

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 |
| Joan Cleary | - | District 6 |
| Nick Futules | - | District 7 |
| Robert Macey | - | District 9 |
| William Russell Robinson | - | District 10 |
| Jim Ellenbogen | - | District 12 |
| Amanda Green Hawkins | - | District 13 |

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

Tuesday, June 15, 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
Joseph Catanese - Director of Constituent Services
John H. Rushford, Jr. - Counsel for County Council
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Director
Jack Cambest - Solicitor

PRESIDENT FITZGERALD: We're going to call the meeting to order. If everybody would please rise. I would ask Amanda Henry and Brianna Sanders from the St. Anthony's School to come up. And if you would remain standing. We're going to have the Pledge of Allegiance. First of all, welcome to the regular meeting of Allegheny County Council, our June 15th, 2010 meeting. Amanda and Brianna are going to lead us in the Pledge of Allegiance, after which if you'd please remain standing for a moment of silent prayer or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Present.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Here.

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?

(No response.)

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?

MR. MCCULLOUGH: Present.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Here.

MR. CATANESE: Thirteen (13) members present.

PRESIDENT FITZGERALD: Proclamations/
certificates. 5716-10.

MR. CATANESE: Certificate of Achievement recognizing the students of St. Anthony School Programs, Post-Secondary Program for completing an internship with the Allegheny County Department of Court Records, Civil/Family Division. Sponsored by Council Member Rea, Council Members Fitzgerald, Martoni, Green Hawkins, Ellenbogen, Cleary and DeFazio.

PRESIDENT FITZGERALD: Councilwoman Rea?

MS. REA: Thank you, Mr. President. I'd like to invite to the podium students from St. Anthony's School Programs first. Of the students want to come up here, please. And then I would also like to invite Gary Eiseman, who's the post-secondary director, Todd Eiseman, who's a job coach, along with Kate Buckman, Director of the Department of Court Records, and Mike McGeever, Department of Court Records. Barkman. I'm sorry, Kate. That's my bad writing. Great. Thank you. These young, talented, determined students have excelled and completed an internship program in our Department of Court Records. Now I'm going to read the proclamation from the County of Allegheny.

Allegheny County Council is proud to present this Certificate of Achievement to St. Anthony School Programs, Post-Secondary Program students for completing their internships with the Allegheny County Department of Court Records, Civil/Family Division. Five years ago, the Allegheny County prothonotary established the internship program, and it has continued within the Department of Court Records. We appreciate the students' continual and enthusiastic willingness to gain valuable experience in our workplace. We hereby salute their achievements and thank them for their dedicated service to Allegheny County. So thank you very much, students.

(Applause.)

MS. REA: Now if any of the directors would like to come up and say a few words or any of the students.

MS. BARKMAN: Thank you very much, Councilwoman Rea. Thank you to County Council for honoring the St. Anthony students who have worked so hard in the Department of Court Records, Civil/Family Division. I really appreciate their work and it's a pleasure having them in our office. Gary Eiseman, the director of the program, will speak a little bit about the program. But before we

move on, I'd like to acknowledge two Department of Court Records, Civil/Family employees who've been instrumental in helping the students in their internship, and that is Michael McGeever, the division manager from the Civil/Family Division, and Maureen O'Toole. Maureen, if you would stand up. Maureen has taken a real interest in the program. She's our fiscal director in the Civil/Family Division. So thank you again. Gary?

MR. EISEMAN: And a special thank you from all of us to the County Court --- County Council. I'm sorry. On behalf of the students receiving awards today and all the students and staff at St. Anthony's, we want to thank you for recognizing these students in honor of their efforts this year. St. Anthony's itself is a school program that's inclusive throughout the Pittsburgh Diocese. And we have students ages 5 through 21 that have developmental disabilities. The inclusion part enables these students to start to put into real life their goal of achieving their highest form of independence. These students are in the final --- and some of them, Michael, especially, has graduated this year --- are getting prepared to move on to their life work. What the program has had a chance to do is apply what they have learned in their real life situations into the real work world. They've had a chance to prepare for life after school and they are trying to achieve their goal of independence and become a contributing member of society.

Special thanks to Kate Barkman, Director of the Allegheny County Department of Court Records. Without her vision and letting us have the chance to do this, these students wouldn't be able to prove to everybody the good job that they can do. Mike McGeever, the division manager, that lets us be a part of the Court Records. And a special thanks to a coworker, Maureen O'Toole, who has not only taken an interest in our students, but has become an active part of some of our functions afterwards. So on behalf of everybody, thanks again for giving these young men and women the opportunity to learn and to prove to others that they are an asset to any workplace. Thank you so much. We appreciate it.

(Applause.)

MR. MCGEEVER: I just want to introduce these students right here. Amanda Henry is first, Carolyn Hunter, Brianna Sanders, Ken Drow (phonetic) and Michael Dinappin (phonetic).

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: Okay. We're going to skip over 5717-10 for just a minute. Not all the honorees are here with us just yet, so we're going to go to 5718-10.

MR. CATANESE: Proclamation commending the Obediah Cole Foundation for Prostate Cancer for raising prostate cancer awareness and for hosting its Eighth Annual Father's Day 5k/10k Run/Walk at Riverfront Park at Heinz Field. Sponsored by Council President Fitzgerald and the Chief Executive.

PRESIDENT FITZGERALD: And I'm going to ask Robin Cole and Jerry Livingston to come up with me. And Jerry, I brought my certificate you gave me a couple of weeks ago. Robin certainly needs no introduction as a former Steeler, and it's great to see, you know, members of that great organization continue to help and give back to our community. Jerry has been --- you know, from the very beginning, we feel very proud of our work and our advocacy to try to get the word out about the dangers of prostate cancer. As you see coming through the courtyard, we dyed the fountain blue in memory of that. We do that for Mother's Day. We dye it pink for the Race for the Cure with breast cancer awareness. And then on Father's Day we do the --- dye it blue for prostate cancer awareness.

Since its inception --- it was founded in 2006 --- the organization's three officers, Robin Cole, President, Jerry Livingston, Vice-president, and Jerry Bortman, Treasurer, have dedicated themselves to raising awareness and education about the dangers of prostate cancer. About 200,000 prostate cancer cases are predicted each year, and more than 30,000 men will die from prostate cancer this year. That's why the Obediah Cole Foundation message of early detection is the key to fighting prostate cancer is extremely important for all men to follow. And I'll ask Robin and Jerry to come up and say a few words about the big event they have coming up on Father's Day, and I'm just going to read the proclamation.

Whereas, nearly 200,000 men will be diagnosed with prostate cancer this year, and about one in six has a lifetime risk of being diagnosed with prostate cancer.

Whereas, the Obediah Cole Foundation for Prostate Cancer was founded in 2006 by prostate cancer

survivors Jerry Bortman, Jerry Livingston and former Pittsburgh Steeler player Robin Cole.

And whereas, the foundation is dedicated to educating others about prostate cancer and raising awareness of the disease.

And whereas, the foundation will host its Eighth Annual Father's Day 5k/10k Run/Walk on June 20th at Riverfront Park at Heinz Field, where thousands of people are expected to participate.

And whereas, because of the efforts of the organization, men have become more aware of the importance of being tested for this deadly disease and have, as a result, lived longer and had healthier lives.

Now, therefore, be it resolved that the Allegheny County Council, along with Chief Executive Dan Onorato, on behalf of the citizens of Allegheny County, recognizes the Obediah Cole Foundation for Prostate Cancer for its continual efforts to raise awareness of prostate cancer and proclaim the week of June 15th as Prostate Cancer Awareness Week in Allegheny County. We hope the foundation continues its impressive efforts to fight prostate cancer. Sponsored this 15th day by myself and Chief Executive Onorato.

And I want to invite --- I don't know which one wants to go first, but Robin Cole, come up first. Steelers can go first. It has its privileges. Mr. Robin Cole.

