

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Richard Fitzgerald	-	President District 11
Charles J. Martoni	-	Vice President District 8
John P. DeFazio	-	Council-At-Large
Chuck McCullough	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2 (via telephone)
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Vince Gastgeb	-	District 5
John Palmiere	-	District 6
Nick Futules	-	District 7
Robert Macey	-	District 9
William Russell Robinson	-	District 10
Jim Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

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

Tuesday, February 15, 2011 - 5:00 p.m.

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

IN ATTENDANCE:

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

PRESIDENT FITZGERALD: I'm going to call the meeting to order. If everybody would please rise. I'm going to ask Kendall Allen --- Kendall, if you would come forward. Kendall's going to lead us in the Pledge of Allegiance. First of all, welcome, everybody, to the Tuesday, February 15th, 2011 full meeting of the Allegheny County Council. Kendall Allen's going to lead us in the Pledge of Allegiance, and if you would please remain standing for a moment of silent prayer or reflection. Kendall?

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Here.

MR. CATANESE: Ms. Green Hawkins?

(No response.)

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Mr. McCullough?

(No response.)

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here (via telephone.)

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Here.

MR. CATANESE: Thirteen (13) members present.

PRESIDENT FITZGERALD: Proclamations/
certificates. 6202-11.

MR. CATANESE: Proclamation honoring the Pittsburgh Chapter of the American Heart Association for its efforts to raise awareness in our region of heart disease, and naming February as American Heart Association Month in Allegheny County. Sponsored by Council Members Futules, Rea, Robinson, Green Hawkins, Gastgeb, Fitzgerald, Drozd, Macey, Martoni, DeFazio.

PRESIDENT FITZGERALD: Okay. Please add Councilman Palmiere on that as well, and add Councilman Finnerty, Councilman Ellenbogen. Councilman Futules?

MR. FUTULES: Good evening. I'm happy to have Jill Sandilla and Sherri Stitt here this evening for the American Heart Association. They had asked me to be the representatives tonight for the simple reason that back in October --- here's the key word --- I almost had a heart attack. I was chasing Bob Macey up the steps so he could play the Daily Number, and I didn't make it. Basically, I had a chest pain here and one of our former councilwomen, who's a nurse --- and I told her that I was having chest pain. And she immediately said, Nick, you've got to see a doctor. And I said, well, I'll do it after the meeting. Then it was Jennifer Liptak and Joe Catanese and Jan Rea who insisted that I go to the hospital.

So that night, I did. And thank God I did, because the next day, waiting to have a catheterization, I started to have a heart attack. I was 99 percent blocked in my right aorta. And the doctor says, that's due to your good living. He said, you ate too much red meat, steaks, obviously, and too many fried foods and trans fats your entire life. And I thought I was Superman. And to tell you the truth, when you have a heart attack, you don't realize the pain. You think you've got time. The truth of the matter is, I didn't. I was just one day away. And there's many people that have their first heart attack that don't get to stand up here and talk about one. I'm certainly one of the lucky enough that came one day away. And it's an emotional experience for sure, because you realize just how short life can be all of a sudden, just over a one-day experience for sure. And I will thank my Council members here and staff members for making me aware of the fact that they just wouldn't allow me to actually come to this meeting. And thanks to them, I'm still here for sure. So I'd like to have John Palmiere

come up. He's going to say a few words and read the proclamation as well.

MR. PALMIERE: Good evening, everyone. I, too, had an experience. And I commend the Heart Association and everything they stand for and what they do. I have a nephew that passed away a couple years ago that went through quite an ordeal. And unfortunately, he didn't make it long enough to get his transplant. But the people and the organization were just wonderful to my family and all of us, and I publicly want to thank you for everything you did for my nephew and our family. I'll read this proclamation now, if I may.

Whereas, local organizations focus their efforts on improving health and lifestyles of citizens in Allegheny County.

And whereas, the Pittsburgh Chapter of the American Heart Association is committed to fighting heart disease and stroke throughout western Pennsylvania.

And whereas, through programs and events such as Start! Heart Walks and Go Red and women's luncheons, the association is empowering citizens to lead healthier lives and enjoy peace of mind while preventing heart disease and stroke. The disease is the highest --- the third highest death toll in the United States.

And whereas, the American Heart Association advocates for smoke-free workplaces, for walkable and bikeable streets, roads and parks, for improving emergency care, and for raising funds for the research to find pharmaceuticals and treatments for heart diseases.

And whereas, through the association's efforts, millions of lives have been saved.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, commends the Pittsburgh Chapter of the American Heart Association for raising awareness of heart disease and stroke and for advocating for healthier lifestyles in the workplace. For their efforts, this Council names February 2011 as American Heart Association Month in Allegheny County.

MR. FUTULES: At this time, I'd like to have Jill and Sherri come up and say a few words.

MS. SANDILLA: Very briefly. County Council, I just want to say thank you on behalf of the Board of Directors of the Pittsburgh Chapter of the American Heart Association, most especially the staff of the American

Heart Association, Pittsburgh for recognizing the work that we've all put into it, most especially the staff. So thank you very much. It's much appreciated.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 6203-11.

MR. CATANESE: Proclamation honoring Staff Sergeant Michael Flournoy for his service to improving the lives of disabled veterans. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Councilman Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. Sergeant Flournoy is joining me with some of his comrades. I'll let him introduce them at the appropriate time. I'm glad that we have a full house today because I'm sure there's many people in this audience who are veterans of American conflict or someone in your family has been a veteran. Usually we have special occasions where we honor our veterans, but today is most fitting to honor Sergeant Michael Flournoy. Many of his exploits commissioned on behalf of people of this country were made in secrecy. Therefore, he is not privileged to share those with you. But thank God he's here and he is alive and he's helping other veterans. And I think that's reason enough to single him out on this day so he might share with you his appreciation for the honor of serving and continuing to serve and that you might show him your generous appreciation for that service.

Whereas, those who serve our country endure hardships and sacrifices so American citizens may enjoy freedom and security.

And whereas, Staff Sergeant Michael Flournoy, a Vietnam veteran, has worked for many years as a readjustment counselor for the U.S. Department of Veterans Affairs.

Whereas, Staff Sergeant Flournoy has assisted thousands of veterans with reintegrating themselves back into society after they experience the psychological and physical difficulties of war.

And whereas, Staff Sergeant Flournoy has also exposed to the citizens of our country the history of service of African-American soldiers, granting these soldiers the respect, admiration and attention they deserve.

And whereas, Staff Sergeant Flournoy's efforts have bettered our military and have improved the lives of veterans.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, commend Staff Sergeant Michael Flournoy for his dedicated service to improving the lives of the veterans of our country and for spreading knowledge of the history of African-Americans serving in our country's military. We thank you, Sergeant.

(Applause.)

SERGEANT FLOURNOY: First of all, I'd like to thank Council and Mr. Robinson for this honor. I'm sort of like not used to being recognized in the daytime for the work that I do and the work that I have done as part of the military. But a little bit appreciative of that, that I'm finally being able to stand up in the light and talk about some of the things that have happened.

I'm representing two groups here today. One thing, I'm representing all the veterans in Allegheny County that have served, and I mean all the men and women in uniform that have truly made some sacrifices. Some of us talk about the war, some of us read about it, but these people have lived the war. Take the time in your busy life to talk to a veteran and see if you can begin to understand and appreciate the work that these men and women do so we can all enjoy the types of freedom that we enjoy.

I have with me also a couple young men who are members of an organization that organized in western Pennsylvania, called Western Pennsylvania Association of African-American Veterans. They organized about 12 years ago because most of the popular media in America seemed to have forgotten that African-Americans have fought in every war since Bunker Hill. So we decided one day that if our story is going to be told, we're going to have to tell it because we are aware that the hunt would be a different story if the rabbit had a gun.

So we are now telling our story. We have on exhibit a museum exhibit that has been traveling from the Pittsburgh History Center for the last four years, representing Pittsburgh and western Pennsylvania, but also highlighting the activity and contribution of African-American veterans. The exhibit is currently in Cleveland. It was supposed to tour for one year, and it's been on

tour almost five years. And hopefully it will become a permanent exhibit in the Smithsonian when it returns back to Pittsburgh some time late next year.

The other thing I'd like to say is that I served time in Vietnam. And one of the things I talk about are the men and women that I worked with there. When I was in Vietnam, I did a lot of stupid things, but they were right because I'm here and I'm alive. And I have faith in that knowledge that I have gained. And I have taken that pain that I have experienced and I've spent the last 35 years as a readjustment counselor/therapist with the VA, trying to do everything the team at the VA has been trying to do, to put these men and women and their families together again. Once again, I want to thank you. And in recognizing me, you have truly began to recognize that all our warriors are important. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 6204-11.

MR. CATANESE: Proclamation honoring the 40th anniversary of the University of Pittsburgh Jazz Seminar and Concert, and commending the university officials for their continued support of the program. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Councilman Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. If Council will remember, a couple months ago we did honor the University of Pittsburgh Jazz Seminar and Concert and Dr. Nathan Davis. I'm honored today to give you an opportunity to hear from a new provost at the University of Pittsburgh, Dr. Patricia Beeson. Dr. Beeson is the top academic officer at the university responsible for all the academic programs. And as I mentioned once before, the jazz program at the University of Pittsburgh is rooted in academics. To a large extent, it's rooted in mathematics. So those of you here who know anything about music know that music is rooted in mathematics and physics, not in rhythm. It's academic. And Dr. Beeson has been very supportive of this effort, following the footsteps of her predecessors.

The university is world renowned for its jazz program and for the students that it has produced too numerous to mention. But many students have traveled through this program, earned their Ph.D. or Master's Degree, and are out in the work world, some more famous

than others, but all well educated at the University of Pittsburgh. I'd like Dr. Beeson to come forward if she will. I'm going to read this proclamation and then ask Dr. Beeson to tell us a little bit about some of the academic efforts at the University of Pittsburgh and specifically the jazz program at the University of Pittsburgh.

Whereas, jazz music and the genre's great musicians are undeniably woven into the fabric of Pittsburgh's cultural history and into the education institutions of our region.

Whereas, Dr. Nathan Davis of the University of Pittsburgh's jazz study program culminated in 1971 the first academic jazz seminar in the country. It featured international artists and aspiring students lecturing and performing together.

Whereas, throughout the seminar's history, some of the greatest names in American jazz have partaken in the event, including Grover Washington, Jr., Sonny Stitt, Art Blakey, Dizzy Gillespie and Billy Taylor.

Whereas, in 2010, Pitt's Jazz Seminar celebrated 40 years of bringing history and innovation together.

Whereas, the University of Pittsburgh and its leaders, provosts of various specialties and trustees have supported this event and allowed musicians from around the world to descend upon Pittsburgh in celebrating one of the great avenues of modern music.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby commends the University of Pittsburgh, its jazz studies program and the university's leadership for continuously enabling the Jazz Seminar and Concert. For 40 years, these entities have connected influencing musicians which budding talents to forge new partnerships and give jazz an opportunity to continue to flourish in our region. Thank you, Doc.

(Applause.)

DR. BEESON: Thank you, Bill. There's not much left I can say about the program, having heard that proclamation. But it is an honor to be here today to accept this award on behalf of the university, and in particular, on behalf of Nathan Davis and the members of the Pittsburgh Jazz Seminar. As Bill mentioned, it was the first of its kind in the country and it's still the leading academic jazz seminar in the world. It's brought

hundreds of fabulous musicians to the university as we're now offering a Ph.D., as you noted, in the topic, one of the first in the country. It's really a privilege for the university to be able to offer this program and an honor for me to be here to accept this from the Council. Thank you.

(Applause.)

PRESIDENT FITZGERALD: Okay. Next is 6205-11. Before we do --- I don't see Jim Lamb here tonight. That's not to say he might not be among this crowd. Is Jim here? Okay. We'll hold this for now. Let's move on to 6206-11.

MR. CATANESE: Let the record show that Councilman McCullough is present.

Proclamations honoring Chief Bob Jeke, Firefighter Richie Nye from the Peebles District Volunteer Fire Company and Firefighter Bob Fall from the Ingomar Volunteer Fire Department for receiving distinctions as Firefighters of the Year from their respective departments. Sponsored by Councilwoman Rea.

PRESIDENT FITZGERALD: Okay. Councilwoman Rea could not be here this evening. She had asked me to present these proclamations. And I'm glad to have Chief Jeke, Firefighter Bob Fall and Firefighter Richie Nye of the Peebles Company for receiving the Firefighters of the Year. Too often we take our public safety officials and safety workers for granted. And these fellows are on the front line of protecting the lives of our loved ones, our family members and our friends. And we certainly want to honor them for being named Firefighters of the Year out of Ingomar, out of McCandless and Peebles Volunteer Fire Company. I want to read one of them into the record, and then I'm going to have the other ones come up and talk, again, on behalf of my colleague, Councilwoman Rea.

Whereas, throughout the history of our storied county, great citizens have answered the challenging call of duty by placing their lives at risk to secure the safety and protection of their neighbors.

And whereas, Firefighter Bob Fall of the Ingomar Volunteer Fire Company and Chief Bob Jeke of the Peebles Volunteer Fire Company recently joined the 2010 McCandless Firefighter of the Year Award, and Firefighter Richie Nye of the Peebles VFC received the distinction as the 2010 Peebles Volunteer Fire Company Firefighter of the Year Award.

And whereas for ten years, Mr. Fall has been an active member of the Ingomar VFC, responding to over 40 percent of the company's emergency calls, serving as president, as a line officer and as a company representative for the Town of McCandless and continually seeking grants to improve the fire company.

And whereas, Mr. Jeke started his firefighting career in 1980 and has been a member of the Peebles District VFC for over 16 years. He has been the chief of the company for over 10 years, responding to over 200 emergency calls a year. His leadership and involvement with the company are irreplaceable.

And whereas, Mr. Richie Nye began volunteering with the Peebles VFC when he was 16 years old and became an active member in 2010 when he turned 18. He has passed the fundamentals of firefighting at the Allegheny County Fire Academy and is pursuing a career as an emergency response technician. Mr. Nye is displaying at a young age his commitment to serving our community.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby commends Chief Bob Jeke, Firefighters Bob Fall and Richie Nye for their display of excellence and dedication to serving our communities. These volunteers place themselves at risk to serve our citizens, and for that we are grateful. Sponsored by Councilwoman Jan Rea and all members of Council this 15th day of February, 2011. Gentlemen, all three of you, congratulations.

(Applause.)

PRESIDENT FITZGERALD: And I'm going to ask Chief Bob Jeke to speak first.

CHIEF JEKE: County Council, thank you. Councilwoman Rea, who's on the phone, thank you very much. That's about all I have to say.

(Applause.)

PRESIDENT FITZGERALD: Mr. Fall?

MR. FALL: Members of Council, thank you very much for this honor and the recognition. Councilwoman Rea, thank you as well. I look forward to seeing you. Thank you.

(Applause.)

PRESIDENT FITZGERALD: And lastly now, Mr. Nye.

MR. NYE: Council, thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: Apparently, Mr. Lamb did make it through the guards. We're going to go back to 6205-11.

MR. CATANESE: Let the record show that Councilwoman Green Hawkins is present.

Proclamation honoring Jim Lamb for being named by the Irish government as honorary consul of Ireland in Pittsburgh for western Pennsylvania. Sponsored by Councilman Fitzgerald.

PRESIDENT FITZGERALD: Okay. I'm glad Mr. Lamb was able to make it in. This is quite an honor for Pittsburgh and for western Pennsylvania. All of us know about the ambassador to Ireland, Mr. Rooney, Dan Rooney, who was named the ambassador of Ireland by President Obama. And we all know that the Rooney family have been great ambassadors for this region for many, many years before they were made officially that. But we're also honored that one of our own, who's named Jim Lamb, has been named a consulate of Ireland by the Irish government. And it's quite an honor for Allegheny County and for this region, and we wanted to bring Jim in and honor him.

It's a well-deserved award. I can't think of anybody who has really worked on behalf of Ireland and the Ireland Institute, which Jim works for and has worked for for many years, to try to strengthen the relationships between our country and Ireland. And I don't just say that because my name is Fitzgerald. Anyway, I want to read this into the record and have Jim say a few words.

Whereas, the citizens of Allegheny County represent many different nationalities, and the success of our diverse population allows other countries to connect directly with our region.

And whereas, James Lamb, President of the Ireland Institute of Pittsburgh, which was founded in Pittsburgh in 1989 to promote peace in northern Ireland, has arranged trade delegations, student exchanges and university collaborations between organizations in Ireland and in Allegheny County.

And whereas, Mr. Lamb's family heritage lies in County Galway in western Ireland, and his wife, Ann, is from County Armagh in northern Ireland.

And whereas, Mr. Lamb's strong ties to Ireland have allowed him to encourage Pittsburgh businesses and organizations to bond with the country.

And whereas, because of Mr. Lamb's dedication to connect Ireland to Allegheny County, he was named as honorary consul of Ireland for Pittsburgh and western Pennsylvania by Irish Ambassador Michael Collins.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, honors James Lamb for receiving the distinction of honorary consul of Ireland for Pittsburgh and western Pennsylvania from the Irish government. Mr. Lamb's dedication to bridging a relationship between our region and Ireland is admirable, and the results he has obtained are unquestionable. Sponsored by myself and members of Council this 15th day of February, 2011. Jim, congratulations. And on behalf of western Pennsylvania, thank you very much.

(Applause.)

MR. LAMB: Well, you didn't have to bring everybody out here for me. Councilman Rich Fitzgerald mentioned my links to Ireland. I want you to know that my links are stronger here. I'm from Pittsburgh and I'm from Allegheny County and I've lived here all my life. And I'm interested in expanding opportunities for Allegheny County. My interest happens to be with Ireland. And I would call on everybody here to make their work for Allegheny County important across the world. And I'm looking forward to helping you do that with Ireland and helping you do that where you think it's important. Thanks for this great honor. And I look forward to talking to you all again soon. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 6207-11.

