and Employees' Retirement System for IRS requalification.

January 19, 2011. City Council on motion of Mrs. Horan-Kunco, Seconded by Mr. Schember having read Council File Ordinance, 15,740, and now known as Pending Official File Ordinance #3-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

By Mr. Schember, Council File Ordinance 15,741, Pending Official File Ordinance #4-2011

An ordinance amending and **restating Article 147** Police Pension Plan for IRS requalification and to include the restoration of the Partial Lump Sum Distribution Option.

January 19, 2011. City Council on motion of Mr. Schember, Seconded by Mrs. Horan-Kunco, having read Council File Ordinance, 15,741, and now known as Pending Official File Ordinance #4-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

By Mr. Winarski, Council File Ordinance 15,742, Pending Official File Ordinance #5-2011

An ordinance amending and **restating Article 149** Firefighters' Pension Plan for IRS requalification.

January 19, 2011. City Council on motion of Mr. Winarski, Seconded by Mr. Aleksandrowicz, having read Council File Ordinance, 15,742, and now known as Pending Official File Ordinance #5-2011 does hereby adopt on Final Passage by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

By Mr. Winarski, Council File Ordinance 15,743

An Ordinance appropriating the sum of **\$12,00.00** from unappropriated and anticipated revenue for the expenditure thereof (contribution is from the Sisters of Mercy for the Purchase of police equipment, fire prevention supplies or equipment and winter maintenance equipment).

January 19, 2011 City Council on motion of Mr. Winarski, Seconded by Mr. Schember, having read Council File Ordinance, 15,743, does hereby adopt on First Reading. Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 6. Nays. 0.

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

That the following members of City Council are hereby appointed to the **Erie Area Council of Governments** for 2011:

Jessica Horan-Kunco – Delegate  
Mark Aleksandrowicz – Alternate Delegate  
Patrick Cappabianca – Alternate Delegate  
Curtis Jones, Jr. – Alternate Delegate  
Joel Schwartz – Alternate Delegate  
Joseph Schember – Alternate Delegate  
James Winarski – Alternate Delegate

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

By Mrs. Horan-Kunco, Seconded by Mr. Aleksandrowicz, Resolved, Etc.

A resolution authorizing and directing the City Solicitor to prepare an ordinance amending the Codified Ordinances of the City of Erie being Part One Administrative Code, Title Three, Article 112, Section 112.11 President of Council by creating the position of **Vice President of City Council**, whose only duty will be to preside over the meetings of City Council in the absence of the Council President and shall be elected at the 1<sup>st</sup> meeting in January of each year, and be it further resolved that Section 112.10 Order of Business is hereby amended by adding the title "Requests for Repository Sales" under approval of minutes and bills.

January 19, 2011, City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

By Mr. Winarski, Seconded by Mr. Schwartz, Resolved, Etc.

A resolution sponsored by Councilman Winarski that **Mr. Thomas Kennedy**, 297 Niagara Point Drive, Erie, PA 16507, is hereby appointed to the Erie City Water Authority for a term of five years, expiring on the first Monday of January 2016. This appointment filled the position of Mr. Charles Catania whose term has expired and cannot be reappointed at this time due to term limits.

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

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

Communication from Mayor Joseph Sinnott notifying City Council that he has appointed **Gary Ravetto** to the City Planning Commission to replace Keith Miller who

has resigned and whose term expires 12/31/2012. City Council hereby receives and confirms.

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

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

Communication from Mayor Joseph Sinnott notifying City Council that he has reappointed **Nedra Leherian** and **Gary Antalek** to the City Planning Commission for terms expiring December 31, 2014. City Council hereby receives and confirms.

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

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

A resolution authorizing the mayor and other appropriate City Officials to **execute an agreement** between the City of Erie and **Professional Training Associates, Inc**, 46 South Linden Street, Suite C, Duquesne, PA, for professional services. Professional Training Associates will provide two EPA training courses at a total cost not to exceed \$6,960.