(Applause.)

MR. COLE: Thank you. I really appreciate it. And I'll just share with you and just tell you, like --- what was it --- King Henry, VIII told all of his wives, I won't keep you long. When you think about Obediah, Obediah's a name that's a biblical name. It's an old name. And the name Obediah was my father's name, and we decided to name the foundation the Obediah Cole Foundation simply because my father --- little did he know about prostate cancer at the time. There was very little information available at the time. In his late 30s, he had symptoms of prostate cancer. Didn't know anything about it. By the time, at the age of 44, it had metastasized, we thought it was lung cancer that started in his lungs. But it didn't start in his lungs. It started in his prostate. It metastasized, ended up in his lungs. At the age of 44, he had to have one of his lungs

removed and he lived on one lung until the age of 49. He passed away at age 49.

What we found out, we have a very, very strong history. And with that strong history came six of my brothers that kind of followed. We are all cancer survivors, all but one, and that's simply because he's hard-headed. He hasn't had it checked yet. So a very strong family history. It goes up the line with my father's oldest brothers and back down through here.

But Council, I just want to thank you for the opportunity to be here today. Thank you for the opportunity for the help that we're receiving to make and bring about awareness of prostate cancer, because it is a silent killer. Little did I know at the time that in 2004, after three brothers were diagnosed with prostate cancer, that here I was in 2004 ---. And I was just going in for a regular physical. I had a PSA number of one. That moved from one to two in one year. I went to a urologist, and the urologist said that he didn't think anything was wrong with me. I said, how do I know for sure? He said, do a biopsy. He did a biopsy. Twenty-five (25) percent of my prostate was cancerous already. Thirty-five (35) percent of my prostate was cancerous when he removed it. So it is a disease that sneaks up on you.

What we want to continue to do is bring about awareness, bring about the educational component of this disease and also continue to do blood screenings. And we are continuing to do blood screenings, and we go about in the community and get that done. But we're excited about where we're going. We're excited about having more and more people involved with what we're trying to do, and the thing that we're trying to do is save lives. And with that, I'll just say God bless you guys all. Thank you for the opportunity to be here.

(Applause.)

PRESIDENT FITZGERALD: And I'll ask Jerry Livingston, the vice-president of the Obediah Cole Foundation, to say a few words. Jerry?

MR. LIVINGSTON: Thank you very much. Thank you, Robin. We are greatly indebted to the Council and to Council President Fitzgerald as well as to County Executive Dan Onorato. And thank you so much, Mr. Catanese, for getting the fountain blue and working with the Public Works Department to get that fountain blue. I don't think you understand, and many of you don't deal

with it every day like we do, the impact it has on us survivors and their families. We've lost three guys since May to prostate cancer that metastasized. And I notified all of their families, look, the fountain's blue. And they're so excited because you did that. I notified all the survivors of prostate cancer right now, the fountain is blue.

I also notified all the people that are involved with us in the race since it started in 2002 that we are up in numbers. We had 104 people register just yesterday. We're well over 2,000 people. We grow 300 people every year, and someday we'll be like the Komen race with 34,000 people. Since we saw you last year, we screened 800 men, and two to three percent of those men have a problem. We referred them to their doctor for prostate cancer. We screened at PNC Bank in December. And we went to the bank last week and a woman told us we saved her husband's life. Robin is correct. We save lives. You help us save lives by the work you do and support us.

If you want to do something Sunday --- I know everybody has plans. You come out on Sunday. We have the Carnegie Science Center. There's a Pirate game, free admission to the aviary. We're not just a race. You have a lot of things going on, the Spaghetti Warehouse with the food down there. The bottom line is all the money stays in Pittsburgh. For every \$25 registration, we screen a guy and we'll screen ---. This year we have a health fair too on Thursday night at the Wild Things game. We screened all the coal miners at Consol Energy, and we have at least six screenings throughout the year. So that's what we do. Thank you very much. Come out on Sunday. Here's a card for all people and members of the Council, and we hope to see you all then. Thank you so much.

By the way, I'm a prostate survivor. I had it twice. If I'd have waited six more months, I'd have been dead. It's just that simple. Once it metastasizes ---. And lastly, one last thing I have to say. I almost forgot. This morning, the City Council also declared this week as Prostate Cancer Awareness Week. We have a new image, and the image is a hand. Of course, the little pinkie has the baby blue, which is us, a reminder for people to get screened. And the name is A Man on Father's Day Race. And what does that mean? It means be a man. Step up. Get yourself tested. Don't be macho, afraid to admit you have a problem, and leave your family in the

lurch without their father, their grandfather, their brothers, to be there at weddings, anniversaries. They're not there. We deal with it every day because guys are too macho. So we're saying man up, guys. Get yourself tested. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: Okay. We'll move on to 5719-10.

MR. CATANESE: Let the record show that Councilman Burn is present. The remainder will be read into the record.

Certificate of Recognition honoring the 100th anniversary of the Dormont Volunteer Fire Department. Sponsored by Councilmen Ellenbogen and Finnerty.

5720-10. Proclamation declaring the month of July as the Month of Freedom and recognizing the Western Pennsylvania Police Athletic League for presenting its annual Gathering of Peace event on July 1st, 2010. Sponsored by Councilmen Martoni, Fitzgerald, Cleary, Gastgeb, Drozd, William Russell Robinson, Macey and DeFazio.

5721-10. Proclamation recognizing the 50th anniversary of Father Russell Maurer's priesthood. Sponsored by Councilman Finnerty and the Treasurer.

5722-10. Proclamation honoring John Kovach for his heroic actions in saving a child's life at Memorial Elementary School in Bethel Park. Sponsored by Councilman Gastgeb.

5723-10. Proclamation commending the career of Bethel Park High School's band director, David Buetzow. Sponsored by Councilman Gastgeb.

5724-10. Certificate of Recognition honoring Ms. Marian Krivacek for her 25 years of service with John J. Kane Regional Center in McKeesport. Sponsored by Councilman Macey.

5725-10. Certificate of Recognition honoring the 50th anniversary of James and Arlene Reed. Sponsored by Councilman Macey.

5726-10. Certificate of Recognition honoring the 50th anniversary of John and Betty Kaczka. Sponsored by Councilman Macey.

5727-10. Certificate of Recognition honoring the 50th anniversary of Joe and Shirley DiFalco. Sponsored by Councilman Macey.

5728-10. Certificate of Recognition honoring the 60th anniversary of Clyde and Florence Shively. Sponsored by Councilman Macey.

5729-10. Certificate of Recognition honoring the 60th anniversary of Michael and Jean Pozzuto. Sponsored by Councilman Macey.

PRESIDENT FITZGERALD: Public comment on agenda items.

MR. CATANESE: We have none.

PRESIDENT FITZGERALD: Approval of minutes.

5731-10.

MR. CATANESE: Motion to approve the minutes of the May 19th, 2010 regular meeting of Council.

MS. CLEARY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Unfinished business. Committee on Appointment Review, second reading. 5684-10.

MR. CATANESE: Approving the appointment of Michael Dunleavy to serve as a member of the Sports and Exhibition Authority of Pittsburgh and Allegheny County for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair DeFazio?

MR. DEFAZIO: Yes. I'd like to make a motion 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. 5685-10.

MR. CATANESE: Approving the appointment of Dr. Eric Hulsey to serve as a member of the Drug and Alcohol Planning Council of Allegheny County for a term to expire on December 31st, 2012. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair DeFazio?

MR. DEFAZIO: Yes. I'd like to make a motion 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. 5710-10.

MR. CATANESE: Approving the appointment of William T. Cagney to serve as a member of the Allegheny County Community College Board for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair DeFazio?

MR. DEFAZIO: Yes. I'd like to make a motion for approval.

MS. CLEARY: Second.

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

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. 5711-10.

