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Allegheny County Council Regular Meeting

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ORIGINAL

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ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni - President, District 8
Nicholas Futules - Vice President, District 7
John P. DeFazio - Council-At-Large
Heather S. Heidelbaugh - Council-At-Large
Matt Drozd - District 1
Jan Rea - District 2
James R. Burn, Jr. - District 3
Michael J. Finnerty - District 4
Sue Means - District 5
John F. Palmiere - District 6
Robert J. Macey - District 9
William Russell Robinson - District 10
Barbara Daly Danko - District 11
James Ellenbogen - District 12
Amanda Green Hawkins - District 13

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

Tuesday, December 17, 2013 - 5:03 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:

Jack Cambest - County Solicitor
Joseph Catanese - Director, Constituent Services
Jared Barker - Director of Legislative Services
Walter Szymanski - Budget Director

1 PRESIDENT MARTONI: The meeting will come to
 2 order. Please rise for the Pledge to the Flag, followed
 3 by a silent moment of prayer or reflection.
 4 (Pledge to the Flag.)
 5 (Moment of silent prayer or reflection.)
 6 PRESIDENT MARTONI: Please be seated. Roll
 7 call.
 8 MR. CATANESE: Mr. Burn?
 9 MR. BURN: Here.
 10 MR. CATANESE: Ms. Danko?
 11 MS. DANKO: Here.
 12 MR. CATANESE: Mr. DeFazio?
 13 MR. DEFALIO: Here.
 14 MR. CATANESE: Mr. Drozd?
 15 MR. DROZD: Present.
 16 MR. CATANESE: Mr. Ellenbogen?
 17 MR. ELLENBOGEN: Here.
 18 MR. CATANESE: Mr. Finnerty?
 19 MR. FINNERTY: Here.
 20 MR. CATANESE: Mr. Futules?
 21 MR. FUTULES: Here.
 22 MR. CATANESE: Ms. Green Hawkins?
 23 (No response.)
 24 MR. CATANESE: Ms. Heidelbaugh?
 25 MS. HEIDELBAUGH: Here (via telephone).
 26 MR. CATANESE: Mr. Macey?
 27 MR. MACEY: Present.
 28 MR. CATANESE: Ms. Means?
 29 MS. MEANS: Here.
 30 MR. CATANESE: Mr. Palmiere?
 31 MR. PALMIERE: Here.
 32 MR. CATANESE: Ms. Rea?
 33 MS. REA: Here.
 34 MR. CATANESE: Mr. Robinson?
 35 MR. ROBINSON: Present.
 36 MR. CATANESE: Mr. Martoni, President?
 37 PRESIDENT MARTONI: Here.
 38 MR. CATANESE: Fourteen (14) members currently
 39 present.
 40 PRESIDENT MARTONI: Proclamations/
 41 Certificates. 7883-13.
 42 MR. CATANESE: Proclamation recognizing and
 43 commending former Allegheny County Council members Rich
 44 Fitzgerald, Vince Gastgeb, Krista Harris and departing
 45 Allegheny County Council members Jim Burn and Matt Drozd

1 NOW, THEREFORE, BE IT RESOLVED, that Allegheny
 2 County Council, on behalf of the citizens of Allegheny
 3 County, hereby recognize the Honorable Matt Drozd, for his
 4 contributions to Allegheny County Council and to the
 5 enhancement of the well-being of the county's citizens.
 6 Mr. Drozd acted always in the best interest of the
 7 constituents of Allegheny County, and his unwavering
 8 commitment to Council serves as an exemplary model of
 9 leadership. This council thanks him for his years of
 10 service and wishes him well as he moves into the future.
 11 Thank you, Matt.
 12 (Applause.)
 13 MR. DROZD: This is not about me. I'm just one
 14 of those little thousand points of light that --- but you,
 15 as those thousand points of light, what you do for the
 16 people of this great country of ours --- it's not about
 17 me. This is just part of what I consider just one or more
 18 of my duties. When I was on active duty, what struck me
 19 more than anything is when I was called to active duty,
 20 when I walked into that Pentagon one day and they said,
 21 you're going here, Matt; and here's your checklist. Go
 22 home and tell your family good-bye. You have two days.
 23 And I took that, and when I went home, the first
 24 thing I made was the will, and then I realized what it was
 25 all about. It wasn't about me. And I was probably one of
 26 the few lucky ones that came back across from overseas
 27 into combat areas. There were a lot that didn't. And I
 28 think of those people, and they never got the accolades
 29 they should have. They never got the medals that probably
 30 they deserved more than I did. The same with this. I
 31 don't deserve this as much as those people out there and
 32 yourselves and what you did.
 33 This is just something I consider as part of my
 34 duty and part of my responsibility and not part of my
 35 service. I just always think about those 21-gun salutes.
 36 It rings over and over again in my mind. And I remember
 37 going down one night after my long --- you know, a long
 38 day of duty. And I was there on the Wall of --- Vietnam
 39 Wall. And there was a family, and I heard them go --- and
 40 I said, Paul, are you here, just --- so those are the kind
 41 of things I remember, and those are the kind of things
 42 that resonate in me. And I hope to God --- you know, I've
 43 said this before. I'm very fearful of our country. I'm
 44 very fearful of what's going on in our country and our
 45 state.

1 for their contributions to the cause of good government
 2 and their dedication and service to the residents of
 3 Allegheny County. Sponsored by Council members Burn,
 4 Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules,
 5 Green Hawkins, Heidelbaugh, Macey, Martoni, Means,
 6 Palmiere, Rea and Robinson.
 7 PRESIDENT MARTONI: Jan, would you and Mr.
 8 DeFazio present them? John, do you want to present that -
 9 -- Jan, do you want to do it? Jan, did you --- Jan?
 10 MR. DROZD: Who's going to do it for the
 11 independent? Both of them. That will be bi-partisan.
 12 MS. REA: I guess we'd ask Mr. Gastgeb and Mr.
 13 Drozd to come up, please. Even though you're an
 14 independent, Matt ---
 15 MR. DROZD: In person only.
 16 MS. REA: I'll begin with Mr. Drozd first. I'll
 17 read it into the record and then let Mr. Drozd speak.
 18 WHEREAS, throughout the history of Allegheny
 19 County and the Commonwealth of Pennsylvania, talented
 20 official who possess great knowledge and determination,
 21 exhibit exemplary leadership in elected positions and
 22 contribute invaluable to our communities, our country and
 23 our world; and
 24 WHEREAS, Matt Drozd was elected in 2005 to serve
 25 as a member of Allegheny County Council. Because of his
 26 leadership, confidence and community presence, he was
 27 selected by the members of Allegheny County, Council
 28 District 1, to serve as their representative; and
 29 WHEREAS, during his tenure on Council, Mr. Drozd
 30 gave untiring service to issues that affected his district
 31 and the county as a whole. He sponsored legislation that
 32 demanded accountability and transparency in government,
 33 and he enthusiastically advocated for the elimination of
 34 the waste in taxpayer's dollars;
 35 WHEREAS, Mr. Drozd was appointed to serve as a
 36 member of Council's Budget and Finance Committee, Parks
 37 and Public Works;
 38 WHEREAS, in addition to his business experience,
 39 Mr. Drozd has an extensive military career. He honorably
 40 served our country as a lieutenant colonel in the Air
 41 Force Reserves, working for the Joint Chiefs of Staff, the
 42 Secretary of Defense and the State Department. Along with
 43 numerous commendations and administrative awards, Mr.
 44 Drozd has twice received the Defense Meritorious Service
 45 Award.

1 We need to go back to the basics of the
 2 Constitution and what this country was founded on. I
 3 believe in prayer in school, and I'll say that and I'm
 4 proud to say that. I believe that every child should
 5 stand up and pledge allegiance to the country in school.
 6 I mean that sincerely. I believe that we have to teach
 7 those that are coming after us, and we've got to remember
 8 that they're a part of what's going to be part of us and a
 9 part of our future.
 10 What I did and what I've done doesn't stop here.
 11 Mine is very insignificant, compared to what you can do,
 12 what those people can do, what Council can do in the
 13 future years to come. Very small. I'll continue to do my
 14 small part, and I pray to God and I hope to God that you
 15 do yours. And always, every day when you serve these
 16 people of our county, our country, that you remember one
 17 thing. They come first before us, because in that
 18 essence, your families, our families, will live on and
 19 they'll survive. And this will be a better --- greater
 20 than it can be and ever could be. Thank you.
 21 (Applause.)
 22 MS. REA: We have Council member Gastgeb.
 23 WHEREAS, throughout the history of Allegheny
 24 County and the Commonwealth of Pennsylvania, talented
 25 officials who possess great knowledge and determination,
 26 exhibit exemplary leadership in elected positions and
 27 contribute invaluable to our communities, our country and
 28 our world; and
 29 WHEREAS, Vince Gastgeb was elected in 1999 as
 30 one of the founding members of the Allegheny County
 31 Council. Because of his leadership, confidence and
 32 community presence, he was selected by the members of
 33 Allegheny County Council District 5 to serve as their
 34 representative; and
 35 WHEREAS, in his capacity as chair of the
 36 Republican caucus, Mr. Gastgeb promoted bipartisanship and
 37 governmental cooperation and exemplified these
 38 characteristics by placing the needs of those in his
 39 district and in this county at the forefront of his
 40 agenda;
 41 WHEREAS, throughout his time on Council, Mr.
 42 Gastgeb served on many committees, including the Budget
 43 and Finance Committee, Government Reform and the Executive
 44 Committee, just to name a few;

1 WHEREAS, Mr. Gastgeb sponsored or co-sponsored
 2 legislation concerning property tax reform, the parks
 3 system, public safety issues and job growth in the region.
 4 NOW, THEREFORE, BE IT RESOLVED, that Allegheny
 5 County Council, on behalf of the citizens of Allegheny
 6 County, hereby recognizes the Honorable Vince Gastgeb, for
 7 his contributions to Allegheny County Council and to the
 8 enhancement of the well-being of the county's citizens.
 9 Mr. Gastgeb acted always in the best interest of the
 10 constituents of Allegheny County, and his unwavering
 11 commitment to Council serves as an exemplary model of
 12 leadership. This Council thanks him for his years of
 13 service and wishes him well as he moves into the future.
 14 (Applause.)
 15 MR. GASTGEB: It's truly an honor to be here. I
 16 thought I should get a proclamation, since I read so many
 17 over 13 years that I ---. But I want to read ---. This
 18 is for me, and it's very humbling. Being one of the first
 19 members with Chuck and with Dan, with Johnny and with
 20 Rich, you know, there's a kinship I think you develop when
 21 you do something first. I mean, I remember coming into
 22 the courthouse and we were sitting on telephone books as
 23 chairs, just trying to figure out how we could write a
 24 letter back to some of our constituents. And from those
 25 humble beginnings to where we are today, I think County
 26 Council really has hit its stride.
 27 When I was a member, I always told myself
 28 there's only 15 of us in the whole county that do what
 29 you're doing. So that's a high honor. And I always tried
 30 to do things, as it says, in a bipartisan way. Sometimes
 31 it isn't easy, but being a civic body, I think it just
 32 pulls you to do your best and try to make that a priority.
 33 When I left in February, I left for something that I
 34 thought I could do better or well, and I'm happy to say I
 35 think that's been the case. I'm very proud of that ---
 36 that decision to leave. Over that night something
 37 happened, and I haven't been able to really thank the
 38 people in this room. First of all, staff. I'm not sure
 39 if I got a chance to really say good-bye to the staff.
 40 You're wonderful --- what you do. You work for all of us
 41 in, I think, a very professional manner. The directors
 42 and managers are here from different departments. It was
 43 great working with you for 13 years. You're true
 44 professionals.

1 WHEREAS, throughout the history of Allegheny
 2 County and the Commonwealth of Pennsylvania, talented
 3 officials who progress --- possess great knowledge and
 4 determination exhibit exemplary leadership in elected
 5 positions and contribute invaluable to our communities,
 6 our county, country and our world;
 7 WHEREAS, because of the leadership, confidence
 8 and community presence, Jim Burn was selected by the
 9 members of Allegheny County Council District 3 to serve as
 10 their representative in 2005. Mr. Burn also has the
 11 distinction of serving as president of the Council from
 12 March through December of 2011;
 13 WHEREAS, Mr. Burn came to Council with 12 years
 14 of municipal service, which included his notable tenure as
 15 Mayor of Millvale, from 1994 to 2005. For his service as
 16 mayor, he received the Mayor of the Year Award in 1977,
 17 from the Pennsylvania State Mayors' Association and the
 18 Outstanding Young Men in America Award and the Community
 19 Award from the North Hills Community Outreach; and
 20 WHEREAS, during his tenure as Council, Mr. Burn
 21 co-sponsored legislation with Councilman Dave Fawcett
 22 which created a countywide riverfront park, providing for
 23 tremendous growth, influx of private sector investment and
 24 an opportunity to promote the region to businesses and
 25 families; and
 26 WHEREAS, Mr. Burn has also worked with his
 27 college to either sponsor or co-sponsored legislation and
 28 agendas that have demanded more accountability from --- of
 29 authorities promoting public safety and ensure the
 30 submission of budgets on time and balanced.
 31 NOW, THEREFORE, BE IT RESOLVED, that Allegheny
 32 County Council, on behalf of the citizens of Allegheny
 33 County, hereby recognizes the Honorable Jim Burn for his
 34 contributions to Allegheny County Council and to the
 35 enhancement of the well-being of the County citizens. Mr.
 36 Burn acted always in the best interest of the constituents
 37 of Allegheny County, and his unwavering commitment to
 38 Council serves as an exemplary model of leadership. This
 39 Council thanks him for his years of service and wishes him
 40 well as he moves into the future. Sponsored by all
 41 members of Council. Jim --- oh, here he is right here. I
 42 thought he was still sitting up here. Before I turn it
 43 over to Jim --- Jim's a neighbor of mine. I don't
 44 remember this, but he said that he was a paperboy. Was it
 45 for me?

1 To my colleagues, I know you didn't have to go
 2 one by one and say anything about me at all, but you all
 3 did, and I never got a chance to tell you how touched I
 4 was, how much that meant to me, that you would share that
 5 outpouring of emotion, Republican or Democrat. And I
 6 think that goes to the hallmark of what I'm trying to say,
 7 is we're councilmen first, we're county officials first.
 8 So I appreciate you looking at me in that vein. As I
 9 said, when the five of us started, I'm not sure if we knew
 10 what we expected. Three of you are still --- but other
 11 things Rich and I are still doing work --- well certainly,
 12 Rich is --- in the county and me with an authority.
 13 But the education we got here and the things
 14 that we learned, we learned together. One of the things
 15 I'd like to address is that I think I grew as a --- an
 16 elected official by understanding other points of view and
 17 being tolerant to that. And when I first started on
 18 Council, I probably wasn't exactly in that manner. And
 19 Rich and I would scream at each other in the halls and
 20 fight tooth and nail over things, but ---. And also with
 21 some of you, potentially, too, I know we've had some
 22 donnybrooks. Johnny, I had a good reason to argue with
 23 you. But I don't think we ever didn't go out to get a
 24 fish sandwich or a beer afterward. I don't think we ever
 25 took it to the point that it was so personal that --- you
 26 know, at least I tried not to make it that way, that
 27 afterwards there was a reason to talk; and maybe the next
 28 issue we were together on. And again, I know it's easy to
 29 say and harder to do, but I tried to do that. So I'm
 30 honored. I was honored to be involved with District 5 in
 31 the South Hills for 13 years.
 32 I think I ran 15 years ago. The picture that I
 33 have here is a picture of our very first Council. I can't
 34 believe how young we all look, how --- it's like ---
 35 Chuck, is this even you? I don't want to embarrass you,
 36 but --- but again, it's very humbling. I'm glad to be
 37 here. Staff and everybody, thank you for thinking of me.
 38 I want to wish everybody very much my heartfelt well
 39 wishes on looking forward to other --- to Jim and Matt and
 40 the others here tonight that are getting this nice
 41 humbling honor. So thank you very much and God Bless.
 42 (Applause.)
 43 MR. DEFAZIO: We have two more, Jim Burn and
 44 Rich Fitzgerald. I'm going to do Jim Burn now. I have
 45 the privilege of doing the last two here, so ---

1 MR. BURN: No. Before you ---
 2 MR. DEFAZIO: Oh, before I was --- I don't
 3 remember. I don't remember giving you a tip, so --- he
 4 was a neighbor of mine --- from the same area in Shaler.
 5 Well, actually, we're a street apart or two. I'm in
 6 Shaler, he's in Millvale.
 7 MR. BURN: Right.
 8 MR. DEFAZIO: They're right together. Okay.
 9 MR. BURN: Johnny, thanks.
 10 (Applause.)
 11 MR. BURN: John is my neighbor. He lives in the
 12 house that used to be owned by the Donaldson (phonetic)
 13 family. They were on my paper route. They have a nice
 14 swimming pool in the back yard, a beautiful in-the-ground
 15 pool. Mr. Donaldson, in addition to tips, used to always
 16 invite me up in the summertime to swim. Johnny hasn't
 17 done that. If you want to do a Polar Bear Club, I'll do
 18 that --- no, but thank you very much for the nice words
 19 and nice remarks. It's been a pleasure to be here and to
 20 work with this body and in this form of government for the
 21 last eight years.
 22 I was very blessed to have 12 years of municipal
 23 experience on the grounds where the sausage is made at the
 24 municipal level, and taking some of that knowledge and
 25 experience to come here and work with all of you, in a
 26 fashion, to move this region forward. It truly has been a
 27 pleasure, and it's been a good run. And I'm glad that
 28 Johnny had mentioned the ability of Dave Fawcett and I ---
 29 which was one of the first things that I had done when I
 30 got here, is to start the conversation about a countywide
 31 municipal park.
 32 And for Dave at that time, who was a registered
 33 Republican, and me, coming from 12 years of always working
 34 with Democrats, it was the first time I had worked in a
 35 bipartisan fashion. But I'm glad to say that it wasn't
 36 the last. Vince had commented on a couple of things.
 37 That's the thing I really enjoy about this body. It's a
 38 part-time body, and look, we're not going to be standing
 39 on election day in November passing out each other's
 40 sleigh (phonetic) cards, if we're on opposite sides.
 41 Right, Sue?
 42 MS. MEANS: Right.
 43 MR. BURN: Okay. But at the same time, here
 44 before that day, there is the business of government.
 45 There's the art of politics. They are not the same thing.

1 So once those polls close and the voters make those
 2 decisions, we have the obligation to stand here and move
 3 an agenda without being called names or hats or anything
 4 else, because we've been elected to do a job, and that is
 5 what we are supposed to do. We have done that, the
 6 authority legislation, the riverfront park legislation,
 7 which has allowed this executive and this administration
 8 to market this community to families and businesses and to
 9 move that agenda of building this region down the field.
 10 It was a pleasure to work with Chief Executive
 11 Onorato and be part of the transportation action team.
 12 And the recommendations that were made to Dan Onorato,
 13 it's encouraging to see some of those recommendations as
 14 they relate to public transportation being moved by this
 15 administration. Specifically, some of the light rail
 16 conversations from Oakland to Pittsburgh and the
 17 regionalization of the authorities to mainstream public
 18 transportation that is certainly, certainly most needed in
 19 southwest Pennsylvania and must catch up to our friends on
 20 the other side of the Commonwealth.
 21 To my colleagues, I want to thank you so much
 22 for the opportunity to share the laughs, and after some
 23 very, very intense debates and conversations up here, in
 24 moving the agenda forward and then going down to
 25 Mitchell's for a couple laughs or a beer afterwards. I
 26 would ask you respectfully to remember that, because in
 27 the last few months, it's really gotten intense up here.
 28 I think it's for the right reasons. We want --- we all
 29 have a common denominator when you get into public office
 30 and when we get to share an organization. We find that
 31 common denominator that gets you at the start. And you're
 32 all going to be standing there when you begin.
 33 But then the roads are going to branch out the
 34 minute you get out to that start, by the time you get to
 35 that finish line. There is not one piece of legislation
 36 or not one decision that I ever made or that I've seen my
 37 colleagues make in the 20 years that I've been a public
 38 servant, where every single person has been identical or
 39 belonged in the same exact page from soup to nuts. That's
 40 not how our founding fathers wrote the Constitution.
 41 That's not how it's written in our Charter. That's not
 42 how it's written in the Commonwealth of Pennsylvania.
 43 Because of diversity, this nation and this county are
 44 stronger. And it is because of diversity that we have to

1 Allegheny County Council, District 11, to serve as their
 2 representative; and
 3 WHEREAS, Council selected Richard Fitzgerald as
 4 its president in 2003, where he served in this role until
 5 his resignation from Council in 2011. During his tenure
 6 on Council, Mr. Fitzgerald was instrumental in adopting
 7 the county's policies and property taxes. He supported
 8 the --- plan on property assessment and authorized
 9 legislation for the Homestead exemption program; and
 10 WHEREAS, as the founder of the Aquenef
 11 Engineering, Mr. Fitzgerald utilized his management
 12 experience to contribute to Allegheny County's economic
 13 development and to bring businesses to the region. His
 14 background also allowed him to sponsor legislation that
 15 moved County facilities toward environmental
 16 sustainability; and
 17 WHEREAS, Mr. Fitzgerald supported
 18 intergovernmental cooperation and consolidation in his
 19 proactive approach to government through a transparent
 20 ruling body that put the needs of constituents first.
 21 NOW, THEREFORE, BE IT RESOLVED, that Allegheny
 22 County Council, on behalf of the citizens of Allegheny
 23 County, hereby recognizes the Honorable Rich Fitzgerald
 24 for his contributions to Allegheny County Council and to
 25 the enhancement of the well-being of the county's
 26 citizens. Mr. Fitzgerald's unwavering commitment to
 27 Council serves as an exemplary model of leadership. The
 28 Council thanks him for his years of service and wishes him
 29 well as he moves into the future. Sponsored by all
 30 members of Council.
 31 Before I call Rich up, real quick I want to say
 32 that the people --- the individual five people are here
 33 tonight. We have Mr. Gastgeb, Jan Rea, Mr. Fitzgerald,
 34 myself and Chuck Martoni, who were here when we first
 35 started, and that was back in the day when we had to write
 36 the book. No one was giving anything and everybody was
 37 telling everybody, you have to do this, you have to do
 38 that. And it was working day and night, studying. And I
 39 have to say one thing. Even now, when these people vote
 40 on issues, every one of these people, believe me when I
 41 tell you, are trying to do the right thing. That's why I
 42 don't get upset when we vote. We all want to vote. So
 43 everybody don't have to listen to me. Do what you think
 44 is right. And at the end of the day, you've got to live
 45 with the majority of the people. There's no need for

1 respect the differences of opinion that we have as we move
 2 down the road.
 3 You guys have to remember that, remember that.
 4 We all want this county to succeed. We all want this
 5 county to be better for our families, our friends, our
 6 neighbors and the businesses which Rich and Johnny and
 7 these guys from marketing bring into this community.
 8 We're not always going to be on the same page on how we
 9 get there. But as long as you go to that finish line and
 10 come together after we've done it, we're only going to be
 11 limited by our imaginations. I would caution my
 12 colleagues to continue to pursue that as an independent
 13 legislative elected body.
 14 We have three branches once we get off to that
 15 start, the legislative, the executive and the judicial.
 16 Do not allow yourselves --- and I say this. Do not allow
 17 yourselves to unfairly --- and I emphasize the word
 18 unfairly --- be categorized as anything other than what
 19 you are, and that is an independent elected body with a
 20 president of the Council. And it has been a pleasure to
 21 work with that president, and it has been a pleasure to
 22 work with all of you. As I move into my future, I look
 23 forward to having conversations and dialogue with any one
 24 of you. I bring 20 years of institutional knowledge of
 25 how government works, and I've chewed the same dirt with
 26 all of you.
 27 I look forward to having those conversations
 28 again, if asked to do so. Thank you all so much. God
 29 Bless You. It's been a great run. Take care.
 30 (Applause.)
 31 MR. DEFAZIO: I have the honor and privilege
 32 to --- for this next proclamation to our County Executive,
 33 Rich Fitzgerald. I'll read that and then we'll have some
 34 comments.
 35 WHEREAS, throughout the history of Allegheny
 36 County and the Commonwealth of Pennsylvania, talented
 37 officials who possess great knowledge and determination,
 38 exhibit exemplary leadership in elected positions and
 39 contribute invaluablely to our communities, our country, our
 40 world; and
 41 WHEREAS, Rich Fitzgerald was elected in 1999 as
 42 one of the founding members of the Allegheny County
 43 Council. Because of his leadership, confidence and
 44 community presence, he was selected by the members of

1 people to get mad at one another. We're all individuals.
 2 We all represent a certain area, and we have to do a good
 3 job. And I've always said this --- even Vince, when I
 4 used to fight him a lot ---. We used to always have
 5 fights, but you know, I'd always give him credit. And we
 6 do have our differences, but he was trying to do what he
 7 thought was right, and I was trying to do what I thought
 8 was right. And we'd have our fights in the beginning,
 9 just like we do now.
 10 But you've got to remember, everybody is doing
 11 what they think is right, and that's the way it should be.
 12 So I'll end with that and bring up Rich. Okay, Rich.
 13 (Applause.)
 14 CHIEF EXECUTIVE FITZGERALD: Thank you, John.
 15 And it's great to be here with Vince tonight. I'm glad
 16 we're both --- both together. From the time that I had to
 17 resign back in March of 2011 to run for County
 18 Executive, they told me it was the wrong thing to do. I
 19 bet you don't --- that you guys should have to resign. I
 20 still think we need to change that. But that's not what
 21 tonight is about. It is a night to reflect. And John and
 22 Jan and Chuck and Vince and the other ten of us who
 23 started this government, you know, 15, 14 years ago, being
 24 elected in '99. You know, Vince brought back some
 25 memories about sitting on the telephone books and not
 26 having a government, not ---.
 27 And the very first night we were there, we
 28 didn't have a president. We ended up with a 7 to 7 vote.
 29 And if you recall, County Commissioner --- former
 30 Commissioner Tom Foerster never did take the Oath of
 31 Office because he passed away while --- basically on his
 32 death bed the night we were sworn in. That's kind of
 33 where we started as a government. It was very --- very
 34 trying and very difficult, but I think a lot of us felt
 35 the need to start this government. And I am --- you know,
 36 I can't tell you how proud I am of having served on
 37 Council and having ---. And I'm proud, I know, of Council
 38 in general, across this body.
 39 Council is extremely, extremely important, and
 40 you might find that interesting for me to say this, the
 41 County Executive, for being on the other side. But I
 42 don't think this government moves forward without a strong
 43 council representing the communities. You can represent
 44 the 98,000, 99,000, 100,000 people that each of you
 45 represent. You need to bring their thoughts, their

1 feelings, back to this body, the people that don't feel
 2 connected to downtown Pittsburgh and that feel Grant
 3 Street is in the far reaches of the county.
 4 And I'm proud of the other four members who I
 5 referenced very well --- very much tonight. They've been
 6 serving this government for a long, long time. And I
 7 think the leadership that they have shown over the years -
 8 --- And we have disagreed. Vince and I had some
 9 disagreements with Democrats and Republicans and a
 10 disagreement with the Executive Branch and the Legislative
 11 Branch. But we did --- we always went out afterwards and
 12 were able to talk things out, and it was good. And our
 13 staff was terrific, a couple of which I took with me ---
 14 sorry about that --- over to the Executive Branch.
 15 But it was a very proud 11-plus years that I
 16 served on this council. I was humbled that you elected me
 17 four times as your president to represent you, and I
 18 always wanted to represent the body with dignity and with
 19 pride and make us feel good about what we did. So I want
 20 to thank all of you for this --- for this proclamation.
 21 It brings back a lot of good memories, and to be here
 22 tonight is very humbling. So I want to thank you very
 23 much.
 24 (Applause.)
 25 PRESIDENT MARTONI: I want to leave the agenda
 26 for a moment. We have a special --- a real, real special
 27 proclamation tonight, something that happened since we did
 28 the agenda --- Mr. Burn, would you take the podium,
 29 please?
 30 MR. BURN: Thank you very much. Are you talking
 31 about the ---
 32 PRESIDENT MARTONI: I'm talking about ---
 33 MR. BURN: North Catholic?
 34 PRESIDENT MARTONI: --- North Catholic.
 35 MR. BURN: Yes. They're not here, Mr.
 36 President. But I just wanted to make a motion to get it
 37 onto the --- onto the agenda. And I just want to make a
 38 few quick remarks.
 39 MR. MACEY: Second.
 40 MR. BURN: Thank you, Mr. Macey.
 41 PRESIDENT MARTONI: Moved and seconded. All in
 42 favor?
 43 (Chorus of ayes.)
 44 PRESIDENT MARTONI: Opposed? So ordered. It's
 45 on the agenda.