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

By Mr. Jones, Seconded by Mr. Schwartz, Resolved, Etc.

That the following amounts be and they are hereby transferred to the LEAD Conscious Landlord Program.

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$1,755.00	328-1328-0000-4033	Operating Sup	\$1,520.00	328-1238-0000-4039	Cons. Supplies
\$1,125.00	328-1328-0000-4059	Other Services	\$6,960.00	328-1238-0000-4041	Prof. Services
\$ 100.00	328-1328-0000-4576	ERA Lead Paint	\$ 50.00	328-1328-0000-4045	Phone System
<u>\$5,550.00</u>	328-1328-0000-4566	St. Martin Center			
\$8,530.00			<u>\$8,530.00</u>		

January 19, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

January 19, 2011. Signed by the President. Attested by the City Clerk

By Mr. Winarski, Seconded by Mr. Schember, 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. **Eni USA R & M Co Inc** – Cabot, PA, PO BOX 7247-7028, Philadelphia, PA, for motor oil and hydraulic oil for the Municipal Garage, Department of Public Works at a total cost of \$2,138.45
2. **PA Chiefs of Police Association**, 3905 North Front Street, Harrisburg, PA, for a one (1) year maintenance agreement for Livescan CPIN (mugshots) software and hardware (\$3,650.00) and fingerprint system maintenance agreement (\$4,299.00) for the Bureau of Police at a total cost of \$7,949.00.
3. **CDW-Government Inc**, 75 Remittance Drive, Suite 1515, Chicago, Il, for replacement network service, for the Bureau of Sewers, Department of Public Works at a total cost of \$6,107.72.

January 6, 2011  
Honorable Joseph Sinnott, Mayor  
Mr. Casimir Kwitowski, City Controller  
Members of City Council

The City of Erie  
626 State Street  
Erie, Pennsylvania 16501-1128

Ladies and Gentlemen:

We are pleased to confirm our understanding of the services we are to provide the City of Erie, Pennsylvania for the year ended December 31, 2010. We will assist the City of Erie with the preparation and timely completion of the annual Commonwealth of Pennsylvania "Annual Audit and Financial Report". This Department of Community and Economic Development (DCED) report will be presented on the modified accrual basis of accounting. The City is responsible for submission of the DCED report including certification of the DCED opinion.

Our fee for these services will be at our standard hourly rates with respect to the City. We agree that all services provided will be billed at \$110 per hour regardless of the personnel assigned to the engagement in an amount not to exceed \$30,000. Our invoices for these services will be payable on presentation.

We appreciate the opportunity to be of service to the City of Erie, Pennsylvania and believe this letter accurately summarized the significant terms our of engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

McGill, Power, Bell & Associates, LLP  
Erie, Pennsylvania

**RESPONSE:**

This letter correctly sets forth the understanding of the City of Erie, Pennsylvania.

Email from Mr. Schwartz to Mr. Klemm regarding Liquid Fuels Tax Fund,  
January 7, 2011.

Dear Mr. Klemm,

Please let this letter serve as an official notice that it is my intention to abstain from any and all dealings with the City of Erie's Liquid Fuels Tax Fund receipt and expenditure decision making process. As a Liquid Fuel auditor for the Pennsylvania Department of the Auditor General's Office, it is a potential conflict of interest for me to deal directly or indirectly with the City of Erie's Liquid Fuel Tax Fund. Please put in place any fail-safe you deem feasible in order for me to avoid any future direct/indirect or publicly perceived dealings with that specific fund. As a new member of the City of Erie Council, I will do my best to avoid any association with Liquid Fuels Tax Fund with which I audit on a daily basis with my permanent position with the Pennsylvania Department of the Auditor General.

Very Truly Yours,

Joel S. Schwartz  
Dept. of Auditor General  
County Auditor II  
Liquid Fuels

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January 19, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Schwartz, adjourned at 8:16 P.M. by yeas Council Members Aleksandrowicz, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0.

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President of City Council

Attest:

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