

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Richard Fitzgerald	-	President District 11
Charles J. Martoni	-	Vice President District 8
John P. DeFazio	-	Council-At-Large
Chuck McCullough	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Vince Gastgeb	-	District 5
Joan Cleary	-	District 6
Nicholas Futules	-	District 7
Robert Macey	-	District 9
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219

Tuesday, May 4, 2010 - 5:00 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
429 Forbes Avenue, Suite 1300
Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

James Flynn - County Manager
Michael Wojcik - County Solicitor
Joseph Catanese - Director of Constituent Services
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Director
Jack Cambest - Solicitor

PRESIDENT FITZGERALD: If everybody would rise. We're going to call the meeting to order. Welcome to the Tuesday, May 4 full meeting of Allegheny County Council. We're going to be led --- I'm going to ask Alexa Kusha (phonetic) if she would please come to the podium. And Alexa's going to --- she's a third grader, and she's going to lead us in the Pledge of Allegiance. And if you would remain standing for a moment of silent prayer or reflection. Alexa?

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. CATANESE: Mr. Burn?
MR. BURN: Here.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Present.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Here.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Present.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Here.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Here.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Here.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Here.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Present.
MR. CATANESE: Mr. Macey?
MR. MACEY: Here.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Here.
MR. CATANESE: Mr. McCullough?
(No response.)
MR. CATANESE: Ms. Rea?
MS. REA: Here.
MR. CATANESE: Mr. Robinson?
(No response.)
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Here.
MR. CATANESE: Thirteen (13) members present.

PRESIDENT FITZGERALD: Proclamations/
certificates. 5610-10.

MR. CATANESE: Certificate of Achievement
honoring the North Catholic High School boys' basketball
team for winning the WPIAL Class AA Championship,
sponsored by Councilman Burn.

PRESIDENT FITZGERALD: Councilman Burn.

MR. BURN: Thank you, Mr. President and members
of Council. I would defer at this point until they get
here.

PRESIDENT FITZGERALD: Okay. Move on to 5611-
10.

MR. CATANESE: Certificate of Achievement
honoring the Chartiers Valley High School boys' basketball
team for winning the WPIAL Class AAA Championship.
Sponsored by Councilman Finnerty.

PRESIDENT FITZGERALD: Councilman Finnerty. And
I do see the Chartiers Valley team, so I know they're
here, and Coach McConnell.

MR. FINNERTY: It's just really a pleasure to
present this award to Char Valley, and I'd like you to
join me up here if you would. First of all, I'd like to
present Coach Tim McConnell with a proclamation in regard
to his being the Coach of the Year. And he coached the
Team of the Year, has a Player of the Year and should have
been the State champions by one shot. But it was a
fantastic season. I've seen you play a number of times
during the season. And it's always quite an honor just to
watch you gentlemen go through your paces. You give it
100 percent. I always believe in 110. 100's good enough.
That's all you can do. And you're a fantastic team. You
have fantastic coaches, and you always give it everything
you have. And just to read this proclamation to Coach
McConnell.

Allegheny County Council is proud to present
this Certificate of Achievement in recognition of your
beneficial guidance and influence upon the young men of
Chartiers Valley High School boys' basketball team.
Throughout the season, you urged them to prevail in
academics as well as athletics, leading them through an
excellent season in which the team earned the 2010 WPIAL
Class AAA Championship. Your efforts led The Pittsburgh
Post-Gazette to designate you as their 2010 Coach of the
Year. Your indelible contributions to Allegheny County's
long legacy of sports champions are to be commended. On

behalf of the citizens of Allegheny County, we join with you in celebration of your team's memorable season. This is sponsored by myself, Councilman Mike Finnerty, the 4th day of May, 2010. So Tim, I'd like to present you with this, first of all. And then this is a team certificate.

This Certificate of Achievement is awarded to the 2009-2010 Chartiers Valley High School boys' basketball team in recognition of their outstanding athletic ability, which was showcased throughout the team's fantastic season and in the team's capture of the 2010 WPIAL Class AAA Championship. The team's indelible contributions to Allegheny County's long legacy of sports championships are to be commended. And on behalf of the citizens of Allegheny County, we join with the team in celebration of an outstanding and memorable season. Again, sponsored by myself, Mike Finnerty, on this 4th day of May, 2010. So gentlemen, it's something you're never going to forget. And as always, you never forget your teammates. But this is special, that you're going to remember for the rest of your life. Enjoy it. Coach?

(Applause.)

COACH MCCONNELL: I'd just like to say thank you to Council and Councilman Finnerty for having us here tonight. It's a special award. I want to congratulate Tyler Wilps, he's a student from Char Valley, and Coach Dori and her team from Mt. Lebanon. It was phenomenal. Just so you know, Madison Cable cannot beat me one on one. Just so you know, folks. She cannot beat me. But I want to thank you for having us here tonight. Should we announce the names?

MR. FINNERTY: Yes.

PRESIDENT FITZGERALD: Yes, Coach, if you'd name all the players on your team.

COACH MCCONNELL: We have some people that weren't able to be here tonight because they have other commitments with baseball or another function. I'll just name the whole roster. Dan Landy, Jeff Novak. We'll save the applause. I know Madison will want to clap for me, but wait 'til later, please. Jeff Novak couldn't be here. Jordan Joseph. Christian Kuntz couldn't be here. Wayne Capers, Steven Burda. Terry Coyne couldn't be here. Matt Noszka, Bob Kearney, T.J. McConnell. Mike Boulos couldn't be here. Zach Wallace, Anthony Cersosimo. Dom Giuntini couldn't be here. And our principal, Dr. Terri Flynn. Frank Vulcano couldn't be here. My scorekeeper who has

been with me all 17 years, Jack Doyle. Jack Doyle is here with us. And you can't be successful without good help, and I've got two of the best assistants in the country, Kate Gannon and Shawn Sherry.

(Applause.)

COACH MCCONNELL: Thank you again for having us tonight.

PRESIDENT FITZGERALD: If there are any parents here, please come forward and take your picture as well.

(Pictures taken.)

PRESIDENT FITZGERALD: 5612-10.

MR. CATANESE: Certificate of Achievement honoring Tyler Wilps of the Chartiers Valley wrestling team for winning the WPIAL Class AAA Championship in the 171-pound weight class. Sponsored by Councilman Finnerty.

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: Thank you, Mr. President. And Tyler, if you would come up, please.

(Applause.)

MR. FINNERTY: It's again one of my great pleasures to honor Tyler here, who was, I believe, 36-0 this year; correct? Which is quite a record. I believe it was a 171-pound weight class in wrestling, which is one of the monster classes in wrestling. The biggest and baddest guys are there. And it's quite a tribute to be able to get through that without getting hurt or anything involved in that, and keep your weight, which is always something I was amazed at in wrestling people. I mean, I coached basketball, football and track for 23 years, but I was always amazed that they could keep their weight down, because I had that problem. But it is really amazing to get through a season like this. And I'd just like to read the proclamation, and you can say a few words and the coach can say a few words.

Allegheny County Council is proud to present this Certification of Achievement in recognition of your outstanding athletic ability, which was showcased in your winning season during which you earned the 2010 WPIAL Class AAA Wrestling Championship in the 171-pound weight class. Your contribution to Allegheny County's long legacy of sports champions is to be commended. On behalf of the citizens of Allegheny County, we join with you in celebration of your distinguished achievement. And this is sponsored by myself, Mike Finnerty, the 4th day of May, 2010. I also want to mention that Tyler was also the most

outstanding wrestler of the tournament in WPIAL. So it's quite an achievement. Tyler?