MR. CATANESE: Proclamation honoring Barbara Bolas of the Upper St. Clair School Board for her service to the township and to the Pennsylvania School Board Association. Sponsored by Councilman Gastgeb.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. A proclamation that preceded what I'm going to do tonight does my heart well because we're recognizing what truly is, I think, what's great for this county. You had help with the American Heart Association, of course, our service and our military. We get to use it. Volunteer firemen, heritage. And now I get to speak about something that I think is ever so important and fits within that

class of people who give the extra effort, and that's in the field of education.

I'm going to recognize Barbara Bolas from the Upper St. Clair School Board. And it will be just enough for me to recognize Barbara because of the many years of service she's put in for Upper St. Clair, but it goes much beyond that. It goes to the national level, it goes to the state level and it brings a holistic approach to education. When you talk about the Bolas family in the South Hills, you talk about Barb and her husband, Jim. They're community leaders and always looking to give the extra inch, the extra mile. Certainly, with education, it's no different.

Recently, Barbara was awarded the great honor of the Pennsylvania Association of School Boards as an officer and a member from 1998 to 2010. She had many important roles within that realm. So in addition to serving locally, she also served our students in public education on the state level. An unbelievable career. It's still going on today. And I thought it was worthy to recognize her because you look at our youth and our future. And with that, I'd like to read the proclamation, and when I'm done, ask Barb, and if her husband, Jim, want to say a few words of appreciation for her service.

Whereas, teachers and administrators in education institutions labor tirelessly to improve the systems we use to teach our children.

Whereas, Barbara Bolas of the Upper St. Clair School Board has been a member since 1986 and has actively sought to better the quality of education, including serving as president of the Pennsylvania School Board Association in 2001.

Whereas, Ms. Bolas committed her expertise to the National School Board Association of the Northeast Region, representing this organization from 2001 to 2010 and serving as treasurer from 2008 to 2009.

And whereas, for her efforts, Mrs. Bolas was recognized by the PSBA for her unrelenting service and dedication to improving the educational foundations at the state, national and local levels.

Now, therefore, be it resolved that the Allegheny County Council, on behalf of the citizens of Allegheny County, hereby recognize Barbara Bolas for her dedicated efforts in improving the educational standards at the local, state and national levels. The Council

admires Mrs. Bolas' commitment to the students, the schools of our region and of our country. And we hope others follow her example to ensure quality education and institutions for our children. Barb, congratulations on all your service.

(Applause.)

MRS. BOLAS: Thank you very much, Councilman Gastgeb and to the rest of the Council members for this proclamation. It's such an incredible honor to receive this because it represents all the school board people who serve. I'm sure you probably know the local school board people in your community.

And our education is the foundation of our democracy. It's where our children learn about civic engagement. It's where they become educated so they can become productive members of society. And for a moment, think about the first teacher that you remember and maybe about the first school board member, the school board member that handed you your high school diploma so that you could go out and further your education.

Thank you very much, Councilman Gastgeb. Thanks to all of the people in my local community. And I especially thank the people here in Allegheny County because there are a number of people in this county that helped me to go on to the state level and to the national level so that I could represent them. Thank you very much.

(Applause.)

MR. BOLAS: I'd like to thank County Council for recognizing the efforts of my wife, Barbara. And thank you for recognizing public education in Allegheny County. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 6208-11.

MR. CATANESE: Certificate of Achievement honoring Kendall Allen of the Shady Side Academy girls' golf team for winning the PIAA Western Region individual championship. Sponsored by Councilman Burn.

PRESIDENT FITZGERALD: Councilman Burn?

MR. BURN: Thank you, Mr. President and members of Council. In addition to Kendall, I don't know that the record reflects that we also have a certificate for Coach Helen Gosse. If that's not in there, I'd like for the coach to come on up as well. Kendall, if you would please

join us. Thank you both for attending. We had given some congratulatory proclamations and remarks earlier to the team generally, but I know that you couldn't make it here for that meeting, so we invited you to come back. And thank you so much for being with us this evening.

You may have heard me say this before because your team has graced these halls with prior championships. So if I'm repeating myself and I'm redundant, thank you for your indulgence. And my colleagues have heard this before, some of you in the room as well. I would suggest that for every one negative story that we see or hear or read about or watch on television, whether it's local or national, I would propose to you, ladies and gentlemen, that there are 50 positive stories about the youth of Allegheny County, the City of Pittsburgh, the state and this nation. And this is another example of that, right here and right now. Unfortunately, the media doesn't sell itself on positive stories. Negative sells ads. You see more negative than you do positive. But every chance that my colleagues and I have an opportunity to stand up here and celebrate the future of this state, of this county, of this nation with the young leaders that are coming out of our schools, we're honored to do that. And this is another one of those examples.

Kendall won the 2010 PIAA West Region Golf Championship. It's her third consecutive regional tournament victory. And Coach Gosse has coached the team again to another successful season and another championship. It's an honor to serve in this district with so much talent and so many great leaders that are emerging. And it's their talent, their parents, their upbringing, their mentoring, their tutoring and the coaching that they receive that is molding them for the future in positions of leadership and positive members of society.

And Kendall, being part of the team and winning that championship, in addition to your individual wonderful accomplishments --- I know I said this to you before. Nobody's going to ever be able to take this away from you and nobody's ever going to be able to take away that team approach and that team accomplishment that you have achieved. You'll be 99 years old on a rocking chair and they will still look at you and say, she's a champion. And thank you so much for what you do for this county and

what you do for this region. And I'd like to read the proclamations into the record at this time.

Allegheny County Council is proud to present these Certificates of Achievement to both Ms. Kendall Allen and to Coach Helen Gosse in recognition of their outstanding athletic ability and coaching, which is showcased in Kendall's winning season and her capture of the 2010 PIAA West Region Golf Championship, marking Ms. Allen's third consecutive regional tournament victory, and an acknowledgement, recognition and congratulations to Coach Helen Gosse in leading this team through an excellent season in which Kendall earned the West Region Golf Championship. Their contributions to Allegheny County's long legacy of sports champions is to be commended. On behalf of the citizens of Allegheny County, Council District 3, myself and my colleagues here today, we join with both of you and your team in celebration of these distinguished achievements. Coach, Kendall, congratulations.

(Applause.)

MS. ALLEN: First of all, I would like to thank Councilman Burn and the County Council for this recognition. It's a real honor to be up here. And I also want to thank my coach, Helen Gosse, for continuous friendship and support to the entire team and me especially. And I'd like to thank my family for all that they do for me as well. And hopefully, I'll be up here with my entire team next year.

(Applause.)

COACH GOSSE: I'd like to thank the Council for this wonderful honor. This is our third visit here, not because of my skill, but because of Kendall's ability. We have in Kendall an exceptional young athlete. Remember her name because you will see it in the newspaper, as you just did. She's a wonderful student. She's a great ambassador to this area. Thank you very much.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 6209-11.

MR. CATANESE: The remainder of the proclamations will be read into the record.

Certificate of Achievement honoring Aaron Eli Makatura of Boy Scout Troop 226 for earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

6210-11. Certificate of Achievement honoring Kevin Massaro of Boy Scout Troop 1111 for earning the rank of Eagle Scout. Sponsored by Councilman Macey.

6211-11. Certificate of Achievement honoring the 65th anniversary of Joseph and Cecelia Mols. Sponsored by Councilman Macey.

6212-11. Certificate of Achievement honoring the 60th anniversary of Bud and Angie Sievern. Sponsored by Councilman Macey.

6213-11. Certificate of Achievement honoring the 103rd birthday of Anna Baglos. Sponsored by Councilman Macey.

6214-11. Proclamation honoring the Center for Victims of Violence and Crime for creating proactive programs that impact our community and for holding its annual Peace It Together Community Initiative Reception and Peace Partner Awards Ceremony. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Okay. And we're going to move on to the speaker portion of our section --- of our agenda. And obviously, we have an awful lot of folks here tonight who are passionate about many of the issues that are on there tonight. I would ask everybody to respect the speakers, allow them to have their due and be respectful. We're going to hear all levels of opinion, whether you agree or disagree. The room right now is closed off because the room is overflowing. It's not anything that we have happen very often. So the only people that will be permitted to come in is when somebody leaves. The building guards are monitoring that. Or if it's a speaker who's on the list and is outside, they will be permitted to enter as well.

AUDIENCE MEMBER: There are people back here.

PRESIDENT FITZGERALD: Okay. Thank you. We're going to just reserve it to the speakers and the 15 of us up here. Thank you. First, we're going to have --- Pat McMahon is going to come. He's going to give a ten-minute presentation on transits and then he's going to be followed by our speakers, who will have three minutes each, starting with our Controller. Mark Patrick Flaherty will go next and then all the speakers who have signed up. Mr. McMahon, if you'd continue. Thank you.

MR. MCMAHON: Okay. Thank you. My name is Patrick McMahon. I'm the president and business agent of Amalgamated Transit Union Local 85, and I represent all

the employees of the Port Authority of Allegheny County, the transit workers. And we are the union that drives 200,000 people to work every day, safely and on time with the tools that we are given. And I'd like to also thank you, President Fitzgerald and members of Council, for this opportunity to speak here on this very important issue.

And what I am here to do today --- number one, what I want to say is I want it to be perfectly clear that the actions that we, as a union, have been taking, distributing flyers to your constituents, to the citizens of Allegheny County to educate them on the service cuts that they are about to experience on March 27th and encourage them to reach out for help to their elected officials, Council, all elected officials in the state, and that's everybody. And I have copies if anyone wants them. We do not blame anyone except for the Port Authority of Allegheny County for making this decision which we feel is unnecessary. And I'm going to show you a little bit of why.

I gave each one of you a packet. There's a lot of correspondence in it, letters to Mr. Onorato, letters to Mr. Bland, responses from Mr. Bland, letters to the Board of Directors, responses from the Port Authority of Allegheny County to elected officials. And if you take the time --- right now, obviously --- I'm going to try to go through them and spell out exactly what they are, exactly what's going on and why we feel what the Port Authority of Allegheny County right now is doing is unnecessary. They do not need to have these cuts now.

So you know, with that said, I can sit here and I can say, you know, all of you, all of the Council members have constituents that are definitely going to be feeling this crisis of losing their service, this very essential service that they use not only to get to work, but most of those people use this transportation system to do essential life-functioning chores: going to doctors, going to school, things like that. And we all know that. We all know the importance, the importance of transit in any community and the importance to the economy, what transit brings to the economy of any community.

I can say, you know, Mr. Futules, you are losing a garage, 300 employees, tax-paying employees, right out of your district. And I know you're concerned. But we're here to help you put that off if you see it our way, if it

makes sense, you know, to everyone throughout this community.

So let me just give you a little background. And we all know, in December our governor, Ed Rendell --- or our ex-governor, Ed Rendell, he stepped up to the plate and he delivered a grand slam for transit riders in this Commonwealth and in this community of southwestern Pennsylvania. He came up to fulfill the budget of the Port Authority with a \$45,000,000 flex money from the highways from projects that did not need the money. Either they were cancelled or they were over budgeted and there was excess money there. That's where that money came from. And that money was no guarantees that it would come to southwestern Pennsylvania. But the Governor proposed and the SPC approved sending that money to the Port Authority of Allegheny County for the intent of stopping the cuts, with the intent of balancing the budget for fiscal year 2011, which is the current fiscal year we're in.

And the Port Authority unilaterally made a decision to change the intent of that money, and they have decided to spread that money out over 18 months and start cutting. Now, depending on who you listen to, some are saying it's a 15-percent cut now, 15,000 riders, by the way. Do it now and we won't have to cut until June of '12. Well, I'm here to tell you, Mr. Bland, in writing has told me a different story, and you can feel free to read his response to me. He has told me if he does what we're suggesting, to balance this budget and move on to look at our next year's budget and deal with it the same way we did last year, he is telling me that in July of '11, we're looking at 30 to 40-percent cuts.

That's false. And the reason I say that, in that packet, the very first page in that packet, there's a resolution. And that resolution is from the Port Authority Board of Directors and it's dated June 25th of 2010. And what this resolution spells out is the budget they passed for fiscal year 2011, the current budget that we're dealing with. And I would like to point out that the Port Authority, on the fourth whereas down, the Authority is currently, however, facing a potential funding shortfall of \$47,000,000. The operating budget thus assumes that the Commonwealth of Pennsylvania will address the shortfall, which was created by the shortfall of the tolling of I-80 and Act 44. The funding has

resulted in no growth in the Authority's operating system since '09.

It goes further to say, whereas, if additional funding is not forthcoming from the Commonwealth, the Authority will not implement a deficit reduction strategy to balance revenues and expenses, which will likely include the following actions: service reductions beginning in January of 2011, which is where we are today. It started back in November, the day before Thanksgiving. The Port Authority Board took a vote to cut 35 percent of the service, which is in accordance with this resolution, which would have took effect in March.

And quite simply, what we're saying and suggesting is that the Port Authority takes this resolution, which was based on good business practices, and does exactly the same thing. They balance their budget, use the \$45,000,000 that the Governor gave them to balance this budget. No cuts for anybody. And I would say if they did that and then passed a new resolution in June of '11, exactly the way this one is --- because what Mr. Bland is trying to tell people is that they have no more money in June. Well, they're still going to have the money from the state. It may not be the full allotment. They're still going to have the money that the county has given through the drink tax. They're still going to have that money. And I'm very confident in my experience in this company that that amount of money alone will get them to January of '12 before they have to consider any cuts.

And I would think that that would be ample time for the state legislation and our new Administration, Governor Corbett, to come up with a solution for transit. And you know what? If they don't, we're going to be at the same place. If the state does not fill that gap and come up with a solution, January '12, transit will never be the same in Allegheny County again. A according to Mr. Bland, no matter what we do now, we will be below 50 percent of our current service come January. And we're going to get there no matter what if it's not fixed. And if it's not fixed, then that burden and that responsibility falls on the state. And let's face it. You know who has the blame in pointing fingers. And if people want to take that, that that's what we're doing, so be it.

But the real bottom line is the shortfall comes out of the state budget. Act 44 didn't work. The federal

government won't allow us to toll I-80. And we never fixed it. So therefore, that's where it lies. That's the responsibility. That's where it lies. And the fact of the matter is if they don't fix it, then we're not going to have transit. And that responsibility will lie on those elected officials, our new governor. And that will be a decision they will make.

And the other thing that's very important, what had happened right now about the Port Authority doing this is they put southwestern Pennsylvania on an island because if they would have waited until June, the rest of the Commonwealth will be experiencing the same prices in transit. I speak to my brothers over in Philadelphia all the time. I just spoke to them again last night. They are going to experience service cuts, layoffs come fall because the crisis is going to catch up to them also. And to me, where I come from, you know, your strength is in numbers. And that's exactly what Governor Rendell said when he blessed that money. This will put us all on the same timeline.

Now, there's some very important things --- and I'm running out of time --- very important things that I have to mention, not only this resolution, when I think if they would just simply do that. But the other thing, the Port Authority's budget. There's three items that I will identify here for the sake of time that's very important. Healthcare. The Port Authority has to make projections on healthcare because our renewal of healthcare is on a calendar year, January to January. So last June in this budget, the resolution I'm speaking of, they predicted on the trends of healthcare costs a 9.86-percent increase, which is reasonable. We all know healthcare goes up every year.

But I'm here to tell you, and I have letters from Highmark to document this, the Port Authority got what they call a rate hold. They experienced no increase in healthcare in 2011. Therefore, they budgeted for a ten-percent increase, got that money, don't have to spend it. And I'm telling you that's probably about \$7,000,000 that they have in excess. One other item, the pension plans, which we all talk about, the legacy costs. Well, I'm here to tell you that Local 85, even according to Mr. Bland, in our last contract ---.

PRESIDENT FITZGERALD: You have 30 more seconds.

MR. MCMAHON: Okay. We addressed legacy costs with our contract concessions. And the result of that, when the Port Authority --- their latest evaluation for pension was 2008, which we all know, the market was horrible, that's where they base their 2010 contributions. Well, when 2009 come out, they were --- they got a \$5,000,000 credit. The last three months, they did not have to put into that pension plan. They got credit. So there's about \$11,000,000 right there.

One other very important thing is that the budget was based on manpower. And we know for a fact in Local 85 members for the past year we were short 50 people, vacancies that they chose not to fill. And that number is \$72,000 per employee, another \$3,500,000 that the Port Authority has.

PRESIDENT FITZGERALD: Okay. Mr. McMahon, thank you.

MR. MCMAHON: Thank you very much. There's a lot of people.

(Applause.)

PRESIDENT FITZGERALD: The next speaker on our agenda tonight --- and everybody will have three minutes. And I'd ask the next speaker to come forward to get in line through the crowd. First speaker is Mark Patrick Flaherty, our County Controller, followed by Jack Shea. Mr. Controller?

MR. FLAHERTY: Thank you, Mr. President. I want to thank everybody for showing up tonight. It's so great to see everybody interested in government, whether it's for transit or workers. I'm here tonight to talk about the Allegheny County Controller's Office and their support of our ordinances. Right now we have a few issues before us, and we fully support the ordinances on the book. We were asked to look into a sweatshop ordinance violation with W&K Steel. We did our due diligence work and found that we have no contracts or subcontracts currently on the books with the company. However, whatever this body decides, we will fully support that ordinance that's duly passed and signed in the legislation.

The Controller's Office has always supported working families, whether it be on transit or workers' issues or workers' rights. And we stand ready, willing and able to do that into the future. So I want to thank this body for letting me address this issue, and I support everybody in the audience. And thank you all for coming

out tonight, and let's all our voices be heard. And I wanted to be as brief as possible. So thank you very much.

PRESIDENT FITZGERALD: Thank you, Mr. Flaherty.
(Applause.)

PRESIDENT FITZGERALD: Jack Shea, followed by Eve Goodman. Mr. Shea, if you would state your name and address for the record, please.

MR. SHEA: Jack Shea, 401 Wood Street, Pittsburgh, 15222. I'm President of the Allegheny County Labor Council, representing most of the unions here in Allegheny County, which is around 100,000 members. I've come here today in full support of the resolution that will declare W&K Steel a sweatshop. Now, I know the last couple of days, there's been stories in the paper. I read them all. You all read them all.