1 championship and its first ever PIAA Class A football
 2 championship. Sponsored by Council members Burn and Green
 3 Hawkins.
 4 7884-13. Proclamation congratulating The
 5 Honorable Bill --- Ben Killian, upon the occasion of his
 6 retirement after 19 years of service to the Borough of
 7 Aspinwall. Sponsored by Councilman Burn.
 8 7885-13. Certificate of Recognition thanking
 9 the members of the Korean National Demo Team for their
 10 outstanding exhibition hosted by Grand Master Kong of
 11 Young Brothers Tae Kwon Do Associates and held on October
 12 26th, 2013, at the North Hills Junior High School Annex.
 13 Sponsored by Councilman Burn.
 14 7886-13. Certificate of Achievement honoring
 15 the Deer Lakes High School Student Council for hosting the
 16 annual Senior Citizens Holiday Luncheon. Sponsored by
 17 Council members Burn and Futules.
 18 7887-13. Proclamation congratulating The
 19 Honorable William A. Futules upon the occasion of his
 20 retirement after 32 years of service to the Borough of
 21 Verona. Sponsored by Councilman Futules.
 22 7888-13. Proclamation congratulating The
 23 Honorable Margaret Suchevecich upon the occasion of her
 24 retirement after 17 years of service to the Borough of
 25 Verona. Sponsored by Councilman Futules.
 26 7889-13. Certificate of Recognition awarded to
 27 Ms. Carrie Baldwin upon the occasion of her 100th
 28 birthday. Sponsored by Council members Green Hawkins and
 29 Macey.
 30 7890-13. Proclamation honoring Ms. Doris Carson
 31 Williams, for receiving the David L. Lawrence Award for
 32 Community Service Leadership and Excellence at Amen
 33 Corner's 143rd Holiday Reception. Sponsored by Councilman
 34 Martoni.
 35 7891-13. Proclamation congratulating The
 36 Honorable Clifford Morton upon the occasion of his
 37 retirement after 16 years of service as Mayor of the
 38 Municipality of Bethel Park. Sponsored by Councilwoman
 39 Means.
 40 7892-13. Proclamation thanking Brentwood
 41 Emergency Medical Services (EMS) for serving the community
 42 of Brentwood for 36 years. Sponsored by Councilman
 43 Palmiere.
 44 7893-13. Proclamation congratulating the 2013
 45 awardees of the 4th Annual Big Brothers Big Sisters of

1 MR. BURN: Well, thank you very much. I just
 2 wanted to congratulate the high school for their win. It
 3 was very fitting for the high school not to --- not to go
 4 out with a loss. I mean, they went undefeated 16 to
 5 nothing. North Catholic High School has never done that.
 6 They got into the catholic finals and some classic games
 7 against Central Catholic over the years. But as the
 8 school started to lose enrollment, they had to move and it
 9 was inevitable that they did that.
 10 They went --- they're going to start next year
 11 up off of 228. So it was a very fitting way to go out.
 12 They won the state championship for the first time in
 13 their history. And on a personal level, it was --- it was
 14 really ---. They got a lot of emotions from me as well,
 15 being the alumni and watching the school move, but also to
 16 be at the game and to see that happen. And my nephew,
 17 Ryan Long, who is a senior there, is number 59. He plays
 18 on both lines, the D and the O line. He had a really,
 19 really good game.
 20 And I said this to folks who maybe haven't seen
 21 the game or watched it on replay if you weren't there. I
 22 was on my way from Washington, D.C. to New York, and I had
 23 a chance to veer to see my nephew. It was really one of
 24 the best games I've ever seen. It really was. The coach
 25 made a very gutsy call when they were 0 for 2 in overtime,
 26 and the team went to state champs. So congratulations to
 27 North Catholic. I know the school will continue the proud
 28 tradition that was initialized on Troy Hill as they move
 29 forward.
 30 And thank you, Council, friends and colleagues,
 31 for the opportunity to allow me to put it on the agenda
 32 tonight. It will be presented to the high school, but
 33 thank you, Mr. President.
 34 PRESIDENT MARTONI: Thank you. Thank you.
 35 Before we move on, I would like the awardees to come
 36 forward. We want to get a picture.
 37 (Pictures taken.)
 38 PRESIDENT MARTONI: The remaining proclamations
 39 will be read into the record.
 40 MR. CATANESE: I'm going to read the one from
 41 North Catholic. It will not have a number.
 42 PRESIDENT MARTONI: Okay.
 43 MR. CATANESE: Certificate of Achievement
 44 honoring the Cardinal Wore North Catholic High School
 45 football team, for winning the 2013 WPIAL Class A football

1 Greater Pittsburgh Celebrate Coalition event. Sponsored
 2 by Councilwoman Rea.
 3 7894-13. Proclamation welcoming the incoming
 4 president of the Community College of Allegheny County
 5 (CCAC), Mr. Quintin B. Bullock. Sponsored by Council
 6 members Robinson, Danko, DeFazio, Drozd, Futules, Green
 7 Hawkins, Heidelberg, Macey, Palmiere, Means and Finnerty.
 8 7895-13. Proclamation honoring Nelson Mandela
 9 in memoriam and recognizing his incredible legacy of
 10 inspiration for freedom, justice and human dignity.
 11 Sponsored by Council members Robinson, Danko, DeFazio,
 12 Drozd, Futules, Green Hawkins, Heidelberg, Macey,
 13 Palmiere and Finnerty.
 14 7896-13. Proclamation affirming Allegheny
 15 County's commitment to human rights by declaring Allegheny
 16 County a Human Rights County. Sponsored by Councilman
 17 Robinson.
 18 PRESIDENT MARTONI: Thank you. Now, we're
 19 waiting for the Quarterly Address by Chief Executive Rich
 20 Fitzgerald.
 21 (Applause.)
 22 CHIEF EXECUTIVE FITZGERALD: Thank you, Mr.
 23 President, and members of Council. It's good to be here
 24 in a different capacity; but as I said, I always enjoy
 25 coming back because of all the years I --- all the Tuesday
 26 nights I spent here over the years. I'll just highlight a
 27 few things and then obviously open it up to any questions
 28 that you might have since I was here three months ago. I
 29 think we had a terrific year, and I think we can all take
 30 a lot of pride in the year that we've had. And I'd like
 31 to start with the economy and job growth.
 32 We've had a tremendous job growth here in
 33 Allegheny County. This year we're adding 16,300 jobs to
 34 the employment rolls in our county. Our unemployment rate
 35 at 6.0 percent is a full one percent below the national
 36 average of 7.0 percent. And our GRP, our Gross Regional
 37 Product, which is basically the same as the Gross Domestic
 38 Product, was 6.3 percent this year, triple what it is over
 39 the national average. So our economy continues to grow.
 40 We continue to add people. We continue to add young
 41 people. It's really good things that are happening.
 42 Probably the biggest thing we had this year would be the
 43 CONSOL airport gas leasing. It was an absolutely
 44 tremendous success that we can all take a lot of pride in.
 45 It's a billion dollar deal. It continues to move along

1 very, very favorably. CONSOL has had --- has opened a
 2 process with the Airport Authority as any drilling
 3 operation that has occurred in southwestern Pennsylvania.
 4 We're having our third Open House this evening as we
 5 speak, and it's moving along, again, very smoothly.
 6 We've already been able to lower the boarding
 7 fees, the landing fees and the rates that our payer paid
 8 twice this year, just with the bonus payment, before the
 9 royalties have come in. The bond rating of the Airport
 10 Authority has been increased --- has been elevated because
 11 of that. And it's --- again, it's a really big thing. I
 12 want to thank you for passing the Operating Budget last
 13 week with no tax increase for the 13th time in 14 years, a
 14 very minimal increase of spending within the inflation
 15 rate. It adds \$2,000,000 more to the fund balance, as we
 16 continue to increase the fund balance.
 17 As you know, earlier this year, we increased the
 18 fund balance, and in talking to the County manager,
 19 hopefully, we're going to be able to increase that fund
 20 balance again next year. So when we go to the rating
 21 agencies, we'll have a good story to tell. One good story
 22 we're going to be able to tell is that yesterday, after
 23 five years of fighting and trying to get this legislation
 24 passed, the House passed pension reform for Allegheny
 25 County, 194 to 3. They concurred with what the Senate
 26 did. It's now going to go to the Governor's Office, the
 27 Governor's desk, where I talked to Governor Corbett. He
 28 will be signing that bill. It will save this county and
 29 our pension system a tremendous amount of money. It was a
 30 huge, huge burden that was placed on the taxpayers of this
 31 county. And quite frankly, the rating agencies looked
 32 upon us as scamps for not being able to get that
 33 legislation. I would like to thank personally our
 34 Treasurer, John Weinstein, who chairs the Retirement
 35 Board.
 36 John worked very hard to get that done, and our
 37 delegation, particularly with Senator Vulakovich and
 38 Senator Costa, working in a bipartisan fashion across the
 39 aisle, along with Representative Turzai--- Representative
 40 leader Turzai and leader Dermody across the aisle, again,
 41 in the House getting that done. And one other person I'd
 42 like to point out is Senator Matt Smith, who fought this
 43 legislation way back when he was in the House and
 44 continued to do so in the Senate. It was an absolutely
 45 huge piece and an historic piece of legislation that we

1 transportation bill. And I'm urging this body tonight to
 2 pass the Capital Budget. I appreciate the fact that it
 3 came out of committee the other day with a unanimous vote,
 4 an eight to nothing vote. And I hope that portends the
 5 fact that we'll get a capital budget, so the County
 6 manager can move forward with over 100 projects and put
 7 our people to work, fix our roads, fix our bridges and
 8 make our community safe. So it's an important piece of
 9 legislation.
 10 I just want to hit on a couple of other things,
 11 you know, that you know about --- talk about some park
 12 success. We've been trying to use some innovative ways to
 13 do some things in the parks without raising property
 14 taxes. One that you know about is the zip line which
 15 proved to be very, very successful out at North Park. The
 16 second is the boat house restaurant, which has also been
 17 very, very successful out at North Park. And the third
 18 one that just opened up now is the ski lift at Boyce Park.
 19 This is the earliest it's opened in years. It's been up
 20 and running now for well over a week, a week and a half.
 21 People are very much enjoying it, and we think
 22 we're going to be able to stem the losses that have
 23 happened there recently.
 24 And then finally, we'll brief you a little bit
 25 about the Marcellus Shale, the deal that you're worrying
 26 about, that you're reading about in the papers, the Deer
 27 Lakes deal. We continue to do the negotiations and
 28 continue to move forward. I've not revealed some of the
 29 numbers that have gone out in the papers. I think those
 30 negotiations are going to remain private within my office.
 31 But as you can see, it's a very, very positive development
 32 for this region, positive for the parks and positive for
 33 our budget, without having to raise property taxes.
 34 So with that, I want to open up to any questions
 35 you might have, Mr. President, or any members of Council
 36 may have.
 37 PRESIDENT MARTONI: Any questions? Mr.
 38 Robinson?
 39 MR. ROBINSON: Thank you. Thank you, Mr. Chief
 40 Executive, for being here. As you know, and my colleagues
 41 should know, you and I have not had a substantive
 42 conversation concerning drilling in this county, ever, or
 43 any communication to that extent, where we have shared
 44 communication. Any assertions that there's any animus
 45 between me and you or any member of this council that is

1 got done and something we can all --- all be very proud
 2 of.
 3 The second big thing that we got done was the
 4 State Transportation bill. Finally, at long last, just a
 5 couple of weeks ago, the Governor signed the bill. It
 6 puts safety into our roads and bridges. This was a bill
 7 that was supported by virtually every county commissioner
 8 in western Pennsylvania, Democrats and Republicans,
 9 Liberals and Conservatives, knowing the importance of
 10 transportation to our --- to our community, our economy
 11 and what we're doing.
 12 The big thing for us --- and we were talking
 13 about it with Councilman Gastgeb being on this Council for
 14 the last 14 years. As Council remembers, we were always
 15 worried that the Port Authority was going to run out of
 16 money. Every year there would be a crisis that the Port
 17 Authority had to go through. And whether it was Governor
 18 Ridge, Governor Rendell and now Governor Corbett, we were
 19 always hoping that they would come up with the money,
 20 whether it be flex money, whether it be gaming money,
 21 whether it be economic development money, to try to plug
 22 the hole that the Port Authority had.
 23 Some years they did, and quite frankly, some
 24 years they didn't. In the years that they didn't, we had
 25 major cuts. One time we had a 15 percent cut, and a
 26 couple of times we had 10 percent service reductions.
 27 That really hurt our constituents. It hurt people that
 28 needed mass transit. And quite frankly, it hurt our
 29 business community. So now with this transportation bill,
 30 for the next ten years, we know that transit is going to
 31 be stable here in Allegheny County. So when a company or
 32 a developer comes to me and asks me if they're going to
 33 have transit for the next five years or the next ten
 34 years, I can look them in the eye and say yes.
 35 Until that passed, neither I nor Dan Onorato nor
 36 Jim Roddey could ever say that, and it made it very
 37 difficult to try to make some of the development deals, so
 38 it was a huge, huge increase. On top of that --- and
 39 that's one of the things I'll fix tonight --- we need to
 40 pass a Capital Budget. Our roads and bridges locally are
 41 reliant on that \$50 million capital budget. That provides
 42 money for our roads, our bridges, transit, our buildings
 43 and our parks. And quite frankly, the federal government
 44 has had, you know, their issues. The state government has
 45 as well. Both of them have passed budgets and passed the

1 not documented is untrue. It's unfounded. I will
 2 continue to work with you, if you would like to do that.
 3 I will continue to serve the people of the 10th County
 4 Council district with distinction. Anything that has been
 5 attributed to me in the media or from other sources that
 6 indicate that I characterized you in any way, other than
 7 in a positive way, in untrue and unfounded. I needed to
 8 say that before I say anything else.
 9 Let the record reflect that. If there's
 10 evidence to the contrary, it should be presented. I
 11 respect you as the Chief Executive of this county, always
 12 have, always will. I thanked you on numerous times
 13 publicly for appointing me on two occasions, to be Chair
 14 of the Budget and Finance Committee of this Council. I
 15 thank you again for having that kind of confidence in me.
 16 Now, if I might, since you brought up Marcellus
 17 Shale drilling and the potential that this council may
 18 vote upon some legislation, certain serious accusations
 19 have been made concerning yourself, as Chief Executive and
 20 as a private citizen.
 21 No evidence has been presented to this council
 22 to substantiate those allegations. It's unconscionable
 23 for people to make wild accusations, particularly about
 24 elected officials, without substantial evidence to the
 25 same. Before this Council votes on any leases or any
 26 other arrangements negotiated, however it's characterized,
 27 we need to know from you whether there's any truth to the
 28 allegations that your private business activities have
 29 compromised your ability to make a rational non-pecuniary
 30 decision relative to whether or not this Council should
 31 approve drilling underneath Deer Lakes Park.
 32 CHIEF EXECUTIVE FITZGERALD: Thank you, Mr.
 33 Robinson. And let me, first of all, thank you for your
 34 kind words. And I certainly am willing to work with you
 35 in any capacity. I'm certainly willing to meet with you
 36 regarding the lease, as I have met with other members of
 37 Council and discussed in private the negotiations that are
 38 moving forward. And I look forward to anybody --- and
 39 many members have --- brought me some areas of interest
 40 that they would like to see, whether it be environmental,
 41 whether it be financial, whether it be dealing with the
 42 parks, et cetera, and I'll continue to do that. You will
 43 be given the lease, obviously, once we finish the
 44 negotiations. That will come before this Council, and
 45 we'll have many, many public meetings regarding that.

1 Let me talk about my business. I'm glad to do
 2 so. I've worked for 30 years. I started a business 30
 3 years ago called Aquenef. Aquenef, and it's spelled,
 4 A-Q-U-E-N-E-F, stands for water and energy efficiency.
 5 What I did was sell and design and service water treatment
 6 equipment for boiler and cooling tower operations, not
 7 drinking water, not wastewater. And I never even knew
 8 what frack water was. So there's no energy work that I
 9 had done for any of those companies.
 10 In fact, my job, what I made a living doing, was
 11 saving energy, so that meant your gas bill was going to go
 12 down if you used my products. So if you were EQT or
 13 Columbia or Peoples, you were probably mad at me because
 14 my clients were using less of your gas because what I sold
 15 to my clients was energy savings. My company was green
 16 before green was invented, when I started this company
 17 back in the early '80s. So there is no financial interest
 18 that I have with any of the drilling companies, whether it
 19 be Range, whether it be CONSOL --- you can go down the
 20 list, any of them --- Chesapeake, Exxon, Shell, you name
 21 it. So none of those companies are companies that I have
 22 an interest in.
 23 So I'm glad you asked, and I heard some of those
 24 wild allegations. And quite frankly, they're --- they're
 25 untrue. Let me say one other thing about drilling. We
 26 all probably have natural gas in our house, probably our
 27 stove, probably our range, probably our water heater.
 28 We've got to vote, and I think to abstain on this vote is
 29 not the right thing to do. Probably all of us have
 30 interests --- business interests, whether we work for a
 31 law firm, whether we work for an engineering firm, with
 32 the University of Pittsburgh, with UPMC, with any
 33 developer that we --- that comes before us with a TIF.
 34 You know, we all have those interests.
 35 But I don't think --- I think our job is to vote
 36 and is not to hide behind an abstention. So I would hope
 37 that when we do bring this bill before you, for whatever
 38 reason, positively or negatively, I hope people would vote
 39 either yea or nay, whether they thought it was in the best
 40 interest of the county to do so. Did I answer your
 41 question, Mr. Robinson?
 42 MR. ROBINSON: Thank you, Chief Executive. Mr.
 43 President, just one other concern as a follow-up to what
 44 the Chief Executive said. Inasmuch as there is not a bill
 45 before us, I won't continue to pursue this line of

1 may gain from the new transportation bill? Is it too soon
 2 to tell? Do you have any clue at what we might get?
 3 CHIEF EXECUTIVE FITZGERALD: It is too soon to
 4 tell, to see what the liquid fuels tax changes will be.
 5 We think they'll be significant enough to allow us to
 6 increase our paving and our roads and bridge work. The
 7 bigger thing, again, was on the transit side of things,
 8 where the Port Authority literally, for the last decade
 9 and a half, was living from prices to prices. So that was
 10 very important. One thing in the bill that we might want
 11 to consider in the next year, they have given us the
 12 ability to add a fee, a \$5.00 registration fee to cars
 13 that would allow us not to have to use property tax, which
 14 is what we use right now, to fund public works and roads
 15 and bridges.
 16 That was an enabling legislation, much like the
 17 drink tax legislation that we passed back in 2007. So
 18 that's something --- again, once the bill starts to be
 19 fully implemented, that we can take a look at in the
 20 future.
 21 PRESIDENT MARTONI: Mr. Drozd, I believe you're
 22 next.
 23 MR. DROZD: All right. Thank you. Thank you
 24 for coming. I read with intense interest the article on
 25 the drilling in that park, that one particular park. And
 26 what I was pleased to hear and I'd like you to validate
 27 --- and I'll follow up with some other questions --- if
 28 you'd validate --- one thing you --- what's being
 29 negotiated is even more stringent environmental conditions
 30 than what is provided by the State; and secondly, that
 31 that pad will not be in that park. It'll be on the
 32 neighboring land away from the park; is that correct?
 33 CHIEF EXECUTIVE FITZGERALD: There will be
 34 multiple pads, probably at least three, maybe four, and
 35 none of them will be on park land.
 36 MR. DROZD: You know, as being a strong
 37 advocate, as you know, for the taxpayer and always looking
 38 for ways to reduce the taxes on the people of Allegheny
 39 County and our country --- and I'd like to ask this. One
 40 of the points that always comes up from our constituents
 41 is about --- a very sore spot about casino money. And
 42 they say, where is it? You know, we were told it was
 43 going to come back to us. Well, where is it? They really
 44 haven't seen anything significant that means anything to
 45 them. And they're really disappointed with that. If this

1 inquiry, except to suggest to members that they might want
 2 to be instructed by what the Chief Executive has said
 3 relative to his financial interests in any companies that
 4 might be related to whoever would present to us as a
 5 company that should drill under Deer Lakes.
 6 That's a friendly suggestion to members. The
 7 Chief Executive has stated his case on the record. I will
 8 take him at his word until somebody produces evidence to
 9 the contrary. Those who have been making these
 10 accusations against the Chief Executive need to be mindful
 11 that this Council is patient and tolerant, but we should
 12 never accept people making wild accusations without some
 13 substantiation. And right now, we don't have any
 14 substantiation for the accusations the Chief Executive was
 15 kind enough to respond to. Thank you, Mr. President.
 16 Thank you, Mr. Chief Executive. Thank you, members of
 17 Council.
 18 PRESIDENT MARTONI: Thank you, sir. Anyone
 19 else?
 20 MS. MEANS: I have a question.
 21 PRESIDENT MARTONI: Yes?
 22 CHIEF EXECUTIVE FITZGERALD: Welcome, Council
 23 member.
 24 MS. MEANS: Oh, thank you.
 25 CHIEF EXECUTIVE FITZGERALD: It's good to see
 26 you here.
 27 MS. MEANS: Mr. Fitzgerald, you pretty much
 28 imply in your presentation that the Port Authority will be
 29 fully funded for the next ten years. I mean, am I dotting
 30 the I and crossing the T to that statement?
 31 CHIEF EXECUTIVE FITZGERALD: Yes. And let me
 32 just clarify, because I think you make a good point. We
 33 know that the State funding coming to the Port Authority
 34 is going to be stable and should be sufficient to provide
 35 the funding to provide service. Now, that doesn't mean
 36 that the Port Authority doesn't need to continue to make
 37 reforms, continue to save money, continue to look for
 38 efficiencies, continue to look for new revenues, whether
 39 it be advertising, sponsorships, et cetera.
 40 I think we want to grow this. We want to grow
 41 service in this county. But what I meant, Councilwoman,
 42 is that we at least have a base year --- a base line of
 43 stability to work from.
 44 MS. MEANS: And a second part to my question is,
 45 do you have any idea what that revenue --- what the county

