

The City Council met in regular session in the Council Chambers on Wednesday, August 3, 2011 at 9:00 A.M.

Council Members present: Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski, and Horan-Kunco. 7. Nays. 0.

On motion of Mr. Jones, Seconded by Mr. Cappabianca, the reading of the minutes of the Meeting of July 20, 2011 were dispensed with and same adopted with copies furnished to the members of City Council by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0. (Mr. Schwartz abstains on liquid fuel tax bills).

Copies of the bills under date of July 29, 2011 and August 5, 2011, were given to City Council and same adopted by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Schember, Winarski and Horan-Kunco. 7. Nays. 0.

By Mr. Aleksandrowicz, Council File No. 15,766, Pending Official Ordinance No. 28-2011

An ordinance authorizing an increase in the non-electoral by the issuance of general obligation bonds, series of 2011 in the principal amount of Twenty-Three million three hundred thirty five thousand and 00/100 dollars (**\$23,335,000**); convenanting to pay and pledging unlimited taxing power for the payment of the bonds; establishing a sinking fund and appointing a paying agent, sinking fund depository and registrar in respect of the bonds; fixing the form, interest rate, maturity, redemption and other provisions for the payment thereof; accepting a proposal for the purchase of the bond; authorizing the filing of required documents with the Department of Community and Economic Development; ratifying and directing certain actions of officers; approving the official statement; and making certain other covenants and provisions in respect of the bonds.

To: Mr. James Klemm, City Clerk Aug. 3, 2011
From: Joseph Schember, City Council Member
RE: Abstention from Voting – Council File Ordinance No. 15,766.
Please be advised that, because I am currently an employee of PNC Bank and it is my understanding that PNC Bank (or its affiliates) may receive a distinct pecuniary benefit from its involvement in this matter, I abstain from voting on it. Although my duties at PNC are unrelated to the work PNC would perform on this matter, I will not participate in it in order to avoid any conflict of interest. Please reflect the contents of this memorandum in the minutes of any meeting in which action is taken on this matter.

August 3, 2011. City Council on motion of Mr. Aleksandrowicz, Seconded by Mr. Winarski, having read Council File Ordinance 15,766, does hereby adopt, as amended, on Final Passage by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays. 0. Mr. Schember abstains.

August 3, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Jones, Council File No. 15,767

An ordinance approving the plan of the Erie Sewer Authority for the issuance of an aggregate amount not to exceed **\$30,000,000 Sewer Revenue Bonds**, series of 2011 and setting forth the amount, interest rates and maturity dates of the bonds; authorizing the authority to proceed with the plan of financing; authorizing the execution and delivery of a lease agreement and the incurrence of lease rental debt thereby; authorizing the specified officers of the City of Erie to prepare and certify the debt

statement, and to do all other acts necessary to carry out the provisions of the ordinance; setting forth the provisions of the ordinance; setting forth the payment of the Sewer Revenue Bonds and the source of such payments; repealing all inconsistent ordinances and providing that the ordinance is effective immediately.

To: Mr. James Klemm, City Clerk Aug 3, 2011
 From: Joseph Schember, City Council Member
 RE: Abstention from Voting – Council File Ordinance No. 15,767.
 Please be advised that, because I am currently an employee of PNC Bank and it is my understanding that PNC Bank (or its affiliates) may receive a distinct pecuniary benefit from its involvement in this matter, I abstain from voting on it. Although my duties at PNC are unrelated to the work PNC would perform on this matter, I will not participate in it in order to avoid any conflict of interest. Please reflect the contents of this memorandum in the minutes of any meeting in which action is taken on this matter.

August 3, 2011. City Council on motion of Mr. Jones, Seconded by Mr. Winarski having read Council File Ordinance 15,766, does hereby adopt on First Reading by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski, and Horan-Kunco. 6. Nays. 0. Mr. Schember abstains.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That the delinquent city real estate taxes for 2009, at the request of Sister Anne Prince of New Revelation Full Gospel Baptist Church, in the sum of \$5,800.00 is hereby relieved, due to a filing error for tax exempt property in March of 2009 when the church building located at 947 West 8th Street was sold.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That City Council is fully supportive of a long term problem solving approach to youth issues that researches and identifies the prevalent risks and lacking protective factors that lead to delinquent behavior.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That the proposed Repository Sale of property commonly known as 737 East 21st Street, Erie, PA and identified by Erie County Assessment Index Number 18-050-029.0108.00 by the Erie County Tax Claim Bureau to Robert E. McDonald in the amount of \$250.00 is hereby approved.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That the proper City officials are authorized and directed to execute an Easement Agreement between the City of Erie and the SNOOPS Neighborhood Association, 1401 Wallace Street, Erie, PA 16503 for the placement of trash containers in City rights-of-way within the Association's boundaries. The six (6) locations are as follows: **East 13th & Wallace – southeast corner, East 13th & Ash – southwest corner, East 13th & Reed – southeast corner, East 14th & Wallace – northwest corner, East 14th & Reed – northwest corner and East 14th – north side, approximately 195 feet EEL of Reed.**

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk

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

That the proper City officials are authorized and directed to amend an existing **Easement Agreement** with the Erie Housing Authority. This amendment is for the installation of new gas distribution lines in the public rights-of-way of **East 7th Street, East 10th Street, East 11th Street, and Gladstone Court** for the Horan Garden Apartments. The original Easement Agreement resolution was approved by City Council on November 4, 2009.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That the Mayor and other appropriate City officials are authorized to amend the agreement between the City of Erie and St. Martin Center pertaining to the Healthy Homes Grant. The amendment will increase the contract amount by \$1,300.00 from \$105,994.05 to \$107,294.05.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

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

That the following amounts are transferred in the Healthy Homes Grant.