It ain't the first time we have heard about W&K Steel. Approximately two years ago, their workers came to one of our affiliates looking for help over safety conditions. You know, every year, labor has what we call Workers' Memorial Day. And that's for a union and non-union folks to partake. Now, like I said --- we have a saying. We mourn for the dead. We fight like hell for the living.

In 2008, we had 11 workers killed in Allegheny County, which was union and non-union, by the way. 2009, 21 workers killed in Allegheny County. 2010, 14 workers killed in Allegheny County. You know, we've got to stop this blaming the workers for everything that happens. Every time you read something in the paper or we hear those talk jocks, all they do is blame the workers, and it's not the workers' fault.

(Applause.)

MR. SHEA: Now, we believe for everyone there's safety on the job. And I also read in the paper about --- most companies in Allegheny County have OSHA violations. That couldn't be further from the truth. We represent hundreds of companies in this county, and none of them, to my knowledge, had OSHA violations. That's a serious thing, I know, what happened to W&K Steel.

So look, in closing, I want to thank you for your support of working families. I want you to continue to support them as you always have. And let me just finish up since I got 34 seconds. On transit, what Pat was telling you, they got an extra \$13,000,000 to

\$15,000,000 that they haven't spent. Spend it on the workers that they want to leave go.

(Applause.)

MR. SHEA: It's time that we stop this madness of laying off the middle class. I don't care if they're union or non-union. We all go to work and provide for our families. So thank you. And I made it.

(Applause.)

PRESIDENT FITZGERALD: Eve Goodman, followed by Elizabeth Schneider. And I hope everybody follows Mr. Shea's example by doing it right under the limit. Ms. Goodman? Is Ms. Goodman here?

MS. WILSON: Can I go ahead of her, please? I have to leave for a class.

PRESIDENT FITZGERALD: I will allow that. If she gave you her permission, I'll ---.

MS. WILSON: It's allowed.

PRESIDENT FITZGERALD: Go ahead. And Elizabeth Schneider is next. Would you state your name and address for the record, ma'am?

MS. WILSON: Yes. My name is Edith Wilson, and I live at 223 Elm Street, Pittsburgh, 15218.

PRESIDENT FITZGERALD: You're on the list next anyway, so go ahead. Yeah, that's fine.

MS. WILSON: Okay. I'm reading on behalf of Eve Goodman.

PRESIDENT FITZGERALD: Okay.

MS. WILSON: And she lives at 324 Pitt Street in Wilkinsburg, and she's pleased to raise the concerns that many of us share as homeowners. She was here tonight to urge County Council to confirm a date and time for a thorough public hearing on Marcellus Shale gas drilling. And now I'm quoting her. I've heard a lot of conflicting rhetoric regarding natural gas and Marcellus Shale fracking. On the one hand, those representing big business emphasize the money that they will make and the jobs they insist they will create for the region. On the other hand, environmentalists warn of increased air pollution, destruction of the region's watersheds and decreased property values. Even the gas industry now claims that fracking is safe, a claim based on the industry's exemption from the EPA's Clean Air and Water Act.

With such conflicting reports, it seems only wise that our County Council should err on the side of

caution and hold a thorough and extensive hearing on the subject. It is difficult to dismiss the gas industry's promise of safety given the financial windfall they also claim they will bring to the region. However, what do landowners and citizens from areas that have been directly affected by this process have to say? If we do not bring these people into the discussion, we demonstrate a total disregard for the public safety of Allegheny County residents.

I'd like to make it clear that my concerns about drilling and Marcellus Shale are not altruistic and not just environmental. I am not from Pittsburgh or Pennsylvania. I moved here ten years ago from Nashville, Tennessee, because the few times I visited, I liked the potential Pittsburgh and the region --- that Pittsburgh and the region seemed to offer, a vibrant city with great, old affordable housing, strong community, quick access to great state parks, public transportation, although small-minded politicians seem intent on destroying that, too.

So she bought a house and is very concerned about unregulated non-taxed gas industry and what it will do to the overall air quality in the region, drinking water, and consequently, the value of her home and her personal health. Quoting, lately I've been so concerned with what I'm hearing that I'm considering divesting in the region before the Halliburtons of the world turn the region into a toxic waste dump that will not just take decades, but generations to dig ourselves out of. So please, I urge you, do not give just a green light to this. Be prudent. Be wise. Get all the facts and vote accordingly. Thank you.

PRESIDENT FITZGERALD: Thank you, Ms. Wilson.
(Applause.)

PRESIDENT FITZGERALD: Elizabeth Schneider?
Elizabeth Schneider, followed by Joni Rabinowitz. Ms. Schneider, if you would state your name and address for the record, please.

MS. SCHNEIDER: Good evening. Elizabeth Schneider, 5331 Cox Avenue, Lincoln Place, Pittsburgh. I had two objectives in mind when I signed up to speak this evening. The first is to follow up with Council President Fitzgerald to make sure that his promise that he gave to me on February 11th at the committee meeting regarding scheduling a second public hearing was kept. Unfortunately, I was stuck downstairs and didn't hear any

vote, so I really can't say that that happened. I'm hoping that he did vote.

PRESIDENT FITZGERALD: We'll be voting after ---. It's on the agenda for later, so ---.

MS. SCHNEIDER: Okay. I didn't know what the whole process was because I was stuck downstairs.

PRESIDENT FITZGERALD: Yes. We'll be voting later on that motion.

MS. SCHNEIDER: Okay. I will further add that, as a taxpaying resident of Allegheny County, I request that all 13 Council members be in attendance for the duration of that hearing. This is a very, very important issue, and your constituency deserves full attention as elected officials. Part-time job or not, you have three weeks to clear your schedules. 1.2 million people's future depends on it.

The second reason I signed up --- and you didn't receive it because I wasn't able to get it to you. But you're going to receive a handout that I had printed for each and every one of you. It's a copy of a three-page document entitled, Calvin Tillman, Mayor of Dish, Texas. I encourage you all to read this document. Mr. Tillman has recently made his life's mission to travel around the country at his own expense to bring awareness and education to communities about the negative effects that the natural gas industry has on a community once they come to town. He has already been to Pittsburgh once, last summer. Some of you may have listened to him speak. He's planning another visit sometime this spring.

Dish, Texas has been devastated by this industry. Don't take my word for it. Contact Mr. Tillman and get the information straight from the source. His e-mail address and phone number are included in the article. Take this opportunity to further educate yourselves. Don't listen to the DEP and industry reps and think you have the whole truth. They get paid to tell you what they want you to think. We, your constituency, pay you to guard and protect us. Thank you, and I'll see you on March 10th.

PRESIDENT FITZGERALD: Thank you, Ms. Schneider. (Applause.)

PRESIDENT FITZGERALD: Joni Rabinowitz, followed by Kenneth Weir. Ms. Rabinowitz, if you would state your name and address for the record, please.

MS. RABINOWITZ: Yeah. I'd like to pass these out.

PRESIDENT FITZGERALD: You can give those to the clerk. He will pass them out for you.

MS. RABINOWITZ: My name's Joni Rabinowitz and I live at 7721 Edgerton Avenue. I'm in Mr. Fitzgerald's Council district. I live in the city. I recently, just in the last year or so, became aware of what's going on with Marcellus Shale fracking all over the country. And I made it my business to go out and find out everything that I can find out and to read everything that I can read about it because it seemed really dangerous and it still seems really dangerous.

And what I'm learning is, besides all the information and material that I'm passing out to you, it's also that there really is no long-term proof of the effects of the fracking, that EPA has a study that they're doing of water issues related to fracking. And the EPA study is going to be finished in 2013, so they're doing a complete study. And in a lot of places, they're asking for a moratorium to wait until their study is done and to then look and see what kind of studies we could do. Now, I know the industry is saying, oh, they have all these studies that are out west and everything. It's not the same thing. And I really want to urge you to look --- to study the information. There's a website on the back, a link that you can look at.

I want to speak specifically about the claim that this is going to bring jobs because I know that all the people --- the people that are arguing in favor of fracking on county land, county-owned property value, that there's going to be a lot of jobs. Well, that hasn't been the experience in other places. What's been the experience is that there's jobs for people with a lot of degrees, with geology degrees and research degrees and science degrees and the people that they bring from their other places, like from Texas and Colorado and all the places where they've been drilling. They bring their people here. If you go up to any of the places where there's drilling happening, you'll see all the Texas license plates and all the Colorado license plates and all the Arizona license plates.

And you'll see the people that are using up the motels and the restaurants and stuff out there. So there's a boom and bust. Gas is a boom and bust. And all

the places where they've been drilling out there in the west, they boomed and now they're busted. Their property isn't worth shit. FHA won't give any loans to any property. And now around here, you can't even sell a piece of land that has a lease. Somebody wanted to buy a piece of land in Greene County and they just went by it because they had a lease on it.

So I want to urge you to also take the opportunity to come and hear Mayor Tillman when he comes to speak in Pittsburgh in April because I think you will really learn from a person who really has had the experience of having his town destroyed. And I hope that doesn't happen to Allegheny County.

PRESIDENT FITZGERALD: Thank you, Ms. Rabinowitz.

(Applause.)

PRESIDENT FITZGERALD: Kenneth Weir, followed by Loretta Weir. Mr. Weir, if you would state your name and address for the record, please.

MR. WEIR: My name is Kenneth Weir and I live in the 31st Ward of the City of Pittsburgh, 4544 Homeridge Drive. I have three minutes to talk. I could talk about the toxic chemicals involved with the Marcellus Shale, but Charles "Chuck" Christian from the University of Pittsburgh Public School of Health, he covered that. I could talk about volatile organic compounds, but if anybody saw Channel Four news, they saw it firsthand. I could talk about decline in property values from the FHA, but I won't. I could talk about the myth of energy independence. That was covered already by the Wall Street Journal. Okay. I could talk about political payoffs for our state representatives, but that's already covered under marcellusmoney.org. Follow the money. I could talk about the destruction of the infrastructure in this county and in this state. That was already covered by the Commonwealth Foundation. Okay. I could also talk about the jobs and the money that they supposedly will bring to our coffers. Okay. But if you go look, Fort Worth, Texas, from the energy state, has 1,300 wells drilled within the city limits. Their budget deficit was \$77,000,000. Why, if it's such a big thing?

But what I will talk about in my three minutes is the probability of occurrence of a serious environmental incident. Okay. There was a study done by Dr. Joseph Evans. He's a civil engineer and he also has a

Ph.D. in Biotechnology. And he did a study on the probability of the occurrence of serious environmental incident. Okay. And let's say this study was done in conjunction with the PA Land Trust. Okay. Everybody's aware of what the PA Land Trust is. But what they said in this article was they did a study. And this study was completed in August of 2010. Okay. And the study said --- they took the 26 companies that are doing drilling right now in the State of Pennsylvania, the top 26 that have the most violations. They threw out insignificant violations of trucks being written up for bad, you know, license plates and things of ---. The only incidents they wrote up were directly endangering the environment or the safety of the communities. Okay.

What they come up with was something very interesting, and numbers don't lie. Numbers don't lie. They found out that the average incidence of serious impact from this gas drilling is 76 out of every 100 wells drilled will have a violation directly endangering the environment or the safety of our community. Okay. That's the top 26 violators. All right. And some of the big names on there, you heard them, Chesapeake, East Resources, Williams Production ---. Well, thank you for your time.

PRESIDENT FITZGERALD: Thank you, Mr. Weir. When we have a public hearing, you'll be able to come back and speak.

MR. WEIR: I will. I'll give you that information.

PRESIDENT FITZGERALD: Thank you. If you could provide it to our clerk or send it to us, we'll distribute it.

MR. WEIR: Yeah, I will.

PRESIDENT FITZGERALD: Thank you.

MR. WEIR: You might already have one. I probably sent you something.

PRESIDENT FITZGERALD: Okay. Ms. Loretta Weir, followed by Mark Schneider.

(Applause.)

PRESIDENT FITZGERALD: Ms. Weir, if you would state your name and address for the record, please.

MS. WEIR: My name is Loretta Weir. I live at 4544 Homeridge Drive, 31st Ward in the City of Pittsburgh. There's a book out there. It's called Less Safe, Less Free, and that's pretty much the way anybody who's

educated themselves on the Marcellus Shale makes you feel right now. The less safe we are, the less free we are. Everyone here has been voted in. We expect you to look out for our best health and welfare for our families, for our community. And to be honest with you, from the record, I can't see that that's being done. I attended your first public hearing. Charles Martoni was the only man who respectfully listened to the citizens. I still remember that. I took note of it. I thanked him afterwards. Everyone else who was present who didn't leave was rather disrespectful. I just want that on the record.

The voter taxpayers have been excluded from this conversation. Governor Ridge went behind closed doors and leased our forests. Nobody really knew what was going on for the last five years. By the time we caught up, we had no idea what was hitting us. Okay. Now all the activists who are called tree huggers and all this, we don't want good industry. Everyone wants good industry. Everyone wants a good tax base. Everyone wants jobs. What we don't want is contaminated rivers, contaminated streams. We need clean water to drink. We can't live without it. Okay. Our group are comprised of very well-read, educated citizens, and there are members from the scientific and health communities. We go to meetings all the time. Okay. We're supposed to trust the industry and think that they're honest. Okay. But they don't need to pay off our politicians left and right. A couple people got treated to a little trip to the Super Bowl lately. Why did we have to do that? I go to meetings. I hear Range and the rest, and these are the buzz words. The buzz words are best practices. We're going to get it right. Those words are empty, okay, empty.

Rich Fitzgerald excluded Elizabeth Schneider. She was the token citizen that was invited to the last meeting. She was excluded. And he consulted brains about the legality of an ordinance. Mr. Macey said, don't kill the industry. We're thinking about Carnegie Steel. Mr. Carnegie was an industrialist who was amoral and he exploited the workers and the uneducated foreigner. Go back to the turn of the century. Read Out of this Furnace. Educate yourselves on what really happened and why these men went out there and fought and died for a union. And the years you worked there, Mr. Macey, respectfully, you had a 40-hour work week, six weeks' paid

vacation and a decent wage. While those men were fighting and dying because of what Mr. Carnegie and the great Mr. Frick did, it was a totally different story. We're going back to the turn of the last century with this industry that is polluting our rivers, polluting our streams with benzene, toluene, xylene, all these things that cause environmental harm, leukemia in children. I don't know where you people live. I don't know what air you breathe. But please educate yourselves. We put you there. You've got to educate yourselves.

PRESIDENT FITZGERALD: Thank you, Ms. Weir.
Mark Schneider?

(Applause.)

PRESIDENT FITZGERALD: Please state your name and address for the record, please.

MR. SCHNEIDER: My name's Mark Schneider. I live at 5331 Cox Avenue, Lincoln Place, Pittsburgh, 15207. For those Board members that don't know me, you will. About a year and a half ago or a little over, I started fighting this gas industry. And I called down to City Council. And at that time, I only had two or three of the Council members returning my phone calls. I am the one who called each and every one of you. I had two of you return my phone calls. I have a lot more fighting to do. We're going to get together. You're going to know me and I'm going to know you.

And there's a lot of people out there that want to talk about this gas industry. I know most of you are for it. That's why you haven't returned my calls. The last time I was here to talk about the industry, the industry was sitting right here. I waited for two and a half hours over here to have my say. Before I got a chance to have my say, they got up and they left as well as most of the Council members got up and left. There were people, constituents of this county who wanted to have their say in front of this Council, and they didn't get their say in front of this Council. They got to say it in front of about four of you.

We want to have this meeting. You have it on the agenda to vote for it. I would appreciate you voting for it. If not now, it will happen eventually. It will happen eventually because we're going to talk about this. And we're not going to talk about this after Range Resources and the rest of the industry is done sitting in their comfortable chairs while your constituents are

sitting out here and standing, actually, out here, waiting, waiting to talk to you. So we want to have this meeting with just you, just your people, about just this subject. And I'd really appreciate that. And I thank you very much for your time.

PRESIDENT FITZGERALD: Thank you, Mr. Schneider. (Applause.)

PRESIDENT FITZGERALD: Anita Barkin? Anita Barkin? Is Anita Barkin here? And Dana Dolney's next --- Dolney (corrects pronunciation). I'm sorry. Dana Dolney. If you could come up to the podium. You're on deck, so to speak. Dolney is not here? Donna Fisher would be after her. Ms. Barkin, if you would state your name and address for the record, please.

MS. BARKIN: Surely. My name's Anita Barkin. I'm a lifelong resident of Allegheny County. I currently reside at 109 Stevens Ridge Drive in Jefferson Hills. I'm here to speak with you about my concerns relating to negative health impacts with Marcellus Shale drilling. So that you have a reference point for my interest, I'm a nurse practitioner with a Doctoral Degree in Public Health. I want to say up front that I am for a robust local and state economy and reasonably priced energy.

I was introduced to this issue in May of 2010 by my sister, who, after becoming educated on the topic, urged me as a public health professional to look into it. Since that time, I've attended lectures at our local universities, spoken privately with engineers, chemists, policy makers, economists and residents who have experienced drilling in their community. The more I learned, the more I am convinced that current industry practices and public policy --- the public policy position of our state threatens the quality of life for residents in our region. I have done an informal personal cost and benefit analysis and have concluded that aside from industry profit, Marcellus Shale drilling contributes little to the long-term stability of our region. It will fill industry coffers that will prove to be of little benefit to the average citizen of the county.

From a health impact perspective, we know what the chemicals that are used in the fracking process do to humans and animals. That is why these chemicals are regulated and have been regulated for a very long time. Benzene, polynuclear aromatic hydrocarbons, butyl ethylene are some of the chemicals used in fracking that are known

carcinogens and neurotoxins. All the organic compounds that are found in the impoundments, they are part of the return fluid to the surface. They are being dumped in our river. They cause significant respiratory problems and problems to the eyes, nose, throat, liver.

I've heard industry argument that materials containing these substances are everywhere and that our water and air have been contaminated for years. Drillers are not to blame. I would agree that this region has sustained multiple blows to the public health of our residents, and we were trying to clean it up, cleaning up the remnants of the steel and coal industry. But let's not repeat the problems of the past. Let's not repeat the issues of the past when a developing, unregulated industry like the steel industry and the coal industry were getting started. We know what the negative impacts are. We know that there is a thing called a double hit theory that has to do with a cancer link to genetics and environment. I can get into the statistics, but I'm running out of time.