(Applause.)

MR. WILPS: I just want to thank the Council for having me here today, Mr. Finnerty, my coach, my mom, who supported me all year. It was really great. And the basketball team, congratulations again. That's it.

(Applause.)

COACH: I also want to thank Claire for being here today. Council, thank you very much for having us here today. Chartiers Valley basketball team, congratulations again. It's really great to see you guys. Mt. Lebanon girls' basketball team, congratulations. It's great to see you here. Mr. Finnerty, thanks again. Mr. Finnerty got the opportunity to follow my career a little bit whenever I was at Chartiers Valley, so it's kind of nice how things come full circle. That's not really about me, though. It's more about Ty.

Just a couple of things I like to always add. Tyler is our Student Council president, holds a 4.2 GPA, is a three-sport athlete, was one of the Defensive Players of the Year this year in his conference, and not only --- but he was also --- since we are in Allegheny County, he was the Allegheny County Outstanding Wrestler of the Year, also. So a lot of fine achievements for a fine young man off to the University of Pittsburgh, staying local. Hopefully he'll do us proud.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 5613-10.

MR. CATANESE: Certificate of Achievement honoring the Mt. Lebanon High School girls' basketball team for winning the WPIAL and PIAA Class AAAA Championship. Sponsored by Council Member Gastgeb and Allegheny County Controller.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. I don't see Controller Flaherty, but he would want to be here today to partake in this. If I could have the team come up with Dori Oldaker. And we also have a Commission member from Mt. Lebanon municipal government, Mr. Joe Deluliis. If he could come up, too. It's nice to see him in the audience. You can assist me with this if it's okay, Commissioner. And as the team's coming up --- you know, we were here last year. Today really is a day we

can look at our youth and be proud. I know Council Member Burn might always say this, but it's true. Where if you read The Post-Gazette or if you put the radio on or TV, oftentimes it's just the youth that we hear stories about, that we kind of scratch our head and wonder what's going on. So to bring today's youth in and have really excelled athletically and in a lot of cases, academically, we need to do more of this. We need to talk about this more.

And probably nobody epitomizes this as a team more than the Mt. Lebanon girls' basketball team. Being champions in so many endeavors and in so many rights --- I know it almost sounds trite. But to get to that level, to be WPIAL champs two times, two times State champs, playing at the AAAA level, having a nationally-ranked team, being the top team in the State --- it goes on and on and on. And the accolades are very well deserved by every one of you on the team, but it just doesn't happen. It happens because you practice. It happens because you have the intestinal fortitude to want to be a champion. It happens because your parents sacrificed. It happens --- your practices are different times.

Coach Oldaker and I were just talking briefly about the North Gym, which is kind of a small gym at the old Mt. Lebanon High School where, when the girls were small, we played games, like, Sunday night at 8:00, when they were fifth, sixth, seventh grade. But, you know, dinners get interrupted and schedules change and things like that. But the girls persevere, and coaches persevere. And then when you get to the school level, you have outstanding support, which I'm sure Commissioner Deluliis will attest to.

So to get to the level that the Mt. Lebanon girls' team has is just truly outstanding. Second consecutive State championship. Many teams would just pretty much thirst and hunger for one championship, but to get two consecutive ones is just outstanding. The first AAAA basketball team where the girls were able to win back-to-back State championships. Again, the top-ranked team in the State, also, a nationally-ranked team, beating Baldwin by a good measure in the WPIAL game and Archbishop Ryan by an equally good measure in the State game. It just goes to show how hard you've worked and what's paid off. So it's truly outstanding for me to be able to recognize you, which is basically yearly, which is great. And I do want to read the proclamation. Before I do ---

I'll come back and read it. If the Commissioner wants to say a few words, too.

COMMISSIONER DELULIIS: Just to expand upon Councilman Gastgeb's comments, championship performance is a mentality. There's a mindset that's there. I know when I was at the University of Miami in graduate school back in the late '80s, they were national championship teams then. And those guys just did not accept losing. It was not an option. It was not something that they even considered. A lot of the guys had never experienced it. And with these girls and with the boys' team as well, that's such a great thing to do, to accomplish in your high school years. Carry that through going forward. I don't want to steal your thunder, but congratulations on behalf of the municipality of Mt. Lebanon. Everybody is very proud of you guys.

MR. GASTGEB: Without further ado, let me read the proclamation. I will add, too, that what was also unique is how Mt. Lebanon boys and girls swept at Palumbo on the AAAA level, too. The boys --- maybe if you'll find some time for me, we'll do it locally at a Commission meeting. Might as well recognize them as well. But right now for the girls, this Certificate of Achievement is awarded to the 2009-2010 Mt. Lebanon High School girls' basketball team in recognition of their outstanding athletic abilities, which were showcased throughout the team's fantastic season and with the team's capture of the 2010 AAAA WPIAL and PIAA Class AAAA Championship. The team's indelible contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join with the team in celebration of your outstanding and memorable season. Dori, if you would come up. Congratulations to you and to your whole team for a great season.

(Applause.)

COACH OLDAKER: First of all, it's a pleasure to be here this evening and quite an honor. And I just want to let you know I appreciate the fact that you have invited us back down here again, Councilman, and we appreciate the fact that you also invited us down and sponsored us again. And I cannot say enough about how proud we are of these young ladies and their desire to win and their ability to play and sportsmanship. Thank you.

PRESIDENT FITZGERALD: Coach, if you could name all the players.

COACH OLDAKER: Yes, I sure can. And again, I have to agree with Coach McConnell --- or disagree with Coach McConnell. I think I have the best staff on our coaching staff, starting with Coach Satira, Coach Crombie. And I'm going to recognize not only the staff, but our athletic director, John Grogan, our athletic trainer, Dan Steckley (phonetic), our unbelievable manager, Ms. Dorenda (phonetic). Some of the students were unable to make it this evening, but I am going to introduce them as well. Chelsea Apke was unable to make it, but Lauren Arbogast is here. Jess Babe was unable to make it. Cathy Guerra was unable to make it this evening. Angele Hagy, Natalie Kinderman, Rosie McClain, Sarah Nydes is here, Cissy Woodyard, Madison Cable is here this evening, Courtney Kuchen (phonetic) is present, Joann Burgee (phonetic) is present, Mary Catherine Mulvihill (phonetic), Bridget O'Hara, Alexis Brushay (phonetic), Amanda Frosztega, Jordan Holmes, Kelly Johnson is here, Paige Kassalen, Andie Gaetano is also here. I think I introduced everyone. And I'd also like to congratulate Chartiers Valley boys' basketball team and Tyler as well for Chartiers Valley and our Mt. Lebanon boys' basketball team. Thank you.

(Applause.)

MR. GASTGEB: I'll just kind of camp out here because I also want to award Coach Oldaker, who was awarded a coaching honor as well. You know, with the team doing so well, it isn't a far stretch to say that Coach Oldaker also deserves these accolades as well. But just meeting her over the last couple years, I know her commitment, and she's very --- I guess you'd say, into basketball, but also great in the community, too. So thank you for that.

And also, on behalf of Allegheny County Council, we're proud to present this Certificate of Achievement in recognition of your beneficial guidance and influence upon the young women of Mt. Lebanon High School girls' basketball team. Throughout the season, you urged them to prevail in academics as well as athletics, leading to an excellent season in which they earned the 2010 WPIAL and State Championships. In doing so, The Pittsburgh Post-Gazette named you 2010 Coach of the Year. Your contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join in celebration of your

efforts and your incredible season. Again, Coach, congratulations.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: Okay. We're going to hold off now and put this in 14-10 in case they --- if they do show up. So we'll move on to 5615-10.