MR. CATANESE: Approving the reappointment of Daniel K. Bricmont, Esquire to serve as a member of the Air Pollution Control Advisory Committee for a term to expire on December 31st, 2010. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair DeFazio?

MR. DEFAZIO: Yes. I'd like to make a 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. I see that our honorees are here with us this evening, so I'd ask Mr. Catanese, let's go back to 5717-10.

MR. CATANESE: Certificate of Achievement honoring Jerry Cozewith and Entrepreneurship Youth and the young individuals that won the George W. Tippins Youth Entrepreneur Regional Business Plan Competition. Sponsored by Council President Fitzgerald.

PRESIDENT FITZGERALD: Okay. Thank you. I'm going to ask Jerry Cozewith to come up. Jerry runs the Entrepreneurship Youth program at Duquesne University, the 2010 George W. Tippins Entrepreneurial Business Competition. And this is a great program that encourages our youth to think and put a plan together on how to start a business, how to become entrepreneurial from an early age. And I was privileged to be invited to be one of the judges this year. I've got to tell you, I was just

literally blown away by the ideas and the plans and the dedication and detail that these young people put together.

We're going to be reading about these folks someday and probably going to them and asking them for big campaign contributions or big contributions for, you know, philanthropic things and everything else, because they're going to be making a lot of money someday for some of the things they did. But I'm going to read this and then have Jerry come up and talk about the students who are with us today. And this is the winners of Entrepreneurs Youth --- George W. Tippins Youth Entrepreneur Regional Business Plan Competition.

And Allegheny County Council is proud to present this Certificate of Achievement to the winners of the 2010 Entrepreneurship George W. Tippins Plan Competition. Entrepreneurship Youth students showcased their business and operating strategies through a series of competition which they presented and defended their business plans to a panel of local entrepreneurial business and community leaders. The competition provided students a unique opportunity to hone their marketing presentation and communication skills, network with local leaders and compete for seed capital grants to support their business or academic goals. On behalf of the citizens of Allegheny County, we congratulate and join in celebrating Entrepreneurship Youth, the winners and all who participated in the competition.

And we're so lucky in this region that we have, really, some spectacular young people who do an awful lot of things. When we bring them in, some for athletics, some for some of their academic prowess, science, writing --- and I'm just delighted that this is another category with business planning. And these folks are really --- they're to be commended. And I'm going to ask Jerry Cozewith to come up and talk about it. Jerry, congratulations.

MR. COZEWITH: Thank you, Mr. President.
(Applause.)

MR. COZEWITH: Ladies and gentlemen of Council, thank you. Among the important items before you, I appreciate that you pause to always recognize all of the young people in our community, so thank you. Entrepreneurship Youth is a private non-profit charity headquartered here in Pittsburgh. We work in partnership

with the school districts, faith-based and private and charter schools and non-profits, primarily in urban centers of our region, to bring an experience of hands-on learning in business creation. These happen to be two of the four finalists that joined us this evening that won in our competition. The top winners were two young women from McKeesport High School who won \$2,000 for a business that has iron-on labels for the colorblind to put inside clothing. We're actually going to be working with them over the next few months on the manufacturing process, and they're going to have a business that probably will get sold to some retailer who will see this as a genius, killer idea.

Another young lady pitches 70 miles an hour at the high school level and runs camps in the summer for kids --- for young women to learn that skill. They are among 250 young people who went through the programs in this county this year and have risen to the top for the business plan competition that is sponsored by the Tippins Foundation. The name is familiar to some of you as an industrialist in the last century before his death.

So we're honored to be here, and we ask that as you go back to your home district, that you identify schools, school leaders, faith-based leaders that we could partner with to bring this experience, particularly for kids who struggle academically and live in economically fragile circumstances. This is about doing the job, not wait for someone to open a door. And there's dignity in all work, but why not learn to start your own business?

I'd like to just quickly introduce two of the young finalists. Her partner couldn't be here tonight, but Keena Simmons is one of the young ladies who had the foresight to create a business called Made for the Shade to assist the colorblind. And Kristen Popp runs Popp's Summer Camp for Fastpitch Softball. Watch it in the NCAAs in the near future. And watch both of these young ladies rise to the top. And they'll be giving more than contributions to campaigns. They'll be venture capitalists in our region. I bet you. Thank you very much for this honor.

(Applause.)

MS. SIMMONS: I'd like to take this opportunity to thank everybody and everything and just to believe in me and just --- everything. Thank you.

(Applause.)

MS. POPP: I would like to take this time to thank everybody in this organization for being here, and Jerry and Cathy for starting the program.

MR. COZEWITH: Thank you.

(Applause.)

PRESIDENT FITZGERALD: Parents, if you want to come up and take a picture, please.

(Pictures taken.)

PRESIDENT FITZGERALD: Committee on Budget and Finance. 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: Chair Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. Move for approval.

(Chorus of seconds.)

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

MR. CATANESE: Mr. Burn?

(No response.)

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?

(No response.)

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. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 13, noes 0. The bill
passes.
PRESIDENT FITZGERALD: 5713-10.
MR. CATANESE: A resolution of the County of
Allegheny amending the Grants and Special Accounts Budget
for 2010, Submission 08-10. Sponsored by the Chief
Executive.
PRESIDENT FITZGERALD: Chair Robinson?
MR. ROBINSON: Thank you, Mr. President and
members of Council. Move for approval.
(Chorus of seconds.)
PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll.
MR. CATANESE: Mr. Burn?
(No response.)
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?
(No response.)
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. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 13, noes 0. The bill passes.

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

MR. FUTULES: I have one.

PRESIDENT FITZGERALD: Mr. Futules?

MR. FUTULES: I have a couple of them, actually. A few weeks ago the Parks Foundation had met, and they're working on some projects at North Park around the lake and walkway, also at South Park, the Montour Trail. They have received about, I believe, \$120,000 in donations so far from the Jewish Foundation for that project. And also, they had hired Guy Costa as the project manager for the Parks Foundation, and he will begin on July 1st. Also, last week we had a flag retirement ceremony at South Park. Everything went well. The weather was great. It didn't rain. I want to thank Joe and Stephanie for coming out there and your other staff members that did help as far as getting it all organized, and we hope to continue that. And of course, we're going to be going off to North Park on September 11th to do the same. That's all I have.

PRESIDENT FITZGERALD: Any other liaison reports? I'm sorry. Mr. Macey?

MR. MACEY: Yes. Thank you, Mr. President and members of Council. I just want to remind people that this is the construction season. And as Chairman of Public Works, I would be less than doing my job if I didn't remind people, watch out for the cones, slow down, because we've had some terrific accidents out there on some of our roadways.

The other thing is, a lot of times in Public Works, as well as our utilities, we find there's quite a bit of criticism sometimes with our utility companies. And I just want to give kudos to Pennsylvania-American Water, who did an admirable job in the West Elizabeth area. And the reason why I mention this is because many of the communities that was served by that line, I represent. But like I said, they get criticized, but when they do a great job --- and they did a great job by repairing and doing some construction to that main water line in West Elizabeth, and they did it in less than a day.

The other thing I'd like to mention is that, you know, Penn-American Water, when they purchased the system, they got a system that, in many cases, is well over 100 years of age. And I just want to remind the viewing public that Pennsylvania-American Water is investing approximately \$101 million on improvements at the Hays Mine Water Treatment Facility, as well as the Beck's Run Pumping Station, Mount Washington Booster Station and the E.H. Aldrich Treatment Facility. So they're doing their job, and I just want to thank them. Thank you.

PRESIDENT FITZGERALD: Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President and members of Council. As you all know, I'm a strong advocate of the Community College of Allegheny County.

MR. ELLENBOGEN: I'd have never known that.