1 goes forth, are you amiable --- and maybe you could share
 2 some of the vision that possibly in three years, one,
 3 those monies --- part of those monies will go back to the
 4 taxpayers in the form of an abatement or something to
 5 alleviate the tax burden on the people of Allegheny
 6 County, or like, similar to Alaska where --- they actually
 7 get a check in Alaska.
 8 Secondly, that part of that money will be
 9 earmarked, as you had said, for --- to maintain --- not
 10 only maintain the parks, but take it into the next --- you
 11 know, next level. We really need to get innovative, you
 12 know, like other parks in other parts of the country. You
 13 know, I've been in the Carolinas. I've been --- every
 14 time I get a chance, I go to a park, and I see what's been
 15 done in innovative upgrades to that park. And our monies
 16 are so limited, because we have such --- so many acreage
 17 in the parks. Will you be amiable to that, second?
 18 And the third thing is, you know, I grant you
 19 having some --- not you, but this county having some to go
 20 towards budgetary issues, which will, I hope, alleviate
 21 further taxes on the people of Allegheny County, because
 22 that would require less from them. Could you share some
 23 of that vision that maybe this would be part of your plan?
 24 CHIEF EXECUTIVE FITZGERALD: Well, let's just
 25 talk about this individual plan and talk a little bit
 26 about the airport. I was wishing that some of the airport
 27 money could be used to do exactly what you said we would
 28 want to do. FAA regulations prohibit us from doing that.
 29 We'll be breaking the law if we --- if we try to put that
 30 into the operating funds, you know, taking it straight out
 31 of there, you know, other than money that we put in from
 32 gaming or other such funds.
 33 But speaking specifically to Deer Lakes and our
 34 parks in general, it's interesting --- again, back to the
 35 five people who are here tonight --- we did a study back
 36 in 2001 which showed at that time that the county parks
 37 had over \$100 million in deferred maintenance. We've
 38 pretty much done nothing the last 12 or 13 years to
 39 alleviate that, so I'm guessing that number is \$150
 40 million to \$200 million worth of deferred maintenance. In
 41 Deer Lakes Park alone, we have six bathrooms that are
 42 padlocked; you can't use them. We haveouthouses up
 43 there. That's what people are using. So I would like to
 44 take some of that money and put it into Deer Lakes Park to
 45 make some improvements and enhancements in Deer Lakes

1 Park. You also are exactly right; they're drilling
 2 anyway. So if we can participate and enhance the
 3 site-specific environmental enhancements that are going to
 4 occur in that community anyway, that would be beneficial
 5 to all the people in Fawn, Frazier, Indiana, Deer Lakes,
 6 Tarentum, up in that community.
 7 We're starting to see that at the airport. For
 8 example, CONSOL has enhanced the requirements of what
 9 they're doing there. For example, they're not going to
 10 use diesel generators. They're going to use electric
 11 generators, which won't have the emissions that diesel
 12 generators will use with compression stations. So these
 13 are some of the things that we want to take a look at.
 14 And again, I've gotten a lot of input from you and others
 15 who have been very, you know, constructive in trying to
 16 --- trying to move this forward.
 17 If we get enough money --- and I don't know that
 18 the numbers we're reading --- you know, they're estimates.
 19 I don't know what the market is going to be five years
 20 from now, ten years from now. There's got to be
 21 pipelines. There's all kind of things that are going to
 22 occur. But it's going to be millions and millions of
 23 dollars. And if we do get enough, it'll be able to at
 24 least forestall a millage increase with inflation and
 25 hopefully ---. I don't know that we'll ever send checks
 26 to people. I don't want to give people that false ---.
 27 We're not Alaska. I don't think we have that kind of, you
 28 know, acreage to use. But I think it could help us
 29 provide tax relief to the citizens of this county. But it
 30 will be going back to the taxpayers one way or the other.
 31 PRESIDENT MARTONI: Go ahead.
 32 MR. DROZD: Yeah. You know, I just want to
 33 thank you. That was actually --- and I want to point out
 34 that most of my constituents --- actually, I polled my
 35 constituents, you know, when we did the airport. And I
 36 voted with --- the majority of my constituents won, 95
 37 percent of them said drill, with no --- nothing, that they
 38 said anything against drilling. They said go ahead and
 39 drill. Five percent had reservations; three percent said
 40 no --- maybe, five percent. But the majority of my
 41 constituents said it, and that's the way I vote, the way
 42 the majority of my constituents want. But one thing ---
 43 three areas of concern to them was that we have to be
 44 careful of the groundwater, especially up in that area.
 45 You know, there's been a year of negotiations with

1 Look at that --- that calldron out there when you walk in
 2 that tower. That tower would be so nice. People said
 3 they used to walk up there in North Park. You can't even
 4 use it. So we're just Band-Aiding things in these parks,
 5 when we can have --- and we've never really fully utilized
 6 what these parks could be. So this may be an opportunity.
 7 And you know, I think you need to explore these
 8 avenues, and I think Council does --- and earmark those
 9 dollars to do what's necessary to bring those parks where
 10 they can be. Thank you.
 11 PRESIDENT MARTONI: Anyone else have any
 12 questions for the Chief Executive? That seems to be it.
 13 Thank you. Yes, Councilwoman. I didn't see you.
 14 MS. DANKO: Okay. What you brought to my
 15 attention over the weekend, it's very difficult to --- for
 16 people at Pitt to make a map of where the drilling leases
 17 are and how they've been --- new leases, that --- in fact,
 18 that they can update beyond 2010. And there seems to be a
 19 problem within the county, as far as getting the data in a
 20 form that's accessible. And this goes to the issue of ---
 21 it's going to happen anyway, you know. But we can't see
 22 that because we cannot see the map, so I'm wondering if
 23 you are familiar with this issue and what you can do to
 24 fix it.
 25 CHIEF EXECUTIVE FITZGERALD: I've marked --- and
 26 we've shown you maps. In fact, when we had a private
 27 meeting together, we gave you some maps of where those
 28 sites are.
 29 MS. DANKO: They were very vague maps. They
 30 were not adjacent maps. They were --- and they included
 31 Plum, and those maps came from Range, is what I was ---
 32 that was my understanding.
 33 CHIEF EXECUTIVE FITZGERALD: And I don't think
 34 Range has put out, you know, unprofessional or inaccurate
 35 maps.
 36 MS. DANKO: But they weren't updated, either.
 37 CHIEF EXECUTIVE FITZGERALD: Well, then it's up
 38 to them to update them as far as they have to do. When
 39 they go through this process with the DEP, they'll have to
 40 provide us site-specific areas where they're going to
 41 drill, so people will know exactly. In fact, we could
 42 probably take a drive out tonight and find out exactly
 43 where the stakes are in the ground, to show them one
 44 drilling site that is adjacent to the park.

1 whoever. Make sure they understand that groundwater,
 2 they've got to monitor it and do whatever necessary,
 3 including if they have to make the expenditures to bring
 4 in piped-in water where the residents don't have to bear
 5 that loss. Secondly is noise abatement; noise abatement.
 6 Thirdly, it is far enough away from their homes. They
 7 don't want it to be right on their homes.
 8 Lastly, I'll say this, that we have to be very
 9 careful of. The airport is a different type of
 10 environment. And out there is the EMS issue, first
 11 responders issue. They have the whole airport, all those
 12 first responders, the firefighters, everything there.
 13 We've got to be careful and find out. I would suggest ---
 14 and this is not park --- you know, it's not going to ---
 15 maybe your people might want to look at talking to whoever
 16 this is. They have a foundation. They ought to keep up
 17 those fire departments out there to make sure their
 18 equipment is donated.
 19 And also, they might want even to donate into
 20 the park itself because they do have foundations. If
 21 there's monies to be had here, over and beyond what
 22 revenues they may give, then we need to ask it. At least
 23 ask it from the foundation side.
 24 CHIEF EXECUTIVE FITZGERALD: I think they're
 25 listening, Councilman. I think you're right. You know,
 26 again, we want to be imaginative about how we can use more
 27 revenues, because the only tool we have is property taxes.
 28 And people don't want their property taxes raised. I have
 29 to be honest with you. We brought a bill before this
 30 Council earlier this year dealing with sponsorship in the
 31 parks. And I was disappointed that this Council did not
 32 allow it to be brought up for a vote. We'll probably
 33 re-introduce that bill next year, and I think it's the
 34 right thing to do, to look for ways --- imaginative ways,
 35 sensitive ways, like we've done at the boathouse and zip
 36 line, to allow some sponsorships in our parks. Both
 37 private and public partnerships are the right way to go.
 38 MR. DROZD: One quick follow-up, and you're
 39 exactly right on, on that park maintenance, because I
 40 estimated it a while back, \$150 million. And that doesn't
 41 include our roads and bridges, and that's in far excess of
 42 that, and that was about three to four years ago. And
 43 lastly, you just have to walk through those parks, walk
 44 through all the parks. Look at the pavilions. They're
 45 caving in on the roofs and everything, what it may be.

1 MS. DANKO: That one, yes. But I think that I
 2 would be more comfortable if I was getting the data from
 3 Pitt than getting it from Range Resources.
 4 CHIEF EXECUTIVE FITZGERALD: Well, then, you
 5 should go to Pitt and ask them.
 6 MS. DANKO: They can't get it because they can't
 7 get the data from the County.
 8 CHIEF EXECUTIVE FITZGERALD: The County doesn't
 9 provide drilling information. That's what the DEP ---
 10 they don't ---
 11 MS. DANKO: The County keeps track of the
 12 leases. That's my understanding.
 13 CHIEF EXECUTIVE FITZGERALD: Well, I'm not aware
 14 of that. I guess you could check with the county manager,
 15 but Solicitor, do we know --- is that ---
 16 MR. WOJCIK: Memorandums of Lease are often
 17 recorded, but between two private citizens, a drilling
 18 company and a --- you know, what --- how accessible their
 19 private relationship is --- it's not --- it depends on
 20 what they record and place as to what someone records at
 21 the Recorder of Deeds' Office. We don't keep track of
 22 shale drilling leases, for example. Deeds, assignments,
 23 leases, things like that that get recorded, are in the
 24 Recorder of Deeds' Office.
 25 MS. DANKO: So there is no systematic way of
 26 finding out where the leases are?
 27 MR. WOJCIK: There's --- you could --- the
 28 systematic way is the same way you find out a deed, is you
 29 search, and the same way, you know, that --- if you wanted
 30 to find out who owned a house, you have to search under
 31 that address.
 32 MS. DANKO: Thank you.
 33 PRESIDENT MARTONI: Thank you. No further
 34 questions. Thank you. Oh, wait, one more. I'm sorry.
 35 Go ahead, Jim.
 36 MR. ELLENBOGEN: Again, thank you for coming
 37 here tonight, Chief. I'm going to be brief here. You
 38 know, I'm looking over this \$55 million budget, and I
 39 can't identify one thing that's in my district, so ---. I
 40 don't have any parks in my district. And the point I'm
 41 bringing up is, I know, you know, our people could use the
 42 services and that. But the question I have --- and you
 43 know I'm very familiar with the roads in my district ---
 44 I'm just asking you if you would ask your county manager
 45 --- that I want a breakdown of some of the things that

1 they have planned for any of the road repairs that are in
 2 my --- in the 12th District, if you would.
 3 CHIEF EXECUTIVE FITZGERALD: We can provide that
 4 for you, Councilman. It's not a problem.
 5 MR. ELLENBOGEN: Yeah, because I've had ---
 6 CHIEF EXECUTIVE FITZGERALD: And obviously, you
 7 represent a lot of city areas, and it tends to be less
 8 city --- less county roads within city neighborhoods.
 9 MR. ELLENBOGEN: No, you'd be surprised.
 10 CHIEF EXECUTIVE FITZGERALD: No. No, I
 11 understand, but ---
 12 MR. ELLENBOGEN: But the only reason I'm
 13 bringing it up, and I apologize for bringing it up here,
 14 but I've just had some complaints on a couple of them just
 15 in, like --- in the last 48 hours, and it's kind of been
 16 in my ---
 17 CHIEF EXECUTIVE FITZGERALD: Well, let me say
 18 this. In that capital budget, there was --- there's a lot
 19 of transit dollars in there. Your district provides an
 20 awful lot of transit, but you know --- and whether it's in
 21 Brookline, Beechview, the rail line that comes through,
 22 through Dormont, through that area, through the 20th Ward,
 23 through Banksville, there's a lot of transit usage down
 24 there. And I know I can guarantee there's a lot of
 25 transit dollars in that capital budget.
 26 MR. ELLENBOGEN: Okay. Good. I just --- like I
 27 said, I'd like to be able to answer some of the questions,
 28 you know, so ---
 29 CHIEF EXECUTIVE FITZGERALD: Sure.
 30 MR. ELLENBOGEN: Thank you. I appreciate it.
 31 PRESIDENT MARTONI: Thank you. One more. Mr.
 32 Drozd, you had your hand up.
 33 MR. DROZD: Just a quick suggestion. I
 34 mentioned this to your excellent county manager about
 35 this. We talk about jobs, and there are air basin
 36 issues --- I just read in the paper --- and it's very
 37 critical. The air basins are based upon jobs. They
 38 equate out the jobs. You cannot put certain type of
 39 industries if those air basins are used up. Our air
 40 basins are being used up by neighboring states. That flow
 41 that happens down through the Ohio Valley comes up in
 42 neighboring states.
 43 And what that does is cheat us out of jobs, that
 44 they're using our air basins at our expense. So I just
 45 noted in the --- noticed in the paper that some states are

1 MR. CATANESE: 7897-13. Motion to approve the
 2 minutes of the regular meeting of Allegheny County
 3 Council, held on November 19th, 2013.
 4 MR. PALMIERE: So moved.
 5 (Chorus of seconds.)
 6 PRESIDENT MARTONI: Moved and seconded.
 7 Question? All in favor?
 8 (Chorus of ayes.)
 9 PRESIDENT MARTONI: Opposed? So ordered.
 10 Unfinished Business. Committee on Budget and Finance.
 11 Mr. Finnerty?
 12 MR. FINNERTY: Thank you, Mr. President.
 13 MR. CATANESE: I've got to first read this.
 14 MR. FINNERTY: Sorry.
 15 MR. CATANESE: 7783-13. Resolution of the
 16 County of Allegheny, Commonwealth of Pennsylvania,
 17 adopting a Capital Budget pursuant to Article IV, Section
 18 2, and Article VII, Section 4, of the Home Rule Charter,
 19 by setting forth appropriations to pay the expenses for
 20 capital expenditures during the fiscal year beginning
 21 January 1st, 2014 and ending December 31st, 2014.
 22 Sponsored by the Chief Executive.
 23 PRESIDENT MARTONI: Okay. Mr. Finnerty?
 24 MR. FINNERTY: Thank you. Sorry about that.
 25 The capital budget was released from committee. It was
 26 amended and released affirmatively by a unanimous vote of
 27 8-0. I'd like to make a motion to approve.
 28 MR. MACEY: Second.
 29 PRESIDENT MARTONI: We have a motion and a
 30 second. Question?
 31 MR. DROZD: I have an amendment.
 32 MS. MEANS: I have an amendment.
 33 MR. DROZD: Two amendments.
 34 PRESIDENT MARTONI: Two amendments; right?
 35 MS. MEANS: So I can go ahead with my amendment?
 36 PRESIDENT MARTONI: Yeah, sure.
 37 MS. MEANS: Okay. Wait, can you pass out my
 38 amendment, please?
 39 (Copies distributed.)
 40 MS. MEANS: Yes. First of all, I want to thank
 41 Mr. Robinson for allowing me to attend the budget
 42 meetings. Before I was seated, he allowed me to be a
 43 guest and listen in. I also wanted to thank President
 44 Martoni for appointing me to the budget committee.
 45 Forgive me. I have a little bit of laryngitis tonight.

1 joining together to go after this to say, hey, it's not
 2 our problem. We didn't create it. But what happens ---
 3 what our problem is, we lose jobs as a result of those air
 4 basins being --- you know, the emissions coming up. So
 5 it's something, you know, your people might want to look
 6 at with the solicitor, to look at what they're doing and
 7 join in and see how we can protect our air basins, so ---
 8 or at least get the credit that we deserve and take it
 9 from the neighboring state, that we can employ more
 10 people.
 11 CHIEF EXECUTIVE FITZGERALD: Let me just say one
 12 last thing as I leave, Mr. President. I think this body
 13 should be very proud of the work that it does, and I want
 14 to --- I'll just give you two quick examples. Cleveland,
 15 Ohio, a couple of years ago, decided that they wanted to
 16 change their form of government, their county commissioner
 17 form of government, because they wanted to be more like
 18 us. And they asked us to come up there and speak about
 19 it. Just recently Scranton in Lackawanna County did the
 20 same thing. They passed a referendum and wanted to be
 21 like Allegheny County. They want to have a county council
 22 and a county executive form of government. So we're being
 23 noticed around this state and around this country, and the
 24 work that you do you may not think is being noticed, is
 25 very much noticed. So you should be very proud of the
 26 work that you do, and I want to wish everybody a very
 27 happy holiday and good wishes. Thank you.
 28 PRESIDENT MARTONI: Thank you.
 29 (Applause.)
 30 PRESIDENT MARTONI: We're ready for Public
 31 Comment on Agenda Items.
 32 MR. CATANESE: If I may, let the record show
 33 that Councilwoman Green Hawkins is present.
 34 PRESIDENT MARTONI: Thank you very kindly.
 35 Let's give her just a few minutes.
 36 (Short break taken.)
 37 PRESIDENT MARTONI: Okay. We're ready to begin.
 38 We have one speaker on agenda items, Angel Gobetir. If I
 39 said it right --- or wrong, rather, correct me. Angel,
 40 are you here? There's got to be some angels in this room.
 41 Okay. She's not here. We move on. Do we have a motion
 42 to approve the minutes ---?
 43 MR. CATANESE: I've got to read it.
 44 PRESIDENT MARTONI: Yeah, please go.

1 And I want to tell you that when I went to the meeting, I
 2 heard Mr. Finnerty say over and over again that the
 3 capital budget is for roads and bridges. So that's why
 4 I'm proposing an amendment to take the million dollars
 5 away from the survey for the Port Authority, and give the
 6 money to --- half of the money, half a million dollars, to
 7 the Annual Road and Facilities Improvement Program that's
 8 on page two --- page one. I want to ---
 9 MR. BURN: Just a second. Point of Privilege.
 10 MS. MEANS: I'm sorry.
 11 MR. BURN: Point of Privilege, Mr. President.
 12 MS. MEANS: Can I finish with ---?
 13 MR. BURN: No, you may not. I have a Point of
 14 Privilege.
 15 PRESIDENT MARTONI: Not yet.
 16 MR. BURN: I have a Point of Privilege.
 17 PRESIDENT MARTONI: What's the point?
 18 MR. BURN: What's the point? The point is,
 19 she's getting into the substance. There's a motion and a
 20 second to put it on the floor. We cannot discuss the
 21 substance until it's actually sitting in front of us. My
 22 colleague moved, Mr. Robinson seconded. It will either
 23 vote up or down whether or not we're going to have an
 24 amendment discussion or have the amendment on the floor
 25 for discussion. That's all I meant to say, Councilwoman.
 26 MS. MEANS: Okay.
 27 PRESIDENT MARTONI: So we make you take a vote
 28 on ---
 29 MR. DROZD: We can discuss.
 30 MS. REA: Can't we discuss the amendment?
 31 MR. BURN: We're discussing whether we're going
 32 to --- to bring it out; to bring it out.
 33 PRESIDENT MARTONI: Yeah, bring it out. All in
 34 favor?
 35 MR. DROZD: Can we discuss it or what?
 36 PRESIDENT MARTONI: Yeah, I'm sure. Okay.
 37 MR. DROZD: In total ---
 38 PRESIDENT MARTONI: All right. Help me out
 39 here; okay?
 40 MR. CAMBEST: All we're voting on is the
 41 amendment to the bill as read, so this is just a vote to
 42 amend. That's all.
 43 PRESIDENT MARTONI: Vote to amend.
 44 MR. BURN: Wait a second.
 45 MS. REA: No.

1 MR. DROZD: No, wait.
 2 MS. MEANS: I thought we were allowed a
 3 discussion.
 4 MR. BURN: This is a vote --- you heard Mr.
 5 Cambest.
 6 MR. CAMBEST: Hold on.
 7 MR. BURN: This is a vote to put it on the floor
 8 to discuss whether we amend. We're not voting to amend
 9 anything.
 10 MR. DROZD: No, that's wrong.
 11 MR. FINNERTY: The bill is on the floor. You
 12 can put amendments up. You don't have to do that.
 13 MR. CAMBEST: As I understand it, the bill came
 14 out of committee. It's on the floor, which means there's
 15 a motion to amend. And so we're voting on the amendment.
 16 MR. FINNERTY: Moved and seconded.
 17 PRESIDENT MARTONI: Okay. Moved and seconded.
 18 MR. FINNERTY: Now we're in a discussion.
 19 MS. MEANS: So I may finish my discussion?
 20 MR. FINNERTY: You can.
 21 MS. MEANS: Okay. So my point is, we've just
 22 heard the County Executive say the Port Authority is fully
 23 funded, and as a state agency receives lots of revenue,
 24 and it's going to get about \$33,000,000 from the drink
 25 tax. So I think that I would like to see our money be
 26 designated to our roads and bridges.
 27 MR. BURN: Mr. President?
 28 PRESIDENT MARTONI: Yes.
 29 MR. BURN: May I respond to that point?
 30 PRESIDENT MARTONI: Yes, please do.
 31 MR. BURN: I think this is a necessary
 32 expenditure. It's appropriate. I served on the Port
 33 Authority. I know the importance of the infrastructure.
 34 I know the importance of having to get light rail or some
 35 type of a transportation conversation going, even with
 36 Pittsburgh and Oakland. It is one of the top five most
 37 traveled corridors in the Commonwealth of Pennsylvania,
 38 and it is in constant --- before we have the opportunity -
 39 --- we need the opportunity to expand this region. We need
 40 the opportunity to expand the connection between this
 41 business district and the hospitals and universities that
 42 are a vital economic engine with sustainability and the
 43 growth of this region.
 44 Being that it's one of the top five congested
 45 and traveled corridors, this is an issue that came up as

1 infrastructure here, infrastructure there, when they put
 2 that ridiculous tunnel down in the river. It was all
 3 studied. All you have to do --- I've been at this all ---
 4 take it off the shelf. It's there. Why should we spend a
 5 half million dollars more, in fact, of their money to
 6 study something that was already studied and is on the
 7 shelf? I agree with my colleague. I also agree with my
 8 other colleague. Don't get me wrong; good points,
 9 Councilman Burn, that you made. But why should we spend
 10 hard earned tax dollars when it's on the shelf? Just pull
 11 it off, take it, refine it and it's there.
 12 What are most consultants doing? You know, they
 13 go to the shelf, and that's where that study is. It's
 14 been done. Thank you very much.
 15 PRESIDENT MARTONI: Jan?
 16 MS. REA: Thank you, Mr. President. I certainly
 17 agree that Oakland, with the universities and the
 18 hospitals, is an economic generator for the region and
 19 Allegheny County. And I certainly believe that we do need
 20 to provide quicker, faster and more efficient transit to
 21 that area. My question is, the million dollars going to
 22 the Port Authority when the bill was passed, the
 23 transportation bill, with a lot of money --- and I'm
 24 wondering if we should just hold it until we see if the
 25 monies that are given to our Port Authority or this area
 26 could fund that million dollars. But that doesn't say I
 27 disagree that Oakland is not a very critical area for our
 28 region and that we should not have better transportation
 29 there. And that's the real issue. Should we be funding
 30 the million dollars or should the Port Authority ---
 31 maybe, possibly, they'll be able to fund that million
 32 dollars at this time. Thank you.
 33 PRESIDENT MARTONI: Thank you. Mike?
 34 MR. FINNERTY: Oh, thank you. The Port
 35 Authority is part of our infrastructure. As Councilman
 36 Burn has mentioned, it's part of our infrastructure. It's
 37 also --- it is a county and state organization. We give
 38 money to the Port Authority --- just take this money to
 39 the Port Authority. We have certain people that we put on
 40 the Port Authority, as Councilwoman Green is on the Port
 41 Authority Board. So it is part of the county. It's
 42 critical in the last --- excuse me. Mr. Fitzgerald ---
 43 Chief Executive Fitzgerald called them vision teams, and
 44 the vision team about the transportation was just recently
 45 done said the exact same thing as Councilman Burn has

1 part of Dave Hinkins' Transportation Action Team and was
 2 part of the recommendation made by that committee,
 3 including myself, and Chief Executive Onorato. What you
 4 need to do is study to find the most cost effective way.
 5 I would suggest that I would make an analogy to the FDA
 6 dollars that we get to do the various Port Authority
 7 projects. For every \$1.00 of federal transit money
 8 utilized in Allegheny County, we will recommend \$3 of
 9 economic growth. I would suggest that that analogy would
 10 be made to this million dollar investment, do the
 11 appropriate study to do it right. And I would suggest, by
 12 the time we get to the FDA with a project that makes sense
 13 because we did the study, we're going to get those dollars
 14 sooner rather than later, in order to grow this region.
 15 It is a reasonable investment. It is a
 16 necessary investment. As we continue to expand
 17 infrastructure, we cannot have adequate infrastructure
 18 without adequate public transportation. This is one of
 19 the first steps in that process.
 20 MR. DROZD: Mr. President?
 21 PRESIDENT MARTONI: Well, wait. We have some
 22 people before you.
 23 MR. DROZD: Wouldn't you know.
 24 PRESIDENT MARTONI: We'll get to you.
 25 MS. GREEN HAWKINS: Thank you. In addition to
 26 what Councilman Burn just put so distinctly and so well, I
 27 would just say that even though we may look at the Port
 28 Authority as a state agency, it really is our agency. We
 29 are residents of this Commonwealth. We pay taxes. And we
 30 want to do things that benefit our people, our region, our
 31 economy. And Port Authority transit does provide a great
 32 benefit to us. And to suggest that the state just have
 33 that and do what it wants with it, I think is not the way
 34 to go. We benefit from it. We should invest in it as
 35 well. Thank you.
 36 PRESIDENT MARTONI: Here's the way I have it. I
 37 have Matt; I have Jan; I have Mike.
 38 MR. ROBINSON: Mr. President, add me, too.
 39 PRESIDENT MARTONI: And Bill, you're number
 40 four. Okay? Okay. Matt?
 41 MR. DROZD: My esteemed colleague over here is
 42 right, but so is my esteemed colleague on my left, and let
 43 me explain what that is. We studied this to the 9th
 44 degree. All that information is available. They were
 45 going to send you know, infrastructure to Oakland