MR. CATANESE: Let the record show that Councilman McCullough is present, and the remainder will be entered into the record.

Certificate of Achievement honoring Patrick Tegge of Boy Scout Troop 138 for earning his Eagle Scout ranking. Sponsored by Councilman Burn.

5616-10. Certificate of Recognition honoring the police officers who will be recognized during the Allegheny County Police Association retirement celebration. Sponsored by Council Members Burn, DeFazio, Drozd, Ellenbogen, Fitzgerald, Futules, Green Hawkins, Martoni, Robinson and Macey.

5617-10. Certificate of Achievement honoring Vince Popovich, Jr. of Boy Scout Troop 338 for earning his Eagle Scout ranking. Sponsored by Councilwoman Cleary.

5618-10. Certificate of Achievement honoring the Sewickley Academy boys' basketball team for winning the WPIAL and PIAA Class A Championship. Sponsored by Councilman Drozd.

5619-10. Proclamation honoring Julia Robb for being named the AAA Patroller of the Year. Sponsored by Councilman Finnerty.

5620-10. Proclamation honoring the career and retirement of Colonel Anne S. Manly. Sponsored by Councilman Fitzgerald.

5621-10. Proclamation honoring the Golden Jubilee of Father Edward Bryce of St. Bede Church. Sponsored by Councilman Fitzgerald.

5622-10. Certificate of Achievement honoring Zach DeLuca of Penn Hills High School for his third place finish in the PIAA wrestling tournament. Sponsored by Councilman Futules.

5623-10. Certificate of Achievement honoring the Penn Hills girls' bowling team for winning the State Bowling Championship. Sponsored by Councilman Futules.

Proclamation honoring Gary Keane for inspiring the FireVEST scholarship program in Allegheny County and

for garnering support for parks passes for volunteer firefighters. Sponsored by Councilman Futules.

5625-10. Certificate of Achievement honoring the Penn Hills High School boys' indoor track and field team for finishing in third place in the PIAA tournament. Sponsored by Councilman Futules.

5626-10. Certificate of Achievement honoring David Dameron of Boy Scout Troop 28 for earning his Eagle Scout ranking. Sponsored by Councilman Gastgeb.

5627-10. Certificate of Achievement honoring Brandon Didiano of Boy Scout Troop 225 for earning his Eagle Scout ranking. Sponsored by Councilman Gastgeb.

5628-10. Certificate of Recognition honoring the 50th anniversary of Rich and Patricia Gutmann. Sponsored by Council Member Green Hawkins.

5629-10. Certificate of Recognition honoring the 60th anniversary of Thomas and Corrine Lapsley. Sponsored by Councilman Macey.

5630-10. Certificate of Recognition honoring the 60th anniversary of Louis and Wilma Fernandez. Sponsored by Councilman Macey.

5631-10. Certificate of Recognition honoring the 50th anniversary of Reed and Dee Davidson. Sponsored by Councilman Macey.

5632-10. Certificate of Achievement honoring the Vincentian Academy girls' basketball team for winning the WPIAL Class A Championship. Sponsored by Councilwoman Rea.

5633-10. Proclamation honoring the career and retirement of Ruby V. Scott from the Pittsburgh Public Schools. Sponsored by Councilman Robinson.

5634-10. Certificate of Recognition honoring Founders Day at New Jerusalem Baptist Church. Sponsored by Councilman Robinson.

5635-10. Proclamation honoring the career and retirement of Janice Casey of the City of Pittsburgh's Office of the Commission on Human Relations. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Public comment on agenda items.

MR. CATANESE: We have two.

PRESIDENT FITZGERALD: The first speaker is Garry Cuccia. Mr. Cuccia, if you would come to the podium and state your name and address for the record, please.

DR. CUCCIA: Hi. My name is Dr. Garry Cuccia. My address is 115 Lake Drive, Greensburg, Pennsylvania. First of all, I just want to say thank you to Dan Onorato, Rich Fitzgerald and the rest of the Council members for passing a resolution in support of House Bill 2026. That house bill is named after my daughter, Demi. She lost her life as a result of teenage dating violence August 15th, 2007. She was actually stabbed 16 times a day after her 16th birthday by an ex-boyfriend she had broken up with. So obviously, at this point, my wife and I have been working very hard to try and make a difference.

So we have a house bill that is passed through the House. It now sits in the Senate Education Committee with Senator Jeffrey Piccola. So we're trying to get more support. We got a ton of support. We passed a lot of resolutions, so a lot of people are backing what we're trying to do. What this bill would do, it would put an educational mandate that all the schools in Pennsylvania would teach about teenage dating violence in the health classes from grade 7 through 12.

So we developed a website. I'm going to tell you about the petition. Our website is demibrae.com. On the very first page, down at the bottom, there's a petition that you can sign to show support for this bill. And also, Senator Jeffrey Piccola's phone number is on there. So we're trying to get people to call his office and kind of, you know, entice him a little bit, encourage him a little bit to introduce this bill in the Education Committee so we can get this thing moving again. And what I'd ask, if people would call their senators, although we have a lot of support from a lot of senators. But just encourage them to say, hey, you have my voice, you have my vote, and I would like you to help us with this bill. It's very important.

As you all are aware, we live in a crazy time nowadays. It's a lot different than when I was a child. And a lot of young girls are losing their lives. A lot of young boys are spending the rest of their lives in jail for things they shouldn't have done. So we need to raise awareness, educate our children and try to protect them from somebody else's daughter or somebody else's, you know, son, whatever, going through something like this. So thank you very much.

PRESIDENT FITZGERALD: Thank you, Dr. Cuccia. Harry Liller? Mr. Liller, if you would state your name and address for the record, please.

MR. LILLER: My name is Harry Liller, 438 Ruxton Street, Pittsburgh, PA. I'd like to talk about 5650, about the resolution, acceptance of the distribution of the Pennsylvania Gaming Economic Fund. I'm very upset that this County Executive takes \$40 million away from the airport to put into the budget. This makes our airport have the highest landing fees for airports and airlines across the country. This, in return, jacks up the price of the ticket. As I stated for a whole decade to this Council, we have to lower the prices at the airport to draw more people here, to bring economic activity to this county. I said we should have rolled out the red carpet for Southwest Airlines, and I was treated like garbage. You all put your eggs in the basket on US Airways, and look what they did to us. They stripped it down. They got rid of thousands of jobs. They even took away the facilities that we had paid for there. So I'm very upset at the shell game that Dan Onorato does, take \$40 million away from here, put it over there, and voila, everything's fine. No, everything's not fine. I also want to talk about Arlen Specter. I've made my point about this ---.

PRESIDENT FITZGERALD: Mr. Liller ---.

MR. LILLER: No. We have a point here. I made my point on agenda.

PRESIDENT FITZGERALD: Mr. Liller ---.

MR. LILLER: This country is founded on freedom of speech.

PRESIDENT FITZGERALD: You can speak ---.

MR. LILLER: If you take me out of here, I'll have the ACLU sue you.

PRESIDENT FITZGERALD: Mr. Liller ---.

MR. LILLER: Hey. I made my point on the agenda.

PRESIDENT FITZGERALD: We're going to stay on agenda. If you want to speak on a non-agenda item, you can speak ---. Nobody is taking away your three minutes to speak. You can do it after the meeting on a non-agenda topic.