PRESIDENT FITZGERALD: Thank you, Ms. Barkin.

MS. BARKIN: I probably will return on the 10th. And I would like to present Council with a copy of the ---.

PRESIDENT FITZGERALD: Okay. You can leave that with the clerk. Okay. Is Donna Fisher here?

(Applause.)

PRESIDENT FITZGERALD: Ms. Fisher, followed by Katherine Luke. Is Katherine Luke here? Ms. Fisher, go ahead and state your name and address for the record, please.

MS. FISHER: My name is Donna Fisher. I'm an artist and I live at 951 Liberty Avenue in downtown Pittsburgh, within spitting distance of the Convention Center, where I could actually see Karl Rove on the day that he presented a keynote address to the natural gas industry leaders, assuring them that they would have nothing to worry about with regard to fracking regulations in the State of Pennsylvania, the day after Mr. Malecky made that address and that appearance.

I've heard a lot just today in this meeting about health, welfare and safety, obviously very important issues, obviously, some issues that it is your responsibility as Council members to care about, the health, welfare and safety of the people of Allegheny County. So I'm here today to ask you to please hold a

public hearing on the Marcellus gas drilling and also to support Michael Finnerty's mandate to require any natural gas drilling to be at least two miles from any residential area. My preference would be to ban drilling entirely because the time has come for us to break our fossil fuel addiction once and for all, to stop destroying the planet on which we live and to stop thinking that using the last fossilized remains of previous life forms is any better than killing your own people and community. The planet has had enough.

On Christmas Eve 2008, I had a ruptured brain aneurysm. I'm one of the lucky ones. I lived. From what was most --- the worst headache imaginable, after seven months --- a month in ICU and seven brain surgeries later, I returned to Pittsburgh. And I just have to say I lived, and I will be damned if I will die a slow, painful death that comes from dehydration. It does not matter if this drilling is safe or not safe. It uses water that is not renewable, is not reusable. And when water's gone, we are all dead.

(Applause.)

PRESIDENT FITZGERALD: Thank you, Ms. Fisher. Katherine Luke? Katherine Luke, followed by Bradley Wilson. Ms. Luke, if you would state your name and address for the record, please.

MS. LUKE: My name is Katherine Luke. I live at 3990 Fifth --- sorry. I live at 3990 Fifth Avenue, Pittsburgh, Pennsylvania, 15213. I'm actually a freshman at the University of Pittsburgh. And as a student on a full academic scholarship to the university, I am well aware of the numerous opportunities that Allegheny County has to offer as well as the commitment to all of the citizens toward civic and social betterment. However, in my native area of southwest Virginia, I have seen the an area destroyed as a result of mineral extraction, namely in the form of coal.

In my home, Pittsburgh is considered the Paris of the Appalachians. It's the one major urban area that residents might have been to despite the fact that they rarely venture outside the county. It's not only praised for this reason, but it's lauded for its post-industrial success. If we were to return to forms of extractive industry, such as Marcellus Shale hydrofracking, it would not only lose the image of Pittsburgh in the eyes of the surrounding community, but we would further see many of

the problems that our neighbors to the south are currently witnessing, numerous health problems as have already been mentioned by previous speakers, such as an increase in incidents of cancer, birth defects and respiratory disease, all resulting from an increase in pollution to our air and waterways as a result of hydrofracking.

This is why I, as well as the organization that I am here to represent, the Pittsburgh Student Environmental Coalition, would ask the County Council to embrace the strictest regulations possible. If the least that you are willing to do is pass Ordinance 6179-11 to require that all wells be kept to a minimum distance of 2,000 feet away from residential areas, then I implore you to do so. Unlike the pristine environment where I am from, Pittsburgh has seen a high level of pollution in the past. As recent articles published in The Post-Gazette indicate, there is a high level of mortality as a result of such pollution within Allegheny County at the rate of 12,833 additional deaths over the last eight years. This is something that we simply cannot allow to continue in the future. A reason for us to regulate Marcellus Shale hydrofracking now and a reason for you to take a strong stance on this issue. Thank you very much.

PRESIDENT FITZGERALD: Thank you, Ms. Luke.

(Applause.)

PRESIDENT FITZGERALD: Bradley Wilson? Bradley Wilson, followed by Mel Packer. Mel Packer will be next. Mr. Wilson, if you would state ---. And please, would you please come forward if you're next, not to stand out there. If you're next, come next to the podium. Mr. Wilson?

MR. WILSON: Yeah. Bradley Wilson, 1211 Richmond Street, Pittsburgh, PA, 14th Ward. I'm a software engineer by trade, but I come here as someone concerned about the impact of hydraulic fracturing in our county and region. I take a slightly more modern view. I'm not against drilling. I support it, but only if we can be certain that it is safe for us and for the environment. I think there's enough evidence to support the potential for health and environmental problems related to polluted air or water, not to mention the risk to wildlife and the ecosystem.

There's also clear evidence that we're not regulating this appropriately. It is amazing to me that in this so-called age of the green revolution, in which we

find ourselves building green arenas and convention centers, how quickly we fall into old industrial habits. We've found a way to extract gas and generate a lot of money and jobs for the region. But this is our problem. It always is about money and jobs first and about environment and our health second. How long have we tried to shed our dirty industrial history that included, among other things, decades of river pollution, only to allow the dumping of industrial wastes, once again, into our rivers?

I find it particularly alarming that we have a large number of gas wells existing and planned that are upriver from our city and county drinking water intakes. We've also a law that allows the disposal of hydraulic fracturing fluid and wastewater that uses many undisclosed chemicals to be dumped in our rivers, approximately three to four billion barrels worth last year, many of which we can't account for and we don't regulate. Now I ask you, does this make any sense? At what point does diluting chemicals in the air or water become the 19th or 20th century bargainings?

It's the 21st century. In this day and age, it is simply unacceptable to say, there's a lot of water in that river and we can just pour the chemicals in it, and that will dilute and there will be no impact to the populace. This is the industry that show potential for deceptive practices and hiding behind legal rhetoric instead of acting in good faith. It seems like a step backwards to me. And at minimum, the Council should take the same steps as our forward-thinking city leaders and place a moratorium or an outright ban against drilling in the county. As of now, our state and federal regulators have been unable to do anything about this, which is why, you know, I'm here to ask you guys and ladies to do something. The only thing clean about this natural gas is when it's burned. And finally, we ---.

PRESIDENT FITZGERALD: Thank you, Mr. Wilson.
Mel Packer?

(Applause.)

PRESIDENT FITZGERALD: Mel Packer, followed by Tim Hand. Is Mr. Hand here? I don't think he is, actually. Oh, I'm sorry. You're going to be the next speaker. Mel Packer. Mr. Packer, if you'd state your name and address for the record, please.

MR. PACKER: Mel Packer, 623 Kirtland Street, Pittsburgh, 15208-0853. There's a book a lot of us are familiar with in which this guy named Judas Iscariot betrays a guy named Jesus for 30 pieces of silver. And to most folks, no matter what you believe in or don't believe when it comes to religion, you see as a moral failure an act in which a person is willing to sell out someone or something for monetary gain. In the last few days, we heard about moral failure on the state level, in which a senator went to the Super Bowl at the expense of those energy companies. Notice in some political wisdom, he decided to pay it back. Then, unfortunately, there's the Governor of our state, who's taken about a million dollars of contributions from gas producers. This makes them look a lot like some Third World dictators, except usually their bribes come in suitcases full of cash.

Unfortunately, I've also heard too many county officials state that they're also for unhindered gas drilling. This is, to put it simply, tragic and demonstrates a descent into a moral abyss with accompanying willingness to roll over for monetary gain, which was displayed by Judas Iscariot. I'm not telling you you need to go take a bribe from the gas industry. Don't get your back feathers up. What I'm telling you is you're being persuaded, whether by a lack of knowledge or by campaign contributions, and that's unknown to me, that the monetary gain of allowing Marcellus Shale drills to run rampant over Allegheny County land, water and population is worth the long-term damage to the environment and possibly turning parts of Allegheny County into unusable land for any stated purpose and decreasing the assessed value of the land surrounding the wells.

Further, you may not know this. You can investigate it. There's a new fracturing technology that's going to come along with it. It's being used already in a couple places, which allows you to extract the oil in Marcellus Shale. Do you want to see what happens to our parks when they start doing that? Take a look at the Ecuadorian Rainforest. Go online and check it out. I'm not going to go into the technical details. I'm not a technical expert.

What I know is I got two kids, 19 and 20, similar ages as some of your kids. And I have a moral obligation to my kids and the future generation to keep this world safe from those who would destroy it in the

name of profit. Twenty (20) years from now, I need to be able to live and face my conscience, face my kids, and say I did what I could to stop environmental destruction, that I made a moral choice to refuse a short-term monetary gain. That morality, the issue of right or wrong, the choice of human right over corporate greed, the choice of saying that the solution to our already massive pollution problem is not to make it easy to continue the lifestyle and to continue to reap our environment, but to say no. No, you can't drill in Allegheny County until there's clear and objective scientific evidence this can be done without environmental harm. No, you can't buy it with campaign contributions or fancy ads and donations. No, neither our futures --- children's futures or our futures can be bought for 30 pieces of silver. The shale drillers got to Judas Iscariot, Tom Corbett. The Allegheny Council should show some moral courage and refuse to march in lockstep with him. Thank you.

(Applause.)

PRESIDENT FITZGERALD: Thank you, Mr. Packer. Tim Hand, followed by Barney Oursler. Mr. Hand, if you would state your name and address for the record, please.

REV. LOVE: Actually, my name is Ken Love. I'm with the Labor and Religion Coalition. I'm here by permission of Mr. Hand to read a statement, his appeal.

PRESIDENT FITZGERALD: I did know that, yes.

REV. LOVE: And his address is 1335 Byerly Place, North Huntingdon, PA. If Mr. Hand had been here, Tim would have told you, I am here today because I care about my life and my fellow workers. I'm here to fight for myself and my fellow workers for a safe and just place to work. I am not here to shut W&K Steel down. I know the fear that we all hold, that we can lose our job, our home and our ability to provide for our family, is real. But remember, all the problems and safety hazards at W&K Steel were not brought about from me or anyone else, but from the owners and management of W&K Steel.

For years, I have brought safety issues up to management over and over and over, with no response from the company. I've complained about the water that puddles up on the floor where we have to weld and use electrical tools, the fumes that we breathe from the painting, exhaust fumes and from welding stainless steel, the lack of guards on the machines, the lack of any safety training, unsafe stacking procedures, the cold weather,

the lack of lighting --- safe lighting, to safely see what we are doing, electrical hazards that we are exposed to. I have seen steel fall from a crane and smash a refugee's leg, only to be told by the shop manager, you're okay. Go back to work. This was on a Friday. By Monday, the employee went to the hospital and was off work for several weeks from the injury. I witnessed another worker get his fingers caught in a drill.

These safety hazards were even put in writing and given to W&K Steel in 2009 when I went on strike as a way to get the attention of the company to provide me with a safe place to work. My co-workers know that the safety expert that W&K has hired was only hired after I went on strike. And yet W&K Steel ignored these threats until OSHA cited them for four serious violations. The one thing they have in common is that every injury resulted from the lack of safety training and enforcement by the company.

I work side by side with many of the political refugees of W&K Steel. I have seen their pay stubs and have heard their cries for help. They are paid about half of what I make. They need public assistance to subsidize the low pay that they receive from W&K Steel. W&K Steel has had refugees working there for at least eight years, and the ESL classes only started two years ago. Only when community groups I asked to help started to help the refugees did they react and gave some of the Burmese refugees a \$2 an hour raise in 2010. The final straw for me was when I witnessed the shop manager screaming and yelling at several of the refugees, wanting them to ---.

PRESIDENT FITZGERALD: Thank you. Mr. Oursler?
(Applause.)

PRESIDENT FITZGERALD: Barney Oursler. And our next speaker, Lucille Prader-Holiday. Mr. Oursler, your name and address for the record, please.

MR. OURSLER: Barney Oursler. I live at 6323 Douglas Street, 15217, Pittsburgh. I'm here representing Pittsburgh United, one of the organizations and the staff of the W&K Steel Sweatshop Campaign. Our organization is a coalition of faith, civil rights, community, environment and union organizations working together to make sure that particularly public subsidized development promotes community improvements and family-sustaining jobs.

I want to speak about some of the charges made by the W&K Steel HR representative in Council's committee

hearing last week. W&K Steel claimed that the first time they've heard of these charges was last week. All of the charges made have been made in the public arena, in front of the Labor Relations Board, OSHA, Pennsylvania's Department of Labor and Industry, Wage and Hour Division. The company does not agree with those agencies, but they have --- nothing that has been raised is new to them. The fact that W&K does not have a current contract with the county we feel should not be a reason to not establish the policy. They do work for many county agencies, including the Housing Authority, the SEA, the Community College and other entities under the county's panel of jurisdiction.

We also heard that they pay 100 percent of the workers' health insurance premiums. In fact, that's after \$750 an individual or \$2,250 are spent by a family to cover all of their health costs up to that point. After that, their insurance kicks in, which is essentially making it catastrophic insurance only.

They also offer that they offer employment to refugees to give them an opportunity. And they mention that they are working with a Catholic Refugee Services and the Jewish Family and Children Services. It's my understanding from conversations with the bishop of the Catholic Diocese as well as with the Jewish Family and Children Services that they no longer place workers at W&K because they do not appreciate what is happening to the workers there.

Then finally, they explained that they have a great, strong health and safety record. In fact, the 22 OSHA violations from 2001 to 2011 should be compared to other companies in the area, such as Sippel Steel Fabrication, which had five OSHA violations in that period, Monnotte Manufacturing, which had four OSHA violations and Ambler Steel, which had zero OSHA violations. These are companies a little bit bigger than W&K Steel but in the same industry.

They also mentioned that they were certified by AISC, which is the American Institute of Steel Construction, which has nothing to do with workers' safety and is concerned with the quality of the product of steel that's produced.

PRESIDENT FITZGERALD: Thank you, Mr. Oursler.
(Applause.)

PRESIDENT FITZGERALD: Lucille Prader-Holiday, followed by Reverend Ken Love. Lucille, if you would state your name ---.

MS. HAGAN: Of course, I'm not Lucille Prader-Holiday. I'm her staff person. My name is Mary Ellen Hagan, and I'm the regional director of Action United, where Lucille Prader-Holiday is president. It's a low and moderate income organization that fights for the rights of working and unemployed people. And we're here tonight because sweatshops in our community hire a lot of people that are poor in our city and our county. People work hard and can't make enough to take care of themselves and their families, so they have to work in places like this.

But County Council has passed an ordinance under William Russell Robinson's leadership. And with all of your leadership, there was an ordinance passed against sweatshops. I'm very proud of that. And basically, I know you know what sweatshops are. I know you don't want them in your county. And I know that you're concerned about this issue.

It's a sort of basic American ideal that if you work hard, you'll be able to take care of yourself and your family and not face serious injury or death on the job. It appears to me and to my organization that this company will only do the right thing when OSHA, the Wage and Hour Division of the Department of Labor and Industry, this county or public pressure makes them do it. Otherwise, they go right to the bottom of corporate greed behavior, sacrificing their workers and their families in the process. This is especially bad when a company wants to get public money for building our schools, libraries and housing with our steel.

You should re-affirm your policy that citizens of Allegheny County will not be abused in this way. We hope that you will do the right thing tonight. And thank you for taking on this responsibility, despite the company's claim that this makes you anti-business. You're not anti-business. You want business in your county. But you don't want that business to kill your residents. This is ridiculous. You can't have a bunch of water and run electrical wires through that water and do welding. That's terrible.

So let me say that I understand the fears of the workers of this company. Bosses like this are not nice. Bosses like this will tell you it's our fault. Also, the

communities that are fighting for you, they'll say, it's their fault. They're going to try to shut us down. No, we're not. We're going to make them do the right thing and we're going to stand with you all the way.

(Applause.)

PRESIDENT FITZGERALD: Reverend Ken Love, followed by Celeste Wilhelm.

REV. LOVE: I'm Reverend Ken Love. I live in Plum Borough, 15239. I'm alumni of Allegheny County Community College. And I thank you for that institution. I'm here representing the Labor and Religion Coalition on behalf of W&K Steel. And we believe that the issue before Council tonight is an issue of human rights as much as rights of workers. But it's an issue not just for unionized workers, but for all workers, and it's up to all organizations to stand up for the people and fight for these rights.

I have personally visited many of the W&K workers and their families and I can tell you they are clear about being treated fairly. What they are not clear about is their rights, especially those who are political refugees brought to this country by our government. When you go to inspect a chicken coop and the condition of the hens, you don't go to the fox for the information, like the owners of W&K Steel. It's not fair, moral or just to pay refugees who have learned how to do their work well one half of what U.S. citizens are paid. It's not fair, right or acceptable for a company to threaten refugees or allow others to do so.

But this is what I heard from these workers when I visited them in their homes, away from the eyes of the company and ears of the company owners. And I can understand the U.S. citizens working at W&K who are afraid of their jobs. Their jobs are unsafe, but they are jobs. And the U.S. citizens get paid fairly well, not by industry standards, for the work they do, but certainly better than having a job (sic). I understand their fear. We're not here to close the company down. But it's wrong for their employer to lie to them and to my coalition and others like Pittsburgh United and Three Rivers Coalition for Justice. What to do is to shut down the company and cost them their jobs? That's a lie. We want these jobs to be safe jobs. We want all workers to be paid their real merit and not by the company judges that have paid

them to make the cheapest product they can get and the way they get it.

Our scripture tells us that the Egyptians became ruthless, imposing tasks upon the Israelites and made their lives bitter and hard service in every kind of field labor. They were ruthless in all the tasks they imposed on them. The resounding word, ruthless, speaks of the exploitive system that no longer thinks well of productivity, where what lies behind such policies finally led to an assault on their labor force that promoted the killing of all the baby boys in that time. The insanity of the policy is that the pharaoh now destroys those who would be the next generation of our workers.