1 already said that was said in '07, that it's critical for
 2 our growth that we do find a system of rapid transit that
 3 goes to Oakland, sort of --- and I think people went up to
 4 Cleveland to take a look at Cleveland's rapid transit. So
 5 it's something that this study is important. It's
 6 important to the welfare of Allegheny County, and it is an
 7 infrastructure-type of use of funds. Thank you.
 8 PRESIDENT MARTONI: Bill and then Jim. You're
 9 up.
 10 MR. ROBINSON: Thank you, Mr. President, and
 11 members of Council. It looks like Councilman Finnerty and
 12 I are going to agree on something. We're going to agree
 13 upon his characterization of the capital budget as an
 14 instrument for roads and bridges. I want to thank Ms.
 15 Means for her kind words, for her quick study and her wide
 16 use of staff. I believe she is correct. Even if we want
 17 to do the study, even if it's necessary, I believe the
 18 money from the study should not be in the capital budget.
 19 Thank you, Mr. Finnerty, for continuing to press the point
 20 that the capital budget is only for roads and bridges. In
 21 committee and on the record here, Mr. Finnerty has been
 22 adamant that --- roads and bridges. But as chairman of
 23 the Budget and Finance Committee --- the new chairman, he
 24 ushered out of committee a bill with a million dollars for
 25 a project that does not relate to roads and bridges in
 26 Allegheny County.
 27 As the County Council who represents the Oakland
 28 area, if this Council wants to spend \$1 million in
 29 Oakland, spend \$2,000,000 in Oakland. But let's get the
 30 money in the right place and spend it. This money
 31 probably should have been placed in the operating budget
 32 instead of the capital budget. I have said all along that
 33 this county has historically used money from the capital
 34 budget for operating costs. I'm on the record as the
 35 former chairman of Budget and Finance and committee, and
 36 at this table, indicating that is not a good way to run
 37 government. It's like paying for your personal bills with
 38 a credit card.
 39 You can't do that over a long period of time;
 40 you're going to be in a lot of trouble. Thank you, Mr.
 41 Finnerty, for helping to open my eyes. Thank you for
 42 being forthright, that you believe roads and bridges
 43 should be the primary objective of a capital budget, but
 44 \$1 million for a study? I believe Ms. Means is
 45 absolutely, positively correct. And as a new member of

1 this Council recently appointed to Budget and Finance, I
 2 thank her for her boldness, her tenacity and her courage
 3 to suggest that something in the capital budget perhaps
 4 should not be there. I will be voting with Ms. Means on
 5 this issue. Thank you, Mr. President, and members of
 6 Council.
 7 PRESIDENT MARTONI: Thank you. Jim?
 8 MR. ELLENBOGEN: I'm hearing a lot of stuff, you
 9 know, back and forth. I mean, first of all, what's
 10 driving the region right now is the open area. Meds and
 11 eds is where it's at. You know, the medical community and
 12 the education community is driving the things like Google
 13 and the robots and all that other stuff. As far as money
 14 for the VRT, it's my understanding that money is drink tax
 15 money and not bond money. And as far as those roads and
 16 bridges that are part of that system, they're all
 17 responsible to be maintained by the Port Authority. So
 18 I'm going to ask if --- when everybody closes, if Mr.
 19 McKain would come up and substantiate what I just said and
 20 give me some credence to this. Mr. President, do I have
 21 your permission?
 22 PRESIDENT MARTONI: Go ahead.
 23 MR. MCKAIN: Thank you. I think what Mr.
 24 Ellenbogen is saying is, in that particular part that it's
 25 \$1 million that's coming from the drink tax, and
 26 therefore, it has very specific parameters that it goes to
 27 the Port Authority. So we wouldn't be able to use it for
 28 other types of projects. I think that's what you said.
 29 MR. ELLENBOGEN: That's exactly what I was
 30 saying. And I'm glad you have parameters.
 31 PRESIDENT MARTONI: Yeah. Question?
 32 MS. GREEN HAWKINS: So is that the reason why
 33 it's in the capital budget? Can you answer or comment?
 34 MR. MCKAIN: I mean, that's really the
 35 discretion of this body or the executive. We also have
 36 feasibility studies that are comprehensive, and sometimes
 37 they're in capital. We chose out of the general fund. We
 38 just chose to put it in the account. But the funding
 39 source, I think, is the point that he made, that it's
 40 earmarked specifically for Port Authority projects.
 41 PRESIDENT MARTONI: Okay. Thank you. John, I
 42 think you were next.
 43 MR. DEFAZIO: Everyone --- it seems like
 44 everybody made some good points, but we don't know exactly
 45 where we're at. You know, according to the County

1 judges. Don't mess with their orders unless you
 2 understand them. And once you understand them, follow
 3 them unless you're going to appeal. I don't believe Judge
 4 Olson's order, if it was in front of us and we read it,
 5 would in any way justify spending \$1 million on a study,
 6 \$1 million to be spent by the Port Authority on a study.
 7 Thank you, Mr. President, and members of Council.
 8 MR. CATANESE: Mr. President, if we may, can we
 9 let her change the paper in the machine?
 10 PRESIDENT MARTONI: Go ahead.
 11 MR. CATANESE: Okay. Mr. President, we're
 12 ready.
 13 PRESIDENT MARTONI: We're ready. Bob, you were
 14 next, and then we're going to vote.
 15 MR. MACEY: Thank you, Mr. President, and
 16 president of Council --- members of Council. If I
 17 understand this clearly, the million dollars is for a
 18 study. The million dollars is our commitment to this
 19 project. Like any other project in any other branch, any
 20 time you're working with the state, you're working with
 21 the federal government, you have to show your commitment.
 22 And this commitment is our commitment, the \$1,000,000.
 23 And I believe that it gives us a little leverage. It
 24 shows that we are doing our due diligence and we're trying
 25 to get this project funded. And I think if my memory
 26 serves me correctly, there's about \$40 million in the
 27 transportation budget that is earmarked for projects. It
 28 may say that there is no money earmarked for this at this
 29 time, but if we do our due diligence, we show our
 30 commitment and we do it right. God knows, we need rapid
 31 transit through that corridor of Oakland and downtown. I
 32 think we'll have our money --- we'll have our project
 33 completed and we'll be a 21st century community. Thank
 34 you.
 35 PRESIDENT MARTONI: Thank you. I think we've
 36 heard enough. I think we'll take a roll call vote.
 37 MR. CATANESE: This is on the amendment.
 38 Mr. Burn?
 39 MR. BURN: No.
 40 MR. CATANESE: Ms. Danko?
 41 MS. DANKO: No.
 42 MR. CATANESE: Mr. DeFazio?
 43 MR. DEFAZIO: No.
 44 MR. CATANESE: Mr. Drozd?
 45 MR. DROZD: Aye.

1 Executive, we might --- we're going to be getting the
 2 money that was negotiated now. I think we have to regroup
 3 later. This is too important a bill. And I agree what
 4 Jan Rea said, that we don't know where we're at. We may
 5 know a lot more later, and if we have to do something
 6 later, we have to do it. But right now we don't know, so
 7 I'd have to say let's wait and see, regroup on it.
 8 PRESIDENT MARTONI: Okay. We have Amanda next.
 9 Amanda?
 10 MS. GREEN HAWKINS: Yes, if I could just ask a
 11 question, because Councilman Robinson raises a good point,
 12 along with Councilwoman Means. And I wanted to know if
 13 it's fatal to this appropriation here to have it in the
 14 capital budget. It seems like there's an issue about it
 15 being in the capital budget, so --- thank you, Mr. McKain.
 16 MR. MCKAIN: If I may?
 17 PRESIDENT MARTONI: All right.
 18 MR. MCKAIN: You can do it. It's not fatal.
 19 It's just a budgetary decision. We could have transferred
 20 the money outside of capital to operating. It's really
 21 discretion of how you would vote for it. I think the more
 22 stronger point is that it's earmarked for the Port
 23 Authority and can't be utilized for other type of
 24 infrastructure. But it's just a discretion. You could
 25 transfer it.
 26 MR. ROBINSON: Mr. President, one last comment,
 27 if I might?
 28 PRESIDENT MARTONI: Yes.
 29 MR. ROBINSON: When we're making these
 30 generalizations about how --- where exact monies can be
 31 used, I think we need to reference at least Judge Olson's
 32 decision on the drink tax where she very specifically
 33 identified how this county, Allegheny County, could spend
 34 drink tax money. I'm not a lawyer. I'm not a judge. I
 35 don't believe Judge Olson ever indicated that drink tax
 36 money could be spent to do a study. My understanding is
 37 the drink tax money can be spent for activities at the
 38 Port Authority that are very specifically identified in
 39 her decision.
 40 This study is not identified in her decision.
 41 This study is outside of what Judge Olson said we could
 42 do. Please don't do anything without checking with Judge
 43 Olson because we might get ourselves in a lot of trouble.
 44 I've always admonished this Council, don't go to court,
 45 don't go to jail. And I've also said don't mess with the

1 MR. CATANESE: Mr. Ellenbogen?
 2 MR. ELLENBOGEN: No.
 3 MR. CATANESE: Mr. Finnerty?
 4 MR. FINNERTY: No.
 5 MR. CATANESE: Mr. Futules?
 6 MR. FUTULES: No.
 7 MR. CATANESE: Ms. Green Hawkins?
 8 MS. GREEN HAWKINS: Nay.
 9 MR. CATANESE: Ms. Heidelbaugh?
 10 MS. HEIDELBAUGH: Yes.
 11 MR. CATANESE: Mr. Macey?
 12 MR. MACEY: No.
 13 MR. CATANESE: Ms. Means?
 14 MS. MEANS: Yes.
 15 MR. CATANESE: Mr. Palmiere?
 16 MR. PALMIERE: No.
 17 MR. CATANESE: Ms. Rea?
 18 MS. REA: Yes.
 19 MR. CATANESE: Mr. Robinson?
 20 MR. ROBINSON: Aye.
 21 MR. CATANESE: Mr. Martoni, President?
 22 PRESIDENT MARTONI: No.
 23 MR. CATANESE: Ayes, 5, nos, 10, bill fails.
 24 The amendment fails.
 25 MR. DROZD: I have an amendment.
 26 MR. FINNERTY: Excuse me for one second. When I
 27 introduced a bill, I didn't get a chance to mention what
 28 the amendment was. All right. I think you have in front
 29 of you, if you take a look at where it says parks. And
 30 there's a red bracket. There was \$50,000 taken out of
 31 parks. At the bottom of parks on the first page was White
 32 Oak Park Field Renovation, and there was --- that line
 33 item was added, \$25,000. And if you go over to ---
 34 in-house capital construction, there was \$950,000. I took
 35 \$75,000 out of that so that left \$875,000. And that would
 36 give us a balance of --- a capital budget of \$50,433,283.
 37 So that's what we did in committee, the amendment we did
 38 in committee. So I just wanted to make sure that I
 39 clarified what exactly happened in committee. I'm sorry I
 40 didn't get to that when we first mentioned the amendment
 41 that was done in committee and sent recommendations to
 42 this body. Thank you, Mr. President.
 43 MR. DROZD: Ruling --- discuss the --- itself,
 44 versus --- and we have the opportunity as well --- MR. FINNERTY: Do you

1 MR. DROZD: Yes. I have an amendment and a
2 discussion on some of the budget, too. What do we do?
3 What takes preference? Do we discuss the capital budget
4 first and then submit my amendment?
5 MR. CAMBEST: Only if your amendment fails, Mr.
6 Councilman. Then you can discuss the earlier one, after
7 your amendment.
8 MR. DROZD: Introduce my amendment, please. I'm
9 going to make a motion to amend the capital budget to
10 express the majority of our constituents and their voices,
11 I always have, to eliminate funding for the North Shore
12 Connector.
13 MR. ROBINSON: Second.
14 MR. DROZD: I know you guys can make them aware
15 of it. Do you know what? Here it is. I commend my
16 fellow Council members for elaborating on where this
17 infrastructure goes. Councilman Burn, to Oakland, to
18 here. Over half a million in a ridiculous tunnel under
19 the river. Went in the river. It was supposed to go to
20 Oakland. It was supposed to go to other parts. What
21 happened? They cut it. What do we end up with? Because
22 of jobs? What did we get? That infrastructure could have
23 went all over this county including to Deer Park, Oakland
24 and other parts of this county. And where did it go?
25 Right into the river. But you know what? I'm expressing
26 that I'm not going to vote for a capital budget to put any
27 money in there. Do you know why? Because I'm expressing
28 and I'm going to support the majority of our constituents
29 who said why did we do this? Lesson learned. Even though
30 it's done, lesson learned. Why did we do it? And they
31 were against it and are still against it. Thank you.
32 MR. FINNERTY: First of all, the perception that
33 the majority of our constituents were against this is
34 wrong. Maybe you talked to a few people. That's great.
35 But you didn't talk to everybody in Allegheny County. And
36 that's for sure. The second thing. You're looking at a
37 line item of \$1,635,000 that you're going to take out. We
38 have already instructed, with the help of the government,
39 the federal government, the North Shore Connector. That
40 was 80-percent funded by the federal government. It
41 couldn't be used anywhere else. And 20 percent by the
42 state and the county. It cost us \$12 million over a
43 period of time. If we would have reneged on the amount we
44 have to pay, this is, I believe our last payment that we
45 have to make, we have a big problem with the federal

1 MR. DEFAZIO: I hope this is the last time we
2 have the discussion because we signed --- I think we
3 signed, but the truth is, none of us voted on this
4 project, okay, had nothing to do with it. It's already a
5 commitment. There's no way we can pull out of this
6 without getting sued and everything else. So whether you
7 like it or you don't like it, it's crazy because we're
8 already committed. And we didn't do it. It was before
9 us. So we have to go forward with this thing or someone
10 will get sued big time. Maybe you can get \$400 million to
11 pay for that lawsuit.
12 But the thing is, that's just crazy talk. Look,
13 everybody you talk to has an idea. We can do a better job
14 with the money. We could put it over there. We don't
15 have that privilege to do that. It's already been
16 committed to where it's at and the project is completed
17 now. It's done. It's over. Next time something comes
18 up, if you're around, maybe later, Matt, you can vote
19 against or for something. This is a done deal. We can't
20 do anything about it. I know that people want to hear
21 that, hey, it's not helping me, I paid. Forget about it.
22 It's over.
23 PRESIDENT MARTONI: Bill, you were next.
24 MR. DROZD: Wait a minute, you keep running me
25 over here. This is the third time.
26 PRESIDENT MARTONI: Go ahead.
27 MR. DROZD: Can I talk, please?
28 PRESIDENT MARTONI: Please talk.
29 MR ELLENBOGEN: I'm going to really miss
30 discussing this with you. I can do my three minutes, if
31 you like, the next time it comes up.
32 I wasn't here when this was conceived. And I'll
33 be honest with you, had I been here when this was
34 conceived, I would have voted against it. But like former
35 Mayor Masloff's vision of two stadiums, I can remember
36 everybody laughed when they heard it. Now everybody loves
37 the fact we have two stadiums. And this is the same
38 thing. People might just have enjoyed this trolley.
39 People get on in Dormant and go right to the football game
40 and then drink all night and all day and don't have to
41 worry about driving or anything.
42 The point is, I won't repeat what my colleague
43 said, but let's look at it from a --- state of view. What
44 people don't realize is once you go into the rivers,
45 Allegheny County don't own the river. Once you cross what

1 government. Because we made a promise to the federal
2 government and the state government that we would put up
3 \$12 million. And we kept our commitment to that.
4 The North Shore Connector wasn't something that
5 was conceived during my time. It was 20 years before. I
6 happened to vote on it, but it was a project that was
7 identified long before I was here. And the federal
8 government said they'd give us 80 percent. It's the last
9 project like that that will ever happen. From now on, the
10 way I understand it, it's 60/40. That's the best you can
11 do with the federal government. So I think actually if we
12 would talk about a lot of different things, you can talk
13 all you want, but the fact of the matter is that money had
14 to be used where it was used or you wouldn't have got it.
15 And you can't move it. That's the way it was and that's
16 the stipulation on that money. If we would have said no
17 to the federal government, I don't know where we'd be
18 today. Because you don't say no to the federal government
19 and then you go get some more money from them later on.
20 It doesn't work that way. It's not something that was
21 planned for 10, 20 years and all of a sudden because you
22 disagree with it, we're going to say --- we're going to
23 make all kinds of claims. But the problem is and the
24 problem is still going to be that it is done. It's
25 working. People like it. They use it. I use it. It's
26 super.
27 When I have to go to the North Shore, when I
28 have to go to CCAC, I don't drive there any more. I walk
29 up right over here to Sixth, get on the T and go. If I
30 have to go to the stadium for some event or something, I
31 get on the T and go. It's the best thing around. People
32 are using it. They're using it so much that sometimes we
33 can't even keep up with it. A lot of people want to get
34 on it. I don't know if you've ever been on it, but
35 there's a lot of people on the T that are tourists that
36 are using that T during any afternoon. So it's become
37 quite an economic stimulus for the region and it's going
38 to continue to be that. And as we proceed, I think that
39 it will extend itself once we get across the river. So
40 we'll have to see what happens in the next 20, 30 years.
41 And I definitely will never vote for an amendment like
42 this. Thank you.
43 MR. DEFAZIO: Mr. President?
44 PRESIDENT MARTONI: John and then Bill.

1 they call the U.S. Harbor Line, it's federal government
2 water. So if we allow this, in theory, to deteriorate,
3 the federal government will come here and say, well,
4 here's the law. You cannot leave a structure of that sort
5 in the river like that. So now you got to come up with \$2
6 billion to take it out. So you know, this was something
7 that I thought from the beginning might have been an evil.
8 It turned out to be something that's great. I look for it
9 to extend all the way up to Jan's district and up to
10 Councilman Burn's district so --- and yes, eventually, the
11 Mon Valley. So you know, we're stuck with it. So if we
12 let it deteriorate, this county will be bankrupt and we'll
13 probably all be in jail anyway, so --- but thank you.
14 PRESIDENT MARTONI: Bill was next. He had his
15 hand up. For the record, he had to leave for a few
16 minutes. I think it's only proper. It's his time and
17 place to speak. Mr. Robinson?
18 MR. ROBINSON: Thank you, Mr. President and
19 members of Council for your indulgence. Some may be
20 wondering why I'm supporting Mr. Drozd in the face of
21 voting against every attempt that he has ever made to
22 defund the North Shore Connector in committee and at this
23 Council. For those who believe that this is the last
24 you'll hear from Mr. Drozd on the North Shore Connector,
25 you're probably wrong. It's probably the last time it
26 will be in the capital budget. But Mr. Finnerty is
27 correct, we're at the end of our payments. While I am
28 going to be a no vote on the capital budget, it has
29 nothing to do with the North Shore Connector. I'm
30 supporting Mr. Drozd because ever since I've been on this
31 Council he's been here and this has been his issue. And I
32 believe as a colleague as he departs, I owe him the
33 courtesy to second his motion which I did. And I'm going
34 to vote for it. I'm going to vote for it so that Mr.
35 Drozd can go away partially happy. I have no illusion,
36 and Mr. Burn is incorrect in his characterization of this
37 amendment as essentially dead on arrival. Mr. Drozd knew
38 that, but Mr. Drozd is trying to present something to us.
39 It's going to fail. It will be voted down. And
40 Mr. Drozd will be back in another manifestation. I'm
41 hoping when he comes back, he knows that Councilman
42 Robinson at least, as he departed, tried to give him an
43 assist. Thank you, Mr. President and members of Council.
44 PRESIDENT MARTONI: Thank you. Okay. This is a
45 roll call.

1 MR. CATANESE: This is on Mr. Drozd's amendment.
 2 Mr. Burn?
 3 MR. CATANESE: Mr. Burn?
 4 MR. BURN: No.
 5 MR. CATANESE: Ms. Danko?
 6 MS. DANKO: No.
 7 MR. CATANESE: Mr. DeFazio?
 8 MR. DEFAZIO: No.
 9 MR. CATANESE: Mr. Drozd?
 10 MR. DROZD: Aye.
 11 MR. CATANESE: Mr. Ellenbogen?
 12 MR. ELLENBOGEN: No.
 13 MR. CATANESE: Mr. Finnerty?
 14 MR. FINNERTY: No.
 15 MR. CATANESE: Mr. Futules?
 16 MR. FUTULES: No.
 17 MR. CATANESE: Ms. Green Hawkins?
 18 MS. GREEN HAWKINS: I'm sorry, I need
 19 clarification here. Are we voting on --- question?
 20 MS. REA: No, on the amendment.
 21 MS. GREEN HAWKINS: On the amendment, no.
 22 MR. CATANESE: Ms. Heidelbaugh?
 23 MS. HEIDELBAUGH: No.
 24 MR. CATANESE: Mr. Macey?
 25 MR. MACEY: No.
 26 MR. CATANESE: Ms. Means?
 27 MS. MEANS: No.
 28 MR. CATANESE: Mr. Palmiere?
 29 MR. PALMIERE: No.
 30 MR. CATANESE: Ms. Rea?
 31 MS. REA: No.
 32 MR. CATANESE: Mr. Robinson?
 33 MR. ROBINSON: Aye.
 34 MR. CATANESE: Mr. Martoni, President?
 35 PRESIDENT MARTONI: No.
 36 MR. CATANESE: Ayes, 2, nos 13, the amendment
 37 fails.
 38 MR. FINNERTY: Could I ask a question?
 39 PRESIDENT MARTONI: Please.
 40 MR. FINNERTY: If somebody calls a question, do
 41 we have to vote on it?
 42 PRESIDENT MARTONI: Yes.
 43 MR. CAMBEST: It's been our practice here but we
 44 have not --- voted on it after the question is called.

1 Because I mean, you know, the cost benefit of
 2 where we were two weeks ago, knowing the procedures and I
 3 asked procedural questions before I voted, I knew there
 4 would be time to get it back own, do it in a fashion more
 5 consistent, avoid creating dangerous precedent for other
 6 legislation in the future. And that's why I had cast that
 7 no vote. Again today, having time to look at it and
 8 having the explanation to review that night, it's not a
 9 bad capital budget at all. It never really was a bad
 10 capital budget. It could have been that night the best
 11 budget ever created by any governmental entity in the
 12 history of our republic. I still would have voted no
 13 because the procedure that was being followed bothered me
 14 significantly. I understand both sides of the issue on
 15 why that procedure was being followed that night.
 16 And there are compelling and positive and
 17 powerful arguments on both sides of that procedural
 18 debate. But I don't appreciate being typecast or
 19 described in a fashion that is inconsistent with moving
 20 the ball down the field in a fashion that is in the best
 21 interests of our county and its residents. I'm a
 22 stickler. I try to be, to the best of my abilities, a
 23 stickler for procedures. But in particular, I was
 24 incredibly disappointed with an editorial that just seemed
 25 to be completely disconnected with the conversation that
 26 happened up here that night. I would love to know what
 27 the folks on the editorial board who wrote that
 28 ridiculousness were paying attention to. Maybe they were
 29 watching a different council meeting somewhere else.
 30 But if they would have bothered to take the time
 31 to call one of the folks who voted no that night, maybe,
 32 just maybe, they would have seen the other side of the
 33 coin and provided one of those folks, myself in
 34 particular, with an opportunity to offer an explanation as
 35 to what I did that night and why I did it. I know they
 36 have my number because they had absolutely no problem
 37 calling it two years ago when they wanted me president in
 38 2012. I wish they could have called him then instead of
 39 writing that disconnected nonsense. If that's the type of
 40 journalism they're going to utilize in the future as this
 41 body moves forward, my son has grown out of crayons, I'd
 42 be happy to send him over there. Thank you. I'm for this
 43 budget.
 44 PRESIDENT MARTONI: One more. Bill?

1 MS. GREEN-HAWKINS: I'm sorry. Could you say
 2 that again, please?
 3 MR. CAMBEST: Normally, when they're called to
 4 question there can be a vote on it because like --- had
 5 that opportunity to do that, to vote it down. But we've
 6 always honored anybody's request that calls for question.
 7 We go right to the vote.
 8 MR. DEFAZIO: Real quick, when they say
 9 question, it's voted on. But the thing is, if you want to
 10 stop debate, you have to make a motion to seek debate and
 11 that takes two-thirds vote. We didn't do that.
 12 MR. DROZD: This is on the --- we didn't sell
 13 it. We can discuss, right?
 14 MR. FINNERTY: We have --- on the floor right
 15 now we have the amended capital budget from the Budget and
 16 Finance Committee and it's going to be discussed. We have
 17 --- there's other amendments.
 18 PRESIDENT MARTONI: Yeah. It's on the floor,
 19 right.
 20 MR. FINNERTY: It's on the floor. It's been
 21 moved and seconded.
 22 PRESIDENT MARTONI: Moved and seconded, we're
 23 ready to discuss it. And I see a hand.
 24 MR. BURN: Thank you, Mr. President. I wanted
 25 the opportunity to comment on this budget now that it's
 26 here after it went back in committee and was buried and
 27 brought back out. I wanted to clarify a couple of things
 28 from two weeks ago when I voted no. I want to be sure
 29 that you folks up here and others who might be watching
 30 listen and understand why I did that. It wasn't
 31 necessarily about the substance of the capital budget but
 32 it had to do significantly, if not exclusively, with the
 33 process which was utilized that night to bring it out and
 34 to talk about it. Doing a cost benefit that night,
 35 knowing we still had more time to get it done and follow
 36 protocol in a more consistent fashion, I weighed in on the
 37 side of voting no in order to respect the process and
 38 respect the procedure that I thought we needed to follow.
 39 I think it's important for all of you to know that if we
 40 were up against any real significant deadline where it had
 41 to get done that night or not at all, even though I didn't
 42 think that I had the opportunity to give it the due
 43 diligence that I wanted to give it, I would have voted
 44 yes.