MR. LILLER: Before this Council was made, Bob Cranmer used to do the same thing to me. If the meeting was here, he wouldn't let me speak. No.

PRESIDENT FITZGERALD: Do you want to speak on the bill?

MR. LILLER: I have to speak.

PRESIDENT FITZGERALD: Do you want to speak on the bill?

MR. LILLER: What I'm trying to say is, this country was built on freedom of speech.

PRESIDENT FITZGERALD: I know ---.

MR. LILLER: If you're not going to let me speak and have your man escort me out here, ---

PRESIDENT FITZGERALD: Mr. Liller ---.

MR. LILLER: --- I'll go to the ACLU and sue you. And let's have the law --- you have a law person here. Are you a law person?

MR. CATANESE: Your three minutes are up, Mr. Liller.

MR. LILLER: Do we have freedom of speech in this country?

ATTORNEY CAMBEST: You do. You can speak on any topic at the end of the meeting.

MR. LILLER: I spoke on my agenda. I made my point. All I wanted to do was make one last point, and we have a dictator over here. What I'm saying is, if you have me escorted out of here, ---

PRESIDENT FITZGERALD: Mr. Liller, you made your point.

MR. LILLER: --- I'm going to go to the ACLU and say you denied me my freedom of speech. You all laugh and this is fun, this is a joke. The joke's on us.

PRESIDENT FITZGERALD: Mr. Liller, if you ---.

MR. LILLER: What did I just say?

PRESIDENT FITZGERALD: People have their right to say ---.

MR. FUTULES: You're the joke.

MR. LILLER: Hey, on judgment day, we'll see who's the joke.

PRESIDENT FITZGERALD: Let's have order. You can speak on the bill. That's what you signed up to speak about.

MR. LILLER: I did. I spent my time on that.

PRESIDENT FITZGERALD: Okay. If you want to come back at the end of the meeting, I'll tell you what, I'll give you three minutes at the end, too. We'll give you double the time.

MR. LILLER: You'll give me three minutes at the end of this meeting?

PRESIDENT FITZGERALD: I will do that, Mr. Liller.

MR. LILLER: Fine.

PRESIDENT FITZGERALD: See, we're not going to deny you your rights. Okay. Let's get to the agenda. Approval of minutes. 5636-10.

MR. CATANESE: Motion to approve the minutes of the April 6, 2010 regular meeting of Council.

PRESIDENT FITZGERALD: Do I have a motion to approve?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT FITZGERALD: All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Presentation of appointments. 5637-10.

MR. CATANESE: Approving the reappointment of George Kurn to serve as a member of the Council of Friends Organization, Harrison Hills Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Burn.

PRESIDENT FITZGERALD: Councilman Burn?

MR. BURN: Move for approval.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second. Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Kurn is approved. 5638-10.

MR. CATANESE: Approving the reappointment of Patrick Kopnicky to serve as a member of the Council of Friends Organization, Harrison Hills Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Burn.

PRESIDENT FITZGERALD: Councilman Burn?

MR. BURN: Mr. President, Patrick Kopnicky is the de facto leader of the Harrison Hills Council of Friends. He does an outstanding job up there. Of all the councils --- and they all do great work. But Patrick is really --- works very well with Director Baechle, the Chief Executive and myself. And it is just a great park. It's up on the corner of Harrison, at the tip of the county. If anybody goes up 28 has a few minutes, take one of the exits. Go on to Freeport Road and see what Patrick

and the Friends have done. So I usually just move for approval, but with Patrick I wanted to make a little bit of an exception. Thank you. Move for approval.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Kopnick is approved. 5639-10.

MR. CATANESE: Approving the reappointment of Susan Vertosick to serve as a member of the Council of Friends Organization, Harrison Hills Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Burn.

PRESIDENT FITZGERALD: Councilman Burn.

MR. BURN: Move for approval.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Ms. Vertosick is approved. 5640-10. Approving the reappointment of Thomas Michael Consla to serve as a member of the Council of Friends Organization, Harrison Hills Park, for a term to expire on May 4th, 2012. Sponsored by Councilman DeFazio.

PRESIDENT FITZGERALD: Councilman DeFazio?

MR. DEFAZIO: I make a motion to approve.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Consla is approved. 5641-10.

MR. CATANESE: Approving the reappointment of Bill Knause to serve as a member of the Council of Friends Organization, South Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Gastgeb.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Motion for approval.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Knause is approved. 5642-10.

MR. CATANESE: Approving the reappointment of Mark O'Brien to serve as a member of the Council of Friends Organization, South Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Gastgeb.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Motion for approval.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. O'Brien is approved. 5643-10.

MR. CATANESE: Approving the reappointment of William Capp to serve as a member of the Council of Friends Organization, South Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Gastgeb.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Motion for approval.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Capp is approved. 5644-10.

MR. CATANESE: Approving the appointment of Nancy Furbee to serve as a member of the Council of Friends Organization, North Park, for a term to expire on May 4th, 2012. Sponsored by Councilwoman Green Hawkins.

PRESIDENT FITZGERALD: Councilwoman Green Hawkins?

MS. GREEN HAWKINS: Move for approval.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Ms. Furbee is approved. 5645-10.

MR. CATANESE: Approving the appointment of Valerie Yockey to serve as a member of the Council of Friends Organization, Boyce Park, for a term to expire on May 4th, 2012. Sponsored by Councilman Martoni.

PRESIDENT FITZGERALD: Councilman Martoni?

MR. MARTONI: Move for approval.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.
Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Ms. Yockey is approved. Unfinished business. Committee on Health and Human Services, second reading. 5600-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing rental rates, fees and restrictions for independent living apartments at the Kane Regional Center-Glen Hazel. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Cleary?

MS. CLEARY: Thank you. This is so that we can set the fees for the independent living that has been constructed at the Glen Hazel site of the Kanes. This is part of the Kane plan that was supposed to be implemented, and this is the first part that's going into effect here. The rest will be not quite what the private sector asked for, but it is a significant amount of money, enough that we can take it in. The Housing Authority is dealing with Kane to figure out what the rentals are going to be, and we do have those rental fees on our papers here. Utilities will be included because they were in with the buildings as they stood when they renovated them. People have to pay for phone, cable and Internet, but it's really pretty self-explanatory. And we're moving forward because people do want independent living. They're hoping, I believe, to start renting in June. I move for approval.

MR. FINNERTY: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 14, noes 0. The bill

passes.

PRESIDENT FITZGERALD: 5601-10.

MR. CATANESE: An ordinance of the Council of the County of Allegheny, ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Cleary?

MS. CLEARY: Thank you, Rich. This is also --- this is from the Health Department. They passed these regulations, and they had to be made. What these regulations cover are what the EPA wanted us to do for different services that might be provided in the community. Basically, with coating processes of wood and metal, tin, all kinds of products. Right now we do not have any of these in the County. But as part of the SIP plan, we need to have these in place so if any of these companies would move in, they would know what our regulations are and they would be complying with the EPA. Move for approval.

MR. FINNERTY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? Please call the roll.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 14, noes 0. The bill

passes.

PRESIDENT FITZGERALD: 5602-10.

MR. CATANESE: An ordinance of the Council of the County of Allegheny, ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Cleary?

MS. CLEARY: Thank you, Rich. This ordinance also deals with the State's SIP plan, that's the State Implementation Plan, so that we can be in compliance with the PM2.5 standard. This has gone through the County Health Department. They voted affirmatively on it. They had the public meetings about it. They actually extended the public meetings tonight, so we've got a lot of input into this. I know a lot of the environmental groups are not happy with this, but this is only the first part of the plan. This is the part that already has a deadline and needs to be in. And since they got done with this one, they're starting to work on the next plan to bring PM2.5 in.