<u>Transferred From</u>			<u>Transferred To</u>		
Amount	Account	Title	Amount	Account	Title
\$670.40	338-1338-0000-4031	Office Sup.	\$1,300.00	338-1338-0000-4566	St. Martin Center
\$629.60	338-1338-0000-4043	Ed. & Training			
\$1,300.00					

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

By Mr. Schember, Seconded by Mr. Aleksandrowicz, 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 said transactions which are to be charged to the respective Budget Code Numbers, viz:

1. **GOV Connection Inc**, PO Box 38180, Pittsburgh, PA 15250-8810, for 31 new pc hardware and associated software licenses, for the Bureau of Computer Services, at a total cost of \$25,707.69.
2. **Washtronics**, 521 Ridgeview Drive, Erie, PA 16505, for a car wash system and installation, for the Municipal Garage at a total cost of \$82,296.00.
3. **Duke's Root Control, Inc.**, 1020 Hiawatha Blvd. West, Syracuse, NY, 13204, not to exceed the amount of \$33,450.00 annually for sewer line chemical root control for the Bureau of Sewers.
4. **REID Oil Inc**, 1502 Greengarden Road, Erie, PA 16501 for furnishing and delivering approximately 250,000 gallons of unleaded regular fuel and approximately 150,000 gallons of premium low sulfur diesel fuel with a 45 cetane & approximately 12, 000 gallons of low sulfur off-road diesel fuel for all using city department and bureaus.
Unleaded Fuel (87 Octane)
Large Volume Orders = OPIS Price-.015 cents @ Gallon
Small Volume Orders = OPIS Price +.055 cents @ Gallon
Summer Premium Ultra-Low Sulfur Premium Grade #2 D Diesel Fuel (45Cetane)
Large Volume Order = OPIS Price -.02 cents @ Gallon
Winter Premium Ultra-Low Sulfur Premium Grade #2D Diesel Fuel (45 Cetane)
Large Volume Order = OPIS Price +.01 cents @ Gallon
Summer Low Sulfur Off-Road Grade #2D Diesel Fuel

Small Volume Orders = OPIS Price +.065 cents @ Gallon

Winter Low Sulfur Off-Road Grade #d Diesel Fuel

Small Volume Orders = OPIS Price +.113 cents @ Gallon

5. **Amendola Development Company**, 4153 Feidler Drive, Erie, PA 16506, for the 2011 Curb Ramps III Project, in the amount of \$210,375.82.
6. **Pennsylvania Department of General Services** for the purchase of Sodium Chloride (road salt) for the 2011-2012 season, at the unit price of \$50.72 per ton.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schwartz, Winarski and Horan-Kunco. 6. Nays 0. Mr. Schember abstains.

August 3, 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. **Thayer Power and Communications**, 7406 Market Street, PO Box 915, Fairview, PA 16415 for loop detectors installation for the division of Traffic Engineering, Department of Public Works, at a total cost of \$9,100.00.
- 2.. **Path Master, Inc.**, 1960 Midway Dr., Twinsburg, OH 44087 for time clocks for flashing school zone signals for division of Traffic Engineering, Department of Public Works, at a total cost of \$9,256.00.
3. **DCED, Governor's Center for Local Government Services**, Commonwealth Keystone Blvd, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, for 513 building permits @\$4.00 each for the Department of Economic and Community Development at a total cost of \$2,760.00.
4. **GOV Connection Inc**, PO Box 381810, Pittsburgh, PA 15250-8810, for 275 Symantec Antivirus Renewal licenses, for the Office of Computer Systems and Services, at a total cost of \$3,918.75.
5. **Pennsylvania Department of Environmental Protection**, Bureau of Water Standards & Facility Regulation, RE: Chapter 92 a Annual Fee, PO Box 8466, Harrisburg, PA 17105-8466, for half the cost of the NPDES Permit Renewal Fee, for the Bureau of Sewers, at a total cost of \$2,500.00.

August 3, 2011. City Council adopt by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays 0.

August 3, 2011. Signed by the President. Attested by the City Clerk.

August 3, 2011. City Council on motion of Mr. Schember, Seconded by Mr. Schwartz, adjourned at 10:45 A.M. by yeas Council Members Aleksandrowicz, Cappabianca, Jones, Schember, Schwartz, Winarski and Horan-Kunco. 7. Nays. 0.

President of City Council

Attest:

City Clerk