So for my last 20 seconds, I just want to say as a young man, I had to listen to the news before I could take grandma outside for the pollution index. And we have 40 species of fish in our waterways. Then, we had two. Do not destroy our rivers. You have that possibility.

PRESIDENT FITZGERALD: Thank you, Reverend Love. (Applause.)

PRESIDENT FITZGERALD: Celeste Wilhelm, followed by Edward Wilhelm.

MS. WILHELM: We're going to take just three minutes.

PRESIDENT FITZGERALD: Okay. That's fine.

MS. WILHELM: My name is Celeste Wilhelm. I'm the human resource manager of W&K Steel, and I'm here today to make a statement on behalf of W&K Steel. W&K Steel currently employs close to 50 people. We value our associates and we truly believe that we are not --- that without our associates, we would not be where we are today. We submitted a complete list of all of our benefits to all Council members yesterday via e-mail. Here this evening is Brad Clemens, Vice-President of Employee Benefits Sales for Huntington Insurance, and Dan Hutchins. They can confirm what we have listed is accurate.

In reviewing the limited paperwork given to us during the committee meeting on February 10th, 2011, we have been accused of numerous inaccurate and unfounded charges. Unfortunately, it appears we have not been given a complete set of documents and allegations against us. There are repeated references to appendices, which has never been furnished to us. So we'd like to attempt to address each issue as we understand it.

Regarding wage and benefits, we are a merit shop. And as a merit shop, each person is paid based on their skill levels and knowledge of our industry. Our entry level paid in 2009 was \$9 per hour. All associates are eligible and receive increases as their skill sets and knowledge grows, in addition to our annual increase.

We have been accused of discriminating against the individuals we have hired through Catholic Charities and the Jewish Family Services. Nothing could be further from the truth. Many of the people who started with us through these organizations spoke little to no English, did not know our industry and were 100 percent dependent upon our government for all their basic needs. By giving them an opportunity to learn a trade, learn English and improve their math skills through classes offered and paid for by W&K Steel, we are providing them all with the necessary resources to help them advance to higher positions and live successfully in the United States. If they had not --- if they had been hired as a dishwasher at a local hotel, they would not have been afforded the same opportunities that we offer.

As I mentioned, we are a merit shop. How would it be fair to hire someone, anyone, whether they are a refugee or a person who just graduated from high school, in an entry level position and pay them the same wage as someone who has 15, 20 years experience in our industry? How would that be fair to the person who has mastered the necessary skills required to do a higher skill job? The few pay stubs the unions provided, in fact, show that we pay the --- we pay above the minimum wage.

They also show handwriting, which alleges the number of children each person has. As I'm sure you know, when you interview a person for a job, you cannot ask them how many children they have. That is completely unlawful. The first time we know of their family status is when they sign up for benefits. Also, would it be fair to pay our associates more if they have a larger family? So the union's suggesting we pay less to single people? If we were paying below minimum wage, then I could see a problem. Our entry level position in 2009 was \$9 per hour. That's 24 percent higher than the minimum wage.

In regard to the other charges listed, the union --- in the union's diagram, all charges were raised and sponsored by the unions, not any individuals. For example, the case involving Kevin Thompson and Michael

Smith, in your packet you'll see an e-mail from Mr. David Lipchak, the investigator assigned by the Department of Labor, stating that this case was closed and no violations were found. I could go through each item, but that would take a great deal of time, and all the results are the same. Regarding workers' rights, W&K Steel has a Pennsylvania certified safety committee. This committee knows it can bring any issue to Ed's attention, and it will be addressed.

We have never asked any associate if they have talked with any union members. However, several of our associates have asked us, how can they get the union to stop harassing them. Once again, it appears that the statements the unions are referring to were only made by two former disgruntled employees.

Regarding health and safety, no worker has ever died at W&K Steel. Since 2007, W&K Steel has been visited by OSHA two times. The resulting violations in 2007 were one serious, which was reduced to an other, with fines that totaled \$400. In late 2010, we had an OSHA visit which ultimately resulted in one serious, two other. One charge was dismissed with a fine totaling roughly \$4,000. The union's, quote, unquote, evidence does not accurately show this. Contrary to the union's allegations, we are a safe shop. If we were not, OSHA would have addressed it and their findings would be much greater.

Between 2007 and 2010, we had --- we only had a total of 17 days missed due to work-related injury. That means if you take 3,860 days, which is the total number of days from 2007 to 2010, times our 28 shop associates, that equals 111,940 days. Of 111,940 days, only 17 days or .01 percent were missed due to a work-related injury. Each and every injury is investigated by our internal safety committee, and changes are made based on their findings. Fortunately, all of those incidents have been minor, hardly what you would find in a sweatshop. Several years ago, W&K Steel hired Bob Merante, President of Safety Committee Counseling, and he's worked with us to improve our safety.

Regarding treatment of workers, we are simply not aware of any verbal abuse. No one has ever filed a formal complaint for a discriminatory --- discrimination or abuse, either with the management or with the EEOC or the PHRC. Once again, the union is basing their allegations on two former disgruntled employees.

I would like to add that no one from this Council has ever visited our facility. We have extended invitations to all Council members last Thursday, and no one scheduled a tour. How can you make a decision tonight without first hearing both sides, without visiting the shop in question, without talking to the current employees and hearing what they have to say? I want to note that none of these people in these first three rows work for W&K Steel, but every single associate in the shop ---.

(Applause.)

PRESIDENT FITZGERALD: Thank you, Ms. Wilhelm.

MS. WILHELM: Based on what I said, I do not see how anyone on this Council can make a conclusive decision this evening. Your best recourse would be to investigate further ---.

PRESIDENT FITZGERALD: Maureen Sweeney? Maureen Sweeney, next speaker. Ms. Sweeney, if you would state your name and address for the record, please.

(Applause.)

ATTORNEY SWEENEY: Good evening. Maureen Sweeney as Counsel for W&K Steel. One of the phrases that we opened this meeting tonight was the Pledge of Allegiance with the phrase, and justice for all. I hope you keep that in mind because we're very disturbed with the whole process affiliated with this resolution because there have been numerous problems with due process and abilities of my client to address serious inaccuracies and misrepresentations that have been made throughout this. These false statements are being taken, apparently, at face value by members of this Council. And I hope you keep in mind the price of the precept, and justice for all.

Again, as Mrs. Wilhelm noted, we only got copies of these so-called allegations last Thursday, and they were incomplete. They refer to an appendix, which has never been provided to us. And in fact, there was apparently references to testimony that's clearly hearsay and third-hand information. By contrast, there were individuals who are actual current employees of W&K who showed up as a matter of courtesy to the committee meeting last week. They were denied an opportunity to speak. There has yet to be an actual hearing in which actual evidence, actual testimony and actual proof regarding these allegations were ever produced. Everything so far

has been purely speculative, false, inaccurate and hearsay. How is that fair? How is that justice for all?

Interestingly, these are the same allegations that were made two years ago by these former employees who went out on strike. But to date, no government entity has ever found them to have any merit, and neither should you. The same group tried to picket Catholic Charities two years ago, bringing the exact same allegations. Based on the fact that W&K, as Mrs. Wilhelm referenced, worked and partnered with them to find opportunities for these political refugees, Catholic Charities investigated and found no merit to those allegations. I have an article which supports that and notes that Bishop Zubik found nothing to base --- nothing to back them up.

Again, there has been no proof of any allegations here. Everything has been distorted. The only ones who have made allegations have been disgruntled employees. But we haven't been able to have a formal hearing with actual evidence and actual testimony. These allegations are simply groundless. And if you would bother to consider the evidence, you would see that they are simply baseless.

And finally, just one example is at last Thursday's hearing. There was an allegation about an NLRB citation and fine. Completely false. There was an allegation and a charge filed by the --- with the NLRB and they even actually withdrew it. There was no admission of liability. I would also point out that no one has ever contacted us from County Council since last November to meet with this particular organization. We've given you opportunities ---.

PRESIDENT FITZGERALD: Thank you, Ms. Sweeney.
(Applause.)

ATTORNEY SWEENEY: Ms. Wilhelm ---?

PRESIDENT FITZGERALD: No, no. We let her have double time; right?

MR. CATANESE: Yes.

PRESIDENT FITZGERALD: Approval of minutes.

6215-11.

MR. CATANESE: Motion to approve the minutes of the February 1st, 2011 regular meeting of Council.

MR. PALMIERE: So moved.

(Chorus of seconds.)

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

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Unfinished business. Committee on Budget and Finance, second reading. 6192-11.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2011, Submission 2-11. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Robinson?

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

(Chorus of seconds.)

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

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MS. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

(No response.)

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

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

PRESIDENT FITZGERALD: Committee on Government Reform, second reading. 6190-11.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, establishing county policy with regard to contracting or otherwise doing business with W&K Steel, a steel fabrication plant located in Rankin, Pennsylvania. Sponsored by Council Members Fitzgerald, DeFazio, Martoni, Burn, Green Hawkins and Macey.

PRESIDENT FITZGERALD: And this bill was in the Government Reform Committee on February 10th. It was affirmatively recommended to the full Council. I ask for a motion for approval.

(Chorus of motions.)

PRESIDENT FITZGERALD: Moved. Do I have a second?

MR. DEFAZIO: Second.

PRESIDENT FITZGERALD: Moved, second. Discussion? Mr. Drozd?

MR. DROZD: I've heard a lot, the pros and cons, and what may be and what --- the way it's been, but I don't see the way it is. I was born and raised in the Steel Valley. I worked in the union. I was a member of the U.S. Steelworkers and I worked --- and I went into one of those plants throughout the U.S. Steelworkers that they had within the Steel Valley, all the way from ET on down through the steelworkers where my family, my neighbors, they worked. I went into even the Clairton Coke Works and I lived among them and talked among them. And I will tell you this here and now. We talk economic development in Allegheny County, but we sure don't show it by action. Something like this does not belong in this Council. It does not.

(Applause.)

MR. DROZD: We're talking 50 jobs here that employ our peoples within this community and within an area and a very hard, labor-torn, shredded area of Braddock. Now, think of that, of Braddock. Look for jobs, jobs that pay. These are steel-working, higher-paying jobs. Let me tell you this and tell you true. I once sat in negotiations. I don't know. Many of you might not know. There was a facility not far from here. It was called the Heppenstall Facility. It was another

steel operation. And in that steel operation --- it closed down. It was closed down for years. And there was a company, an employer, who employed high-paying jobs, U.S. Steelworkers, union labor, north of here. He wanted to open that forge, and there was some outside people who were making decisions. And all those people within Lawrenceville wanted to work in that facility. And because of what they said, this gentleman picked his tent up and left the area. And that forge never opened. 200 jobs were lost because of that, because they didn't feel welcome. And I'll tell you this here and now. As far as that facility is concerned, those three people that were negotiating, or four, on behalf of whatever, they didn't have any intention of going back to work again. They were being re-trained as welders and were going to go live in other states, not here in those communities.

This company should not be tried within this Council or in the public. No company should. When we do this, we send the wrong message. And when we send that message, we're going to send a message not only to existing industry, but new industry, that you are not as welcome in Allegheny County as you may be in other neighboring counties and other states. We can't do this as a county. On the one end, we can't say we want economic development. On the other end, we can't say, we're going to try you in the public.

This is wrong. These people here should have the opportunity --- any company, any employer should have the opportunity to clear their good name if they so feel right, and when they say, and you've heard this, they only have these allegations within their hands, all these allegations, very recently.

Lastly, I'll tell you this. By your voting on something like this could cause some of these people that are now employed there their jobs. Years ago, and I'll show you the headline, I said that. I said that in The Messenger, Homestead's area, when the mills were booming. And I made the comment, do you think these mills are going to be here forever? And everybody did not believe. What's there now? Not any mill. Once there was a sign, steel-working capital of the world. It's no longer. It's history.

This is a high-paying job. We can't attract other companies. They can pass that good will or say that they're being tried publicly. Are you willing to risk

what may be 50 existing jobs or maybe what might be what I see here, 50 --- just whatever our political problem is and not the right thing to do.

It's OSHA's job. It's the state's job. It's not our job. Our job is to support industry, to support jobs and to bring new jobs for you, the people out there. When I heard even the gentleman that heads the Allegheny Labor Council says, whether they be union or non-union jobs, our job is to bring jobs here, not discourage companies from staying here or locating here. There's no other rebuttal of this, Mr. President. This is my time.

(Applause.)

PRESIDENT FITZGERALD: We're going to have order. We're going to let the speakers up here speak or I'll clear this room. Let Mr. Drozd speak. He is going to be able to say what he has to say. People had a chance to sign up. Mr. Drozd, continue.

MR. DROZD: Lastly, I'll say, we owe the right to support industry within our communities and those that employ our people. We have the responsibility to support and create new jobs and to support the existing jobs here. We are not a police force. We are not somebody that's going to criticize or chastise somebody publicly. That's not our job. Because when we do, we speak not only on behalf of us as a Council, we speak on behalf of the people of Allegheny County. And when you ask those people out there, what is one of the major issues within Allegheny County and what they want, and that's jobs. They want employment. And I, for one, am not going to discourage companies without due process. You heard what that said. Due process.

So I'm abstaining. Let it go where it should be. Let those decisions be made where it should be, through OSHA, state agencies and wherever else may ---. Let the employees also file their due process. And some day I hope to God we're not having a conversation that I had one time with a company that employed 1,000 employees. And I'm going to tell you this, what I told them. This is with God as my witness. I was the one that recommended that I could have gotten an employer in that armor facility out there. But no, there was some --- a few do-gooders that were going to take it somewhere else and make the employees pay in ESOP. Do you know what happened? This company that was coming in was going to employ 1,000 people. Do you know what they said? Sorry, we're not

interested, because some people killed that facility and that opportunity. The employees, one of which owns a plant --- an establishment out in Bloomfield, who headed that union, came to me later and said, Matt, can you still get them here? I said, I'll try. When I called, he said it no longer existed. The opportunity was gone.

I'm not going to sit here again someday and have the same conversation and cost that community and your people here jobs. Work it out within your system. Work it out within due process. Work it out with that company. I'm not saying the company's right. I'm not saying the employees are right. I'm saying it belongs in the due process and the due process --- not in this Council. And when we do, when we send that message, you're going to say, well, we talk about economic development. We talked about it. We don't want it. Thank you.

PRESIDENT FITZGERALD: Thank you, Mr. Drozd.

(Applause.)

PRESIDENT FITZGERALD: Let me just explain something about this bill so people do understand. We do not have the power --- this body and this county does not have the power to shut down any company or tell anybody who they can do business with. This is just us following our own sweatshop ordinance that we passed a number of years ago. Councilman Robinson was a sponsor, I was a co-sponsor, and many members of this Council supported that. This is not a court of law. This is not a due process. All we are saying is we will not do business with companies that are sweatshops.

MR. ELLENBOGEN: I don't think we should have to tolerate ---.

PRESIDENT FITZGERALD: We're not.

MR. ELLENBOGEN: No. I keep hearing cat-calls, and everybody up here is going to have their say.

PRESIDENT FITZGERALD: We're going to have our say, Mr. Ellenbogen. I've got everybody in order. I just wanted people to understand that this is only about us buying steel from a certain company. And also, this resolution allows for this to be ---. If we vote this tonight, it could be rescinded in a few weeks or a month if some of these conditions are corrected. Mr. Ellenbogen?

MR. ELLENBOGEN: Okay. Thank you, Mr. President and members of Council. I have a few things I'd like to say. And you know, sometimes you can say something and it

means something, and you can use the same words and --- here's something else. From a factual point of view, I have a letter here from Dr. Martoni, who asked if him and Councilman DeFazio and a delegation could visit this facility. And I see no response other than no. I'm going to have my say. You may not like it, but I'm going to have my say.

First of all, Jack Shea and this labor council and Reverend Love would not be sitting here all this time if there wasn't something going on. I know them well enough to know. I also know that those gentlemen have protected the rights of the workers in this county for hundreds of companies. This is the first time as long as I've known him that he has ever come with something like this. Now, I know him well enough and I respect him well enough to know that if he's sitting here, to me, there's something going on.

Now, my esteemed colleague talked about people coming over to this country. My people came over from this country and died in the mines. If it wasn't for people like John DeFazio and Reverend Love and Jack Shea, I would have never had the opportunities that I had. I watched my father suffer. I watched my grandfather suffer. And I watched my great-grandfather and his brothers die in those mines when they came over to this country.

When my great-grandfather took me to the top of Munhall and showed me the graves of those workers who died down there in that valley for what they believed in, the rights that folks have today were built on the bodies of those folks that are buried in those cemeteries. And these gentlemen, they are here to continue the fact that, you know, we have good unions. We have people that look out for safety. Have you ever gone to a funeral of somebody who died in an unsafe situation? Well, I'm going to tell you something. This is not a court of law, but I'm a working guy myself. And I believe in the fact of what these folks say. And I'm for this ordinance, whether you like it or not.

(Applause.)

PRESIDENT FITZGERALD: Councilman Burn, then Councilman DeFazio.

MR. BURN: I don't think I can say that any better than Jimmy, but I would like to just follow up on some points he made. There were some testimonials tonight

about these allegations, that the company was blindsided or oblivious to these issues. I find those statements disingenuous at best. Doc Martoni sent a letter asking for some discourse in November. He was denied that opportunity. We invited some of the folks from the company to come down and tell us some of the problems and concerns they had when I first addressed this in my Public Safety Committee meeting. There was follow-up subsequent to that as well.

So to the extent this company is saying they didn't know what was going on, if anything, that supports the arguments that there is lack of attention and lack of due diligence taking place. And as the Council President indicated, if these concerns we're addressing tonight are addressed in an adequate fashion, we can revisit this at any time. But I can assure you that I will not be --- I will not be entertaining any reconsideration of an affirmative vote tonight until all of those concerns are addressed to all of our satisfactions.

And with respect to this handout about refugees protesting Catholic Charities, Counselor, that's irrelevant. Objection sustained. It has nothing to do with what we're trying to accomplish tonight. I'll be voting yes. Thank you, Mr. President.