And I know there's been a lot of criticism about this, but the one thing is they look at the worst monitor in the region. And that's why a lot of times we have the worst air around. But at least we're the most livable city by the one article that was in the paper today. So I think we are moving forward. And this SIP plan helps because U.S. Steel is really working. They shut down some of their batteries, and they're going to build new ones. So we're moving in the right direction and working to make the air quality better here to fit with all the other assets we have. Move for approval.

MR. ELLENBOGEN: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 14, noes 0. The bill

passes.

PRESIDENT FITZGERALD: Liaison reports. Any liaison reports this evening. Mr. Macey?

MR. MACEY: Yes. Thank you, Mr. President and members of Council. I would just like to report on a few things that's going on at the international airport. Allegheny County Airport Authority has announced that WINGS Logistics, a New York-based, highly-cited and fast-growing freight forwarder, has selected Pittsburgh International Airport as its distribution point for chartered cargo flights from Asia. Currently, flights will be scheduled on an average of one per week through August of 2010. The initial flights will be from Hong Kong, with Shanghai and Vietnam flights anticipated. The aircraft is being leased from Southern Air and is a 747 200 cargo plane. WINGS Logistics has conducted cargo charters from Hanoi, Vietnam to Pittsburgh last fall. The WINGS group engineered a complex transfer of backhaul government 747 F cargo charter into Hanoi, Vietnam on October 20th, fully loaded, and landed in Pittsburgh.

What this really means is that cargo that's being flown from the southeast and coming into the United States --- southeast Asia, that is, coming into the United States and landing in New York usually had a six-day turnaround. Coming into Pittsburgh, the product is distributed within 30 hours. The news is apparently a great opportunity for Pittsburgh International Airport to be recognized as an alternate for cargo distribution. This means more economic development for the region, including businesses, worldwide flight services, ground express and AFCO, who manages the air cargo eight facilities for the offload and pallet breakdown for trucks and that take place. It means a lot of jobs, and it means economic development for this area. And also, it puts us on the map as a cargo carrier.

I'd also like to say that Southeast --- excuse me --- Southwest Airlines is celebrating their five-year anniversary at the International Airport, and that seat passengers are increasing. Flights out of and into Pittsburgh may not have increased. They may have decreased a bit. But we're talking about passengers. There were more passengers flying in and out of Pittsburgh in the last several years than ever before. Thank you very much.

PRESIDENT FITZGERALD: Thank you, Mr. Macey. Mr. Futules?

MR. FUTULES: Thank you. For those of you watching on the webcam, tomorrow is Allegheny County's Senior Celebration at South Park. It's like a senior fair. There will be healthy screening, cooking and snacking demonstrations, nature walks, dancing and games. There will be about 50 different organizations to show seniors out there an opportunity for things for them. That's tomorrow from 10:00 a.m. until 2:00 p.m. Thank you.

PRESIDENT FITZGERALD: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. I'd just like to applaud the Allegheny County Jail Collaborative, which is celebrating its tenth year anniversary. They do a tremendous job of successful reintegration into the community after a person's in jail. I think everyone should have one of these. Okay. Thank you very much. I appreciate that.

PRESIDENT FITZGERALD: Mr. Ellenbogen?

MR. ELLENBOGEN: Last week in the news media, I had read a distressing article. And before anybody twists what I have to say, this has nothing to do with gun control and this has nothing to do with hunting. But I'm very disturbed when --- in fact, I'm getting a little ahead of myself. There's a version of what they want to call coyote, which is more or less --- more like a dog that has existed in places like Mount Washington and other greener areas that --- these animals have never bothered anything. There's never been, to my knowledge, any example of a coyote attacking a child, attacking another animal or any other sort in the City of Pittsburgh or in Allegheny County, for that fact.

But what bothers me more than anything, and anybody who has children knows it. Particularly, you know, sons and that like to play in the woods. And when someone walks out their back door and sees an animal that they consider a threatening animal and pulls out a rifle and shoots blindly like that and kills the animal like they're a great hunter, I have a real problem with that kind of attitude. In a situation like that, if you feel that there is a danger, we have very specialized police officers for that. We have animal control. But pulling out a rifle in the City of Pittsburgh in a place like Mount Washington, shooting an animal that --- like I said, those so-called coyotes have been up there since the beginning of time. There's never been any example that

anybody could demonstrate to me or anyone else that anything was ever threatened. And an individual taking a gun and just discharging like that and killing that animal is a real problem with me.

What I would ask you, Mr. President, is --- maybe it would be the government committee. I don't know whether there would be something that maybe we would want to send a letter across the street. But I think any parent that's ever had to, like, tell their kid, you know, where were you at, in the woods, blindly shooting. Like, that is just a recipe for something terrible to happen. And I would ask my colleagues to at least, you know, indulge me to have this situation or even some kind of law and whatnot investigated. Thank you, Mr. President.

PRESIDENT FITZGERALD: Will do, Mr. Ellenbogen. Good point. Mr. Drozd?

MR. DROZD: I defer. I don't know if ---. If you're going down the line, Mr. McCullough had his hand up. I don't know.

MR. MCCULLOUGH: I just have a question, so go ahead with the report. I just had a question.

PRESIDENT FITZGERALD: Go ahead, Mr. Drozd.

MR. DROZD: Okay. Thank you. We always see this letter from the Shuman Center, from the director and the deputy director. It's an invitation. It says, please join the Shuman Center administration as we honor our staff and volunteers for their hard work and dedication to Shuman Juvenile Detention Center and its residents. Because of them, we are able to lead the young people at our facility in the right direction. Having good role models gives these children a better chance. Our staff and volunteers will be acknowledged at this year's annual recognition dinner. And it goes on and on.

And I can't help from wondering ---. You know, I'm kind of the liaison at the Shuman Center, and I don't know how many other Council members have been there. You know, the ones that are lost, we kind of forget. Have you seen The Blind Side? I don't know how many of you have seen The Blind Side. That was a perfect example of a young man that would have been lost, one of those statistics that could have ended up wherever, maybe, in a prison or whatever it could have been, and never had accomplished or never realized his talents or her talents, or whatever it may be. This young man was picked up by a family and mentored, who had an opportunity to go play

ball at one of the major Division 1 colleges and went on to the NFL. He would have been lost. Because someone took a little bit of attention ---.

And I can't help from thinking about this, how many dinners we go to, including myself, and I point the thumb at whoever --- finger --- it's the thumb, too, that we go there and say, wow, this is great. And then we walk away and we don't do anything about it and we don't follow through. And I would --- our viewing audience and everyone, whoever, and people, to maybe pick up somewhere and try to help some of these young people. I'm going to try somehow, somewhere, some place. These young people really deserve a chance that are forgotten. I see the ones that come up, and they really ---. Think about where you were born and raised in good families and where you come from and where they necessarily don't have that same opportunity as your kids, where they go.

So I'm just urging everybody to think more about this. I'd like to do more through the Council and through the County to help these young people, to give them a chance. Some of them want to simply go to community college or whatever else have you. They really need a chance and they need someone to care. Just think of somewhere, someplace, someone, each one of us, whether you succeeded very successfully or not, someone cared, and how much that meant in your life.