MR. ROBINSON: The President had foresight in appointing me as a liaison for this Council to the college. And it's a delight this evening to recognize an achievement of one of our colleagues, Amanda Green Hawkins, the Honorable Amanda Green Hawkins. As all of us know, Mrs. Hawkins spent a considerable amount of time on a mission that she felt was very important to herself and to our county, and that was establishing a Human Relations Commission for the County of Allegheny. Her success, her dedication and what she was striving to bring to our county was honored by our community college this past week. She's a recipient of one of our Vanguard Diversity Awards. It's the second year, the first time that a member of this body received that award, and she's certainly more than deserving. And I feel very good and proud to be a part of this body, to be her colleague and also to know that our community college recognized her dedication, hard work. And for a relatively new member of this Council who took on a very tough issue, my hat is off to her. And let's give her a round of applause.

(Applause.)

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: Thank you, Mr. President. I'd just like to mention --- I think everybody saw this on the news and in the paper, that there's been a considerable amount of flooding in Carnegie and Campbell's Run. The creek is really --- it's an unnamed creek, but it's next to Campbell's Run Road in Carnegie. And it just points out the fact that we need, in Allegheny County, cooperation between our municipalities in planning,

especially in our stream basins, where planning out on a higher ground is putting a lot of asphalt down and it's causing sort of a flash flood when it rains a considerable amount. And it's affecting the people in the lower lands because of this.

Allegheny County put together Allegheny Places, which is a tremendous document, and it's a plan. And it's our hope --- or at least it's my hope, I should say. I'm sorry. I didn't mean to speak for everybody here. It's my hope that the municipalities of Allegheny County will try to follow that plan and let other municipalities that will be affected by runoff have some say or something to do with their planning. I mean, it's a tremendous loss of property in the Carnegie Run Street area and Lexington Court because of this type of runoff. And it's something that we, as a Council --- and we are involved in this through our Public Works and our Economic Development Department, are attempting --- and the Corps of Engineers are attempting to rectify this situation as with Mr. Burn's area in Millvale. This is the same situation. So I'd just like to mention that to you, and we are going to have a meeting down there --- this will be the third one --- in regard to this development out in Robinson, in that area. So please, if you can, please let other municipalities down the stream from you participate and have something to say in your development. Thank you.

PRESIDENT FITZGERALD: Thank you. Councilwoman Cleary?

MS. CLEARY: Yes. Thank you. I just wanted to respond to Mr. Finnerty. I'm on an ALCOSAN committee that's part of the Consent Decree. And all the ALCOSAN community are doing all this planning for all the downstream stuff and upstream. I mean, they are in ---. When we go to these meetings, there's different municipalities represented there. And at least that group and the people that are planning in the different basins that are in ALCOSAN, anyway, are realizing that they have to do things for each other and decide where they're going to put a reservoir for water or how they're going to do that. And they are working on that, at least through the ALCOSAN part, but that's not the whole county.

MR. FINNERTY: I know it's not the whole county, and it's definitely not Carnegie, I can tell you that.

PRESIDENT FITZGERALD: Councilman Ellenbogen?

MR. ELLENBOGEN: I just want to piggyback. As you know, when I was chief of special services, I had firsthand experience when this happened in Pitcairn and West Elizabeth, and I've seen the devastation that can happen. And what I was going to suggest is perhaps our Public Safety Chairman, Mr. Burn, might want to bring in Chief Full and Director Olczak, because sometimes there's little things that can be done, too.

And something a lot of folks don't realize, and Campbell's Run is a good example, a lot of these county roads have lateral support issues, and you really don't see them when you're on the road, what's going on in that creek. A lot of this stuff was done during the WPA when Roosevelt was president. A lot of that stuff is sandstone. And I know the County Public Works people for years, even when I was there, had a lot of problems with the sandstone because it only has a life expectancy of between 70 and 90 years. And now we're coming into this time frame where everything is starting to fall.

There are simple things that can be done in a lot of areas, such as dredging, but they have to be governed by certain new rules that the feds have in terms of putting certain types of machines and what have you in the creeks. But there are a lot of things that we can, as a county, I think, deal with and perhaps some of the simpler things. But I think that might be a great place to start, with Chairman Burn.

PRESIDENT FITZGERALD: Yes. I remember Chairman Burn, the last few years, did convene many of these meetings, and it probably would be good. And I think we came up with some recommendations, the countywide zoning, et cetera. And I think it might be good to revisit, particularly in light of what's happening in Carnegie. Councilman Drozd?

MR. DROZD: Yes. A lot of these issues pertain to many of our communities, and I'd like to ask if any Council members get to see --- and it's always called lessons learned. Have you seen any reports that follow up on a lot of these issues? Because a lot of issues pertain to drop sinks within the municipalities, grading of --- like, for instance, Girty's Run, which created some issues down through the Millvale area. There are many, many issues. We haven't seen that. Has anybody seen that? Has anybody seen a follow-up, a result of what still lurks out there that could happen to our municipalities? How

about lessons learned as far as our snow issues? We did very good, but we got to learn from those issues, like for instance, where do we dump that snow? Luckily, our Parks people responded. In the case of Coraopolis, they were able to dump that into some areas that we had. There was also the front end loaders. There wasn't enough of them.

So what have we done to address these issues? And what have we, as Council, done to look and follow up to see that these --- a lot of these are corrected? What is the percentage that has been corrected and what's the probability this could happen again because they aren't corrected? And I would contend that rests with Public Safety that we hold those meetings to see where we stand today. We haven't taken that picture yet. Where is it? Has anybody seen it? Has anybody here on Council actually can say they know what the status is and what really caused the problem?

PRESIDENT FITZGERALD: Councilman Burn?

MR. BURN: Thank you, Mr. President. I think the time is right to convene a Public Safety meeting to talk to Chief Full and Joe Olczak and bring in PennDOT and DEP and all those entities who have a stake in the streams and the small town --- the flooding we've seen in our tributaries.

Two years ago when that, I like to call it mini Ivan, went through Millvale in August of 2007, Dan Onorato stepped up as he did with Ivan in 2004. He talked about a four-part plan that he advocated and discussed it in Public Safety. He advocated the buyout program that the federal government has. He supported that. There are, in certain circumstances --- the houses along these streams that are in the flood zones, if they worked with the federal government, there were options available. There were some areas in Shaler that took tremendous advantage of that down on Route 8, down by Glenshaw. There were some homes down there that were hit hard. They utilized that.

Upstream detention facilities along the stream is something else the Chief Executive referenced. Those are an excellent way to slow the water down as it comes from the outlying areas and municipalities, or even outside of the county as they work towards our three rivers. They actually work as a break on the waters coming down. It gets diverted into these detentions. It rises. It comes back out. It slows it down so that by

the time it gets to the Carnegies, the Millvales, the Tarentums, the Etnas, the Sharpsburgs, it's not a raging rapid. It's more manageable.

The other thing that Dan referenced and we've seen utilized with some success is debris removal. You have to be careful. I mean, dredging is not a word that the DEP likes to hear. That can upset the ecology and the streams. And we're not removing debris --- or we're not dredging. We're removing debris. I saw on the news, Michael, after the reports came over and covered the situation in the district, I saw items down in that stream: tree trunks, branches, garbage. Debris, not sediment. And when that's removed, that also allows water to move faster. It doesn't back up.

The other issue Dan referenced, which I think is a solution we need to work for and lobby at the state level, is the countywide zoning. I don't believe --- and Jared, correct me if I'm wrong. I don't believe that we can create a countywide zoning here. If we could, it's something we should discuss. But I think we need to reach out to the General Assembly about countywide zoning, because that helps, Mike, I think, with the coordination of municipalities that might be further upstream than those of us down in the river towns that are being hit with that water last.

Having said all that, we had some problems in Fawn Township. We went up there. The directors, Joe and I went up about a year and a half ago and we brought all of the players into the room of the county: DEP, Chief Full, Joe Olczak, and we talked about the problems we have with the creek and the stream. How do we identify the things that we can get to immediately? And we went up there and we handled that. We talked about the short-term Phase One things, about getting the debris out; Phase Two, fixing the retaining walls and things of that nature; and then Phase Three, long-term solutions to be proactive in maintenance on the streams. We're just about finished with Phase Three up there and we've seen some good results up there, and knock wood, we haven't had any significant problems.