1 MR. ROBINSON: Is this on the capital budget
 2 itself, sir?
 3 PRESIDENT MARTONI: I believe it's as amended.
 4 MR. ROBINSON: Thank you. I think Mr. Burn is
 5 absolutely correct. In hindsight, we probably all would
 6 have made a different presentation when a bill that
 7 normally would have gone through committee came onto this
 8 floor without being properly vetted. That's history now.
 9 If that history is repeated, I think Mr. Burn is correct.
 10 We're in for a very rough and difficult time. We have set
 11 a precedent as to how we deal with difficult situations at
 12 budget time. Subsequent to that meeting, certain
 13 decisions were made that some people may believe solves a
 14 couple problems. We may have created a couple problems as
 15 you solved a couple problems. It was my intent as
 16 Chairman of the Budget and Finance Committee at that time
 17 to call a meeting at which all members of Council would
 18 have had a chance to discuss the capital budget in
 19 committee and recommend that budget document that you
 20 wanted to advance to the floor, which probably would have
 21 been the one that Mr. Finnerty advanced, notwithstanding
 22 any difficulties he and I've had in committee or here in
 23 session. That opportunity was not provided to the Chair.
 24 That opportunity was truncated when the Chair was
 25 unceremoniously removed.
 26 And when I was informed by staff that I was no
 27 longer the Chair, I suspended any attempt at compromise,
 28 any attempt at calling a meeting, any attempt in gathering
 29 members. And I withdrew myself from any prerogatives that
 30 I had as Chair of the Budget and Finance Committee. I
 31 would have been more satisfied, and I think all of you up
 32 here in retrospect would have been more satisfied if we
 33 had had our discussions, our disagreements, whatever it
 34 might have been, in committee. We chose not to do that,
 35 so we're now having another committee meeting here
 36 tonight. If this is the manner in which Council wants to
 37 proceed, it's within its rights to do so. I have said to
 38 everybody I think that's bad government and worse
 39 politics. But the majority will have its way, as Mr.
 40 DeFazio often says. Fine. I don't have any problem with
 41 that. My concern about the capital budget beyond what I
 42 just shared with you, my inability to fulfill my
 43 responsibilities as Chair and to do it in a respectful
 44 fashion and in a fashion that is always been done since I
 45 have been Chair for nearly eight years have brought us to

1 tonight. I am on record as being the author of a capital
 2 budget bill which included a half a million dollars for
 3 the August Wilson Center for capital projects only.
 4 That's not inconsistent with Mr. Finnerty's concern about
 5 roads and bridges. We had a spirited discussion about
 6 that on several occasions in different places.
 7 That's all history now, except here we are to
 8 vote on a capital budget. The compromise that I offered
 9 to my colleagues relative to the August Wilson Center was
 10 rejected in committee. That was to put the half million
 11 dollars in a contingency fund that could only be used with
 12 the approval of the Chief Executive and members of
 13 Council. I had anticipated a compromise that included my
 14 agreement that if the August Wilson Center was not viable
 15 at a date certain sometime in March, the money would be
 16 reprogrammed. I never offered that compromise because I
 17 wasn't able, as Chair, to manage bringing that before the
 18 full Council in private to come to some collective
 19 approach to what was becoming for some a dangerous
 20 situation. I share with members of this Council my own
 21 personal agony and frustration in trying to step forward
 22 and help the August Wilson Center. The August Wilson
 23 Center is not included in any documents before us. I
 24 believe it's a mistake. I believe not compromising was a
 25 mistake, but that's done. The decision is going to be
 26 made and I believe it's going to be made now to provide
 27 any money at any time for the August Wilson Center.
 28 And I'll await Judge Fitzgerald and Judge
 29 O'Toole's Decision on the August Wilson Center before I
 30 revisit this issue. In the interest of safety for members
 31 of this Council starting with myself, and in the interest
 32 of not doing anything that would be detrimental in the
 33 future to the August Wilson Center, I've indicated that I
 34 will not move forward in pressing for \$500,000 in
 35 contingency for the August Wilson Center. Two of my
 36 colleagues who I will not name because we had a private
 37 conversation on this issue offered another compromise
 38 which is not before us tonight. I respect them and if
 39 they want to offer it at another time, I will support
 40 them. I have been abundantly clear in my support for the
 41 August Wilson Center. I will not, I cannot vote for a
 42 capital budget that is devoid of any consideration for the
 43 August Wilson Center.
 44 Very frankly, colleagues, you have pushed me
 45 into a corner. I wish you had not done that, but you did.

1 appropriate to support the August Wilson Center. And I
 2 hope you are true to your word. Thank you.
 3 PRESIDENT MARTONI: Thank you. I'm not sure ---
 4 Yes?
 5 MR. FINNERTY: I just want to reiterate exactly
 6 what our capital budget is for. It's for bridges; it's
 7 for roads. It's for the Port Authority. It's for the
 8 Parks. It's for buildings, and it's for equipment. The
 9 buildings that we're talking about are buildings that are
 10 owned by Allegheny County. My --- I have never --- and I
 11 say this especially tonight --- I have never had anything
 12 but hope for the August Wilson Center. But I also know
 13 what our capital budget is for. And I also know that ---
 14 that the August Wilson Center does get funding from RAD,
 15 and I think that's important. And the RAD Board, for some
 16 reason, has held that funding up.
 17 I think it would be --- it would have been a big
 18 mistake on our part to put anything in our capital budget,
 19 especially a building that we don't own. I think it's
 20 important that things like that are funded from RAD, those
 21 buildings, just like we know that the library gets money
 22 from RAD, and so on. And we can go through Heinz Center
 23 and Benedum, et cetera. They're assets, regional assets.
 24 And that's what --- that's what the August Wilson Center
 25 is, and there's where it gets its funding. Thank you.
 26 PRESIDENT MARTONI: Jim, I believe you had your
 27 hand up.
 28 MR. ELLENBOGEN: Thank you, Mr. President. This
 29 whole issue has become more of an emotional issue that has
 30 turned into and taken basically a life of its own. I
 31 will not try to explain how various Council members feel
 32 about what has happened, in their relationships with each
 33 other or in the community. I can only explain myself and
 34 how I feel about it. I am a big fan of August Wilson. I
 35 always have been. I believe there's merit in trying to
 36 save a legacy of him. My vote was strictly --- and you
 37 all know that I'm a structural guy, that the monies here
 38 need to maintain the infrastructure. I've made it clear
 39 that I was for any situation that helps the August Wilson
 40 Center once, you know, the courts deal with --- that
 41 they're ready to stand on their own and everything gets
 42 appropriate.
 43 The RAD is probably the correct way to go. This
 44 is not. Unfortunately, this thing has taken on a life of
 45 its own. It's like one of the Pittsburgh things where one

1 You can pass this capital budget without me. You always
 2 knew that. But I plan to be here for two more years, two
 3 more budget processes. I will not be the Chair of the
 4 Budget and Finance Committee, but I will be a member of
 5 this Council. I'm sorry that you pushed me in a corner.
 6 I'm sorry you didn't want to compromise, but I don't want
 7 to hurt the August Wilson Center. And I thank all of you
 8 on this Council who were kind enough to step forward and
 9 pass a motion that we would help the August Wilson Center
 10 by trying to get the state, the county and the City of
 11 Pittsburgh to help.
 12 I never once suggested that we do anything
 13 before the appropriate people made a decision whether it
 14 was a viable institution. I never once suggested that we
 15 use county money for the operational costs of the August
 16 Wilson Center. Never. I am obligated now to vote against
 17 this capital budget, notwithstanding what Mr. Burn has
 18 said. And I thank him for trying to get us to respect the
 19 process we put in place. Unfortunately, there is no one
 20 on this Council in leadership who could find a way to
 21 either recess the meeting of December 3rd or make any
 22 other arrangements where members could go into a private
 23 place and work out their differences.
 24 I think that worked to the detriment of this
 25 Council and it lingers on tonight and will linger on in
 26 the future. Hopefully, new leadership will allow us to
 27 compromise and we'll be able to respect members' wishes
 28 and concerns in a private and confidential fashion. I
 29 will not be voting for a capital budget bill that does not
 30 take into consideration the potential for capital funding
 31 for the August Wilson Center. Thank you, Mr. President
 32 and members of Council.
 33 PRESIDENT MARTONI: Amanda, then we're going to
 34 vote.
 35 MS. GREEN-HAWKINS: Thank you, Mr. President.
 36 Like Councilman Robinson, I supported his efforts to have
 37 money in the capital budget for the August Wilson Center.
 38 And it became abundantly clear that that had no traction,
 39 there was no support for that. So while I will support
 40 the capital budget I will also be quick to remind my
 41 colleagues who are on record as saying should things
 42 happen and the August Wilson Center gets its act together,
 43 for lack of a better phrase, then we'll talk about
 44 supporting them financially. I will be quick to remind my
 45 colleagues who made those statements when the time is

1 thing --- and another and another and another. And now I
 2 don't even know what the hell I'm talking about at this
 3 point because now it's just talking about emotion. But
 4 what needs to be done here is, put the money in the roads.
 5 And like Councilwoman Green had said, let's see what we
 6 can do and find another venue once they get their
 7 situation in order, to see how we can save ---. And
 8 remember the legacy of someone who was so talented and
 9 left such a legacy to our future people and our children.
 10 Thank you.
 11 PRESIDENT MARTONI: John and then we'll go this
 12 way.
 13 MR. DEFazio: Yeah, I think --- I don't know if
 14 the newspapers ever --- maybe I missed the article. I've
 15 never seen where it explained ---. I don't think anyone
 16 really up here is against the August Wilson Center. But
 17 most of us up here feel it shouldn't come out of the
 18 capital budget. It should come out of the --- we can all
 19 work together with the RAD Board or whatever we have to do
 20 at the proper time. And we're not against it. And when
 21 I read the paper sometimes, it looks like, well, we're not
 22 for them. That's not correct. And I just wanted to make
 23 that clear. It's just the idea it shouldn't --- at least
 24 most of the people feel it shouldn't be coming out of the
 25 capital budget. It should come out of RAD. Thank you.
 26 PRESIDENT MARTONI: Jan and then we'll go back
 27 the other way.
 28 MS. REA: Barbara is next, I think.
 29 PRESIDENT MARTONI: Barbara? I can't keep
 30 track, so you guys do that.
 31 MS. REA: All right.
 32 MS. DANKO: I'm going to be voting against the
 33 capital budget for reasons that have very little to do
 34 with the things that are in the capital budget. In
 35 regards to the editorial that was in the paper, one of the
 36 things I want to take note of is that the people who were
 37 regarded as obstructionists, five of the six people who
 38 voted to send that bill back to committee and deal with it
 39 in committee, were members of the committee that had been
 40 going through this process for months. Between the time
 41 the County Executive introduced the bill in October, I
 42 attended ten meetings. I came down here ten times, spent
 43 hours and hours here going through the budget, trying to
 44 make sure I understood the operating and the capital
 45 budget.

1 And then at last meeting, we get a budget. You
 2 could call it a substitute, but amended substitution ---
 3 bill by substitution, that was one-quarter of one percent
 4 different than what the County Executive had introduced
 5 October 8th. Now, that's a teeny, teeny amount. But the
 6 bill that Mr. Robinson and the committee had worked on,
 7 was a whopping 1.5 percent different than what the County
 8 Executive had introduced. I've worked in --- I worked for
 9 about 20 years in budgeting as a professional. I worked
 10 for the City of Boston, the City of Pittsburgh, the State
 11 of Texas and the Federal Office of Management and Budget.
 12 And I have never seen anything like this.
 13 This needs --- compromise has become a bad word.
 14 It's like you have to have all or nothing. If it's not
 15 everything, then you're an obstructionist, and I resent
 16 that. And therefore, because of the process, what I
 17 consider a perversion of the government process, I will be
 18 voting no on this budget. Thank you.
 19 PRESIDENT MARTONI: Thank you. Where are we
 20 here? Jan, were you next?
 21 MS. REA: I'm next.
 22 MR. DROZD: I'll let --- the ladies always come
 23 first with me so if you two would like to go first ---.
 24 PRESIDENT MARTONI: Okay.
 25 MR. DROZD: I mean, the two ladies here and let
 26 the gentlemen wait.
 27 PRESIDENT MARTONI: Okay. You girls fight it
 28 out who's next.
 29 MS. GREEN HAWKINS: With the President's
 30 permission, I have a question first.
 31 PRESIDENT MARTONI: Go ahead with your question.
 32 MS. GREEN HAWKINS: And it's directed to anybody
 33 who may answer --- maybe our legislative director or maybe
 34 the county manager. What are the --- can someone name --
 35 -- identify the county parks for me, all the county parks?
 36 MR. ELLENBOGEN: I could.
 37 MS. GREEN HAWKINS: Well, esteemed colleagues,
 38 people whose job I'd like to know --- county manager, for
 39 example? I hope I'm not putting you on the spot.
 40 PRESIDENT MARTONI: Name the county parks.
 41 MS. GREEN HAWKINS: Could you identify the
 42 county parks?
 43 PRESIDENT MARTONI: We asked him ---
 44 MR. MCKAIN: I can tell you there are nine.
 45 MS. GREEN HAWKINS: Okay.

1 MR. MCKAIN: That's okay?
 2 MS. GREEN HAWKINS: That's fine. I just didn't
 3 see Mr. Baechle back there; sorry. And sorry to you, Mr.
 4 McKain.
 5 MR. MCKAIN: It's a total of 12,000.
 6 MR. DROZD: 12,000 acres; that's correct.
 7 MS. GREEN HAWKINS: Let's hear.
 8 MR. DROZD: I have those figures. Thanks, Mr.
 9 McKain.
 10 MR. ELLENBOGEN: I want to justify the 440,000 -
 11 ---
 12 PRESIDENT MARTONI: Just name the parks. Name
 13 the parks. That's all we want.
 14 MR. BAECHLE: North Park, South Park, Boyce,
 15 Settler's Cabin, Round Hill, White Oak, Hartwood, Deer
 16 Lakes and Harrison Hills.
 17 MS. GREEN HAWKINS: Thank You.
 18 PRESIDENT MARTONI: Jan? We're going to go to
 19 the next level. Jan?
 20 MS. REA: Yes. I'd just like to question ---
 21 because --- and I hate to go back to August Wilson because
 22 it seems to be such a volatile point for all of us, but
 23 for me in my life, isn't August Wilson --- it's a
 24 nonprofit. And there are a lot of nonprofits that are
 25 struggling, that are in financial difficulty, but ---
 26 And I want to make sure that when we do discuss it in the
 27 capital budget, \$500,000 --- and I want to take away the
 28 August Wilson name. I just want to put a nonprofit that a
 29 council member feels very passionate about, and maybe more
 30 than one council member feels very passionate about ---
 31 about funding. And I just want to make it clear to
 32 everybody and I think, Amanda, you said that you hope we
 33 all honor our word.
 34 Well, I thought in discussion that we determined
 35 that we would work together with the state and the other
 36 areas and agencies that have funded August Wilson, not to
 37 say that we, as a county council, would take on another
 38 entity, whether it's August Wilson or whether it's any
 39 other very deserving entity in all of our districts. I
 40 want to make that clear, and I'd like to know what the
 41 records says or what we talked about, if we go through the
 42 minutes, because I don't want someone to say that I would
 43 not honor a commitment to something. And I think you all
 44 know what I'm trying to say. Thank you.

1 PRESIDENT MARTONI: Thank you. Is there anyone
 2 else before we do a vote here? Go ahead. You go ahead.
 3 I apologize.
 4 MR. DROZD: Thank you, Mr. President. I'll be
 5 voting against it, not just because of the North Shore
 6 Connector, which the former governor that once supported
 7 it said later it was a huge mistake, admitted to it, but
 8 also, because as Councilman Ellenbogen noted, I represent
 9 100,000 population. I don't see a lot and very little, if
 10 anything, in here for my people in my district. They send
 11 me here. They elected me. I vote the will of my
 12 constituents, the majority of my constituents. I take
 13 polls of my constituents, by the way, and I don't see a
 14 lot here for them.
 15 There's not a lot in this capital budget for my
 16 district. Secondly, do you realize you're being cheated,
 17 your districts? You know how? Look at it. There is park
 18 improvements. You just got \$50,000 taken away from your
 19 parks in your districts. That equates to --- by the way,
 20 they're only spending \$12.50 per acre, because you're
 21 right, 12,000 --- I knew it was 12,000-some --- per acre
 22 to improve your parks in your districts, versus they're
 23 putting in White Oak, which is only 110 acres, which is
 24 \$154 an acre. Your constituents are being cheated. How
 25 can you vote for a budget where your constituents are
 26 going to be cheated in their parks? Look at it. So
 27 that's where I'm going. I'm going to vote the will of my
 28 constituents. I vote on behalf of my constituents, and
 29 I'll vote against it on behalf of my constituents. That's
 30 what I do.
 31 PRESIDENT MARTONI: Thank you. We'll have Jan,
 32 and then I think it's about time we vote. Jan?
 33 MS. REA: I'm not going to make a comment. I'm
 34 fine. Thank you.
 35 PRESIDENT MARTONI: Oh, okay. I'm sorry. I
 36 thought --- okay. Roll call.
 37 MR. CATANESE: This is on Bill 7783-13. Mr.
 38 Burn?
 39 MR. BURN: Yes.
 40 MR. CATANESE: Ms. Danko?
 41 MS. DANKO: No.
 42 MR. CATANESE: Mr. DeFazio?
 43 MR. DEFAZIO: Yes.
 44 MR. CATANESE: Mr. Drozd?
 45 MR. DROZD: Nay.

1 MR. CATANESE: Mr. Ellenbogen?
 2 MR. ELLENBOGEN: Aye.
 3 MR. CATANESE: Mr. Finnerty?
 4 MR. FINNERTY: Yes.
 5 MR. CATANESE: Mr. Futules?
 6 MR. FUTULES: Yes.
 7 MR. CATANESE: Ms. Green Hawkins?
 8 MS. GREEN HAWKINS: Aye.
 9 MR. CATANESE: Ms. Heidelbaugh?
 10 MS. HEIDELBAUGH: Yes.
 11 MR. CATANESE: Mr. Macey?
 12 MR. MACEY: Yes.
 13 MR. CATANESE: Ms. Means?
 14 MS. MEANS: No.
 15 MR. CATANESE: Mr. Palmiere?
 16 MR. PALMIERE: Yes.
 17 MR. CATANESE: Ms. Rea?
 18 MS. REA: Yes.
 19 MR. CATANESE: Mr. Robinson?
 20 MR. ROBINSON: Nay.
 21 MR. CATANESE: Mr. Martoni, President?
 22 PRESIDENT MARTONI: Yes.
 23 MR. CATANESE: Ayes, 11, nos, 4. The bill
 24 passes.
 25 PRESIDENT MARTONI: 7874-13.
 26 MR. CATANESE: A resolution of the County of
 27 Allegheny amending the Grants and Special Accounts Budget
 28 for 2013 (Submission 11-13). Sponsored by the Chief
 29 Executive.
 30 PRESIDENT MARTONI: Mr. Finnerty, I believe.
 31 MR. FINNERTY: Thank you. That was also moved
 32 in committee with an affirmative recommendation
 33 unanimously. I make a motion to approve.
 34 MR. PALMIERE: Second.
 35 PRESIDENT MARTONI: Moved and second. Question?
 36 Roll call.
 37 MR. CATANESE: Mr. Burn?
 38 MR. BURN: Yes.
 39 MR. CATANESE: Ms. Danko?
 40 MS. DANKO: Yes.
 41 MR. CATANESE: Mr. DeFazio?
 42 MR. DEFAZIO: Yes.
 43 MR. CATANESE: Mr. Drozd?
 44 MR. DROZD: Aye.
 45 MR. CATANESE: Mr. Ellenbogen?

1 MR. ELLENBOGEN: Aye.
 2 MR. CATANESE: Mr. Finnerty?
 3 MR. FINNERTY: Yes.
 4 MR. CATANESE: Mr. Futules?
 5 MR. FUTULES: Yes.
 6 MR. CATANESE: Ms. Green Hawkins?
 7 MS. GREEN HAWKINS: Aye.
 8 MR. CATANESE: Ms. Heidelbaugh?
 9 MS. HEIDELBAUGH: Yes.
 10 MR. CATANESE: Mr. Macey?
 11 MR. MACEY: Yes.
 12 MR. CATANESE: Ms. Means?
 13 MS. MEANS: Yes.
 14 MR. CATANESE: Mr. Palmiere?
 15 MR. PALMIERE: Yes.
 16 MR. CATANESE: Ms. Rea?
 17 MS. REA: Yes.
 18 MR. CATANESE: Mr. Robinson?
 19 MR. ROBINSON: Aye.
 20 MR. CATANESE: Mr. Martoni, President?
 21 PRESIDENT MARTONI: Yes.
 22 MR. CATANESE: Ayes, 15, nos, 0. The bill
 23 passes.
 24 PRESIDENT MARTONI: 7322-12.
 25 MR. CATANESE: An ordinance of the County of
 26 Allegheny, Commonwealth of Pennsylvania, authorizing a
 27 permanent easement and right-of-way to Equitable Gas
 28 Company, LLC, for the upgrading of an existing facility
 29 located in the county's South Park on Corrigan Drive.
 30 Sponsored by the Chief Executive.
 31 PRESIDENT MARTONI: Mr. Futules.
 32 MR. FUTULES: On December the 10th, we had our
 33 meeting and it was recommended affirmatively to be put to
 34 full Council. But during that process, they were talking
 35 about replacing a building that was six feet by eight
 36 feet, with a building that was going to be 12 feet by 18
 37 feet. It seems that they're not replacing a building.
 38 MS. MEANS: I have an amendment.
 39 MR. FUTULES: Yeah, I know.
 40 PRESIDENT MARTONI: We'll wait.
 41 MR. FUTULES: We discovered this during the
 42 process of the committee, that what they're doing is
 43 actually just going to put up a fence, so that if there's
 44 any type of a gas leak, there would not be an explosion.

1 MR. CATANESE: Ms. Danko?
 2 MS. DANKO: Aye.
 3 MR. CATANESE: Mr. DeFazio?
 4 MR. DEFAZIO: Yes.
 5 MR. CATANESE: Mr. Drozd?
 6 MR. DROZD: Aye.
 7 MR. CATANESE: Mr. Ellenbogen?
 8 MR. ELLENBOGEN: Aye.
 9 MR. CATANESE: Mr. Finnerty?
 10 MR. FINNERTY: Yes.
 11 MR. CATANESE: Mr. Futules?
 12 MR. FUTULES: Yes.
 13 MR. CATANESE: Ms. Green Hawkins?
 14 MS. GREEN HAWKINS: Aye.
 15 MR. CATANESE: Ms. Heidelbaugh?
 16 MS. HEIDELBAUGH: Yes.
 17 MR. CATANESE: Mr. Macey?
 18 MR. MACEY: Yes.
 19 MR. CATANESE: Ms. Means?
 20 MS. MEANS: Yes.
 21 MR. CATANESE: Mr. Palmiere?
 22 MR. PALMIERE: Yes.
 23 MR. CATANESE: Ms. Rea?
 24 MS. REA: Yes.
 25 MR. CATANESE: Mr. Robinson?
 26 MR. ROBINSON: Aye.
 27 MR. CATANESE: Mr. Martoni, President?
 28 PRESIDENT MARTONI: Yes.
 29 MR. CATANESE: Ayes, 15, nos, 0. The bill
 30 passes as amended.
 31 PRESIDENT MARTONI: Committee on Public Works,
 32 Second Reading. 7872-13.
 33 MR. CATANESE: An ordinance approving the sale
 34 of a parcel of land, to be determined by survey and
 35 subdivision (conceptually projected to be approximately
 36 3,793 square feet of land, more or less) that is a portion
 37 of a certain parcel of real property known as 3342 Fifth
 38 Avenue, Pittsburgh, PA, 15213, owned by the County of
 39 Allegheny, to a development group currently known as MWK
 40 Forbes, LLC, consisting in part of: Massaro Properties,
 41 LLC; Langholz Wilson Ellis, Incorporated; Tasso Katselas
 42 Associates, Incorporated and such other
 43 participants/entities that may join the group (the
 44 Development Group) at the appraised rate of \$76.00/square
 45 foot in conjunction with the sale of 3333 Forbes Avenue,

1 The air would actually evaporate the gas. So I'll make a
 2 motion to approve.
 3 MR. FINNERTY: I'll second.
 4 PRESIDENT MARTONI: Moved and seconded.
 5 MS. MEANS: And now I'd like to make a motion to
 6 amend the ordinance.
 7 PRESIDENT MARTONI: Go ahead, make it.
 8 MR. FUTULES: Seconded.
 9 MS. MEANS: Now can I --- just a few words?
 10 PRESIDENT MARTONI: Sure.
 11 MS. MEANS: Basically, it's for the reason ---
 12 and I want to thank Nick Futules for allowing me to attend
 13 that meeting. I was not a member of that. But during
 14 that discussion, we discovered that the language was
 15 incorrect in the ordinance. And my amendment merely
 16 corrects the amendment and says we aren't razing a
 17 building, but we're putting up a fence; we're not putting
 18 up another building. Thank you.
 19 PRESIDENT MARTONI: Yes?
 20 MR. FUTULES: Yes. Thank you. And that's very
 21 proper, that the legislation be written correctly. But
 22 the fact remains that they will be giving us \$5,000 for a
 23 fence; basically, for the --- thank you for that. And I
 24 agree with what's put out there.
 25 PRESIDENT MARTONI: Thank you. I think we can
 26 vote on the amendment; am I correct?
 27 MR. CATANESE: That's correct.
 28 PRESIDENT MARTONI: We can do a roll call on
 29 that, I believe; right, until that's amended?
 30 MR. CATANESE: Until it's amended.
 31 PRESIDENT MARTONI: Just until it's amended;
 32 then it's --- okay.
 33 MR. CAMBEST: It's amended, the amendment
 34 itself.
 35 PRESIDENT MARTONI: Okay. We have a motion and
 36 a second. Question? Okay. All in favor of the
 37 amendment?
 38 (Chorus of ayes.)
 39 PRESIDENT MARTONI: Opposed? So ordered. Now
 40 we'll vote on the bill, as amended.
 41 MR. CATANESE: As amended.
 42 PRESIDENT MARTONI: 7322-12. Roll call.
 43 MR. CATANESE: This bill is as amended. Mr.
 44 Burn?
 45 MR. BURN: Yes.