So anyhow, it's on Thursday. I'm going to be there, and I hope that maybe some of my fellow Council or somebody ---. Even if you're not out there, think of this, you know, when you're listening to this, somewhere, some place. It may not be someone in the Shuman Center, but you may see a young person somewhere that's kind of lost and is ---. You know, lastly, I think --- I always see that television commercial --- it's always a shame to waste, you know, in essence, someone that really has a potential that we don't help. So that's it. I just want to emphasize wherever and whenever I can. Thank you.

PRESIDENT FITZGERALD: Thank you, Mr. Drozd.
Mr. McCullough?

MR. MCCULLOUGH: Thank you. I promised my constituents in Braddock that I'd mention this tonight. Several of them contacted me this afternoon and said that they were under the impression that we on County Council or one of our committees or something somehow voted on an

agreement regarding the redevelopment of the Braddock Hospital site. Does anybody know anything about that?

PRESIDENT FITZGERALD: Not that I'm aware of.

MR. FINNERTY: No, we did not vote on an agreement.

MR. MCCULLOUGH: Okay. All right. I appreciate your clarifying that. But there is some information that I'm going to make available to all of you in your mailbox, because a week or so ago, maybe two weeks ago, I had a right-to-know request. And there looks like there's been a lot of exchange between certain representatives of the county and UPMC. And I'm troubled when I hear --- when I see letters going out under the pen of one of our department heads saying that Allegheny County has made a commitment that particularly involves real estate, when we haven't been involved in something like that. I'm also troubled when I see a letter from UPMC to the Chief Executive, I'm going to presume it's a typo, but it was dated March of 2009 --- I'm going to presume it was dated this year --- referencing the closing of the hospital, and talking about, again, an agreement between the Chief Executive and UPMC.

And lastly --- and I'm going to call this to all of your attention because I'm going to presume that whatever goes on out there, we're all going to get a chance to weigh in on it --- is a letter that UPMC's Counsel sent to Judge Strassburger during the course of some litigation where they made representations about what they were willing to do for the area, but they haven't followed up on it. And I want all of you to see that so that we know what we're getting into with our eyes open. And I hope --- and I'm going to make this communication directly to the County Manager --- I hope this is not going to be a situation where there's negotiations going on between the administration and third parties that have not been done with counsel, and we get another one of these situations where we're coming in at the 11th hour with an agreement that's going to be crammed down our throats and we're going to be asking --- just rubber stamp. Because I think we've all had our fill of that, and I know I have. But I'll make this information available to all of you. Thank you.

PRESIDENT FITZGERALD: Thank you, Mr. McCullough. New business. Ordinances and resolutions. 5647-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance Number 07-06, the existing schedule of facility and recreational rates and fees for the use of County recreational and park facilities. Sponsored by Council Members Futules, Drozd, Ellenbogen and Martoni.

PRESIDENT FITZGERALD: Refer to Committee on Parks. Mr. Futules, do you wish to comment?

MR. FUTULES: Yes. Thank you, everyone, for co-sponsorship so early. What I'm working on now, I'm going to go to the administration and start asking for a theme day at the County parks, whether it's ski resorts, pool, skating, like group rates. It would be operated like Kennywood Park where communities, churches, schools, police organizations, fire and labor, anybody that would pick that particular day --- and I'll use examples. When I was a kid, I would go to Kennywood Park three times a year: when it was on Penn Hills Day, swimming on Oakmont Day and the Shriners picnic. Had it not been those days, I probably never would have gone that much. But that's what I'm trying to promote in our County Parks Day. Let the people see our parks more to give them a reason to go on a particular day. And we'll talk about it in committee and we'll come back.

PRESIDENT FITZGERALD: Thank you, Mr. Futules.
5648-10.

MR. CATANESE: An ordinance establishing an Allegheny County Rainy Day Special Reserve Fund and providing for the administration of revenues placed into such fund. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. Councilman McCullough, do you wish to comment?

MR. MCCULLOUGH: Just a few brief remarks. This is something we discussed last year. I think it's a little clearer now. I think we all heard the Controller's comments last week. And I think this is a good piece of legislation to address the concerns that he's raised for us long term about where we need to be with our finances.

PRESIDENT FITZGERALD: 5649-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled Finances, through the creation of a new Chapter 480 entitled Essential Services and Tax Exempt

Verification Certification, in order to provide for a tax exempt certification and essential services fee for certain properties within the County for which an exemption from the real property tax is claimed. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. Mr. McCullough, do you wish to comment?

MR. MCCULLOUGH: Yes, I do, just briefly. I think at the last meeting we blazed a new legislative frontier when we passed the Prevailing Wage Act. And I'm going to follow up that path with this legislation. I'm looking forward to the same kind of support for this that was given to the prevailing wage. I'll just add one other thing. On top of all the very positive comments that were said about the prevailing wage legislation last week --- or last session, there is no preemption language in any State statute regarding the essential services fees. So while you all have to deal and reconcile State preemption language as far as prevailing wage, you don't have that hurdle here. So I'm looking forward to a healthy debate with passage of this very important piece of revenue-generating legislation.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. Just to dovetail, some of us are on a committee that I think has been working in earnest with some of our nonprofits, whether it be university or hospitals. And I think it's going fairly well. We're trying to find some mutual, I guess, agreement where they may want to invest in some county services, therefore deferring any past consequences --- I'm sorry --- any appropriation consequences that we have to put out as a county.

However, I think it's incumbent upon all of us on Council to really start to move forward with something. As we start the budget process in the fall and we're going into next year's budget, we know we're going to have a tough budget. Council members are bringing forth --- you know, Mr. Finnerty has a bill that I think has merit. I think our committee that we have working has a merit. And I think Mr. McCullough's bill has merit. But we're not moving forward fast enough, and we need to start. We're going to run into a situation where we have to back ourselves into a wall, which we probably don't want to do. At least now we have situations. I don't know what's

legal and what isn't and what this bill ---. I haven't gotten far enough with it yet. But that couldn't diminish anybody's enthusiasm to try to find some additional revenue opportunities. Thank you.

PRESIDENT FITZGERALD: 5650-10.

MR. CATANESE: An ordinance of the County of Allegheny providing for the repeal of Resolution 01-10-RE, which authorized the acceptance of the fiscal year 2008-09 distribution from the Pennsylvania Gaming Economic Development and Tourism Fund for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class, to fund construction, development, improvement and maintenance of infrastructure projects through the Allegheny County Economic Development Community Infrastructure and Tourism Fund, in order to provide for the usage of such funding by the County to fund certain infrastructure improvements. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development and Housing. Mr. McCullough, do you wish to comment?

MR. MCCULLOUGH: Yeah. This source of money is State gaming money that is, I believe, \$6.6 million for another ten years. And if you think that \$6.6 million plus the --- when we did a fiscal note on the essential services fee, I believe we'd taken in around \$14 million a year. Now, you're up over \$20 million. And I think if you combine that with the legislation that will study the feasibility of disposing of some of these authorities that have been a real drag in our operations, we have a real chance to address the fiscal problems that the Controller referenced to us last week. So again, I'm looking forward to discussing these at length in committee. We need to get rolling on this. We need to come up with some alternatives. So I'm looking forward to trying to move forward with these. Thank you.

PRESIDENT FITZGERALD: 5651-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use of approximately 60 acres of farm land and three out buildings in Deer Lakes Park. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Parks. 5652-10.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania Senate to support House Bill 2026, amending the Pennsylvania Public Schools Code to authorize the Pennsylvania Office of Safe Schools to provide for dating violence education in terms and courses of study, and encouraging the Senate to pass and the Governor to sign this legislation with all due speed. Sponsored by Council Member Fitzgerald and the Chief Executive, Council Members Macey, Finnerty, Burn, DeFazio, Cleary, Martoni, Green Hawkins.