(Applause.)

PRESIDENT FITZGERALD: Mr. DeFazio?

MR. DEFAZIO: Let me start out by saying that this is not a union shop. I've had some calls about union this, and it's not a union. I was with Chuck Martoni. We went out to that plant and we wanted to go in and talk to management. They wouldn't let us. Not for all of the people, just for a couple. Okay. And we just wanted to talk.

Now, I heard Matt over here talking about the unions and all that. These plants were shut down. You're falling back into the same trap that a lot of people fall into. We're defense. When you have a union, we're defense. If there's a violation, we file something. Okay. Management mismanaged a lot, but we're not here to reprimand any management on that. But don't be saying this to the men. The men --- they go by defense. If there's a violation, we file something for it. Okay. So don't be saying these mills were closed down because of people. Okay. Poor management.

(Applause.)

MR. DEFAZIO: When we went out there, we wanted to just talk. Okay. We heard --- this was going on for a long period of time. I was out of town last Thursday whenever we had that meeting here. That's the first time they come back after this thing hit the media and this thing was getting bigger than what they anticipated. Then they said they'll meet with us. Okay. Like Rich Fitzgerald said, if these things can be worked out ---. We're not here to shut no plants down. If that vote sinks, everybody drowns. Okay. The workers don't have a job, and your plant and your management, you don't have a job. We're not here to hurt anyone. At the end of the day, we're always here to try to help.

Now, I guess there's some mixed facts here, the way I'm hearing it tonight. We heard a lot of different stories, but you couldn't get the company's version then. They wouldn't let anyone talk to us. So look, meet with management. And whatever happens down the road that these things are corrected, just remember, these people come to us for help. Okay. We don't usually get into things. They don't have any union to go to. There's a lot of things they tried to do. It isn't working. They asked for help. And all we're saying, we'll help as a county if we find out that the facts were like we were told. Now, we heard all different from management. Every time someone talked to us before, they showed us where of all these safety violations. They showed us where people are making \$2 and \$3 and \$4 an hour less. And they showed us where certain people is being picked on. These people even testified.

So you know, I don't know who's here and who's who or not. We have a job to do. We're going to do the best we can do. At the end of the day, look, we meet again and we get these problems corrected, fine. Then everybody goes away happy. It's a win-win situation. But I don't want to get these facts distorted that we don't want to talk. We wanted to talk for months with this company. They wouldn't talk to us. Thank you.

(Applause.)

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: I'm going to be proposing an amendment, Rich. Jared's printing it out. And while he's doing that, I'd like to make a couple of points. Like John said ---.

AUDIENCE MEMBER: Can't hear you.

MR. MCCULLOUGH: Can you hear me now?

PRESIDENT FITZGERALD: Please, no comments from the audience. Mr. McCullough, continue.

MR. MCCULLOUGH: Rich, there's something wrong with my mic.

PRESIDENT FITZGERALD: You'll have to speak loudly.

MR. MCCULLOUGH: How about now? Can you hear me now?

AUDIENCE MEMBERS: There we go.

MR. MCCULLOUGH: Like John said, when I came to Council, I came to help people. And I'd like to point out that about 15 months ago, I called for a bond embargo against UPMC because they shut down Braddock Hospital. All right. I couldn't get any support except for one councilman on this body to do it. And for the last 15 months, on my own time, at my own cost, I've been litigating against UPMC to try to impose a bond embargo on behalf of the people out there who lost their hospital. That affects everybody in Rankin, too. It affected about 20 communities.

It's pretty easy to pass a resolution when you don't have a contract with somebody and there's no economic downside. What we shot down last year was UPMC pays Allegheny County a fee. And I kind of think you ought to put principle above money. Now, I didn't get any support for that. I also introduced a bill probably about 18 months ago to require Allegheny County to not do business with companies that invested --- that did business with countries that sponsor terrorism. That didn't get out of committee, either. I also asked for a similar form of relief to help the people in Darfur, and that didn't happen, either. And again, I'll tell you what I heard was, well, Allegheny County might take some sort of an economic fit because of that.

So I'm troubled that the bright line seems to be, we can do something that Allegheny County doesn't have an economic interest at stake. But when it comes time to, you know, back up your talk, it's not here. Now, one of the things I want to know is ---. It says in this resolution, first of all, that it applies not only to W&K Steel, but supposedly, businesses using products provided by W&K Steel. First of all, can anybody tell me any of the businesses that use W&K Steel products? And if there's any businesses around here that Allegheny County

is doing business with --- for example, UPMC. If UPMC has W&K Steel in any of its facilities, are we now saying we're not going to do any business with UPMC? That would be great. Okay. The other problem is, it says, Allegheny County should resolve. It doesn't say resolve. It says should. That's a big qualifier.

And the next problem I have with this, unfortunately, is Section 5-903.02 only applies in a bidding process. The problem here is --- and I can play this technicality. I can tell you all, well, I can't vote for this because Allegheny County doesn't have any jurisdiction. This issue only comes up in the event that W&K Steel is going to be bidding on a county project. I'm not going to play that dodge.

What I'm proposing we do is have County Council conduct a full councilmanic inquiry, a complete investigation with a hearing for testimony under oath. And then we'll find out --- we cut the wheat from the chaff. And you know, we've heard representatives from management come in here tonight and say they didn't get a chance. And even John made note of, there's different facts. Well, let's find out just what the heck is going on. And I'm going to propose that we take a full investigation in here. And anybody that has anything to say, they come in, they swear to it under oath and we do it before all of Council and we make a determination on it. And I'm welcoming that opportunity to find out just what the heck is going on. And that way, you're not getting into this jurisdictional issue.

We have powers, under our Health, Safety and Welfare powers, to investigate issues of concern for our people without passing judgment. So what I'm saying is let's investigate it first, find out if there is a problem and see what kind of action we should take, rather than pass this resolution, which really doesn't have any teeth to it. It contains certain allegations that may be premature. They needlessly give people a false sense of --- but at the same token, does not address some of the issues that came up from the management side tonight. So that's what I'm calling for.

PRESIDENT FITZGERALD: Mr. McCullough, do you have an amendment?

MR. MCCULLOUGH: I have an amendment.

PRESIDENT FITZGERALD: Does Mr. Barker have it?

MR. MCCULLOUGH: And Mr. Barker has it.

PRESIDENT FITZGERALD: Mr. Barker, if you'd pass out the amendment. And then Mr. McCullough, go ahead and make your amendment. Make a motion to amend.

MR. MCCULLOUGH: All right. As he's passing that out, I'd like to make a motion to amend this resolution.

PRESIDENT FITZGERALD: Would you explain the amendment, please?

MR. MCCULLOUGH: Yeah. Very simply ---.

MS. REA: Second.

MR. MCCULLOUGH: You probably want to read it before you second it. But very simply, what it does is it retains the whereas clauses in the first page, which obviously give rise to the need to an inquiry. It strikes the last whereas clause where it provides a judgment of Council, because I think it's premature to issue a judgment. We delete the issue of a declaration of policy because as the way our Administrative Code is written right now, we're not in a position where we can declare a policy because there's no contract or bid before the county. And it goes simply to say, we're going to have a formal councilmanic inquiry into these allegations to find out what the heck is going on before we make any conclusions. On that basis, so moved.

PRESIDENT FITZGERALD: Moved and second.
Councilman Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. One of the things that troubles me is some of the aspects that Councilman McCullough brought up, and let me go back in history. When we passed the sweatshop ordinance, every single person up here voted for it. It was a unanimous vote. We share exactly the same values, the threats, everything out there. We passed it unanimously. And what that means is that it goes from Council to the Executive. They're the ones that do the contracting. They're the ones that do the purchasing. I've been on this body for over ten years. Guess how many contracts we've given out? None. And we're passing this body to go across the hall. And they see fit not to have any contracts with W&K Steel, apparently, as the Controller told us. So either, you know, they're following it or they're not. But so far, there is no process.

So now we're saying limited circumstances. If, in fact, W&K Steel wants to bid --- and that's the only world we're living in right now, purchasing and

contracting. If they want to bid, then they're precluded. How does that help any of the safety or issues that came up? Councilman McCullough is keeping it in our body. A councilmanic inquiry means we retain control. We're not passing something that accomplishes one percent out of 100. We're keeping it here. So I think this completely keeps it in our body and not takes it out of our body. So I ask my colleagues to support keeping it in County Council and not taking it across the hall. Thank you.

PRESIDENT FITZGERALD: Please call the roll on the McCullough amendment.

MR. DROZD: Wait, wait, wait. I'm going to comment on the amendment.

PRESIDENT FITZGERALD: Oh, Mr. Drozd, I'm sorry. I didn't see your hand.

MR. DROZD: Thank you. First and foremost, again, I believe this does not belong here. And if, in essence, that Allegheny County --- or W&K Steel, I should say, should be doing business with many of the agencies or some of the agencies within Allegheny County, I would ask the workers, which ones are willing to go to the side first? Because you're only going to have jobs as long as there's business. And if Allegheny County cuts some of that business from your employer, they could cut your job. I'm going to tell you that here and now. Make sure of that. Make no mistake. So if they can't find business, your job. Who's the first of you that says you're going to go to the side for your fellow employees when there aren't jobs there because there's no business? Think of that.

Now, secondly, I agree --- and that's why I feel there's injustice done here. These people --- who here in this audience here today, who here would want to be tried publicly or accused or found guilty without due process of law, without due justice? Who here? Stand up. Let me see you. Well, I don't think anybody would. You heard what that company said. They want to be heard. We owe them the right to at least be heard. I'll support this amendment because they have the right to be heard.

(Applause.)

MR. DROZD: Even though I feel this belongs, again, with state and federal authorities, I'm going to say this one more time. I can't help from thinking that when this company's tried without due process, what other companies out there are thinking that may be here and

doesn't have to be here, like Westinghouse that moved, and that's their prerogative, across the border. Or sometimes even further, those companies that do likewise and send their trades and their jobs into other states or other countries, God forbid. Who here would want to say, who would think these companies might think, who may be here or may be coming here and they think, I may be next? I may be next. So I'm not about to do that.

I will vote for this amendment and Mr. McCullough because I believe they need due process even though I believe it belongs in other authorities and not in this Council because I think they need that.

PRESIDENT FITZGERALD: Mr. Ellenbogen? Mr. Ellenbogen, then Mr. Finnerty.

MR. ELLENBOGEN: Thank you, Mr. President. What I'd like to say is, you know, I understand what Councilman McCullough and Councilman Gastgeb feel about keeping it here. My main thing is, you know, Councilman Martoni always talks about us, you know, we're citizens of Council. We don't have the resources that across the hall has. They have a huge law department. They have a huge police department. They have inspectors. They have all that. They have the resources to investigate this better than we do. And that's why I just think that it's important for us to tell across the hall that, hey, you know, this is how we feel about it. This is how our people feel about it. Use your resources and investigate this thoroughly. Thank you.

PRESIDENT FITZGERALD: Councilman Finnerty, then Councilman Gastgeb.

MR. FINNERTY: Thank you, Mr. President. We're looking at a bill here that is talking about supporting the workers, all workers in safe conditions, to work in safe conditions. The company, I understand their position. We've been there already. But we have in the past asked the company to come in. They did not see fit to come in. As I think Councilman Burn has stated, that it didn't happen until it got in the papers. Then all of a sudden, we were wrong. We didn't give them a chance to speak, et cetera. And it was going on for at least two months before it came to this. In fact, probably even longer. So there has been an opportunity there and plenty of opportunities to come in and say something in regard to this situation.

I'm looking at a situation that I think there is unsafe conditions there, and I think that something should be done about it. And also, I believe that Council President Fitzgerald has also stated that if it's cleaned up, that this can be rescinded. And I think that's an important thing to think about.

You know, we're asked here to take some kind of position in regard to workers' health and safety. And I think we have to do that if we look at the whole ball of wax here, what we're talking about. And I just want to remind some people here that this area might have been losing jobs at one time, but we are gaining at this moment. And we have companies moving in here, such as Flowserve. If you go out the parkway, you'll see a big Behr sign out there and you'll also see Verbay, which makes mirrors. These are companies that have come to Allegheny County, and there's more, but I can't think of them all at the moment.

So we have been making progress here. It's a shame that we always have to go back to something that --- as Mr. DeFazio stated, the steel industry, which went down. It wasn't because of the workers in the steel industry. No way. It was because of poor management that that happened. The people didn't manage right, didn't modernize their mills as it went on. And they were just taking advantage of the situation, and it came back to bite them and they went down. I thank you very much.

PRESIDENT FITZGERALD: Mr. Gastgeb?

(Applause.)

MR. GASTGEB: Thank you, President Fitzgerald. I guess I'll reiterate what I said a couple minutes ago. We supported the workers. We passed sweatshop legislation. We passed it unanimously. So what step are we at today? There's two forks in the road. The first bill we're considering --- it's right here, Mr. Fitzgerald's bill. It strictly speaks to contracts. That's it. So we can pass it. That's fine. How does that help anybody with the situations that were brought forth tonight? There's no contracts now, and you're in a situation here. It doesn't help. If it goes across the hall, I would argue that Mr. Flynn and his staff, in my humble opinion, are going to look at this and say, any time W&K Steel have a purchasing contract, I'm not going to do business with them. But if we really care, why leave it at that? If we do more, if we keep a

councilmanic inquiry, as Mr. McCullough wants, we can ask more questions. We can bring up things up on the side. It doesn't matter. We can get to the heart of the matter, what everybody brought up tonight, management and labor. I don't want to be in the middle of a management-labor dispute. I don't know anything about what's going on to the point that you do. Why would I put myself in that position?

If I have to vote on something that I'm uninformed on, you can vote yes, no or abstain. And I know on a councilmanic inquiry, we can come here, just like we're going to come for Marcellus Shale. We know what day that is. There are speakers that are supposed to come. Come that day. And guess what we do? We listen. We ask questions. Then we might refer it to the appropriate agency, if it's worth it, Department of Labor. We're not the Department of Labor. OSHA. We're not OSHA. Law enforcement if needed. We're not law enforcement. We're County Council. And all we've got to offer you is sending it across the hall that W&K Steel either can or can't contract. Is that what this is all about, giving up contracts? To me, it's a lot more than that. Let's have a councilmanic inquiry. Let's keep it in this chamber. Let's do the job we have to do so it's fair for everybody. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: Yeah, a couple of points. First of all, with respect to the idea that the executive branch has more resources, well, that's absolutely true, just like the executive branch in the federal government has more resources than Congress. And it doesn't stop Congress from conducting congressional inquiries. That didn't stop County Council, a couple of weeks ago, from conducting a councilmanic inquiry into the alleged slowdown of the light rail transit line for the Port Authority. We have the power under our code to conduct councilmanic inquiries where it involves health, safety, welfare issues of the residents of Allegheny County. So this is completely within the ambit of that. The second thing is, I would hope that if the Administration has some information it could bear on this, they would come and present it. We certainly can ask them to come. And if you feel they have that information, we can subpoena it, whether they want to provide it or not.

The second thing I'll point out to you --- let me read this provision to you from our Administrative Code. And again, what we're talking about here is a procurement process, and it has a provision in there about not doing businesses with a sweatshop. But let me read to you the big loophole in this whole thing, and this is a loophole that's not addressed by this resolution, not even touched. The requirements of this section --- again, I'm reading from Section 5-903(c) of the County Administrative Code. The requirements of this section shall be satisfied by the execution of a signed statement by the vendor --- in this case, that would be W&K Steel --- in a form prescribed by the Chief Purchasing Officer and submitted with any bid packet to the county that the vendor is unaware of any circumstance or fact that leads it to believe that any of the conditions described --- and I'm not going to read all the numbers to you, but basically described above --- exist in any of its facilities involved in its manufacturing process. The signed statements required by this subsection shall be retained by the Division of Purchasing and Supplies for a period of at least five years.

So in other words, what this says is, we can pass this resolution tonight, which says the county should not do this. And the next time there would be a bid out involving W&K Steel products, they can write a letter as part of their bid packet and say just what their representative said tonight. We're not aware of these circumstances. And guess what? They get the bid if they're the lowest responsible bidder.

So what I'm trying to tell you is this is meaningless. Okay. But what I'm trying to propose to you is let's try to find something that has some meaning. All right. Let's find out --- let's make sure we know what the facts are. And if anybody has any information to help us determine those facts, be it the Administration, be it management, be it labor, be it citizens' group, be it whoever, come forward. Put your name on the line, swear under oath and let us make that determination. And if we find out that there's unsafe conditions out there, if we find out there's a sweatshop condition out there, we can put more teeth into our code than this.

Right now, this is just a circular argument. Some of you guys that are looking for this tonight are going to walk out of this room thinking we achieved

something. But if there was ever a bid coming up involving W&K Steel, they get out of it by sending in a letter. And that's why I'm making this amendment to this resolution.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Yeah. One quick point with the union workers. I want to clarify this so it's clarified to you. By passing a resolution about this and looking into it thoroughly, it's not helping you. What it's going to do --- we cannot go in there and say, get the water off the floor. We can't go in there and say, W&K Steel, do this or do that or whatever it may be. We can't do that. That has to be OSHA and state law. What will happen, make no mistake about this, if this goes across the hall and they say, you are now a sweatshop and say, W&K Steel, your company, your bread and butter does business with other agencies within Allegheny County, it cuts the business. You've been in other companies. You know what happens when business cuts from your company. So do the jobs, your jobs.

And I sure am not going to be one that voted for something like this, that's going to take bread from your family on your table. And I don't think you want that. I really don't believe you want that, but that's what's going to happen. Let's be clear on that. When it goes across the hall, we don't police whether you have water or whatever on the floor. What we say is this county is no longer going to do business with that company that employs and pays your wages and feeds your families, is no longer going to be. Is that what you want?

PRESIDENT FITZGERALD: Mr. Gastgeb?

MR. DROZD: I'm going to abstain, again, because I'm not going to do that to your families, your children and your wives and your families and those people in that valley.

(Applause.)

MR. GASTGEB: I don't know if I can top that.