1 Pittsburgh, PA, 15213, to MWK Forbes, LLC. Sponsored by
 2 the Chief Executive.
 3 PRESIDENT MARTONI: Mr. Macey?
 4 MR. MACEY: Thank you, Mr. President, and
 5 members of Council. The Public Works Committee met on
 6 December 10th, and this bill was vetted. And it was sent
 7 to the full Council with affirmative recommendation.
 8 Therefore, I make a motion to approve 7872.
 9 MR. FINNERTY: Second.
 10 PRESIDENT MARTONI: Moved and seconded.
 11 MR. DROZD: Question.
 12 PRESIDENT MARTONI: Question? Question?
 13 MR. DROZD: Specifically, where's that 3233
 14 Forbes Avenue property? Is that the ---
 15 MR. MACEY: It's the --- 3333; that's the Health
 16 Department on Forbes Avenue. It's a property that was
 17 next to it that wasn't included in the original purchase;
 18 and therefore, they found this piece of ground that wasn't
 19 necessarily useful to anyone else but would be very useful
 20 to this construction.
 21 PRESIDENT MARTONI: Okay?
 22 MR. DROZD: They feel that this \$76 per square
 23 foot is realistic and in line with what's done ---?
 24 That's the Health Department.
 25 MR. MACEY: Yes, it is.
 26 MR. FINNERTY: Okay. If you take a look at the
 27 drawings, that --- you do have drawings in your packet.
 28 Then if you remember, we discussed this. It had to be
 29 three years ago, maybe, three years ago, the selling of
 30 that entity; and that because of what happened in between
 31 with the economy and everything, that they didn't go
 32 forward with this. And if you take a look at the drawing,
 33 you'll see that the property they're talking about is a
 34 little wedge parcel, a little rectangular piece that
 35 they're talking about. So that's the piece of property
 36 that they're talking about that.
 37 MR. DROZD: And that's my question. Have we
 38 conveyed the property for the Health Department yet?
 39 MR. FINNERTY: I believe that we did.
 40 MR. DROZD: Because I understood it was pulled
 41 back because of that, is what you just said. Did we
 42 convey ---?
 43 MR. FINNERTY: I would think that we did, but
 44 I'm not positive. If you take a look at the summary of
 45 legislation ---

1 MR. MACEY: Excuse me, Mr. Chairman. We do have
 2 the Director of Economic Development and Housing here, Mr.
 3 Davin.
 4 PRESIDENT MARTONI: Okay. Mr. Davin, would you
 5 mind?
 6 MR. DAVIN: The property is right next to the
 7 Health Department building, as Councilman Finnerty had
 8 said. This is a small parcel of property. The \$76 per
 9 square foot is based on the appraisal that was done about
 10 three months ago. It's very similar to the appraisal that
 11 was done for the Health Department building, that
 12 property, which came out at about \$4.9 million. That is
 13 not closed just yet. We're anticipating closing by
 14 December 31st of this year. We actually entered into a
 15 sales agreement with the developer in April of this year.
 16 Part of that sales agreement included due diligence that
 17 the developer did and indicated that this parcel was
 18 necessary for them in order to access the site from both
 19 Forbes Avenue and potentially for them.
 20 PRESIDENT MARTONI: Thank you.
 21 MR. DROZD: And the point is, it hasn't
 22 consummated yet. In essence, they could still not
 23 purchase the Health Department building, is that correct?
 24 MR. DAVIN: Absolutely, yeah.
 25 MR. DROZD: I'd recommend voting against this
 26 because it would deplete the value of the Health
 27 Department building. Until that's consummated, I would
 28 not even vote to convey this property. I'm going to vote
 29 against it. I'm not against it if they purchase the
 30 building and it's consummated. Until that closes, we
 31 can't be conveying land next to it. This is --- and it's
 32 very valuable property with that building. I'd recommend
 33 voting against it ---
 34 PRESIDENT MARTONI: Thank you.
 35 MR. DROZD: --- right now, right now. In the
 36 future, once it closes, then I would support it.
 37 PRESIDENT MARTONI: Okay. Go ahead. You ask
 38 the question.
 39 MR. ELLENBOGEN: Mr. Davin, I have a question
 40 for you. In the interests within the City of Pittsburgh,
 41 have all the proper curb cuts and right-of-ways been
 42 properly vetted through the city zoning and public works
 43 departments?
 44 MR. DAVIN: No. They're working on that right
 45 now.

1 until it's done. I'm not saying I'm against it. I'm not
 2 saying I'm against it, but we should not be doing this
 3 until the --- happens too.
 4 MR. MCKAIN: As manager, I sign off on --- but I
 5 understand your point.
 6 MR. DROZD: Yeah.
 7 PRESIDENT MARTONI: Okay. Thank you, all.
 8 Please.
 9 MS. MEANS: I would like to see this bill go
 10 back into committee, because right in the summary of the
 11 bill, there's no --- they haven't explained to us how they
 12 came up with fair market value. Now, ---
 13 PRESIDENT MARTONI: They did.
 14 MS. MEANS: They did? But I --- it's not
 15 mentioned in this --- and then there's also --- it
 16 hasn't --- and I'm not saying nobody's done anything
 17 wrong. But I want to know things like how long --- how
 18 many people bid on the building, how long it was
 19 advertised and how they came up with fair market value is
 20 really important to me. And I also think the remaining
 21 portion of the parcel, that needs to be addressed, too.
 22 Can it be sold or not sold? Can it be reduced in size?
 23 How much does it cost to maintain? These are things that
 24 I feel that this should go back in committee and be
 25 examined more thoroughly, not that I'm against selling a
 26 building to make --- that needs a lot of repairs. But my
 27 other question is, who is --- I mean, we're going to get
 28 about \$4 million for the building. We're told it needs
 29 millions of dollars of repairs. But who evaluated that it
 30 does, indeed, need those repairs? So I just wanted ---
 31 thank you.
 32 PRESIDENT MARTONI: Matt, go ahead.
 33 MR. DROZD: Thank you, Councilwoman. Councilman
 34 Means, thank you for bringing that up. There are other
 35 issues here, too, to discuss before it --- that haven't
 36 been brought before Council, such as the square footage
 37 rental out in that area out there is \$20.00 to \$30.00 a
 38 square foot. Now, we estimated at that time, it would
 39 cost considerable money to move those people into
 40 neighboring ---. In fact, part of it was that they were
 41 going to occupy this facility. I don't know if the return
 42 in investment --- if this is still a good deal for the
 43 people of Allegheny County to sell the building. And then
 44 where do we put the people and what's our return on that
 45 investment?

1 MR. ELLENBOGEN: They're working on it?
 2 PRESIDENT MARTONI: Okay. Go ahead.
 3 MR. DAVIN: May I respond to Councilman Drozd?
 4 PRESIDENT MARTONI: Yes, please do.
 5 MR. DAVIN: They will not purchase the Health
 6 Department building site unless this parcel is part of it.
 7 They need this site in order to access the site
 8 completely.
 9 MR. DROZD: Then it should have been worded,
 10 contingent upon the closing of the property. That's the
 11 way it should be done. This is saying that we're
 12 conveying it. I will not support something and say we're
 13 conveying when it hasn't closed. We're putting the county
 14 at jeopardy and the taxpayers by conveying property
 15 adjacent. It's a valued piece of property with the
 16 building. It should have been put in --- based upon the
 17 contingent closing. We're selling the county short and
 18 the taxpayers. I can't support this.
 19 PRESIDENT MARTONI: Okay.
 20 MR. DROZD: And I have a real estate background.
 21 I know what I'm saying. Thank you.
 22 MR. DAVIN: For verification ---
 23 PRESIDENT MARTONI: Go ahead.
 24 MR. DAVIN: --- the way you want this to read is
 25 that Council approves the sale. It is not by operation of
 26 the passing of this bill, the sale is not consummated.
 27 Council approves the sale, just like this does, approving
 28 the sale. And the sale could still happen or not happen.
 29 What this does is Council authorizes it to them.
 30 MR. DROZD: Councilman, you're a solicitor,
 31 you're an attorney. You know, in essence, that they ---
 32 right. In essence; then please say this. And we, the
 33 county, the administration could convey the property and
 34 not sell the building. Without that contingency in there,
 35 there is nothing to stop them from selling this property
 36 without the closing of the building.
 37 MR. DAVIN: Are you saying that we could close
 38 on the sale of this little ---
 39 MR. DROZD: Little --- parcel.
 40 MR. DAVIN: And not sell the rest?
 41 MR. DROZD: Yeah, it could be done.
 42 MR. DAVIN: I --- legally, if that happened, I
 43 suppose ---
 44 MR. DROZD: I'm not going to vote --- I'm going
 45 to put it on the record, there would be no reason to ---

1 That all has to be vetted. And then when it's
 2 brought before Council before --- and it needs to be
 3 brought before this Council again and properly vetted.
 4 This is very critical. I just --- it surprises me that
 5 this is even on the agenda like this; oh, by the way,
 6 we're selling this, not bringing it to Council and giving
 7 them more details of where those people are going to be
 8 housed, what's the cost to house them, what the return on
 9 their investment is. There's a lot of unanswered
 10 questions to this. Thank you.
 11 PRESIDENT MARTONI: Jim? Are you asking Mr.
 12 McKain?
 13 MR. ELLENBOGEN: I want to ask Mr. McKain to
 14 come to the podium, if that's all right, unless he wants
 15 to send Mr. Davin back up.
 16 MR. ELLENBOGEN: I'm going to be honest with
 17 you. I didn't particularly like that answer. It was a
 18 little bit light for me. You know, I was once the chief
 19 inspector for public works for the city. So just telling
 20 me you're in communications on curb cuts and zoning types
 21 of things don't flush with me. So I want to know just
 22 where you're at in that process, because if the City of
 23 Pittsburgh zoning and public works denies a curb cut, in
 24 terms of where it is or whatnot, what's your interest in
 25 it, it won't have the value that you want because how are
 26 you going to egress it, because you have to legally ---
 27 you know, have those curb cuts approved by zoning and
 28 public works.
 29 MR. MCKAIN: I'm sure we're going to abide by
 30 all that. I know Dennis came up and --- stand on that.
 31 MR. ELLENBOGEN: The next thing, in terms of
 32 negotiations with the city and how they feel about it and
 33 where it's at.
 34 MR. DAVIN: They still have to go through that.
 35 I mean, once the site is transferred to them, they
 36 have --- they've acquired the site. They have ownership
 37 of the site.
 38 MR. ELLENBOGEN: Okay. So ---
 39 MR. DAVIN: Then they can go to the city and get
 40 the proper zoning and finish all the permitting, finish
 41 the actual final designs of what they're going to put
 42 there.
 43 MR. ELLENBOGEN: So in other words, once they
 44 have it --- you got it and we're out of it.
 45 MR. DAVIN: Absolutely.

1 MR. ELLENBOGEN: Okay. That's all I needed to
 2 know. I didn't want us engaging in what --- because when
 3 it comes to Oakland, trust me. I have over the years when
 4 --- I was with the city in numerous boards over curb cuts
 5 in Oakland. They're the ugliest part of the city to try
 6 to get a curb cut. And I just wanted to make sure we
 7 weren't involved after that point.
 8 MR. MCKAIN: No, Councilman.
 9 MR. ELLENBOGEN: Thank you. I appreciate it.
 10 PRESIDENT MARTONI: Mike, and then I think we
 11 should vote.
 12 MR. FINNERTY: Fine. I'd just like to mention
 13 one thing; and if you would stand there and concur with me
 14 on this. I believe that during the committee meeting,
 15 that it was stated exactly where the people from the
 16 Health Department would be housed, and it would be Glen
 17 Hazel-Kane, I believe?
 18 MR. MCKAIN: That is correct.
 19 MR. FINNERTY: That is correct? And once
 20 that --- and the reason --- one of the reasons is because
 21 there's a bus line right there and they have the room.
 22 And I believe that you also --- that we also said that
 23 eventually they're going to be ---
 24 MR. MCKAIN: Well, that's the other capital
 25 project that we're working on, and the current goal is to
 26 bring members of the Health Department --- and this will
 27 be presently at Kane, Glen Hazel downtown.
 28 MR. FINNERTY: Yeah. Yeah. Thank you; because
 29 there was a lot of information. At the committee meeting,
 30 it was vetted, and we discussed this. I think it's
 31 important that you know that this isn't something that is
 32 just all of a sudden being thrown up. It was kind of
 33 discussed in length at the committee and was moved out of
 34 the committee, because I believe it's a good project.
 35 It's something that we were involved in. Actually, I
 36 don't know how long ago, but maybe it was three years ago
 37 or something in that area. And at that time, we voted to
 38 do this.
 39 MR. MCKAIN: '09.
 40 MR. FINNERTY: '09? Okay. And right now, we're
 41 getting an additional --- it's around \$288,000 ---
 42 \$288,000, in addition to what we have --- all right. So I
 43 just want to make sure that everybody understands. This
 44 isn't something that was thrown out, as some people said.
 45 They must have missed the meeting. But it has been

1 Section 12011 of the Local Health Administration Law, 16
 2 P.S., Section 12001. Sponsored by the Chief Executive.
 3 PRESIDENT MARTONI: Mr. Palmiere?
 4 MR. PALMIERE: Thank you, Mr. President. If you
 5 think Mr. Thompson is still awake over there, I'd like him
 6 to come up and explain exactly what we'll be voting on.
 7 MR. THOMPSON: What you have before you is an
 8 amendment to Allegheny County's Rules and Regulations
 9 regarding air pollution control. And what this proposed
 10 regulation does is implement a notification system for
 11 natural gas production and shale gas formations, the most
 12 common of which is the Marcellus Shale formation. This
 13 regulation will require operators to report to the Health
 14 Department prior to the start of four major milestones in
 15 the drilling process. They are the clearing of the site,
 16 the initiation of drilling itself, the start of the
 17 fracturing process and then the flaring.
 18 Each one of these processes has unique
 19 envisions. And the point of the regulation is to allow
 20 our inspectors to enforce existing air quality regulations
 21 during these operations. This regulation by itself does
 22 not impose any new regulations on Marcellus Shale
 23 operators. It merely allows us to better enforce the
 24 existing regulations. This went through an extensive
 25 public vetting. It went through a 30-day public comment
 26 period ending with a public hearing. It then went to our
 27 Board of Health where it was passed unanimously. We're
 28 now here to have it ratified as a County ordinance. I'll
 29 be happy to answer any questions.
 30 PRESIDENT MARTONI: Mr. Palmiere, anything else?
 31 MR. PALMIERE: Mr. Thompson, one of the things
 32 --- and I'm very supportive of this, by the way. One of
 33 the things I would like to make sure we do is that we get
 34 a baseline. Once Step A, the initial well site, they put
 35 it in, do you think we can go out and get a baseline on
 36 the air in that area before they start?
 37 MR. THOMPSON: It would be very difficult to get
 38 a baseline, you know. Our monitoring budget simply would
 39 not allow for it. There are literally hundreds of
 40 compounds that enter in from --- well, they emit from
 41 Marcellus Shale. However, there are existing county,
 42 state and federal regulations that are in place to ensure
 43 that those emissions are minimized. And that's where we
 44 feel are best to expend our assets.

1 vetted, and there is a very good summary of the
 2 legislation here, if you would want to read it. It
 3 answers most of your questions.
 4 PRESIDENT MARTONI: Okay. Thank you. I think
 5 we have a motion and a second; correct, Mr. Macey?
 6 MR. MACEY: Correct.
 7 PRESIDENT MARTONI: Okay. I will call the
 8 question as a roll call vote.
 9 MR. CATANESE: Mr. Burn?
 10 MR. BURN: Yes.
 11 MR. CATANESE: Ms. Danko?
 12 MS. DANKO: Aye.
 13 MR. CATANESE: Mr. DeFazio?
 14 MR. DEFAZIO: Yes.
 15 MR. CATANESE: Mr. Drozd?
 16 MR. DROZD: Nay.
 17 MR. CATANESE: Mr. Ellenbogen?
 18 MR. ELLENBOGEN: Aye.
 19 MR. CATANESE: Mr. Finnerty?
 20 MR. FINNERTY: Yes.
 21 MR. CATANESE: Mr. Futules?
 22 MR. FUTULES: Yes.
 23 MR. CATANESE: Ms. Green Hawkins?
 24 MS. GREEN HAWKINS: Aye.
 25 MR. CATANESE: Ms. Heidelbaugh?
 26 (No response.)
 27 MR. CATANESE: Mr. Macey?
 28 MR. MACEY: Yes.
 29 MR. CATANESE: Ms. Means?
 30 MS. MEANS: No.
 31 MR. CATANESE: Mr. Palmiere?
 32 MR. PALMIERE: Yes.
 33 MR. CATANESE: Ms. Rea?
 34 MS. REA: Yes.
 35 MR. CATANESE: Mr. Robinson?
 36 MR. ROBINSON: Nay.
 37 MR. CATANESE: Mr. Martoni, President?
 38 PRESIDENT MARTONI: Yes.
 39 MR. CATANESE: Ayes, 11, nos. 3. The bill
 40 passes.
 41 PRESIDENT MARTONI: Committee on Health and Human
 42 Services, Second Reading, 7674-13.
 43 MR. CATANESE: An ordinance of the Council of the
 44 County of Allegheny ratifying amendments to the Allegheny
 45 County Health Department Rules and Regulations pursuant to

1 MR. PALMIERE: Well, the reason I said that is
 2 because there's a lot of debate continually on this
 3 subject and one of the biggest problems, I think, with
 4 this whole debate on the subject is that we don't have a
 5 baseline on anything. So that I can say this, you can say
 6 that, but you know, we don't know if it started out that
 7 way or it progressed to the other level, you know. As we
 8 were talking about at Pitt, you know, with toxic air ---
 9 MR. THOMPSON: Certainly, from the water side,
 10 Act 13 does have baseline requirements in terms of water
 11 issues. Whereas the Health Department is not the primary
 12 agency for water issues, but merely an enforcement agency,
 13 certain areas --- part of the reason for this regulation
 14 is if we do see a well pad very close to a populated area,
 15 and we do suspect that there may be a problem in the
 16 future, it does allow us the time in order to monitor the
 17 area, to get a baseline. But more importantly, get that
 18 information after the well production process begins to
 19 the ensure public health at the site.
 20 MR. PALMIERE: Well, like I said, I'm very
 21 supportive of this.
 22 MS. MEANS: I have a question.
 23 PRESIDENT MARTONI: Jim had one.
 24 MR. BURN: And I apologize for not looking into
 25 this. What about all the sites that are already up and
 26 running? Do they come under the --- they're exempt
 27 because they pre-existed the base of these changes?
 28 MR. THOMPSON: Well, we already know where those
 29 sites are. We've actually already been to those sites or
 30 are in the process. So this is the notification process
 31 that's currently assigned for these sites.
 32 MR. BURN: So those that are already here won't
 33 be --- this won't apply to them?
 34 MR. THOMPSON: It really doesn't apply to them,
 35 but really the intent of this is for new sites so that we
 36 know where they are going to be so that we can schedule
 37 our inspectors at the right time.
 38 MR. BURN: So this does not apply to those that
 39 are already up and running?
 40 MR. THOMPSON: That is correct.
 41 PRESIDENT MARTONI: Thank you.
 42 MS. MEANS: How much will this cost to
 43 implement? Will we have to have more inspectors? Do the
 44 inspectors have to have equipment? What are they
 45 measuring? You know, will they have to get a car to

1 transfer the equipment to the site? And one other
 2 question, and I wanted to thank Mr. Palmiere for allowing
 3 me to attend the meeting, but in that meeting there was a
 4 comment made that only the DEP is allowed on the people's
 5 property and that we as a county are not. I mean, we have
 6 to ask permission from the owner to go on the property; is
 7 that correct?
 8 MR. THOMPSON: No, that is not correct. We are
 9 authorized to enter any property that is an air pollution
 10 emission source. It is our policy to make all attempts to
 11 get the owner's permission before they do that. But if
 12 we're not granted permission and we have to enter, we have
 13 the ability and we have, on rare occasions, gotten a
 14 search warrant.
 15 MS. MEANS: And as far as the equipment,
 16 training equipment ---
 17 MR. THOMPSON: We are currently in the process
 18 --- we have conducted some training for our inspectors.
 19 As you know, this industry is changing rapidly as it
 20 grows. And we are continually updating the training of
 21 our inspectors. Concerning the cost, as you may or may
 22 not know, the air program does not receive any county tax
 23 dollars. It's all funded through federal grants, fees,
 24 emission fees, fines and whatnot. As we said, currently
 25 we have the budget for the shale drilling that we
 26 anticipate. Should that change in the future, we may have
 27 to reevaluate whether or not we have the proper resources.
 28 MS. MEANS: And it's also my understanding that
 29 the ordinance does not tell you what to do with the
 30 information that you gather. I mean, you're marking down
 31 the expense marks, but the ordinance doesn't tell you what
 32 to do with that information. Like it doesn't even say,
 33 you know, you can just read it and throw it in the trash
 34 can or you put it in a file or you're posting the
 35 information. It's pretty vague.
 36 MR. THOMPSON: Right. The ordinance is simply
 37 notification. We will be using this information to better
 38 deploy our inspectors. The information we get from our
 39 inspectors we will use to evaluate whether or not public
 40 health is in danger.
 41 MS. MEANS: Do you think there's any chance that
 42 the enforcement of this ordinance will be selective, could
 43 be? Is there latitude and --- obviously, if there are not
 44 a lot of parameters, I feel that it could be enforced
 45 to ---

1 doesn't seem to be any requirement to do anything. We get
 2 a piece of paper, and that's concerning. I'm not sure
 3 that that allays the residents' fears concerning drilling
 4 and the environment.
 5 MR. THOMPSON: Well, as I said, this particular
 6 ordinance is only notification so that we can better
 7 enforce existing regulations. And it is our policy and it
 8 will always be our policy to enforce the existing
 9 regulations to the best of our ability.
 10 MS. DANKO: Thank you.
 11 PRESIDENT MARTONI: Mr. Palmiere?
 12 MR. PALMIERE: I'll move for approval.
 13 (Chorus of seconds.)
 14 PRESIDENT MARTONI: Moved and seconded. Roll
 15 call.
 16 MR. CATANESE: Mr. Burn?
 17 MR. BURN: Yes.
 18 MR. CATANESE: Ms. Danko?
 19 MS. DANKO: Aye.
 20 MR. CATANESE: Mr. DeFazio?
 21 MR. DEFazio: Yes.
 22 MR. CATANESE: Mr. Drozd?
 23 MR. DROZD: Aye.
 24 MR. CATANESE: Mr. Ellenbogen?
 25 MR. ELLENBOGEN: Aye.
 26 MR. CATANESE: Mr. Finnerty?
 27 MR. FINNERTY: Yes.
 28 MR. CATANESE: Mr. Futules?
 29 MR. FUTULES: Yes.
 30 MR. CATANESE: Ms. Green Hawkins?
 31 MS. GREEN HAWKINS: Aye.
 32 MR. CATANESE: Ms. Heidelbaugh?
 33 MS. HEIDELBAUGH: (No response).
 34 MR. CATANESE: Mr. Macey?
 35 MR. MACEY: Yes.
 36 MR. CATANESE: Ms. Means?
 37 MS. MEANS: No.
 38 MR. CATANESE: Mr. Palmiere?
 39 MR. PALMIERE: Yes.
 40 MR. CATANESE: Ms. Rea?
 41 MS. REA: Yes.
 42 MR. CATANESE: Mr. Robinson?
 43 MR. ROBINSON: Nay.
 44 MR. CATANESE: Mr. Martoni, President?
 45 PRESIDENT MARTONI: Yes.