MR. ELLENBOGEN: Add my name, Mr. President.

PRESIDENT FITZGERALD: Add Mr. Ellenbogen.

MR. DROZD: I'd like to add my name to that. I have a question on one point.

PRESIDENT FITZGERALD: Go ahead. Wait, Matt. Let him finish with this. Add Mr. Gastgeb. Add Ms. Rea, then Mr. McCullough. First of all, let me talk about the bill for just a second as the sponsor. And I'm going to ask for a waiver of the second reading on this resolution. I appreciate the fact that so many members have indicated their willingness to co-sponsor. Mr. Cuccia, I think, said it better than I certainly could on why we need to move forward and send a message that we would like the State legislature, both the Senate and House, to move forward on this bill. So first I'm going to ask if somebody will make a motion to waive the second reading.

MR. MACEY: So moved.

MR. FINNERTY: Second.

PRESIDENT FITZGERALD: Moved, second. Without a discussion, I'm just going to ask for a voice vote on the waiver of the second reading. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Now, I would ask if somebody would make a motion to pass the bill.

(Chorus of motions.)

MR. FINNERTY: Second.

PRESIDENT FITZGERALD: Now, people can have a discussion. Anybody? Mr. Drozd, go ahead.

MR. DROZD: Yeah. I think this is really a good resolution. I think, in addition, that I would ask the County Manager to look at the possibility --- as the family has so pointed out, there is a petition for people to sign, that we could put the link to that petition on

our website so that people could sign on our website. If we're going to make a statement, let's make a statement here and let's put it on our website and let people sign from that website, referring to the resolution. Thank you, Mr. President.

PRESIDENT FITZGERALD: Let's call the roll on 5652-10.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Aye.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 14, noes 0. The bill passes.

PRESIDENT FITZGERALD: 5653-10.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing a feasibility study of the Allegheny County Airport Authority, Allegheny County Sanitary Authority, the Sports and Exhibition Authority of Pittsburgh and Allegheny County, and the Port Authority of Allegheny County, for the purpose of evaluating the potential for their

incorporation into the operations of Allegheny County or privatization. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Refer to Committee on Government Reform. Councilman McCullough, do you wish to comment?

MR. MCCULLOUGH: No, sir.

PRESIDENT FITZGERALD: Okay. 5654-10.

MR. CATANESE: A resolution approving a project for the benefit of Robert Morris University, to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's tax-exempt bonds, to be issued in one or more series in the aggregate principal amount not to exceed \$16,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the bonds, and declaring the financing of such project as desirable for the health, safety and welfare of the people of Allegheny County. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development and Housing. 5655-10.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2010, Submission 06-10. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. 5656-10.

MR. CATANESE: A resolution of the County of Allegheny amending the 2010 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. New business, motions. 5657-10.

MR. CATANESE: Motion of the Council of Allegheny County urging the Pennsylvania Senate to support House Bill 1231 amending the Pennsylvania Workers' Compensation Act to provide financial support for firefighters who become ill as a result of their exposure to hazardous materials on the job, and encouraging the Senate to pass and the Governor to sign this legislation with all due speed. Sponsored by Council Members Burn, Macey, Finnerty, Futules, Martoni, Green Hawkins.

PRESIDENT FITZGERALD: Add myself and, I believe, add DeFazio, with what he says, Mr. Ellenbogen, Mr. Drozd, Ms. Cleary, Mr. Gastgeb, Mr. McCullough, Mr. Martoni, Ms. Rea. Add the group. Mr. Burn?

MR. BURN: Thank you, Mr. President and members of Council. Thanks to everybody for co-sponsoring. We have our differences up here from time to time, sometimes on partisan lines, sometimes not. But the one thing, I think, we've always been unanimous on in my four and a half years up here, is public safety, whether it be Council Member Gastgeb's bill or numerous other bills that we've offered in a partisan or a bipartisan fashion, but which we've all come together on. It's that common denominator that seems to unite us, is the safety of our children, our families and those out there who put their lives at risk so that we can be safe.

I bring this motion for a couple of different reasons. One is as a former mayor who's worked closely with first responders, as Chair of the Public Safety and also as a Workers' Compensation attorney who has seen how some of our first responders have suffered when they've been diagnosed with some of the life-threatening illnesses that are outlined in the bill. It can be very difficult to prove those types of cases if the injury is far removed in time or the exposure is far removed in time from the diagnosis.

What this bill does, members of Council, is it gives the presumption to the firefighters of a causal relationship. Instead of us having to prove that, A, they were in the building and B, that any diagnosis they have is work-related, if this bill is passed and signed by the Governor, the presumption will be that the symptoms which are outlined are, in fact, work-related if it can be established that they were in a building that has those types of cancer-causing agents. Of course, it's not an irrebuttable (sic) presumption, but at least it really puts the first responders in a position where it will not be as difficult for them to get the recoveries that they're entitled to.

So that being said, it was almost unanimously passed in the House. The Governor has indicated he would sign it. And I know the Senate is very busy with a lot of other issues right now, but this one seems to be one, if all indications are consistent, that it has tremendous bipartisan support in the Senate as well. And I would urge the Chair of the committee to please vote on it and get it to the floor for a vote so that the Governor can sign it. Thank you. That's a motion for approval.

PRESIDENT FITZGERALD: Motion for approval.

MR. DEFAZIO: Second.

PRESIDENT FITZGERALD: Moved, second. Mr. Ellenbogen?

MR. ELLENBOGEN: Yeah. Jim, I just want to ask you a question, and you know I was an emergency guy. Does this just include firefighters? I mean, because when you get on an emergency site, there's sometimes paramedics. There's emergency personnel, specialized guys that are also exposed to those kinds of hazardous materials. And I was wondering if they're included in this.

MR. BURN: Well, the way the amendment reads is it's specific to firefighters, as I read it, Mr. Ellenbogen, at least with respect to the presumption. But there are remedies available for other first responders.

PRESIDENT FITZGERALD: Mr. Drozd? Mr. Ellenbogen, were you finished?

MR. ELLENBOGEN: No, no. Thank you.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Yeah. I just want to make sure --- you know, under the Workmen's Compensation Act, I would assume that it covers those that are paid firefighters. But does it --- I want to make sure that it covers the volunteers that aren't paid.

MR. BURN: Yes.

MR. DROZD: It definitely does?

MR. BURN: Yes, sir.

MR. DROZD: I know a lot of our firefighters ---.

MR. BURN: Oh, absolutely. Yes, sir.

MR. DROZD: Okay. Great. That's good.

PRESIDENT FITZGERALD: We'll do a roll call vote on this. All in favor of passing motion 5657-10, please signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. 5658-10.

MR. CATANESE: Motion of the County of Allegheny expressing the support of the Council for the Pennsylvania high-speed maglev project. Sponsored by Councilmen Finnerty and Macey.

PRESIDENT FITZGERALD: Councilman Finnerty, do you wish to comment?

MR. FINNERTY: Sure. This project is looking to the future. It has a number of jobs that are in McKeesport right now, teaching in the state-of-the-art

welding, different type of welding that's done for this type of car. They do make cars down there, and it does have a lot of jobs tied to it. But more than anything else, to look to the future for this district for western Pennsylvania. Thank you.