We're now doing the same three-phase model in Reserve Township with Spring Garden Road and the stream that runs along Spring Garden Road. We're just in the initial phases up there. We're in the middle of Phase One right now. We had two meetings. We're going to have a

third, I think, next Friday, Jim, and we're going to be starting to move until we finish Phase One and move towards Phase Two.

So while we look for these countywide zoning solutions and as we continue to support Dan's four-point plan ---. Mike, there's a model we used in my district with some success. And Joe and I can work with you and share that with you, to the constituents in your district that are having these problems this time through. Knock wood, since the debris was taken out of Girty's Run --- I don't want to jinx anything --- we haven't had any significant problems in the last two and a half, three years. But Matt and Mike and Jimmy, you're all correct. It's time for the Public Safety to bring Joe and the Chief in, and let's talk about some of these models that we've been using with some success as we look for the larger statewide solutions. Thank you.

PRESIDENT FITZGERALD: Councilman Ellenbogen?

MR. ELLENBOGEN: Yeah. I just wanted to emphasize what you were saying in terms of debris. One of the biggest problems that I had back then was a lot of this debris that would accumulate under these bridges, the only machine that I had at the time was a Gradall. A Gradall has a long, metal movable arm. Well, you can't --- you need a clam bucket, and I remember having this fight with the commissioners who were at the time, who will remain nameless, would not buy me a clam bucket that I could just drop it down and clear that debris.

Now, sometimes with the best intentions, what engineers at that time --- and I'll give you a great example, Jim, what you're talking about, with Beck's Run. The Beck's Run small bridge under there at one time was one whole bridge opening. Well, these engineers came along with this new device that looked like kids' building blocks, three little blocks that they just set them in the creek and thought, look how great this is with the road. But what they failed to realize was they created --- instead of that whole opening, there were three walls where the bridge was. So that now every little tree that would come through there, now you have a flood.

So there may be some things that we can do with some municipalities in terms of some shared maintenance and things like that. So like I said, I think it's great that ---. And I know you --- I don't know anybody that's probably --- I mean, you were mayor when you were flooded.

I used to think that they gave you a boat when you were in Millvale. But I think that's the place to start. I appreciate it. Thank you.

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: Thank you, Mr. President. I'd just like to mention a few things that have been done since the Ivan experience and Chartiers Creek --- Creek is the Carnegie way of saying it --- Basin. The Corps of Engineers came in and removed a tremendous amount of sediment from Chartiers Creek, and that helped tremendously. That's why this last episode, Carnegie and Bridgeville, et cetera, and downstream, weren't flooded by Chartiers Creek, because it was up real high.

And what they also did was something that --- they had to rectify a situation many years ago. They cut the meanders off Chartiers Creek back behind Great Southern Shopping Center and made it a straight line move. And it really brings the volume down. They put the meanders back on, which slows the water down, and it's in its flood plain. And it really takes care of decreasing the volume of water coming down. That's one of the mistakes, I think, that is happening with many of our streams, is they cut the meanders off and the volume of water just flies down through there. And that's a couple things that were done out in Chartiers Creek Basin, which have really helped. Nothing was done for Campbell's Run area during that time because the Corps of Engineers --- it wasn't in their plans to do that. It's a small stream. But that's something that we have to look at. Thank you, Mr. President.

PRESIDENT FITZGERALD: Thank you. And we look forward to Mr. Burn having a meeting and certainly getting more information and solutions to the situation. I just want to switch gears just a minute. And it really pertains to some of the national ratings that have come out. The jobs report that came out last month indicated that the Pittsburgh region was number one in the nation in job growth. That's something we haven't seen in decades. It's something we should all take an awful lot of pride in. And then on the heels of that, the census report came out showing that we're actually growing again in population, something that we haven't done in many, many, many years. We actually have more young people moving into this region than moving out. And I think that's a testament to what we've been able to do the last number of

years with the administration and this Council forming a government. And it's business-friendly and it helps grow jobs. So I think it's something we all could tip our hat and take a little pride in. Moving on, new business. Ordinances and resolutions. 5732-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of the County of Allegheny's interest in a parcel to Maureen Kennedy. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development. 5733-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of the County of Allegheny's interest in two parcels to Matthew and Donna Durik.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development and Housing. 5734-10.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of the County of Allegheny's interest in a parcel to George and Debra Kresich. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development and Housing. 5735-10.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2010, Submission 09-10. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. 5736-10.

MR. CATANESE: A resolution amending the Articles of Incorporation of the Allegheny County Sanitary Authority to extend the term of existence of the Authority to a date that is 50 years from the date of the approval of the Amendment to Articles of Incorporation by the Secretary of the Commonwealth of Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Government Reform. New business, motions. 5737-10.

MR. CATANESE: Motion of the Council of Allegheny County respectfully requesting that the members of the United States House of Representatives and the United States Senate commend the FireVEST program currently offered at the Community College of Allegheny County to the attention of community colleges within their

respective districts, and providing for distribution of informational materials regarding the program to the National Association of Counties, the American Association of Community Colleges and the Association of Community College Trustees. Sponsored by Councilmen Futules, Drozd, Martoni, Robinson, Fitzgerald, Macey, DeFazio and Cleary.

PRESIDENT FITZGERALD: Councilman? Add Mr. Finnerty and add Mr. Ellenbogen. Add Ms. Green. Mr. Robinson, did you have your hand up? I'm sorry. Oh, Mr. Burn. Did I miss anybody? Councilman Futules.

MR. FUTULES: Thank you, everyone for your cosponsorship. I almost don't need to give a speech now. But the reason for my motion ---. Joe Catanese, our employee here, had made me aware of a newspaper article in New York --- here in Pittsburgh, Allegheny County, that we have our FireVEST program that seems to be doing very well. And we know that the volunteer firemen across the country have issues of getting volunteers. So Oneida County, New York actually found out about Allegheny County in a newspaper article. It talks about it and said how they modeled it similar to the program in Allegheny County, Pennsylvania. And they spoke with Al Wickline and he talked to them about our program, gave brochures.

So my motion is simple. We should contact U.S. Senators, Congressmen, county associates across the country and give them our FireVEST program with the hopes that we can increase volunteerism across the country. This would be one of the small solutions to the volunteer problem. And guess what? Allegheny County was the first one in the nation to start this. What a great thing.

PRESIDENT FITZGERALD: Is that a motion to approve?

MR. FUTULES: I'd like to do that.

PRESIDENT FITZGERALD: Do we have a second?

(Chorus of seconds.)

PRESIDENT FITZGERALD: Second. Any discussion? I'm just going to call for a voice vote. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Send that information on to other counties. Councilwoman Green?

MS. GREEN HAWKINS: Thank you, Mr. President. I have a motion which is not on the agenda. May I have it passed out?

PRESIDENT FITZGERALD: Yes, if you already have it in written form.

MS. GREEN HAWKINS: And what Jared is handing out is a motion that I hope that Council can get behind, asking Congress' support for a resolution called the Poll Transparency Act. It has been brought to our attention several times by many of our constituents with concerns about the accuracy of the voting machines that we use, be it under-voting or over-voting. And I would ask that this be added to the agenda and --- well I make a motion that this be added to the agenda, and then placing it in committee so that we can take a look at the resolution, and perhaps with the approval of the Chair of the committee, bring in Tim Johnson and maybe other people who could shed some light on this and tell us the impact this may have on our county.

MR. FINNERTY: I'll second that.

PRESIDENT FITZGERALD: With a motion, we actually don't need ---. You can introduce it. It doesn't need --- just a resolution or ordinance --- a motion to put on the agenda. So what we can --- is it your intention to refer to committee, go to committee?

MS. GREEN HAWKINS: Yes.