1 MR. THOMPSON: As the person in charge of
 2 directing enforcement, I can assure you that under my
 3 watch it will not be selective.
 4 MS. MEANS: Thank you for answering my
 5 questions.
 6 PRESIDENT MARTONI: Mr. Palmiere?
 7 MR. PALMIERE: Anybody else?
 8 PRESIDENT MARTONI: We had a question over here.
 9 MS. DANKO: I'm concerned that this is very
 10 vague as well. You said there was extensive public
 11 vetting. Were there any changes made because of that
 12 extensive public vetting, or was the ordinance the same as
 13 when it started?
 14 MR. THOMPSON: That should be attached to your
 15 packet as a comment response document, of all the public
 16 comments that we've had and our responses. And there were
 17 slight changes to definitions from certain stakeholders
 18 simply to make the general issues more consistent within
 19 the industry so they knew what we were talking about when
 20 we talked about unconventional shale formations, when we
 21 talked about the fracturing process. So there were slight
 22 changes. Nothing substantive was changed in accordance
 23 with the public vetting.
 24 MS. DANKO: Okay. I believe we all, or at least
 25 some of us, received a letter from the groups against smog
 26 and pollution. And they had asked that this information,
 27 when you get it, there's no requirement that it be posted
 28 anywhere so that the general public could know when you're
 29 clearing a well site, drilling the well, start fracturing,
 30 et cetera. Do you see posting this anywhere?
 31 MR. THOMPSON: Well, all of our inspections are
 32 in the public domain. Anyone can send us a right-to-know
 33 request and we will provide that information. But you do
 34 bring up a good point to consider as far as regular
 35 posting of the information. We just haven't thought about
 36 it at this point.
 37 MS. DANKO: So in the future, perhaps we could
 38 amend and talk with the Health Department, the Board of
 39 Health, about amending?
 40 MR. THOMPSON: That is correct.
 41 MS. DANKO: My other thought, you know, there's
 42 sort of the best case where you say we're going to
 43 enforce, you know, not on my watch, but if you're not in a
 44 position, there could be another deputy director who says
 45 --- doesn't know this is being suggested. And there

1 MR. CATANESE: Ayes, 12, nos, 2, bill passes.
 2 PRESIDENT MARTONI: Liaison Reports. We'll
 3 start with you.
 4 MR. PALMIERE: Mr. President?
 5 PRESIDENT MARTONI: Yes?
 6 MR. PALMIERE: Excuse me. If I could have a
 7 moment, please, for old business here, I just --- Mr.
 8 President, I just want to take a moment here to thank Mr.
 9 Thompson for his time. And I want to introduce Doctor
 10 Hacker as the new head of the Health Department. She's
 11 been sitting there patiently all evening, God bless her.
 12 And I just wanted everyone to have an opportunity to know
 13 that Doctor Hacker is now in charge. Okay. Thank you
 14 very much.
 15 PRESIDENT MARTONI: Thank you.
 16 MS. MEANS: Mr. President, is there a
 17 possibility we can take a break maybe after we finish the
 18 business so that the stenographer could go to the bathroom
 19 --- so she could take a break or something? It's been
 20 three hours that she's been typing.
 21 OFF RECORD DISCUSSION
 22 PRESIDENT MARTONI: Thank you for being so
 23 considerate. Liaison Report, Mr. Finnerty?
 24 MR. FINNERTY: I actually don't have one. But I
 25 do want to just mention that the Ukrainian Church and the
 26 Russian Orthodox Church in Carnegie had a cookie block
 27 last week and it was fantastic. I actually ---
 28 PRESIDENT MARTONI: Jim?
 29 MR. ELLENBOGEN: I just wanted to note the
 30 passing of a friend of Ed Feeney, who any of you who
 31 follow Steve Cosell's (phonetic) football teams, Ed was
 32 the right hand of Coach Greg Perry. He passed away. He
 33 worked for the Baldwin School District, Baldwin/Whitehall,
 34 but he basically has dedicated his life to the kids of the
 35 South Hills. And there's many, many adults who have been
 36 influenced by Ed Feeney in terms of the work that he has
 37 done in helping them and coaching them. And it will be a
 38 tragic loss and I'm sure Greg Perry will have a very
 39 difficult time trying to replace him, so God rest him.
 40 Thank you.
 41 PRESIDENT MARTONI: Thank you for that. Mr.
 42 Burn.
 43 MR. BURN: Thank you. Very briefly, I just
 44 wanted to send condolences to the family and friends of
 45 Damon Andrews. He passed suddenly in the early hours on

1 Sunday morning. For those of you who have not had the
 2 pleasure to work with Damon, he was one of the best
 3 political strategists and campaign consultants that I ever
 4 met. He then --- significant institutional knowledge,
 5 retail knowledge, working with him as the chairman of the
 6 County Democratic Party was always a pleasure. And the
 7 resume he brought out of Washington and the DNC was
 8 remarkable. He did a lot of local campaigns and always
 9 had outstanding results. And as a person and friend of
 10 the family and neighbor by name, he will be missed. So
 11 our prayers and thoughts go out to Damon, his friends and
 12 family during this difficult time.
 13 PRESIDENT MARTONI: Mr. Finnerty?
 14 MR. FINNERTY: Thank you. I failed to mention
 15 that South Fayette Football Team has also won the State
 16 Championship over the weekend. And they did it quite
 17 convincingly. I think the score was something like 41 to
 18 nothing. And congratulations to them. And we'll be
 19 bringing them in later in January. Thank you, Mr.
 20 President.
 21 PRESIDENT MARTONI: Thank you. Anyone else
 22 before we move on? Okay. 7898-13.
 23 MR. CATANESE: Re-establishing the Budget
 24 Transfer Committee in accordance with Section 805.03 of
 25 the Administrative Code. Sponsored by Councilman
 26 Finnerty.
 27 PRESIDENT MARTONI: Mr. Finnerty?
 28 MR. FINNERTY: Thank you. I'd like to make that
 29 motion.
 30 MR. MACEY: Second.
 31 PRESIDENT MARTONI: All in favor?
 32 (Chorus of ayes).
 33 PRESIDENT MARTONI: That's it; right? That's
 34 it. 7899-13.
 35 MR. CATANESE: To continue the service of
 36 Attorney John F. Cambest to provide legal advice,
 37 representation and consultation to County Council.
 38 Sponsored by Councilman Futules.
 39 PRESIDENT MARTONI: Mr. Finnerty?
 40 MR. FINNERTY: I'd like to be added to that.
 41 MR. PALMIERE: Mr. President, me, too.
 42 MR. FUTULES: I think it's pretty much at face
 43 value. I'd just like to make a motion to rehire Mr.
 44 Cambest.
 45 MR. MACEY: Second.

1 capitals in the United States, they're center of the state
 2 area. Harrisburg leans more towards Philadelphia just
 3 like where the money goes. Most of the money goes into
 4 the eastern part of the state. The comment was made ---
 5 and my friend heard one of the former transportation
 6 secretaries, quote, unquote, say this. And what he said
 7 was, I could take the surrounding Philadelphia, the five
 8 counties, and get the Governor reelected. So what that
 9 means in essence is we're kind of like on the end always
 10 because of where we are and where we're situated. This
 11 has been done in the past. It's actually, I think,
 12 Article Four in the Constitution, somewhere around there,
 13 where it allows the states to do this. It did, in fact,
 14 allow for four states to do this. And the four states
 15 were Maine from Massachusetts, West Virginia from
 16 Virginia, Kentucky from Virginia and Vermont from New
 17 York, and it allows for this.
 18 And my main reason if this, is to reinstate
 19 to the people and to alleviate the tax burden and
 20 reinstate to the people from western --- when I say
 21 western, I don't just include this area. I'm talking from
 22 Centre County over. And that to reinstate to them their
 23 own self-control and self-will of government. And
 24 actually, also, to alleviate the tax burdens on them. Do
 25 you realize where most of the Marcellus Shale gas is?
 26 It's right here in our backyard. But where do the monies
 27 go? They go to the entire State of Pennsylvania. There's
 28 some in the northeastern quadrant, God bless them, they
 29 have some, too, but most of that is right here. Our
 30 commonality is not with the east, our commonality is with
 31 portions of Ohio and West Virginia and whatever it may be.
 32 This state would become still one of the largest in the
 33 nation because West Virginia is about the size of all of
 34 Allegheny County in population. And let me pose this
 35 point. Remember Seward's Folly? That was Alaska. They
 36 joked about that; didn't they? Look what a success it's
 37 been. Remember the Louisiana Purchase. Thomas Jefferson
 38 put that forth. Laughed about that. Look what success
 39 it's had. And these states here, very much more success.
 40 So I think it has to be discussed. It has to be
 41 looked upon. And we have to deal with it. You know, when
 42 I throw these out, a lot of times I get a lot of criticism
 43 from some and some I don't. It's because we have to look
 44 outside the box today. It's necessary. We cannot
 45 continue to go down the same road in the same venue with

1 PRESIDENT MARTONI: There's a motion and second.
 2 Questions? Roll call.
 3 MR. CATANESE: Mr. Burn?
 4 MR. BURN: Yes.
 5 MR. CATANESE: Ms. Danko?
 6 MS. DANKO: Aye.
 7 MR. CATANESE: Mr. DeFazio?
 8 MR. DEFAZIO: Yes.
 9 MR. CATANESE: Mr. Drozd?
 10 MR. DROZD: Aye.
 11 MR. CATANESE: Mr. Ellenbogen?
 12 MR. ELLENBOGEN: Aye.
 13 MR. CATANESE: Mr. Finnerty?
 14 MR. FINNERTY: Yes.
 15 MR. CATANESE: Mr. Futules?
 16 MR. FUTULES: Yes.
 17 MR. CATANESE: Ms. Green Hawkins?
 18 MS. GREEN HAWKINS: Aye.
 19 MR. CATANESE: Ms. Heidelbaugh?
 20 MS. HEIDELBAUGH: (No response).
 21 MR. CATANESE: Mr. Macey?
 22 MR. MACEY: Yes.
 23 MR. CATANESE: Ms. Means?
 24 MS. MEANS: Yes.
 25 MR. CATANESE: Mr. Palmiere?
 26 MR. PALMIERE: Yes.
 27 MR. CATANESE: Ms. Rea?
 28 MS. REA: Yes.
 29 MR. CATANESE: Mr. Robinson?
 30 MR. ROBINSON: Aye.
 31 MR. CATANESE: Mr. Martoni, President?
 32 PRESIDENT MARTONI: Yes.
 33 MR. CATANESE: Ayes, 14, nos. 0, bill passes.
 34 PRESIDENT MARTONI: 7900-13.
 35 MR. CATANESE: Expressing the Sense of Council
 36 of Allegheny County calling for the western counties of
 37 Pennsylvania to secede from the eastern counties and to
 38 create an independent state of Western Pennsylvania.
 39 Sponsored by Councilman Drozd.
 40 MR. ROBINSON: Second.
 41 MR. DROZD: I make that motion and ---
 42 PRESIDENT MARTONI: Questions?
 43 MR. DROZD: This has been bantered on for years
 44 of why we --- and what do we have in common with the
 45 eastern part of the state? If you look at most state

1 horse blinders on us. Because if we don't start throwing
 2 things out on the table for discussion, we'll never
 3 progress. This country is in trouble. This state is in
 4 trouble. This county is in trouble. And we have to look
 5 for new ways, innovative ways to approach our issues and
 6 our problems. So I would say this is very realistic.
 7 It's something we need to look at in future years to come.
 8 And lastly, I'll say this, because it's our children's
 9 future. That's why I say we. And that's what I would
 10 say. And I would like to have serious consideration for
 11 this. And I thank you very much, my fellow Council
 12 members.
 13 PRESIDENT MARTONI: We have a motion and a
 14 second. I think that should go to Government Reform. You
 15 want to withdraw the motion or do you want us to vote?
 16 MR. DROZD: Do I want to you to vote on this?
 17 Yeah, we'll have discussion on it. I'll yield to my
 18 fellow Council members.
 19 MR. ELLENBOGEN: You know what? Heaven knows
 20 I'd love to vote for this, I really would. But
 21 practically, what about all the other counties? But just
 22 to get rid of the Phillies, the Eagles and the Flyers is
 23 reason enough for me.
 24 MR. DROZD: Let's vote.
 25 MS. DANKO: My comment is supposed to be funny,
 26 too. I appreciate the idea. But when I was in fifth
 27 grade, I was in the D.C. spelling champs and I went down
 28 on the word secede, so I just have to --- and I'm voting
 29 no.
 30 PRESIDENT MARTONI: Roll call.
 31 MR. CATANESE: Mr. Burn?
 32 MR. BURN: No.
 33 MR. CATANESE: Ms. Danko?
 34 MS. DANKO: No.
 35 MR. CATANESE: Mr. DeFazio?
 36 MR. DEFAZIO: No.
 37 MR. CATANESE: Mr. Drozd?
 38 MR. DROZD: Aye.
 39 MR. CATANESE: Mr. Ellenbogen?
 40 MR. ELLENBOGEN: No.
 41 MR. CATANESE: Mr. Finnerty?
 42 MR. FINNERTY: No.
 43 MR. CATANESE: Mr. Futules?
 44 MR. FUTULES: No.
 45 MR. CATANESE: Ms. Green Hawkins?

1 MS. GREEN HAWKINS: No.
 2 MR. CATANESE: Ms. Heidelbaugh?
 3 MS. HEIDELBAUGH: (No response).
 4 MR. CATANESE: Mr. Macey?
 5 MR. MACEY: No.
 6 MR. CATANESE: Ms. Means?
 7 MS. MEANS: No.
 8 MR. CATANESE: Mr. Palmiere?
 9 MR. PALMIERE: No.
 10 MR. CATANESE: Ms. Rea?
 11 MS. REA: No.
 12 MR. CATANESE: Mr. Robinson?
 13 MR. ROBINSON: Aye.
 14 MR. CATANESE: Mr. Martoni, President?
 15 PRESIDENT MARTONI: No.
 16 MR. CATANESE: Ayes, 2, nos, 12, bill fails.
 17 MR. ROBINSON: Mr. President, I have two
 18 motions.
 19 PRESIDENT MARTONI: Please go ahead.
 20 MR. ROBINSON: Mr. Barker will pass out these
 21 motions for me, please. This first motion relates to the
 22 calling for the removal of the Allegheny County Council
 23 President, Charles Martoni, for misconduct, neglect of
 24 duty and for the reorganization of the body of Council so
 25 that new leadership may take control in accordance with
 26 the Rules of Council. If the clerk could read the motion,
 27 please?
 28 PRESIDENT MARTONI: Please read the motion.
 29 MR. CATANESE: A motion of the Council of
 30 Allegheny County calling for the removal of the Allegheny
 31 County Council President, Charles Martoni, for misconduct
 32 and neglect of duties. And for the reorganization of the
 33 body of Council so that new leadership may take control in
 34 accordance with the Rules of Council.
 35 PRESIDENT MARTONI: Okay. Do we have a second
 36 on that?
 37 MR. ROBINSON: Mr. President, if I might?
 38 PRESIDENT MARTONI: Yes, you might.
 39 MR. ROBINSON: In accordance with the rules and
 40 in the interest of time, I'm going to withdraw the motion.
 41 PRESIDENT MARTONI: I very much appreciate that
 42 because this is my last meeting as President. At the last
 43 meeting I informed everybody that I will no longer be
 44 President after tonight. So thank you, sir.

1 PRESIDENT MARTONI: Yeah, I think it is, sir,
 2 because we have it in front of us and ---
 3 MR. ROBINSON: You think it is or it is?
 4 PRESIDENT MARTONI: Is.
 5 MR. ROBINSON: So you will not let --- am I
 6 allowed to read it, sir?
 7 PRESIDENT MARTONI: Yeah, you could read it. Go
 8 ahead, read it.
 9 MR. ROBINSON: Censuring Council member Michael
 10 Finnerty for impugning the motives of Councilmember
 11 Robinson during the course of the December 3rd, 2013
 12 regular meeting of Council which in the judgment of
 13 Council violates the Rules of Council as well as the
 14 standards established by the Allegheny County Ethics Code.
 15 WHEREAS, the Rules of Council regarding decorum
 16 in meetings, Article II, Section (m)(3), prohibits Council
 17 members from impugning the motives of others in the course
 18 of Council proceedings; and
 19 WHEREAS, Article II, Section (m)(9) of Council
 20 rules makes available a motion for violating the rules
 21 regarding decorum and other ethical or legal standards of
 22 behavior that are applicable to the Council members in the
 23 course of conducting Council business; and
 24 WHEREAS, in the course of the December 3rd
 25 regular meeting, Allegheny County Councilmember William
 26 Russell Robinson made a statement, if you start a fire,
 27 you should know what it's going to burn. And I think that
 28 Mr. Finnerty is starting a fire and doesn't know what is
 29 going to burn; and
 30 WHEREAS, an ordinary interpretation of this term
 31 would be one of caution regarding unintended consequences.
 32 However, Mr. Finnerty openly and on the record
 33 misconstrued Mr. Robinson's statement as a personal
 34 threat; and
 35 WHEREAS, Mr. Robinson repeatedly stated on the
 36 record that he was not threatening anyone, and that anyone
 37 that would interpret his statement as a threat is engaging
 38 in a mischaracterization; and
 39 WHEREAS, at no time during the meeting was Mr.
 40 Robinson called out of order by the Chair for making
 41 threatening statements; and
 42 WHEREAS, it is proper for the Chair to recognize
 43 a violation of decorum by ruling that member out of order
 44 at the time when the member engages in a violation; and

1 MR. ROBINSON: One correction, sir. I believe
 2 you serve until your successor is sworn. You're still
 3 President of this Council and you have all the rights and
 4 prerogatives until such time as a new President is
 5 elected. I submit that you serve respectfully. And my
 6 motion was crafted with that in mind. As you know, I
 7 asked for your resignation some time ago. It seems to me
 8 that the motion is in order up until the time that a new
 9 President is selected. Thank you, Mr. President.
 10 PRESIDENT MARTONI: Thank you. I appreciate the
 11 confidence.
 12 MR. DROZD: Point of Privilege?
 13 PRESIDENT MARTONI: Yes.
 14 MR. DROZD: I just want to commend and thank
 15 both of you, County Councilman Robinson for guiding us
 16 through the budgetary process during these years. You've
 17 done it in a very commendable and very fashionable way.
 18 It was very detailed. You spent a lot of time. I've come
 19 into the Council chambers many a times and I've always
 20 seen Councilman Robinson there really going over this
 21 budget in detail. I also want to commend Councilman
 22 Martoni for serving. It takes a lot of criticism in both
 23 ways. I don't know why he wouldn't want to --- in that
 24 position, it's very difficult and I commend him for his
 25 efforts. I commend both these gentlemen. They are good
 26 Americans. They are good statesmen. They represent us
 27 well, and I thank them for their service.
 28 MR. ROBINSON: Mr. President, I have another
 29 motion.
 30 PRESIDENT MARTONI: Yes, sir.
 31 MR. ROBINSON: Mr. Barker will pass that out.
 32 And if Mr. Barker will read the motion if he has it.
 33 MR. BARKER: Censuring County Councilmember
 34 Michael Finnerty for impugning the motives of
 35 Councilmember Robinson during the course of the December
 36 3rd, 2013 regular meeting of Council which, in the
 37 judgment of Council, violated the Rules of Council as well
 38 as standards established by the Allegheny County Ethics
 39 Code.
 40 MR. ROBINSON: Mr. President, could the clerk
 41 please read the entire motion?
 42 PRESIDENT MARTONI: I think we can all read
 43 that.
 44 MR. ROBINSON: Is that a denial of my request,
 45 Mr. President?

1 WHEREAS, it is further the judgment of County
 2 Council that Michael Finnerty mischaracterized Mr.
 3 Robinson's remarks and in a premeditated attempt to
 4 orchestrate Mr. Robinson's removal from the position of
 5 chair of the Budget and Finance Committee so that Mr.
 6 Finnerty could replace him; and
 7 WHEREAS, the Ethics Code of Allegheny County
 8 clearly establishes that all Council members are to abide
 9 by the code standards for honor and integrity and dedicate
 10 themselves to the highest standards of honor and integrity
 11 in all public relationships in order to merit the respect
 12 and confidence of persons in the public; and
 13 WHEREAS, it is further the judgment of Council
 14 that mischaracterizations which impugn another
 15 Councilmember and for the motive of personal gain are
 16 clearly contrary to the Rules and Ethics Code requiring
 17 that all members of Council maintain the highest ideals of
 18 honor and integrity in all public relationships in order
 19 to merit the respect and confidence of persons in the
 20 public. Let me read the last part because I know some
 21 members probably are anxious.
 22 NOW, THEREFORE, IT IS MOVED by the Council of
 23 Allegheny County that Councilman Michael Finnerty is
 24 hereby censured and reprimanded for willfully and
 25 intentionally violating Council rules of decorum in
 26 impugning the motivation of Mr. Robinson, as well as using
 27 the mischaracterization of his words for personal gain,
 28 violating the standards of honor and integrity applicable
 29 to his position as a member of Allegheny County Council
 30 under the terms of the Allegheny County Ethics Code
 31 codified 5-1013-09 of the Administrative Code of Allegheny
 32 County.
 33 PRESIDENT MARTONI: Thank you for reading that.
 34 MR. ROBINSON: Mr. President, I'd like to
 35 exercise my option to remove this motion from
 36 consideration with the proviso that this motion and the
 37 following motion may reappear in the same form or on a
 38 different form at a subsequent meeting of this Council.
 39 PRESIDENT MARTONI: You have every right to do
 40 that.
 41 MR. FINNERTY: Mr. President, I have a motion
 42 also. I would like you to put down my motion.
 43 PRESIDENT MARTONI: Sure. Do you want to read
 44 this?

1 MR. FINNERTY: We'll see what we're going to do
 2 with it. I'm really taken aback by this whole thing. Go
 3 ahead.
 4 MR. BARKER: Motion to Council of Allegheny
 5 County censuring Councilmember William Russell Robinson
 6 for remarks made during the course of the November 21st,
 7 2013 meeting of the Committee on Budget and Finance which
 8 in the judgment of Council violates the standards
 9 established by the Allegheny County Ethics Code.
 10 MR. FINNERTY: Okay. And I guess I'm going to
 11 have to read the whole thing.
 12 WHEREAS, the Ethics Code of Allegheny County
 13 clearly establishes that all Council members ought to
 14 abide by the Code standards for honor and integrity and
 15 dedicate themselves to the highest ideals of honor and
 16 integrity in all public relations in order to merit the
 17 respect and confidence of county persons and the public.
 18 WHEREAS, Article II, Rule (f)(9) of Council
 19 Rules permits the censure of Council members by motion for
 20 violating Council's own rules regarding decorum in the
 21 course of Council proceedings; and
 22 WHEREAS, this is a judgment of Council and ---
 23 that this rule was not intended to foreclose the
 24 availability of censured motions for violation of either
 25 ethic or legal standards of behavior that are applicable
 26 to Council members in the course of conducting Council
 27 business; and
 28 WHEREAS, during the course of the Committee on
 29 Budget and Finance, November 24th, 2013 meeting, Allegheny
 30 County Councilmember William Russell Robinson engaged in a
 31 debate relating to Bill No. 7832-13, a resolution
 32 establishing the County's operating budget for fiscal year
 33 2014; and
 34 WHEREAS, in the course of this debate, Committee
 35 Chairman Robinson made certain remarks relating to other
 36 Council members; and
 37 WHEREAS, most notably among these remarks were
 38 those directed at Councilmember Finnerty to the effect
 39 that by questioning one appropriation in the operating
 40 budget he was endangering other appropriations. That
 41 questioning one appropriation, Mr. Finnerty was starting a
 42 fire that he should be cautious about. And that through
 43 the course of the debate, Mr. Finnerty attempted to seize
 44 control of Committee's deliberations.

1 of all, I would hope Council would not take action on Mr.
 2 Finnerty's motion today, tomorrow or ever based upon a
 3 committee meeting where verbatim minutes and notes are not
 4 taken. Anything Mr. Finnerty has described to you to have
 5 occurred in committee, unless he has some evidence of what
 6 I said or what I did, I will say what I said before, Mr.
 7 Finnerty. When you start a fire, you need to know what's
 8 going to burn. Ms. Rea, my friend again, asked me on
 9 December 3rd to stop using the word fire. I never
 10 promised, but I understood what she was saying. It made
 11 her feel uncomfortable. I only use it now because I think
 12 Mr. Finnerty and I are going to have a very contentious
 13 and unpleasant relationship over the next two years. It's
 14 not personal, because I have nothing personal against Mr.
 15 Finnerty. But governmentally, hopefully, Mr. President,
 16 during the rest of your term, you can find a way, starting
 17 tonight, to separate me and Mr. Finnerty and our
 18 colleagues so that folks may get on with other important
 19 business.
 20 PRESIDENT MARTONI: I appreciate that and I
 21 will. I'm renting a ring and we're going to have a ---
 22 who gets two out of three ---
 23 MR. FINNERTY: I'm too old for that anyway. I
 24 don't do that stuff any more. I'm just sorry that I
 25 really had to do that, but I was really taken back by
 26 somebody trying to censure me just for trying to do the
 27 right thing. And by the way, there is a tape on that.
 28 PRESIDENT MARTONI: Jimmy Ellenbogen and then
 29 we're going to move on because ---
 30 MR. ELLENBOGEN: I just want to say this. You
 31 know, a lot of us up here are street guys and I've known
 32 both of you a long, long time, you know. What you both
 33 have just done is crack each other on the side of the
 34 head, and then say I'm sorry. That's what just happened
 35 here. But I know that both of you, once you cool off ---
 36 you know, we got to get back to the business at hand here.
 37 Let's just shake hands, kiss, make-up like you used to do
 38 on the street. You guys socked each other good, so you
 39 know, we got to get business done here.
 40 PRESIDENT MARTONI: And thank goodness you both
 41 have hard heads. Go ahead and apologize, okay? Okay.
 42 Let's move on.
 43 MR. DROZD: Old business, I've got 17.
 44 PRESIDENT MARTONI: You've got what?