(Applause.)

MR. GASTGEB: I don't know if I can match Mr. Drozd's vigor. But just in closing, you all came here tonight asking for County Council's support, no matter if you're --- where you're from. You all came here and almost said the same thing. Listen, do something. We're offering a motion that keeps it in our body that allows us to do something. Thank you.

PRESIDENT FITZGERALD: Mr. Ellenbogen?

MR. ELLENBOGEN: I just have one point. Because sometimes we may not have the authority to do something, but we represent over 1,000,000 people, the 15 of us. And sometimes when we open up our mouths, the hundreds of thousands of workers in this county and the other counties take notice. And when people take notice, you guys know --- I mean, part of my education is in economics. When people take notice, they want people to do something about it. So what I'm saying is just us voicing this opinion will draw attention, and that attention, I think, might get some action. Thank you.

(Applause.)

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

MR. DEFAZIO: Matt, you know, I don't want to pick on you, but I'll say one thing. You're doing a good job of trying to scare people. Look, we're not really doing the business now with these people. The big thing we're doing is drawing attention --- it got a lot of attention because when this thing first started, someone correct me if I'm wrong --- Chuck, I'll even ask you --- didn't we get letters from an attorney to sue us? Okay. That's how it started. It wasn't like they're trying right now. Let's talk and work together. We got a couple letters from an attorney. Okay. Why didn't they do like any other company would do and say, okay, we'll sit down with a couple of these people? Not until after it was out in the media and all that, after the horse is out of the corral, now they said they'll talk to us. Okay.

And like I said before, we're not here to hurt anybody in this plant. Okay. Believe me, we're here to help. All of my life, that's all I ever did --- well, not always, but since I got old enough. I've worked, trying to help people. Okay. Sometimes people don't appreciate that. They don't realize who their real friends are. At the end of the day, you're going to do what's right. We can back off of all of this, but let's do what's right for everybody. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough, then we'll take a vote on the amendment.

MR. MCCULLOUGH: In October of 2009, UPMC announced it was closing Braddock Hospital. And this Council unanimously passed a Sense of Council resolution condemning it. Six weeks later, this Council, with two

very limited exceptions, voted to approve a billion and a half dollar bond deal for that very same entity. And frankly, I stood alone when I challenged that and when I challenged on behalf of the people of Braddock UPMC's closing of the hospital. This is what we're talking about here again. We're talking about another meaningless resolution that has no legal fiber, no legal voice whatsoever.

The idea of saying, well, let's pass a resolution that says it's our judgment that you've done something wrong and that the county should resolve to do no business, then turn around and say, well, let's talk about it later and we can always lift this --- well, why not have a public hearing first and find out if there was something done wrong before a judgment is passed? And if a judgment is passed, then let's talk about doing something that has some teeth to it, and let's not play the same kind of game we played 15, 16 months ago with Braddock Hospital. People didn't listen to us. UPMC didn't stop. The wrecking ball is out there. All right. And that's why I proposed this amendment to the resolution. Let's have a hearing. Let's give everybody a chance to say what they have to say under oath. We make the determination as to what's going on out there, and then we act accordingly.

PRESIDENT FITZGERALD: Let's vote --- call the roll on the McCullough amendment.

MR. CATANESE:	Mr. Burn?
MR. BURN:	No.
MR. CATANESE:	Mr. DeFazio?
MR. DEFAZIO:	No.
MR. CATANESE:	Mr. Drozd?
MR. DROZD:	Aye.
MR. CATANESE:	Mr. Ellenbogen?
MR. ELLENBOGEN:	No.
MR. CATANESE:	Mr. Finnerty?
MR. FINNERTY:	No.
MR. CATANESE:	Mr. Futules?
MR. FUTULES:	No.
MR. CATANESE:	Mr. Gastgeb?
MR. GASTGEB:	Yes.
MR. CATANESE:	Ms. Green Hawkins?
MS. GREEN HAWKINS:	Nay.
MR. CATANESE:	Mr. Macey?
MR. MACEY:	No.

MR. CATANESE: Mr. Martoni?
MR. MARTONI: No.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: No.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: No.
MR. CATANESE: Five yeses and ten noes. The

bill fails.

PRESIDENT FITZGERALD: On the bill itself,
please call the roll.

MR. DROZD: Don't we have a chance to discuss
the bill itself?

PRESIDENT FITZGERALD: We have been discussing
the bill. You can discuss it. Do you want some ---?

MR. DROZD: Yeah, I just wanted to ---.

PRESIDENT FITZGERALD: No, he didn't. He got it
right. Mr. Robinson voted yes. There were five votes.
It was five to ten. The amendment fails. On the bill
itself, let's call the roll.

MR. DROZD: What about the discussion you said
we'd have?

PRESIDENT FITZGERALD: We had discussion. Go
ahead, Mr. Drozd. You've had plenty of time, but we'll
give you one more time.

MR. DROZD: It was pointed out that --- scare
tactics or whatever --- it's not scare. You all know ---
you're as smart as anyone else. You know what happens to
stores in your community when they no longer have the
business and it goes elsewhere. What happens to the
people that are employed there? I'm not going to put you
and your families in that position. First and foremost,
it doesn't belong here. Secondly, I don't want to cost
you and your family's potential for jobs because that's
all this is going to do. It's going to go across the
hall. They look at it. They look at agencies within it
and that can be pushed on agencies. No longer are they
going to buy the product that you produced. What do you
think that's going to do? Do you think it's going to keep
all your jobs? I don't think so. And I'm going to

abstain. I'm not going to do that to you or your families or your children. I'm not going to do that. I was born and raised in the Steel Valley. I saw what it does to families. I saw what it does to those children. And I'm not going to do anything to support that again. I never did and never will. I want your jobs here. I want your families fed and I want you to have the income.

PRESIDENT FITZGERALD: On 6190-11 ---.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Abstain.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Abstain.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Abstain.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Abstain.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 11, noes 0 and abstentions

4.

PRESIDENT FITZGERALD: Committee on Parks, second reading. Before we start that, Mr. Catanese, I have to excuse myself for the rest of the meeting. I'm going to ask Mr. Martoni as Vice-President to take over. Thank you.

(Applause.)

(Short break taken.)

VICE-PRESIDENT MARTONI: Okay. Joe, Committee on Parks, second reading.

MR. CATANESE: A resolution expressing the Sense of Council of Allegheny County supporting the concept and establishment of the Penn Forest Natural Burial Park, a woodland green cemetery, in the municipality of Penn Hills. Sponsored by Councilman Futules.

MR. FUTULES: Thank you. On February 8th, we had a Parks meeting regarding the green cemetery concept, and it was an affirmative recommendation. Now, there was one question by Matt Drozd. He had abstained at the time. And Bruce Dixon from the Allegheny County Health Department said that he was okay with the cemetery, of course, and the concept of a green cemetery. Now, this will be the one --- the first green cemetery in Pittsburgh --- well, actually --- no, actually, in the State of Pennsylvania, actually. It was completely in agreement, and I'd like to move this for affirmative recommendation.

(Chorus of seconds.)

VICE-PRESIDENT MARTONI: Moved and second. Any question? Mr. McCullough?

MR. MCCULLOUGH: The microphones are all dead.

VICE-PRESIDENT MARTONI: Yeah.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni?
VICE-PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes 14, noes 0. The bill

passes.

VICE-PRESIDENT MARTONI: Liaison reports.
MR. FINNERTY: You've got to speak real close to
this.

VICE-PRESIDENT MARTONI: I'm sorry. Liaison
reports?

MR. FINNERTY: No, I don't have any.

VICE-PRESIDENT MARTONI: Anybody have any?
Okay. New business. 6216-11.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the evaluation of measures to improve the effectiveness, efficiency, transparency of the oversight, management and administration of the Port Authority of Allegheny County as well as measures to improve the accountability of the oversight, management and administration of the authority for Allegheny County and its residents. Sponsored by Council Members McCullough and Drozd.

VICE-PRESIDENT MARTONI: Mr. McCullough?

MR. MCCULLOUGH: Yes. And I'm going to ask that we waive the second reading on this because I think this is timely that we put this to a vote. And Doc, if I may, I'd like to make a few explanatory remarks about it.

VICE-PRESIDENT MARTONI: Please do.

MR. MCCULLOUGH: Thank you. I've been trying in one form or another since July or August of 2008 to take a hard look at the Port Authority and also some other entities that are very important to this region and control very significant assets. As the issues with the Port Authority continue to mount, it became obvious that that ought to be moved to the top of the list and that there ought to be a focus of attention on it, not necessarily to the exclusion of other entities, but certainly the most critical one we've got.

At the last meeting, I introduced a similar resolution which would call for a study commission, a

volunteer study commission. At that time, it was of nine. Six people selected by the Democratic caucus, the remaining three by the Republican caucus. And a comment was made that a reference towards privatization should be eliminated. That has been eliminated.

Another comment was made that the commission and its study group involve all 15 members of Council. I don't think we should lock ourselves into studying this because some of us have been on this Council for 11 years and certainly had the opportunity to study it. I know I would be more interested in hearing some comments from third parties. But be that as it may, this resolution calls for 15 and gives each member of Council the right to sit on this commission or study group --- himself or herself to appoint a designee.

The time has come for this. I mean, you've heard again tonight a very, very critical situation that we're being faced with. We all got a lot of phone calls. We get letters. We get e-mails. The immediacy of service cuts is upon us. We do fund a significant portion of the Port Authority. We have a stake in it, whether Mr. Bland wants to admit that or not. It affects the health, safety and welfare of the residents of Allegheny County, whether Mr. Bland wants to recognize our jurisdiction in this matter or not. This is a necessary first step in trying to get something done.

There's just so many issues out there that we have to start taking a look at it. We may be too late, but we have to get the ball rolling. On that, I'm going to request that we waive the second reading and bring this to a substantive vote.

MR. DROZD: I'll second that.

VICE-PRESIDENT MARTONI: Okay. The motion is seconded. Any questions?

MR. GASTGEB: Yes.

VICE-PRESIDENT MARTONI: Go ahead, Mr. Gastgeb.

MR. GASTGEB: Thank you. I just have --- going from the Chair over here, how many votes that would take, being how many we have up here now?

MR. CAMBEST: The majority --- a two-thirds vote to waive it.

MR. GASTGEB: Okay. Well, there's a difference between 90 and 190 days.

MR. CAMBEST: No. This is a pull.

MR. GASTGEB: Thank you.

VICE-PRESIDENT MARTONI: Mr. Drozd?

MR. DROZD: Everyone heard testimony that was given by one of the officers --- the officer --- the major officers of the Port Authority. They all feel and they all agree this needs to be done. I heard members of Council say, this needs to be done. We should look at it. Then why not vote for this and why not support it now --- here and now, especially with what people of Allegheny County and the critical issues that are facing the people of Allegheny County? We've all received phone calls continually from our constituents about cuts in service. It's time, because we'll be having the same conversation. When a gentlemen talked about 2012 or whatever, when this funding would go --- then we'll be having the same conversation next year and the year after. And who's here to tell me that we haven't had the same conversation for the last, what, five, ten years? It's time. Council needs to take action.

I heard tonight about oversight and looking and whatever with these other issues. This is nothing different. It's nothing different. In fact, it's more critical --- well, let's say this. It's equally critical of anything that was discussed here and now or any night in this chamber, especially now with the people very, very concerned and a lot of anxiety being caused.

I received a call from one lady today. She has three children. She's a single mom. One child's 15, one's 2 or 3 and the other one's around 1. If her service is cut, she has no other way to get to work and to feed those children. Who here would not want to take a hard look at this here and now? And who here tonight will say, all's okay in the world, as they say? Remember those terms, all's okay in the world? Well, it isn't. It isn't, and we better start looking. I don't believe anyone here would have voted on any other issue that I heard tonight that would not vote on this and to support it under the arguments that were given that maybe we felt whatever or I may have given. So I would strongly urge Council to support its constituents, to go with its constituents, to help its constituents and take a very, very hard look at this. Thank you.

VICE-PRESIDENT MARTONI: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. Vice-President. I just want to make sure that we do, and I think it's extremely important to take a hard look at things, which

means that you don't vote to waive something. You send it to the committee. And in the committee, you have people come in and testify in regard to it, you discuss it, et cetera. That's what we're talking about. We're talking about a process that we go through here, that things go to committee, they're discussed. And then they're brought, if they have merit, before the Council as a whole. That's why our committees do exist.

So if we're looking at waiving something as --- something as this important, I think we're doing the wrong thing. And I believe that I represent my constituents and all people of Allegheny County, and I do a heck of a job of it. And I regret that we have somebody that continually tells us that we have to vote a certain way because of whatever reason. We're up here as individuals who do the best we can representing the people of Allegheny County, and I think that's important for each one of us, and each one of us cares. Thank you.

VICE-PRESIDENT MARTONI: I had several hands. I'll take Mr. Ellenbogen.

MR. ELLENBOGEN: Thank you, Mr. Vice-President --- or Mr. President.

VICE-PRESIDENT MARTONI: Whatever the hell I am. Acting President.

MR. ELLENBOGEN: Acting President. Normally, I would agree with Councilman Finnerty in terms of letting this go to the committee. However, I mean, it's --- I think it's disingenuous of anyone to think that the public is not thoroughly abreast at what's going on in the Port Authority. I agree. We had a meeting with the union and with the top officials of the Port Authority, which in my mind acted as close to a committee process as we could have. As those of you who are part of the Government Reform Committee or who attended that meeting will remember, I point blank asked the director of the Port Authority whether he felt that there were isolated incidents with the union or whether there was no real problem that could lead to some serious problems in regards to the Port Authority itself. He declined and disagreed with me. The union president in front of us said the opposite, that there was a problem. That being said, you have a union on one side saying one thing, administration saying another.

Where I would normally agree to a committee process, in this particular case, I think we got as far as

we will, because if you call those same folks in, we're just going to have a repeat of the same thing. I think we've reached a point publicly. I can tell from my e-mails and my phone calls that it's important for us to act now and to try to get to the bottom of this. So you know, I will vote for this because I agree that, you know what, we've talked about it enough. We've talked about it over the years. I've watched Councilman DeFazio ask a lot of point blank questions, as many of you and myself. And I personally feel --- it's my opinion that I'm being stonewalled. And I welcome an investigation and I applaud the sponsor of this bill. Thank you.

VICE-PRESIDENT MARTONI: Mr. McCullough?

MR. MCCULLOUGH: No further comments.

MR. FINNERTY: I did want to mention something.

VICE-PRESIDENT MARTONI: Sure.

MR. FINNERTY: Thank you. I didn't mean to be disingenuous. I was being ingenuous because that's what I believe in. So I don't appreciate somebody using such a term up here in relation to what people say. I don't think it should be used. I'm stating exactly what I believe in when I said that. Thank you.

VICE-PRESIDENT MARTONI: Yes, Mr. Ellenbogen.

MR. ELLENBOGEN: If Councilman Finnerty was referring to my use of the word disingenuous, it was not directed at you, Councilman Finnerty. It was directed at the fact that if you're going to sit here and tell me that the public is not ticked off about the Port Authority, then you can use any word you'd like to. So you know what I mean? It was not directed at you. And if you took it personally, I will apologize for that. But I will not apologize for the statement that the public is very irritated right now at this whole Port Authority issue. Thank you.

MR. FINNERTY: Oh, I agree with that, that the public is very --- and they should be, because the Port Authority's function is directly related to our economic development. We need the Port Authority. We need bus transportation. I just don't like when people throw those words around when they don't state what they're talking about. If they'd just use plain terms.

MR. ELLENBOGEN: You know what?

VICE-PRESIDENT MARTONI: I don't want any personal debates here.

MR. ELLENBOGEN: No, no. I'm addressing Council here.

VICE-PRESIDENT MARTONI: All of us are guilty of not saying who we're talking about.

MR. ELLENBOGEN: Yeah. That was not directed at any individual. It was just a blatant statement that for anybody to think that nothing's wrong with the public feeling about this is just disingenuous. If you took that personally, then I have to ask you, why would you take that personally when I was ---? If you want to go back and look at the record, it did not even say anything about you, didn't include you. I'm talking about anybody in this county.

VICE-PRESIDENT MARTONI: Hey, let's let this go. I don't want to ---.

MR. ELLENBOGEN: All right. With all due respect. And you're too sensitive. No, no, not you.

MR. FUTULES: Thank you. Okay. Frankly, gentlemen, listen. I really believe in the concept of this resolution, too, Jim. I really do, because I believe the investigation ---. I'm a firm believer of not passing this in a committee process because simple things, difficult things, we really should go through the committee process. But I am the councilman that's going to lose Harmar Garage, and I certainly want to get to the bottom ---. And I really would like to support the fact that I don't want it to close. There's jobs in my district, but ---. I think your urgency may be based on an announcement in the paper recently, because you have a time limit focusing on it. You know what I'm saying? But I really believe that we should go through committee for this, and then in a week or two, bring it back here and vote on it. Thanks.

MR. MCCULLOUGH: Let me respond to that.

VICE-PRESIDENT MARTONI: Let him respond.

MR. MCCULLOUGH: I think that comment was inappropriate. And I suspect what you meant by it was you feel that I'm under a time constraint to the Park Council.

MR. FUTULES: Yes.

MR. MCCULLOUGH: But what I'm talking about is politically motivated because I've been talking about this since July or August of 2008. And that's the point. We have seen this concept in one version or another for two and a half years. This is not a concept that is being sprung on this Council. And I'm not going to go through

the history of this Council of extensively waiving second readings on insignificant things like abolishing the Sheriff's Office. We'll leave that aside.

We're running out of time here. Okay. I mean, it seems like every meeting we have, we've got a Port Authority issue. There isn't really anything else to discuss in committee other than do you want to do this or not? And I think the time has come to do this. We need to start responding to the concerns of the people. Just how many other issues are we going to ---? They're running out of money. And not only that, they're cutting a substantial portion of service in this county. And we've got --- I've had people calling me up and telling me they will not be able to get to work because of what is going on here. And we're sitting here saying, well, we have to put it in committee to see if we ought to have a study group to look at it. We need to get off the dime. Thank you.