PRESIDENT FITZGERALD: Okay. Let's refer this to the Government Reform Committee, and I'll work with the sponsor to bring in the appropriate folks, our Election Board, Mr. McCullough and Mr. DeFazio as well, to maybe give us a little input on this bill. Sorry. Ms. Green Hawkins?

MS. GREEN HAWKINS: Sorry. And I invite cosponsors as well. Thank you.

PRESIDENT FITZGERALD: Please add me as a cosponsor.

MR. DEFAZIO: Yes.

PRESIDENT FITZGERALD: And John, Mr. Burn and Mr. Robinson. Anybody else? I have a motion that I distributed ---. I'm sorry. Mr. DeFazio?

MR. DEFAZIO: Also, Jim Burn is on the Election Board, too.

PRESIDENT FITZGERALD: Oh, that's right. I'm sorry. Mr. Burn is on the Election Board. So all three members will be ---. I guess we have a candidate who's on the Election Board. Is that how that works?

MR. BURN: Yes.

PRESIDENT FITZGERALD: I distributed a letter and a motion that I'm going to make tonight. Earlier we had former Councilman Fawcett talk to, I think, a lot of us, and there's a letter in front of you from him. Now, Councilman Fawcett and Councilman Burn, a number of years ago, introduced an ordinance creating a countywide riverfront park. And we all got behind it. We think it's an absolutely terrific idea. One of the issues we have with it is obviously the cost and expense of doing this on a grand scale. We try to do more with less. And if you recall, United States Steel Corporation donated to us --- or sold to us for one dollar the Riverton Bridge to be able to expand to Duquesne and McKeesport. Well, there's another bridge that is available, if you will. The Turnpike built a new bridge over the Allegheny River, and connecting Oakmont and Harmar is another bridge that they are basically in the process of dismantling.

The reason I wanted to bring this motion this evening is because time is of the essence. I believe they're scheduled to do this destruction or demolition in early July. So I would like them to hold up at least until we can evaluate if the bridge piers would be able to be used for a bridge trail crossing that we would use. I would ask our Chair of Parks, Mr. Futules, to maybe have a meeting and bring the Turnpike Commission in. I believe the Western Pennsylvania Conservancy owns some of the land there. Maybe bring them in and see if this is something we could use. If it isn't, then, you know, no harm done, no foul. But before they tear it down, before they implode the structure, we would at least like to be on --- officially put the Turnpike Commission on notice that we at least want to take a look at what is going on. So I would ask for a motion to approve this letter going to the Turnpike Commission, asking them to come and talk to us before they destroy the structure.

MR. BURN: Mr. President? I'm sorry. As one of the cosponsors of the original bill to create a countywide riverfront park, I'd like to make the motion with the consent of my colleagues.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Motion made. Second. Any discussion on this? Otherwise, I'll just take a voice vote. Oh, I'm sorry. I got ahead of myself. Distribute the motion. I apologize. I know we sent it around by

e-mail, but you're right. We've got to ---. Forgive me. Thank you, Mr. Burn, even though you didn't ---.

MR. BURN: I don't need it.

PRESIDENT FITZGERALD: Leap of faith. So we have a motion. We have a second. Any discussion? All in favor ---. I'm sorry. Mr. Drozd?

MR. DROZD: Yeah. This is accomplished. I just have to ---. I want to remind my fellow councilmen, we have a lot of bridges in Allegheny County that need repaired, including many in my district that aren't getting the attention they so deserve. So when we do this, we better look at what the cost is going to be and how we can justify taking monies away from bridges that transport our constituents to their homes, across streams or whatever, that aren't getting repaired, by doing stuff like this. And this is admirable, but you know, it seems like we're going in so many directions when there are a lot of areas down through our rivers and that, our river towns that have bridges that need repaired and they aren't getting repaired. So we better seriously look at this when we look at this, because I don't know how we're going to look our constituents in the eyes in our municipalities and their elected officials in those municipalities that have asked so many times for us to repair those bridges, but we're going to go do something else and you're just going to get set on the back burners. I think we better look at this pretty seriously.

PRESIDENT FITZGERALD: That's why the chairman will probably pursue that line of questioning. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? Okay. Motion approved. We'll send that to the Turnpike Commission and try and set up a meeting with them. And then also, finally, I have another motion. I would like Mr. Barker to pass this one out so we're understanding of what this one is.

MR. ELLENBOGEN: Wait a minute. You're supposed to tell us first.

PRESIDENT FITZGERALD: There certainly has been a lot of news lately with the funding or lack thereof in the transportation coming from our state. We know about the roads and bridges issue and obviously we know about the funding shortfall with the Port Authority. Mr. Bland came before Mr. Robinson's committee, I believe, a couple

of weeks ago, warning us of the Act 44 and the lack of tolling of I-80, which left a huge hole in the funding for the Port Authority. There's been a lot of comments. There's been a lot of news media. And I think it's important for us to bring the Port Authority forward, but also to bring the public forward at a public hearing. So I'm going to ask for a motion to hold a public hearing on ---. Mr. DeFazio?

MR. DEFAZIO: Yeah. I'd like to make a motion that we hold a public hearing. I'd also like to be a cosponsor on this.

PRESIDENT FITZGERALD: Please add Mr. DeFazio as a cosponsor. The date will be two weeks from today, on the 29th of June, five o'clock. So it will be, you know, kind of a normal Tuesday night meeting at which the public is able to come down. Let Mr. Bland come in and maybe someone from the Port Authority Board. Obviously, Mr. Martoni from the Board. And maybe we can get Mr. Brooks here, et cetera, to talk about that. But I would ask for a ---. Mr. Finnerty, do you want to be a cosponsor, also?

MR. FINNERTY: I certainly do.

PRESIDENT FITZGERALD: Add Mr. Finnerty as a cosponsor.

MR. DEFAZIO: We need a second.

PRESIDENT FITZGERALD: Mr. Ellenbogen wants to be a cosponsor.

MR. ELLENBOGEN: I'll make that second.

PRESIDENT FITZGERALD: We have a motion. We have a second. Any discussion? Mr. McCullough?

MR. MCCULLOUGH: Yeah. I would like to make a comment, Rich, because I know that the County Executive has sent an interoffice communication to us indicating that he has authorized a \$13.8 million temporary loan to the Port Authority out of County general funds. That's obviously money we don't have, really. I mean, if you take a look at the Controller's reports, we're out of cash, really. This impacts our interest earnings, and I think it underscores the critical nature of the situation that the Port Authority's in.

And I'd also like to point out I wholeheartedly agree with the idea of a public hearing on this, but also, there's a bill in committee that I've introduced. Actually, the first time was two years ago, but another bill has been introduced in committee this year to study the feasibility of either privatizing the Port Authority

or making it a County department along with some other authorities. I think it's high time we take a look not just at the funding issue, but at the structure of this concept that we have, which is the Port Authority itself. It's not working. And I intend to make a motion to pull that bill out of committee at the next meeting for a vote on that feasibility study.

PRESIDENT FITZGERALD: Ms. Green Hawkins and then Mr. Robinson.

MS. GREEN HAWKINS: I would just like to be added as a cosponsor.

PRESIDENT FITZGERALD: Please add Ms. Green Hawkins as a cosponsor. Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. I certainly appreciate Mr. McCullough's enthusiasm and hard work in looking at our authorities. As Budget Finance Chairman, I'd like to reassure my colleagues that the actions taken by the administration are consistent with current law and in no way jeopardize the fiscal stability of this county. There's an anticipation that drink tax money and car rental money dedicated to our funding of the Port Authority will be available to us. This measure, I think, speaks more to the process in place to keep our commitment to the Port Authority, but I think it does highlight what Mr. McCullough is saying. We need to be much more diligent in looking at how we fund the Port Authority, what we will and will not fund, and whether or not any requests from the Port Authority to the county for additional funds should be honored.