1 WHEREAS, while none of these statements made by
 2 Councilmember Robinson individually violate Council rules,
 3 the aggregate effect of the statement served to stifle
 4 debate on Bill No. 7832-13; and
 5 WHEREAS, it is the judgment of Council that
 6 these remarks were unnecessary, confrontational and
 7 calculated --- and
 8 WHEREAS, it is further the judgment of Council
 9 that these effects are clearly contrary to the Ethic Code
 10 requirement that all members of Council maintain the
 11 highest ideal of honor and integrity in all relations in
 12 order to merit the respect and confidence of county
 13 persons and public.
 14 WHEREAS, Councilmember --- to conclude that
 15 November 21st, 2013, Mr. Robinson intentionally used his
 16 authority as Chair of the Committee of Budget and Finance
 17 to limit discussion and debate on Bill No. 7832-13; and
 18 WHEREAS, actions such as these deprived Council
 19 of the opportunity to thoroughly discuss and evaluate the
 20 provisions of legislative items prior to --- and
 21 WHEREAS, Council additionally finds that this
 22 course of action could easily function to dismiss the
 23 public trust in Council as a legislative body.
 24 NOW, THEREFORE, BE I MOVED by the Council of
 25 Allegheny County that Councilmember William Russell
 26 Robinson is hereby censured and reprimanded for willfully
 27 and intentionally engaging in a pattern of behavior
 28 regarding Bill No. 7832-13 that functions to kill debate
 29 on the bill, and in the process violated the standards of
 30 honor and integrity applicable to his position as a member
 31 of Allegheny County Council under the terms of the
 32 Allegheny County Ethics Code codified as 5-1013.09 of the
 33 Administrative Code of Allegheny County. That's what this
 34 motion has to do --- but I will withdraw the motion ---
 35 MR. ROBINSON: Mr. President, too, if I might?
 36 Point of personal privilege.
 37 MR. CATANESE: Mr. President, the young lady
 38 needs to change the tape.
 39 MR. ROBINSON: Point of personal privilege?
 40 PRESIDENT MARTONI: Okay. Point of privilege.
 41 MR. ROBINSON: Thank you, Mr. President and
 42 members of Council. I promised two of our colleagues that
 43 I would not be responsible for keeping us here all night.
 44 I did my part. But since Mr. Finnerty had continually
 45 called my name, I feel obligated again to comment. First

1 MR. DROZD: 17 motions or ordinances. Wait a
 2 minute --- I have the floor right now --- that was buried
 3 in committee that no one acted on, no one.
 4 PRESIDENT MARTONI: Do we have a motion for that
 5 to ---
 6 MR. DROZD: Okay. All right. That's fine.
 7 PRESIDENT MARTONI: Okay?
 8 MR. DROZD: Yeah.
 9 MR. FUTULES: Is there a second?
 10 MR. FINNERTY: We didn't get there yet.
 11 PRESIDENT MARTONI: 4901-13.
 12 MR. CATANESE: Executive actions for all
 13 departments from 11/1/13 to 11/30/13 to be received and
 14 filed. Sponsored by the County Manager.
 15 PRESIDENT MARTONI: Received and filed. Okay.
 16 Public comment on General Items.
 17 MR. DROZD: Wait, wait, wait, I get my, remember
 18 17, that you all --- in committee. The first one I want
 19 to pull is the resolution of the County of Allegheny,
 20 Commonwealth of Pennsylvania, authorizing a county ---
 21 this is very serious ---
 22 MR. FINNERTY: For one thing, you're out of
 23 order. You can say the bill number.
 24 MR. DROZD: No. Please.
 25 MR. FINNERTY: The bill number --- motion to
 26 ---
 27 MR. DROZD: I can read the bill.
 28 PRESIDENT MARTONI: Mr. Finnerty?
 29 MR. FINNERTY: Motion to pull the bill. I have
 30 a motion to pull the bill. Can we get a second?
 31 MR. ROBINSON: Second.
 32 PRESIDENT MARTONI: We have a motion and a
 33 second.
 34 MR. DROZD: First --- just the first --- we'll
 35 only do 4 out of 17, folks.
 36 MR. CATANESE: 7831-13, a resolution of the
 37 County of Allegheny, Commonwealth of Pennsylvania,
 38 authorizing a County Councilman Inquiry and Investigation
 39 of Visit Pittsburgh, Allegheny County, designated tourist
 40 promotion agency in accordance with the provisions of
 41 Article 309 of the Administrative Code of Allegheny
 42 County. Sponsored by Councilman Drozd.
 43 PRESIDENT MARTONI: Do you want to vote?
 44 MR. DROZD: Yes, please.

1 PRESIDENT MARTONI: We have a motion and a
 2 second.
 3 MR. CAMBEST: First of all, we need to vote for
 4 the majority that's going to pull that out of committee.
 5 PRESIDENT MARTONI: That's what we're voting on.
 6 Call roll.
 7 MR. CATANESE: Mr. Burn?
 8 MR. BURN: No.
 9 MR. CATANESE: Ms. Danko?
 10 MS. DANKO: No.
 11 MR. CATANESE: Mr. DeFazio?
 12 MR. DEFAZIO: No.
 13 MR. CATANESE: Mr. Drozd?
 14 MR. DROZD: Aye.
 15 MR. CATANESE: Mr. Ellenbogen?
 16 MR. ELLENBOGEN: No.
 17 MR. CATANESE: Mr. Finnerty?
 18 MR. FINNERTY: (No response).
 19 MR. CATANESE: Mr. Futules?
 20 MR. FUTULES: (No response).
 21 MR. CATANESE: Ms. Green Hawkins?
 22 MS. GREEN HAWKINS: No.
 23 MR. CATANESE: Ms. Heidelbaugh?
 24 MS. HEIDELBAUGH: (No response).
 25 MR. CATANESE: Mr. Macey?
 26 MR. MACEY: (No response).
 27 MR. CATANESE: Ms. Means?
 28 MS. MEANS: No.
 29 MR. CATANESE: Mr. Palmiere?
 30 MR. PALMIERE: No.
 31 MR. CATANESE: Ms. Rea?
 32 MS. REA: No.
 33 MR. CATANESE: Mr. Robinson?
 34 MR. ROBINSON: Aye.
 35 MR. CATANESE: Mr. Martoni, President?
 36 PRESIDENT MARTONI: No.
 37 MR. CATANESE: Yes, two, nos, nine, bill fails.
 38 PRESIDENT MARTONI: Go ahead, get the next one.
 39 MR. DROZD: I make a motion to pull out of
 40 committee 7763-13.
 41 MR. ROBINSON: Second.
 42 PRESIDENT MARTONI: Moved and seconded.
 43 Question? How about reading the ---
 44 MR. DROZD: 7763-13.

1 MR. DROZD: Next one. 7739-13. This is the last
 2 one. I make a motion to pull this.
 3 MR. ROBINSON: Second.
 4 PRESIDENT MARTONI: Moved and seconded.
 5 MR. CATANESE: 7739-13, Expressing the Sense of
 6 Council of Allegheny County calling for Congress to repeal
 7 the Affordable Care Act (Public Law 111-148) to be deleted
 8 from the U.S. Code and to render the provisions under it
 9 as no longer having the force of law. Sponsored by
 10 Councilman Drozd.
 11 MR. DROZD: This one I believe we discussed was
 12 over 90 days --- no?
 13 MR. CAMBEST: The number of days doesn't matter,
 14 just whether we get the bill ---
 15 MR. DROZD: All right. Let's go.
 16 MR. CATANESE: Mr. Burn?
 17 MR. BURN: No.
 18 MR. CATANESE: Ms. Danko?
 19 MS. DANKO: No.
 20 MR. CATANESE: Mr. DeFazio?
 21 MR. DEFAZIO: No.
 22 MR. CATANESE: Mr. Drozd?
 23 MR. DROZD: Aye.
 24 MR. CATANESE: Mr. Ellenbogen?
 25 MR. ELLENBOGEN: (No response).
 26 MR. CATANESE: Mr. Finnerty?
 27 MR. FINNERTY: (No response).
 28 MR. CATANESE: Mr. Futules?
 29 MR. FUTULES: (No response).
 30 MR. CATANESE: Ms. Green Hawkins?
 31 MS. GREEN HAWKINS: No.
 32 MR. CATANESE: Ms. Heidelbaugh?
 33 MS. HEIDELBAUGH: (No response).
 34 MR. CATANESE: Mr. Macey?
 35 MR. MACEY: (No response).
 36 MR. CATANESE: Ms. Means?
 37 MS. MEANS: No.
 38 MR. CATANESE: Mr. Palmiere?
 39 MR. PALMIERE: No.
 40 MR. CATANESE: Ms. Rea?
 41 MS. REA: No.
 42 MR. CATANESE: Mr. Robinson?
 43 MR. ROBINSON: Aye.
 44 MR. CATANESE: Mr. Martoni, President?
 45 PRESIDENT MARTONI: No.

1 MR. CATANESE: Motion of the Council of Allegheny
 2 County respectfully requesting that Council consider
 3 naming an alternative organization to be designated as a
 4 Tourist Promotion Agency for Allegheny County pursuant to
 5 the Tourist Promotion Act of 2008, for the purpose of
 6 carrying out promotional programs and projects designed to
 7 stimulate tourism for the region. Sponsored by Councilman
 8 Drozd.
 9 MR. DROZD: I make that motion.
 10 MR. ELLENBOGEN: Second.
 11 PRESIDENT MARTONI: Moved and seconded.
 12 MR. DROZD: You're not going to make a
 13 discussion on this one? No? Okay.
 14 PRESIDENT MARTONI: Roll call.
 15 MR. CATANESE: Mr. Burn?
 16 MR. BURN: No.
 17 MR. CATANESE: Ms. Danko?
 18 MS. DANKO: No.
 19 MR. CATANESE: Mr. DeFazio?
 20 MR. DEFAZIO: No.
 21 MR. CATANESE: Mr. Drozd?
 22 MR. DROZD: Aye.
 23 MR. CATANESE: Mr. Ellenbogen?
 24 MR. ELLENBOGEN: Aye.
 25 MR. CATANESE: Mr. Finnerty?
 26 MR. FINNERTY: (No response).
 27 MR. CATANESE: Mr. Futules?
 28 MR. FUTULES: (No response).
 29 MR. CATANESE: Ms. Green Hawkins?
 30 MS. GREEN HAWKINS: No.
 31 MR. CATANESE: Ms. Heidelbaugh?
 32 MS. HEIDELBAUGH: (No response).
 33 MR. CATANESE: Mr. Macey?
 34 MR. MACEY: (No response).
 35 MR. CATANESE: Ms. Means?
 36 MS. MEANS: No.
 37 MR. CATANESE: Mr. Palmiere?
 38 MR. PALMIERE: No.
 39 MR. CATANESE: Ms. Rea?
 40 MS. REA: No.
 41 MR. CATANESE: Mr. Robinson?
 42 MR. ROBINSON: Aye.
 43 MR. CATANESE: Mr. Martoni, President?
 44 PRESIDENT MARTONI: No.
 45 MR. CATANESE: Ayes, three, nos, eight, bill fails.

1 MR. CATANESE: Ayes, two, nos, eight, bill
 2 fails.
 3 MR. DROZD: I will forego the other 14 in
 4 deference to ---
 5 PRESIDENT MARTONI: Thank you. Public comment
 6 on general items. Claire Westbrook. I know we've been a
 7 long time so some people left. Claire Westbrook? Pia
 8 Colucci? George Jucha? George? George, if I
 9 mispronounced it, please correct me: okay?
 10 MR. JUCHA: Sure. Good evening. My name is
 11 George, last name is Jucha, J-U-C-H-A, Jr., 203 Essex
 12 Knoll Drive, Moon Township, Pennsylvania. I appreciate
 13 the opportunity to be here this evening to speak to you in
 14 person, face to face. I taught for 12 years at the
 15 University of Pittsburgh part time. I had a recycling
 16 business for 10 years. And I can honestly tell you that I
 17 never wanted to care about natural gas development until I
 18 had the opportunity to objectively educate myself to the
 19 importance.
 20 In 2006, in one of my venture trips across the
 21 country, I saw my first land farm across from a trailer
 22 park in New Mexico. It was disgusting. I've seen
 23 thousands of sites personally, well pads, some industrial
 24 activity that is plagued with problems. I understand the
 25 economics. Prior to my current career, I was a senior
 26 financial person in development of apartments (phonetic)
 27 for 13 years. It blows my mind. I'm astounded, having
 28 watched the public comments, that we are still talking
 29 about the possibility of drilling in our parks. I'm going
 30 to ask each of you, how do you define the word park?
 31 Really. Do you think you're going to hike or bike or take
 32 your significant other for a picnic around any of these
 33 sites? You have a lot of objective information
 34 identifying the problems. I'm not against natural gas
 35 development. What I am against is using parks for it.
 36 I'm sure you've got plenty of other land to generate the
 37 revenues we need. It needs to be done right. It's not
 38 being done right.
 39 If you take a look at your operating philosophy
 40 and the mission statement of the parks and Section 27 of
 41 our Pennsylvania State Constitution, clean air, clean
 42 water, personally I find it offensive and unconstitutional
 43 that this industry is exempt from clean air and clean
 44 water. A moratorium is not enough. And excusing yourself
 45 from voting is unacceptable. I think it's a copout. It

1 should not be in our parks. I'd like you to consider a
 2 couple things. After talking with experts on energy --- I
 3 have talked to people. I've been involved in conferences.
 4 Marcellus Gas.org. Do you want some information, \$20
 5 annual membership. I'm going to give you a couple reports
 6 that I've generated to give a little bit of insight.
 7 Areas that have been coal mined are at minimum
 8 twice the risk for potential problems. You better talk to
 9 your insurance companies. The people are going to explain
 10 to you the legal fees and so forth that you can --- take a
 11 journey tomorrow to the lake. I understand two local
 12 banks are not providing mortgages on properties that have
 13 gas wells. That's a problem. Look at Bent, Colorado
 14 area, 20,000 gas wells that were flooded. It's on the
 15 news. It's a problem. In addition to that, I have some
 16 reports that I'm going to give you that high lights 228
 17 enforcement events totaling \$4.8 million of fines that
 18 this industry has --- much of this is groundwater
 19 contamination and air pollution. And this isn't new.
 20 It's across the country. I know you guys were given the -
 21 --- pay attention to it, please. I care about our parks.
 22 I appreciate your time.

23 PRESIDENT MARTONI: Thank you very much. Jim
 24 Barr?

25 MR. BARR: Good evening. My name is Jim Barr. I
 26 reside at 200 Frankfort Avenue, in the incorporated
 27 borough of West View. I am making a public notice tonight
 28 of all the information on --- the public notice is
 29 concerning the constitution of the common law grand jury.
 30 Natural law with God's graces. That's --- but all this
 31 information can be found on
 32 www.nationallibertyalliance.org. And I can currently
 33 introduce the people of the country --- the people's
 34 common-law grand jury. We the people of the United States
 35 of America, do pledge to the governor of the universe in
 36 our capacity as jurors, both grand and trial, to uphold
 37 the U.S. Constitution, to carry out the principles of
 38 natural law in all of our judgments in order to establish
 39 justice, ensure domestic tranquility, secure the blessings
 40 of liberty to ourselves and our posterity by deliberating
 41 under natural law principles under justice, honor and
 42 mercy for perpetual administration of trust on behalf of
 43 the people, acknowledging the foundation upon which all
 44 law weighs charity. Inasmuch as for the sake of God for
 45 the bettering of our sovereignty, if any of our civil

1 of regulations, et cetera, for the joint effort because of
 2 the potential to make so much money to help to reduce
 3 taxation perhaps. Who's in charge now? Who's carrying
 4 the ball, Doctor? That's what I want to know.
 5 PRESIDENT MARTONI: The people, the citizens,
 6 carry the ball.
 7 MR. LUDWIG: Well, no, that's not good enough.
 8 It's not going to get written that way. We have to have
 9 it in some committee; don't we? So now, let's turn to
 10 the second subject. I'm a technologist by education. And
 11 I'm sorry that it's the second time --- the last time it
 12 was one water, if you recall, one water. We only have one
 13 water. We don't have Japanese water or American water, we
 14 have one water for everyone in the world. And when we
 15 poison it, we poison potentially everyone, possibly even
 16 to destroy all of us. --- Reporter, 2005, what is in the
 17 fracking fluid? Lists of chemicals that are so dangerous
 18 to the public health. We're running ahead, hurry up,
 19 quick, let's make some money.

20 And we're forgetting who's going to take the
 21 blame if we make the mistake and the poison gets into the
 22 water? What are you going to say then, Council members?
 23 Oh, the water truck spilled over, nobody ever expected
 24 that, we didn't figure for that, there was no insurance
 25 for that. And how many will die? The Japanese are
 26 getting close to it with the atomic poisons that are
 27 running toward the ocean. You're in a hurry. A promise
 28 to solve all problems. President Obama, EPA approved.
 29 It's a chess piece for stock in a company. Do we have
 30 proof that any of it is real and exists? No. We have to
 31 take the time to find out. And I turned to you, Barbara,
 32 earlier this evening and I said, 18 months, not three
 33 years. We have to do something to permit ourselves to
 34 educate ourselves.

35 We can't just do what --- says and pull up an
 36 uneducated mass of people, and I'm admiring your diligence
 37 to do so, to make the calls. But if they don't know what
 38 they're faced with, what's the use of a call, what's the
 39 use of the information you developed? I hope that someone
 40 will introduce a measure, Doctor, that says that we are
 41 going to wait until we find out why the buildings are
 42 collapsing in other parts of the country so that we don't
 43 invest in the parks and then see what, see the buildings
 44 collapsed. Because there now is an idea afloat that
 45 that's what's happening in a major portion of the United

1 servants shall have transgressed against any of the people
 2 in any respect and they shall ask for us to cause that
 3 error to be amended --- ask us to cause that error to be,
 4 amended without delay or shall have broke itself one of
 5 the articles of peace or security and their transgression
 6 shall have been shown to four jurors of the aforementioned
 7 25.

8 And if those four jurors are unable to settle
 9 the transgression, they shall come to the 25 showing to
 10 the grand jury the error which shall be enforced by the
 11 law of the land. It is the duty of the grand jury if
 12 anyone's unalienable rights have been violated or removed
 13 without a legal sense from their lands, home, liberty or
 14 lawful right, we the 25 shall straight away restore him.
 15 And if a dispute shall rise concerning this matter, it
 16 shall be settled according to the judgment of the 25 grand
 17 jurors, the securities and the peace. And a legal mass of
 18 every right when withheld must have a reading and every
 19 injury is proper redress. There is a common law principle
 20 which states that there can be no crime --- for there to
 21 be a crime there must be a victim, corpus delicti. In the
 22 absence of a victim there can be no crime. The state
 23 cannot be the victim. Statutes are not law. Servants and
 24 dictators cannot write the statutes to control the
 25 behavior of the masses.

26 I'll leave you with a holy scripture. In the
 27 Book of Josiah, Chapter four, verse six, my people are
 28 destroyed for lack of knowledge. Thank you.

29 PRESIDENT MARTONI: Thank you, Mr. Barr. Lester
 30 Ludwig. Lester?

31 MR. LUDWIG: Has that brochure that we had
 32 discussed been distributed to ---

33 PRESIDENT MARTONI: It's in everybody's mailbox.

34 MR. LUDWIG: It's in everybody's mailbox. Fine.

35 Thank you so much. My name is Les Ludwig. I live at 6589
 36 Rosemoor Street in Squirrel Hill. I came here many, many,
 37 many months ago to seek a level of cooperation between
 38 this Council and the City of Pittsburgh in regards to
 39 raising non-tax revenue, non-tax revenue by joint action
 40 under the law that I fathered which is called the
 41 Pittsburgh management budget revenue opportunities. It
 42 was --- I brought the Chair to Doctor Martoni, the head
 43 Pittsburgh Chair. I attended a meeting with the head of
 44 the budget committee who's left the chamber. And now we
 45 have a new situation. And I was promised the preparation

1 States where the fracking has already occurred. Wake up.
 2 I'm calling --- I'm begging you. I sat here through all
 3 the discussion this evening. Wake up. Don't be in such a
 4 big hurry.

5 PRESIDENT MARTONI: Thank you. Mel Packer?

6 MR. PACKER: You'll be relieved to know that I
 7 have no one to censure here tonight. The word is censure,
 8 not censor, by the way, which is used frequently.

9 Over the past couple of months --- let me get my
 10 costume on here in the holiday season. Over the past
 11 couple of months, we supporter to protect our parks have
 12 been feeding you a lot of information about the risks and
 13 hazards of fracking under and around our parks. It's been
 14 a lot to digest. And we're not the only ones speaking.
 15 Allegheny County Executive, Rich Fitzgerald, who
 16 apparently thinks the E in A-C-E now stands for effort
 17 instead of executive, has also been feeding you his
 18 opinions as we hear tonight. In fact, apparent recent
 19 news stories about his behavior in New York City at
 20 taxpayer budgeted promotional events, the only person you
 21 won't see is Chelsea Wagner, another elected and invited
 22 county official that he probably ejected from the event.

23 But anyway, back to the topic, tonight we, the
 24 Protect Our Parks Coalition, in the holiday spirit, have
 25 decided we will not engorge you with more data and
 26 information, no more opinions to swallow, but instead just
 27 leave you one more piece to make life easier to digest and
 28 enjoy with our best wishes for the holiday season. We
 29 extend our appreciation for the time you spent and will
 30 continue to spend hearing our testimonies it the future.
 31 And we offer our sincere hope and faith that upon
 32 swallowing our latest presentation, you will find it in
 33 your hearts and souls and minds a new willingness and
 34 desire to save our parks from the fracking industry and
 35 its toxic practices. And that you also resolve in the new
 36 year a renewed commitment to observe not only our parks,
 37 but our children's futures as they come into the world
 38 unlike any we've ever seen before due to climate change.

39 And now, the envelope please, as we present to
 40 all the members of Allegheny Council, those few of you
 41 still here, whether friend or foe, our latest presentation
 42 to chew on at your holiday party following the meeting.
 43 (Picture taken.)

44 MR. PACKER: Have a great holiday and thank you
 45 for everything.

1 PRESIDENT MARTONI: Emily Schmidlapp. Emily,
 2 are you here? Please, Emily.
 3 MS. SCHMIDLAPP: My name is Emily Schmidlapp. I
 4 live at 412 South Winebiddle Street in Bloomfield. But
 5 I'm a native Pittsburgher from the North Side. This is my
 6 first time speaking to the County Council. I'm here to
 7 speak out against fracking in county parks. You've
 8 already heard from plenty of folks who have lots of facts
 9 and figures about the perils of fracking. So I'd just
 10 like to briefly tell you my personal experience. As I
 11 said, I'm a native Pittsburgher, but I never planned to
 12 end up living here. I went away to college with no
 13 intention of returning. But Pittsburgh was changing and I
 14 felt myself drawn back. And I've been back five years
 15 now. I work in a local nonprofit where I coordinate a
 16 program that lets people use food stamps to shop at city
 17 farmers' markets. So I get to interact with local farmers
 18 on a daily basis, as well as customers who come into the
 19 markets because they want the freshest produce, produce
 20 they can trust as safe, and most important, our region's
 21 farmers, a lot of whom farm in Allegheny County.
 22 Many of my friends are farmers working in
 23 agriculture or other sustainability fields. And many of
 24 them moved here to do that work. Our region is earning a
 25 reputation of young, progressive, talented people and an
 26 ideal place to live and work. And we'd be wise to work to
 27 maintain that reputation. I'm heavily involved in a local
 28 food stand. We both work with farmers' markets to serve
 29 on the Pittsburgh Food Policy Council. And I can tell you
 30 that it's really an exciting time to be doing that work in
 31 the region, from the increasing access to local produce
 32 and farmers' markets to mobile markets and revamped school
 33 buses that are going to take produce into neighborhoods
 34 that lack it. Things are changing rapidly and for the
 35 better. And young people are really energized and getting
 36 involved. So fracking in county parks is no doubt the
 37 worst --- in Allegheny County. Right now I can take pride
 38 in my city and on my weekends, protecting our food and
 39 water --- our food, water and air.
 40 The short-term benefits are not worth the risk
 41 of wiping out our local food scene because we've destroyed
 42 that food ---. I eventually would like to be a farmer
 43 myself, but if fracking comes to my county, I will
 44 reluctantly not be farming here. And I'm not alone. And
 45 I see a way --- the short-term economic benefits of

1 be up all night doing progress notes of those children
 2 that I saw today.
 3 And I'm telling you, the children I see, even
 4 with behavior problems, wrap circles around some of the
 5 behaviors that I have witnessed here tonight. It is
 6 unfortunate and I'm sorry. But everybody looks at good
 7 government in a different way. I believe that we're
 8 better than that, and I believe that your constituents who
 9 voted for you and still believe in you deserve better. I
 10 ask that you consider when that time comes for the
 11 infrastructure at the August Wilson Center, that there is
 12 some way that you can provide support. I'm asking that
 13 you do it and do it because it's the right thing to do. I
 14 thank you for your comments and I thank you for all those
 15 who stayed here until the end. I see a lot of people who
 16 are my friends and I thank you.
 17 PRESIDENT MARTONI: Thank you. Motion to
 18 adjourn?
 19 (Chorus of motions).
 20 (Chorus of seconds).

MEETING CONCLUDED AT 8:50 P.M.

1 fracking against the long-term effects of turning your
 2 backs significantly on this region's economy, development
 3 and vibrancy. If fracking comes in starting with the
 4 parks and expanding from there, you will surely lose much
 5 of the young, vibrant energy that's been crucial in
 6 remaking our region as an appealing progressive green
 7 place to live. And we'll take that energy elsewhere where
 8 fracking isn't destroying the long-term health of what
 9 we've come to value. Thanks.
 10 PRESIDENT MARTONI: B.J. Samson B.J. is our
 11 last speaker tonight.
 12 MS. SAMSON: My name is B.J. Samson. And I live
 13 at 5516 Ridgeview Place, Pittsburgh, PA, 15206. That's
 14 the 11th Ward, 4th District where I'm also a
 15 committeewoman. I stand before you because tonight has
 16 been extremely interesting. As I stand here, I also offer
 17 --- I started work with Allegheny County in 1974. I
 18 retired from Allegheny County to take care of my father in
 19 2004. This has been a tremendous education to me tonight.
 20 Many of you --- it should be easy for me to stand here
 21 because many of you I know personally and you're my dear
 22 friends. It was a little bit more crowded here tonight
 23 with dear friends, but they have left. I take the
 24 government very, very seriously. And what we have
 25 witnessed here are all sorts of bad government practices
 26 and behaviors. And for that I am so sorry because so many
 27 people --- to vote for the persons who are sitting here
 28 and representing you. I'm religious and I'm a Christian,
 29 and one of the religious leaders talks about one person
 30 standing in the gap.
 31 My reason for coming here tonight is because I
 32 am one person. I'm standing in the gap for August Wilson
 33 Center for African-American culture. Why? Because I
 34 believe that there could have been a compromise in terms
 35 of helping one of the very few African-American
 36 institutions that we still have here, ladies and
 37 gentlemen. Yes, you can go to all the black events ---
 38 events that you're talking about, but when you have a rare
 39 opportunity, whether it's presented here tonight or
 40 another opportunity, please take it. You know, it is
 41 important. It is important for our children. I made a
 42 tremendous sacrifice to stay here tonight. I am a
 43 behavior therapist. I provide therapy for children with
 44 behavioral problems at Arsenal Elementary School. And
 45 I'll be there at nine o'clock tomorrow morning. But I'll

1 CERTIFICATE
 2
 3 I hereby certify, as the stenographic
 4 reporter, that the foregoing proceedings were taken
 5 stenographically by me, and thereafter reduced to
 6 typewriting by me or under my direction; and that
 7 this transcript is a true and accurate record to
 8 the best of my ability.
 9



Sarah Wort



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