PRESIDENT FITZGERALD: Do you wish to make a motion for approval or do you want to send it to committee?

MR. FINNERTY: No. Make a motion to approve.

PRESIDENT FITZGERALD: Motion to approve? So moved.

MR. MACEY: Am I allowed to vote?

PRESIDENT FITZGERALD: Oh, yeah. We need a second.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Second, Mr. Macey. You can be the second and keep going.

MR. MACEY: Thank you, Mr. President and members of Council. This maglev has been on the drawing board for quite some time. And the money that's been earmarked for maglev is essentially important to the research and development in this particular cutting-edge type of research. And I mean cutting-edge because we're looking at the formulation of structural steel. That's the cutting, that's the bending and the welding of structural steel for this project, not only for the maglev project, but also for our government projects in the Navy. What's also important is \$28 million coming into this region. And it's important that --- because we're one of the 11 high-speed rail corridors that we get it. You know, we fought for other Federal dollars. We got those Federal dollars. Sometimes if you don't use it, you lose it. And this is very important to us. Not only is it important to McKeesport and the people that are employed there, but it's also important for Allegheny County and Westmoreland County. Thank you.

PRESIDENT FITZGERALD: Mr. DeFazio, then Mr. Futules.

MR. DEFAZIO: Yes. This is a very good project. I know we've been involved with this for years. I hope it gets off the ground someday because there's a lot of jobs involved. You know, we'd be crazy not to pass this motion. Thank you.

PRESIDENT FITZGERALD: Mr. Futules?

MR. FUTULES: Thank you. I'd like to be a co-sponsor, also. Just to let everybody know, when we talk about the maglev, maybe some folks at home don't know where it would start and end, it actually starts in Greensburg. It comes through Monroeville, Plum Borough area, down through Verona, down the Allegheny River Boulevard over to the Strip District, into the city, then on to the airport. And that's the exact route. There's only a few stops: Monroeville, Greensburg, the City of Pittsburgh. So it should make the trip from Greensburg to the airport in 20 minutes, and that's including the stops.

PRESIDENT FITZGERALD: Mr. DeFazio, do you have something else?

MR. DEFAZIO: I wanted to be added as a co-sponsor. Also, from Pittsburgh to the airport, you get there in seven minutes. If it ever gets off the ground, this is only the first part, going from Pittsburgh to Greensburg, Pittsburgh to the airport. It's going to go to Harrisburg, Philadelphia, then the other direction if it ever gets going.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Yeah. If this is going to employ a lot more people and not cost the taxpayers a lot of money, I'm very supportive of it. But I'd really love to have done an amendment to say let's divert the monies from that ridiculous tunnel under the river to this. And you know, I'd be right there because it would employ a lot more people, many, many more.

PRESIDENT FITZGERALD: I think that maglev track is going to do a lot of things; isn't it?

MR. DROZD: They didn't serve a lot more people. 1.2 miles from here to the other side isn't serving a lot of people. With this you can serve a lot more people.

PRESIDENT FITZGERALD: Mr. DeFazio again.

MR. DEFAZIO: I can't let Matt go ---. There's nothing we can do. Everybody has a different idea. That was agreed to. Other than that ---.

PRESIDENT FITZGERALD: We're going to stay on maglev. Let's talk about maglev. Mr. Ellenbogen?

MR. ELLENBOGEN: I just have a question for Mr. DeFazio. John, I just want to be sure. This is all going to be United --- you know, American steel on this project, right? Union steel? That's all I could hope. You know, I don't want to vote for something that's going to ---.

PRESIDENT FITZGERALD: Let's call for a voice vote on 5658-10. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed?

MR. MCCULLOUGH: Opposed.

PRESIDENT FITZGERALD: Please note Mr. McCullough is opposed. I believe everybody else is in support. Okay. Non-agenda topics. Mr. Liller, this is your chance here.

MR. MCCULLOUGH: Point of order.

PRESIDENT FITZGERALD: I'm sorry. Yes.

MR. MCCULLOUGH: I do want to introduce a motion and have it put into committee.

PRESIDENT FITZGERALD: Okay. Do you have it in written form?

MR. MCCULLOUGH: Yes, we do.

PRESIDENT FITZGERALD: Okay. Mr. Barker will pass it out. Go ahead, Mr. McCullough.

MR. MCCULLOUGH: Back in January, Councilman Robinson introduced a bill to amend the Rules of Council to deal with the issues when we are presented with bond issue for approval. And this restates Bill's motion but also adds some language that I boldfaced. And the idea is, if some entity comes here for approval for public financing, they're going to have to come back to us and get our okay before they try to put that facility out of business or somehow change value. I don't want there to be any more Braddock Hospitals unless we so determine. If you come to us for money, make representations to us you're going to put it into the community, certain facilities, you try to close those facilities, you've got to come back to us for approval. That's the bottom line in this.

PRESIDENT FITZGERALD: We'll refer that to the Economic Development and Housing Committee. Public comment on general items. Mr. Lester Ludwig? I don't see Mr. Ludwig here tonight, I don't believe. No. Dr. Richard King? Is Dr. King here? No? Mr. Liller, you're up. You get two for the price of one tonight. We're going to let you ---. But we have rules to talk about agenda items and non-agenda topics. I just wanted you to be clear. That's all. But go ahead.

MR. LILLER: Senator Arlen Specter made fun of Polish people last year. This offended one guy where he said that. And Arlen Specter said, I'll say it slower.

How come that's not brought up? Arlen Specter humiliated Anita Hill, trashed her. She told the truth. Put Clarence Thomas on the Supreme Court, and Clarence Thomas is undermining the black community at every step of the way. How come the NAACP is endorsing Arlen Specter when he hurts the black community?

Now, I have a say-so in this because I created the two minority districts on this Council. I'm never given any credit for it. I created three. And Esther Bush and Bob Cranmer and Larry Dunn, who was voted in by the black community, hurt the black community. And the media just laughs at me. This Council has been horrible and terrible to me for 15 years, and it all gets back to the media protecting the corrupt politicians because of the commercial money.

Arlen Specter is the one who created the single bullet theory that covered up the murder of John F. Kennedy. Arlen Specter is the hatchet man for whoever wants something done. He doesn't do anything to help the people. He does the grease of wheels to cover up all the corruption that goes on. And no one has even hit him about that for those questions.

I had to deal with him personally. The VA Hospital in Coatesville was throwing out 80 Alzheimer's patients. So I started a letter-writing campaign. I went to American Legion Posts and VFWs, and I got the support. And we sent it to Arlen Specter, and what did he do? He held a press conference. He had a C-SPAN conference, took all the credit for it, did not let one Democrat around the area and badmouthed me to everyone behind the scenes, because I was told about it. Here I am fighting for Alzheimer's patients, and I'm treated like crap by the politicians.

As I'll say again, the media has a responsibility to tell the truth to the public of what our politicians are doing. Arlen Specter is going around running commercials trashing Admiral Sestak's military service. I know this personally because Councilman Dick Olasz here insulted my military service. He's not making fun of me now when God's showing him the truth.

MR. ELLENBOGEN: Mr. President --- you know ---.

MR. LILLER: See, here we go again. I have my time to speak, and all you ignorant people cut in on me. You guys are ignorant, arrogant blowhards. I didn't even get my three minutes without you guys being jackoffs.

PRESIDENT FITZGERALD: Thank you, Mr. Liller.
All right. Do I have a motion to adjourn?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT FITZGERALD: Meeting adjourned.

MEETING ADJOURNED AT 6:30 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability

Beth A. Quigley