Hopefully at this public hearing we will have representatives, not only of our staff, but the administration, to once again explain to us and perhaps more importantly, to the general public, how we actually fund the Port Authority. And if it's necessary to have the Controller appear to address this issue of when we are out of cash, that is, when the county is broke --- it's probably more a matter of what's on paper than the reality of the situation.

I think the one thing we don't want to do is incite or inflame the public with our good intentions, that we are transparent and that we are clear with the Port Authority what we will and will not do. We indicated a couple years ago that we would not dedicate any additional money to the North Shore Connector. And every

time the Port Authority comes before this Council or one of its committees, we make sure that they are reminded, whether they make a request or not, that we are not committed to any additional money. And there seems to be no sentiment on this Council to do so, that whatever money we committed to the North Shore Connector is committed.

Last point. I think the Port Authority's representatives have been very straightforward with us in terms of the pending fiscal crisis, which is pending again. It was pending when we had the drink tax and the car rental tax. It was pending in between then and now. And on several occasions, Mr. Bland has indicated to us that whatever we have done, while it's been very helpful, that we needed significant help from the Commonwealth of Pennsylvania. The fact that the Commonwealth was unable to toll ---

MR. MACEY: Eighty (80).

MR. ROBINSON: --- I-80 is a significant challenge for them. I don't believe it's a challenge that this county ought to assume in terms of additional funding. And I don't believe any commitment that's been made to transit systems across this county by the Commonwealth are challenges that this county ought to take on. We ought to do what we can to help the Port Authority, but remember the Port Authority has a Board appointed by the Chief Executive, approved by this Council. There are capable people. And we don't want to send a signal to the public that this Council is prepared to do things that the Port Authority Board is already authorized to do. We're not authorized to change routes. We're not authorized to change rates. We're not authorized to alter the administrative or employment structure of the Port Authority.

And I say these things, not that members here are unfamiliar with that, but I think we need to make sure that the public that hears us and sees us and depends upon us understands that we need to make it clear to them that the Port Authority Board is authorized to make decisions in the Port Authority, and we're authorized to make decisions about what funding the Port Authority receives from the county. Thank you, Mr. President and members of Council.

PRESIDENT FITZGERALD: Thank you. Mr. Drozd and then Mr. Ellenbogen.

MR. DROZD: The public is already decided about this and really upset. I've gotten a lot of e-mails and I've gotten a lot of calls from this. They're very upset by the fact that there were revenues that were imposed upon them and drained from them, in essence, taken from them, to say that this was going to take care of this. This matter was taken care of. This is what this Council was told, that this matter was taken care of. The Port Authority would be funded. This would assure a funding stream to the Port Authority. And I'm talking about something that was imposed as far as the restaurants out there. And it still is a problem.

And the other factor is that, you know, we're talking about --- you know, it seems like Chicken Little. You know, we talked about it last year, the year before, the year before. It's more reactive planning than it is proactive planning. That's why I asked Mr. Bland and his administration --- I want to see a five-year and ten-year cash flow budget and how it impacts our budget. I don't want him to come before us and tell us every year, and then come back and say, oh, we got a problem here.

PRESIDENT FITZGERALD: Mr. Drozd, he has. He does, every year, brings a multi-plan forward.

MR. DROZD: Okay. But in addition to that, the factor is that three years they've been looking at this I-80. Do you realize they were told then that I-80 could not --- is a federal road? It can't be tolled. That's what was told to them. They can't do it. So what happens? They're sitting back there waiting for it to happen, that these revenues are going to drop out of the sky without any type of planning or any type of looking at the forecast at what they need to get this Port Authority in order.

There are a lot of people out there right now that are hurting. They're hurting for income and they're hurting for money. And then they see there's a lot of monies and expenditures being spent on the Port Authority, including --- 50 percent of it is paid in salaries and wages. And there are people out there that can't even afford to pay their taxes. And we're going to go back --- not we're going to go back. If they suggest or anyone suggests that they're going to go to the taxpayers and ask them to ante up more money, why? For what? To have the same problem next year and the year after and the year after?

We better bring more than just the Port Authority in here. We better bring some state people in here to tell us what the cash flow projections are going to be. We better broaden this committee. I'm not going to attend any public hearing that's just a dog --- I'm not saying it is --- but a dog and pony show for one authority or whatever it may be. We better get to the answers. And I want the experts in here, and I'll suggest some experts. And let's get in here and let them answer the mail here, not just this is a good thing, a feel-good thing to happen. We better know what's going to happen, and we better be more proactive or we better look down the road, because these municipalities out here are hurting for money all the time. There was one Council member here today talking about some concerns that he has. There's issues that we have to resolve, and there's many more out there like him and her, and whatever it may be, both Council members out there that need our help and commissioners and supervisors. So we better get pretty serious about this, more than just serious. We better know where the bus is going, so to speak. Thank you.

PRESIDENT FITZGERALD: Mr. Ellenbogen?

MR. ELLENBOGEN: First of all, Councilman Robinson is right. There is a Port Authority Board. However, Mr. President, I'd like to commend you for your foresight, because after what I have seen in the last couple hours, what the media has printed, possibly 500 folks being laid off, 30-percent cuts, \$7 to ride one way from certain councilmen's districts, there is no question in my mind that before this powder keg starts to go, this courthouse and these streets around here are going to be filled with people who are going to think, because of the drink tax, because of the car rental tax, that we're the people who are responsible. Yes, they do have a Board. However, that's not going to stop the folks from coming to see us. This is a very, very inflammatory situation right now.

I commend you, Mr. President for having the foresight. The thing we need to do right now is be calm, gather information, see what the Port Authority Board has to say, bring some other folks in, see what they have to say and think very clearly and objectively here, because you're going to have a lot of folks who are handicapped, who depend on buses, people who don't make any money that depend on buses, a lot of the union issues.

You know, this is a serious situation, one that I take very seriously. And I think it's very important for us at this point to gather information, think about this and think, you know, any moves that we, as a Council, want to do, because these decisions are made by the Port Authority Board. And again, I'd like, for the third time, to commend you for your foresight. It's important for us to get out in front of this because, one way or the other, it's coming here, whether we like it or not, so ---. Thank you.

PRESIDENT FITZGERALD: It's also important, as Mr. Robinson, who chairs Budget, has indicated, the Port Authority has a budget of about \$370 million of which only, and I put that in parentheses, only \$28 million comes from our local share. So the lion's share of this money comes from the state, comes from the state taxpayers, of which, obviously, Allegheny County residents are a part of that whole. But this funding shortfall, this \$50 million, is in no way the fault of this Council, is in no way the fault of the Port Authority Board or Mr. Bland. It is a problem that Act 44 relied on a certain funding source that was shot down by the federal government.

So Mr. Drozd, you have a point. We will bring in or we'll invite some of our State officials to come in to talk about this and how this problem can be resolved. But I do think that the public does need to understand that we're putting in about \$28 million from our share of the local county taxes to fund, you know, a budget in excess of \$300 million. Mr. Futules?

MR. FUTULES: Thank you. Matt and everybody else, we've talked about this \$28 million. I want to remind them to tell the constituents that that \$28 million of the drink tax and the car rental tax was our burden, not the Port Authority's. That's the money that we needed to give them matching funds. It has nothing to do with their shortfall. It has something to do with our shortfall in our county budget. So you want to clarify that with your constituents when they call. Tell them that we made our portions with the drink taxes. So it's not us that's short. It's the Port Authority. You know what I'm saying? Thank you. That's all.

PRESIDENT FITZGERALD: Mr. Drozd, do you wish to comment?

MR. DROZD: I'd like to point out to people constituents were under the understanding that that took care of the issue, Mr. Futules. That's what they were told, that it took care of the issue. It doesn't matter where the monies or what allocation it was. You know, you look at it and how can you really ---? You look at a lot of our people and look into their eyes --- when you're putting a tunnel onto a river and you say it's \$12 million we put in and \$78 million --- \$74 million from the State of Pennsylvania. I don't care when people say, oh, well, it was going, anyhow. It was earmarked for that. There's still \$74 million ---. By the way, that \$74 million could have been earmarked to take care of infrastructure within the Authority. That's right. It didn't have to be earmarked for the tunnel.

So, you know, I don't know when you say that ---. They understand it was taken care of. Everybody thought it was. And now there's more pain that's even --- let's say it's the anxiety of more pain that could be inflicted upon them when people start talking about taxes. This is one councilman that will not vote to increase taxes when the people of Allegheny County when they pay their fair share many, many times over. They've done enough of their part. Let's get this under business concerns. All our authorities, not just the Port Authority ---.

PRESIDENT FITZGERALD: Matt, let's stay on this ---.

MR. DROZD: Let's realize it's a business and let's run it that way.

PRESIDENT FITZGERALD: Let's stay on this public hearing. Okay. Mr. Ellenbogen?

MR. ELLENBOGEN: I just want to say, with all due respect to my colleague, inflaming this situation worse than it is is not the way to go. We as a unified council should sit down intelligently, objectively and try to solve it, not anybody get in and make any headway or heyday with this for whatever reason. It's important for this to be solved. There's a lot of people who are stressed over this, and we have to keep cool heads. And we have to move forward in a very proactive, intelligent and an objective way to try to solve this problem. Thank you.

PRESIDENT FITZGERALD: Mr. Finnerty, then Mr. Futules, did you want ---? Mr. Finnerty?

MR. FINNERTY: Thank you very much, Mr. President. I just wanted to set some facts straight here. First of all, there's a \$52 million shortfall, and it's because of funds that didn't come in from the state. And always, my esteemed colleague has to talk about the tunnel, and we only put \$12 million in for that. And that was our limit. We haven't put any more. It's a federally funded object, and the money has to be used for what it is being used for. That was a mandate. Thank you very much.

PRESIDENT FITZGERALD: Mr. Futules?

MR. FUTULES: Well, I just want to reiterate the fact that the \$28 million --- that the burden was on us. It has nothing to do with the Port Authority. You do understand what I'm saying? I just want to make sure you're clear on that.

PRESIDENT FITZGERALD: Mr. Drozd, we'll let you finish it up and then we'll take a vote.

MR. DROZD: Let me just get numbers so people understand it's numbers. It's \$74 million that comes from capital improvement dollars from the State of Pennsylvania, which can be put into infrastructure, road repair and whatever else have you. It's not just \$12 million. \$74 million that the Governor committed to the tunnel instead of putting it into infrastructure, where our taxpayers now have to pick up the difference. Be very clear about that. Be very clear about \$74 million from the State of Pennsylvania, capital improvement dollars. That's capital improvement dollars, and that can be allocated to repair bridges, repair roads, the needs of the people of Allegheny County, what they need and what they ask us to do, not put it in a river --- you know, a tunnel under the river. And they never asked for that and they don't want it.

PRESIDENT FITZGERALD: All right. I'm going to ask for a --- we'll just take a voice vote on this, to hold a public hearing on June 29th. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. We schedule the hearing and we'll invite the appropriate personnel to come and address this issue. Any other motions this evening? Seeing none, notification of contracts. 5738-10.

MR. CATANESE: Communication from County Manager Jim Flynn, submitting a summary of executive actions

relating to contracts for the month of May 2010.
Sponsored by the County Manager.

PRESIDENT FITZGERALD: Do I have a motion to receive the file?

MR. FINNERTY: Yes.

PRESIDENT FITZGERALD: So moved.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Second. Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries to receive the file. Public comment on general items. I see we have two speakers this evening. Mr. Gary English? Mr. English, if you would come forward to the podium.

MR. ENGLISH: I'll wait until the second speaker speaks.

PRESIDENT FITZGERALD: It doesn't look like he's here. Mike Flasco? Is Mr. Flasco here? I don't see him. Mr. English, it's all yours. If you'd state your name and address for the record, please.

MR. ENGLISH: Gary English, 119 Ashley Drive, Verona, PA, 15147. But before I start, I would ask Council President for a motion to waive the three minutes' time limit, if not just a waiver ---.

PRESIDENT FITZGERALD: Mr. English, why don't you just go ahead and continue? And if you're a few minutes over ---.

MR. ENGLISH: It won't be much longer than three minutes.

PRESIDENT FITZGERALD: Just go ahead with your public comment. We don't need a motion. Begin.

MR. ENGLISH: In 1998, the Civic Arena became a regional asset and had received \$34 million in RAD funding that continues today. The RAD law is to preserve, improve and develop regional assets, not demolish them. In 2001, the Pennsylvania Historical Museum Commission approved my application for a historic preservation recognizing the historic and architectural merits of the Civic Arena. It's a jewel like any --- unlike any other structure in the world, possessing a stainless steel retractable dome and qualifying it for a listing on the National Registry of Historic Places.

Now the Sports and Exhibition Authority must follow the State History Code by identifying persons with

historical or financial interests, hear views and seek ways to avoid or minimize any adverse effects on historic properties. The SEA failed to identify the PHMC applicant or obtain an interested party committee that represents those interests. Instead, they have given away the development rights to the Pittsburgh Penguins in selling off arena assets before a determination is made on preservation.

The IP committee asked for an independent consultant to assess alternatives and avoid political influences on the process. The SEA ignored the request, hired politically-connected consultants to steer these meetings and produce reports to support the SEA agenda of demolition and redevelopment. These consultants, when asked, will not recuse themselves from future demolition and constructions contracts to avoid conflicts of interest. The SEA has ignored several preservation proposals and supported costly demolition and redevelopment. The SEA has not been a good steward of the public trust, demolishing Three Rivers Stadium with a \$45 million debt, giving away the development rights of Three Rivers Stadium, giving away \$18 million in Civic Arena naming rights and proposing to spend \$3.9 million to raise the arena, leaving a \$9.3 million arena debt in its way.

The whole process has been a ruse. The IP meetings are closed to the public, to the media, and County Council has been absent from these meetings. The SEA Board, in making the decision, are politically appointed and serve at the will of their appointees, who support demolition. This does not serve in the interest of the people of Allegheny County.

Since the arena is owned by the taxpayers of Allegheny County, public meetings should be held in all 13 County Council districts. The preamble of the Home Rule Charter states, to transfer substantial authority over county government from the Commonwealth of Pennsylvania to the people of Allegheny County and permits initiative and referendum that will respond to the concerns of its citizens. I'm asking for a county ballot referendum that will not violate the RAD's preservation law, and ask the citizens to make the decision of preservation or redevelopment. It can be done. It must be done. Remove the dirty politics. Government of, for and by the people.

In closing, I have sent each of you a copy of a letter that I sent to Mary Conturo. And Mary Conturo

wound up saying that it was --- any protracted delay we feel would not serve the best interests of the community. What is serving in the best interest of the community? I ask Council. I'm open for questions. I'm really concerned about this. Like I said, I've been kept out of the process as the person who filed for historic preservation. When they created the IP committee, they failed ---.

PRESIDENT FITZGERALD: Thank you, Mr. English. Are you almost wrapped up?

MR. ENGLISH: Almost. They failed miserably. They did not invite me as a person who has a vested interest historically. It does not have a good representation of African Americans, Jews and Italians that were displaced when the arena was built. So I would ask Council to consider putting this on the ballot for the fall.

PRESIDENT FITZGERALD: Thank you, Mr. English. Do we have a motion to adjourn?

(Chorus of motions.)

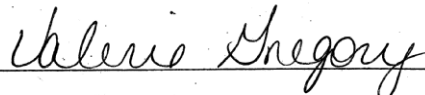
(Chorus of seconds.)

PRESIDENT FITZGERALD: So moved. Meeting adjourned.

MEETING ADJOURNED AT 6:26 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.


Court Reporter