(Applause.)

MR. FUTULES: Can I respond to that?

VICE-PRESIDENT MARTONI: Yeah. Respond.

MR. FUTULES: I'm sorry, Chuck. I really did put a time constraint. You know, actually, I think you may have changed my mind. Thank you.

VICE-PRESIDENT MARTONI: Matt and John.

MR. DROZD: Just to echo again my esteemed Councilman, you know, what more can we be heard? I mean, my god, we've got --- you know, I don't know how much testimony and minutes --- they've held public hearings. They've been before us I don't know how many times. How much can we hear in committee? Do you realize --- I believe in the last year, this Council, I think, voted through four ordinances, two of which was from the majority and two from minority. That's all we did. You know, all we did. It's time for action. Remember proactive, being a little proactive here to do something?

I mean, can any Council member honestly say they're going to hear anything different from testimony given in a committee that they haven't heard in I don't know how many committee meetings? I mean, maybe tomorrow we'll pass that along. I mean, how many --- it must be in the hundred range ---. I don't know over the years here. How much more can we hear? It's time for an independent audit and look at this very seriously. We can do no more

by just simply sitting back and saying, let's have another committee meeting. Those people that are sending us e-mails right now are faced with losing bus service within the next, what is it, two, three ---? I don't know what it is. What is it? Mr. Martoni, you sit on the Board.

VICE-PRESIDENT MARTONI: It's soon.

MR. DROZD: Soon. And we're going to sit and have a committee meeting about this? I don't think so. I'm not going to do that. I'm going to support my constituency and I'm going to take action because that's what they're saying to me in those e-mails. Take action. Do something. At least, look like you're --- not look like --- be proactive. And let's work something out here. And that's what we need to do.

VICE-PRESIDENT MARTONI: John?

MR. DEFAZIO: I know a lot of people, including myself --- everyone seems to be disgusted with what's going on with the Port Authority. The only thing is, we have to make sure --- and I'm not saying delay this thing a long time. Next week or something, have a meeting and just go over and fine tune it. Like, people say we heard everything. I just found out tonight --- I didn't realize, when Pat McMahon was here, he said about the \$7,000,000 was in there from the healthcare and money was in there for the pension. I just found that out tonight. Look, I know everybody's disgusted with the Port Authority. We hear it and we want to do something. But does it really hurt to maybe have one more meeting next week or something?

VICE-PRESIDENT MARTONI: I can't answer that question.

MR. MCCULLOUGH: I think it was rhetorical, Mr. President.

VICE-PRESIDENT MARTONI: Bob?

MR. MACEY: Thank you, Mr. President and members of Council. Please excuse my voice. I'm suffering from a little cold. But I don't think anybody is more concerned about the effects of the buses and the routes and the lack of transportation as I am in the Mon Valley. But I can say this --- and I'm all for a study. Don't get me wrong. I think it's important. It's something you should be doing every five years. But by the time the study gets put together, these cuts are going to already happen. I think it's important in a week or so that we sit down and we put together a plan, an action plan, as my esteemed

colleague, Mr. Drozd, says. But you can't do it just by passing something and say, here, Administration, take it and do a study. And remember, if it's an independent study, it's going to cost us money. And I've heard time and time again that we don't have the money to do certain things. But I'm sure we can open the budget to get this done. Thank you.

VICE-PRESIDENT MARTONI: Yes, Mr. McCullough?

MR. MCCULLOUGH: This specifically recites that any members of this commission shall serve without compensation. Okay. There's no cost to this other than whatever administrative time is going to be put into something that's so important that I think we need to address it. Basically, what we're saying about it is we've got to study whether or not we need to have a study. And this is something we've been talking about for at least two and a half years. You know, I don't know what else we need to have to follow this. And the idea that we can get together in a week and propose a plan that's going to solve this mess without any kind of a look at it, I just can't understand that comment, either. So I'd like to call the question, Doc.

VICE-PRESIDENT MARTONI: One more and then we'll ---. Jim?

MR. BURN: Thank you, Mr. President.

VICE-PRESIDENT MARTONI: You can't do that?

MR. CAMBEST: Robert's Rules, when you call the question, we have to vote.

VICE-PRESIDENT MARTONI: Okay. Robert's Rules. Is there a second to call the question?

MR. CAMBEST: I don't think there's a second.

VICE-PRESIDENT MARTONI: There's no second. Okay. That means I can call Jim Burn?

MR. CAMBEST: Yes, you can.

VICE-PRESIDENT MARTONI: I was going to do it anyway. But go ahead, Jim.

MR. BURN: This is simply a point of order. This is simply a yes or no vote on voting to waive the reading?

MR. CAMBEST: And it must be a two-third vote.

MR. DROZD: Point of order. Are we voting to call the question?

MR. DEFAZIO: No.

MR. CAMBEST: You're voting on the waiver of the second reading.

MR. DROZD: He asked to call the question.
MR. CAMBEST: Yes, he did.
MR. DROZD: There's not a second to call the
question; is there?
MR. MCCULLOUGH: Do you need a second on that,
Jack?
MR. CAMBEST: No.
VICE-PRESIDENT MARTONI: You don't?
MR. MCCULLOUGH: I don't think there's a second.
MR. DROZD: Right. There's never been a second.
VICE-PRESIDENT MARTONI: Then the question's
called.
MR. CAMBEST: Yeah.
VICE-PRESIDENT MARTONI: Time to vote.
MR. DEFAZIO: No.
MR. MCCULLOUGH: Take a vote on whether to stop
debate.
MR. DROZD: I'm still under point of order that
you granted, I believe.
VICE-PRESIDENT MARTONI: I granted you that,
yes.
MR. DROZD: On the point of order, Mr.
McCullough asked to call the question. All debate ceases.
There is no second. We vote on calling the question.
MR. CAMBEST: That's correct.
MR. DROZD: We do this all the time.
MR. DEFAZIO: We said that. This is to cease
debate?
MR. CAMBEST: Yes.
MR. DEFAZIO: We need two-thirds votes, though?
VICE-PRESIDENT MARTONI: Right. We're going to
vote. That's what I said.
MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: To cease debate; is that correct?
(Chorus of yeses.)
MR. DROZD: Nay.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Yes.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: No.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Nay.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
(No response.)
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: We have nine yeases and four noes.

It passes.

MR. DROZD: We need ten.

MR. CAMBEST: Two-thirds. Still debate. It fails.

VICE-PRESIDENT MARTONI: Let's get it out. Let's get it out. Come on.

MR. BURN: I just have one point. The passages brought up tonight are really kind of troubling, which is all the more reason I think we should flesh it out just a little bit and get this thing out to committee quickly and on to a vote. It's the fact that on June 25th, there was a resolution of the Port Authority. And whereas number four talks about \$45 million --- \$47.1 million, roughly --- \$45 million shortfall to get through the fiscal 2011, June 2011. They don't get the \$45 million, \$47.1 million, they're out of funds. The Governor put in a quarter against it, the \$47 million, Governor Rendell that is, to get them through fiscal 2011 so that there are no deep cuts, there is no economic adverse reaction in this region, and to get through fiscal 2011, at which time, not only the Port Authority, but SEPTA and other authorities across the state could stand with one voice and lobby for the funding needed for all authorities across the Commonwealth.

What's happened, however, is that the Authority has taken it upon itself, without a resolution, to spread that money out. And they are defeating the purpose of the

money. That is to prevent the cuts to the service, to prevent the layoffs. This creates a situation where the alarm bells are going off. We need to ask some very direct questions. Whether or not we get any direct answers remains to be seen. But I think it strengthens my resolve to put this in, flesh it out a little bit and get it back up to vote on it post-haste. Thank you, Mr. President.

VICE-PRESIDENT MARTONI: Mr. Drozd, then Mr. DeFazio.

MR. DROZD: You know, again, I don't know why we need another committee, whatever. You know, when somebody testifies and somebody gives their opinion, you know, there are different factions that give opinions. One might be from the labor side. One might be from the administrative side. Those are opinions. I want facts. I want to go with facts. All we've had in the last year or two is opinions from people that have special interests or special reasons to give those facts that they think is right. You know what I'm saying? I feel like I'm in a boat half the time. When one side rows this way, we go that way. And when the other side rows this way, they go that way. I want someone that really can talk about facts like this, this, what we're proposing here --- someone that brings the facts to us that we can make sound decisions. This opinion --- you know, this may happen, that happened, this happened, that happened --- we're beyond that anymore. We've got to get facts now. We've got to serve the people and serve it quickly. You know, committee is going to delay it again and again and again. We still won't have the facts.

VICE-PRESIDENT MARTONI: John?

MR. DEFAZIO: That's your opinion, Matt. No, seriously, let me ---.

MR. DROZD: And yours.

MR. DEFAZIO: Right. That's right, it is. That's exactly right. That's why I say everybody has a voice. Not you, not me. Everybody. And I go with the majority and I go by the rules. When someone shows me the right rule, I go with it. I have no problem. I go with it. Here's what I want from them. You want to talk about facts? You want to talk about helping the people, like we all want to do? Mr. Burn brought out a point. I wanted to say something earlier and forgot it. He brings up a good point. We could vote on it. Let me ask our

Solicitor. Jack, I want to ask you a question. The Governor gave us that money, that 47 point whatever, 1, 2. Could we have a resolution or something saying, wait a minute. We don't want this money stretched out. We want the money to go now. Nobody gets laid off. Everything stays the same. We can't do it?

MR. CAMBEST: No.

MR. DEFAZIO: That's something. If we could do it, we'd do it. Well, he said no. No way around it. No way.

VICE-PRESIDENT MARTONI: Could I talk for a minute?

MR. DEFAZIO: Go ahead.

VICE-PRESIDENT MARTONI: I'll try to cut this down real short. Instead of talking to Steve Bland and the administration of the Port Authority, why don't we as a Council talk to their Board? Okay. No one has ever even mentioned their Board, who theoretically --- like us. We're theoretically the governing body of the county. You wonder sometimes at a meeting, but we are. Okay. And their Board is their governing council or whatever. Why don't we change this and meet with the Board, not the administration? I'm an administrator. They learn double talk real quick. Okay. Let's meet with the Board. They're good, honest people who serve for nothing. Okay. Go ahead.

MR. BURN: They are. And I know that you serve down there and you serve down there well, and I served there for two years. I hope the dynamic on that Board, in its relationship with the director and the department heads, has changed since I left that Board in June of 2006. I hope that it has. I hope --- I was there for a month when Steve Bland left --- or took over for Paul Skoutelas. I'm sure --- I hope Steve is doing things differently than Mr. Skoutelas did when I was there. Because, in my opinion, that was nothing but a shell game. Every time we pinned the director down to get the answer we were looking for, Mr. Skoutelas bailed them out. So if the Board is being treated the same way that they were when Mr. Skoutelas ran things, seeing the Board is not going to do us any good. But I hope that's different, Doc.

VICE-PRESIDENT MARTONI: I hope so, too. I mean, I think we owe it to them to talk to their Board. Wait. I lost order. Jim, then you, Chuck.

MR. ELLENBOGEN: Thank you, Mr. President. I mean, the point is the public, I think, right now demands an immediacy to this. You know, we're going to talk about putting this in committee with a quick resolution, but the Chairman of the Government Reform Committee is not here. So how can you, with certainty, know that he's going to want to pull this out of committee and pull it out of committee quick? And I don't think the public wants to hear any more rhetoric about it.

VICE-PRESIDENT MARTONI: I don't think so, either.

MR. ELLENBOGEN: What I'm saying is let's at least let the horse get out of the gate. I mean, Councilman McCullough himself said that a lot of us would be on this committee. We could stir this --- I beg your pardon --- steer this in whatever direction we want to go. If we want to go into some committee meetings with it, fine. If we want to subpoena some people and bring them in, fine.

But the point is, you know, we need to move this thing out of here quick. Where we steer it to --- we could steer it anywhere we want. We're the ones on the committee. That's the point. What if the Government Reform Chairman says, you know, I want to sit on this for a couple months, for whatever reason? I don't think the public's going to accept that. So, you know, this is a slippery slope right here. You know, we're speaking for, you know, the Government Reform Chairman, and we don't even know whether he's going to be here or not. So my point is, you know, let's get it out of the gate. Let's talk about it. The majority of us is sitting on the Council. We can make it steer any way we want. At least we could subpoena some people and get some real answers and do it quick. Thank you.

VICE-PRESIDENT MARTONI: John?

MR. DEFAZIO: Okay.

VICE-PRESIDENT MARTONI: Then Chuck. Sorry, Chuck.

MR. DEFAZIO: We're not going to worry about who's here and who's not here. Why don't we make a motion, and I'll make the motion ---. Chuck, could you get us a meeting with the Board?

VICE-PRESIDENT MARTONI: Yeah, I think I could. I could call them tomorrow.

MR. DEFAZIO: We should have a meeting with the Board. I'd like to make a motion to ---.

MR. MCCULLOUGH: Wait. Point of order.

VICE-PRESIDENT MARTONI: We have a motion on the floor.

MR. FUTULES: We're talking about waiving, and you're making another motion?

VICE-PRESIDENT MARTONI: Okay. We're correcting it. Don't get emotional. We're okay. Just relax, John. Don't get excited.

MR. DEFAZIO: You're right. Chuck, you should try ---. In my opinion, if we go meet with the Board, we can have that quickly. And I think the majority of the people here would agree with that. Get the meeting, and then if nothing comes out of it, then we should go back and do something here. That's my opinion.

VICE-PRESIDENT MARTONI: I have to ask Mr. McCullough if that would be all right with him.

MR. MCCULLOUGH: Well, actually, this resolution is a part of that. It says, oversight. That's the Board. Management and administration.

VICE-PRESIDENT MARTONI: It's more than the Board.

MR. MCCULLOUGH: But it's just not limited to the Board. How can we do a study of what should be done if we say we're only going to talk to the Board?

VICE-PRESIDENT MARTONI: I didn't say only.

MR. MCCULLOUGH: But it's already encompassed here. And if you need to see the word Board of Directors, I can say, oversight, including the Board of Directors, if that makes anybody feel better. You know, we can ink that in and make that an amendment. But the point I'm trying to tell you is, of course, if you're going to study this, you're going to talk to the Board. That's why it says oversight and management. But at this point, after all the discussions we've had about this, to say we're not going to do anything other than request a meeting with the Board of Directors, you're not going to solve all your problems with one meeting with the Board.

John, you just suggested a little while ago that you wanted to see a resolution directing how that \$45,000,000 or \$47,000,000 was going to be spent. Wouldn't it be nice, wouldn't it be helpful, because you have some very direct --- what I thought were very straightforward, simple questions to Mr. Bland when we had

that councilmanic inquiry, and he basically said he didn't have to answer them. Wouldn't it be nice if you had a study group to see what ways we could do to deal with mass transit, the Port Authority, what have you, so that when you ask a question like that, he has to give you an answer? Or if we turn around and say, we want this money directed in a certain way, they don't just have to turn around and say, you know what, we're going to flip our pencils at that because you can't tell us what to do.

That's really what this is all about, to try to exercise some direction in having a voice in how the oversight, management and administration of the Port Authority is conducted, including the prospect of making it a county department, whether that's even feasible or not, which would give this Council, this body direct input on what's going on rather than standing on the sidelines saying, this is terrible, but we need to keep throwing this into committee because we need to add a word here or drop a word there.

VICE-PRESIDENT MARTONI: Let me respond to that because I directed the question. Okay. I wasn't saying throw it into committee. I was saying as a first step, step number one --- this is a very complex thing. Let's meet with the Board. That's all I'm saying. We don't need resolutions. Listen. All these years --- I've been here 11 years. We have 10,000 resolutions. Most of them are nothing. Okay. We could put them in the men's room and the ladies' room. Okay. I'm saying let's meet with the Board as step number one. You're going to find the Port Authority is a very complex organization, okay, very complex. They transport 220,000 people a day, okay, from one place to another. And some of those people couldn't exist without that transportation. So they have a high calling.

Okay. All I'm saying is, as step number one, to get something really done, let's meet with the Board. And by the way, I want to say that all the things about privatizing --- to my knowledge, there's not one public transportation --- and I could be wrong, and I am many times, but I don't think I'm wrong about this. There's not one public transportation facility in the United States of America that's privatized. Okay. You could check that, Matt, because you're an expert, but I'm not. Okay.

MR. DROZD: No. Let me respond to that.

VICE-PRESIDENT MARTONI: Respond to that, please.

MR. DROZD: Real quick.

VICE-PRESIDENT MARTONI: Tell me what you're ---.

MR. DROZD: You're right in one way but not totally right.

VICE-PRESIDENT MARTONI: Oh, okay. I didn't think I was.

MR. DROZD: You know, all of them, as it was pointed out when the Chief Executive was here, that there are --- components of those authorities are privatized.

VICE-PRESIDENT MARTONI: Yes.

MR. DROZD: That includes the New Jersey and Colorado, which, by the way, has proven to work very efficiently and cost effective for the citizens.

VICE-PRESIDENT MARTONI: Okay. Chuck?

MR. MCCULLOUGH: Yes, real quick.

MR. DEFAZIO: You mentioned my name; right?

VICE-PRESIDENT MARTONI: He put your name out there.

MR. MCCULLOUGH: That's right.

MR. DEFAZIO: Okay. Chuck, let me ask you a question.

MR. MCCULLOUGH: Sure.

MR. DEFAZIO: Why don't we go along with what Chuck was saying and I was saying? Let's meet with them. If there's nothing there, I think some of us that was going to go the other way would go along with your idea.

MR. MCCULLOUGH: John, let me put it to you this way, and I'm going to turn that argument around. First of all, there's not a doggone thing in here about privatization, not a doggone thing.

MR. DEFAZIO: No, there isn't. You're right.

MR. MCCULLOUGH: Okay. The second thing is we all know it's a necessary first step to meet with the Board, with management and all stakeholders. All right. That would be a necessary function of whatever study group we have. Okay. So why not just go ahead and put this in place and then make a separate motion saying the first point of inquiry is let's go talk to the Board of Directors?

MR. DEFAZIO: The study part and all that is going to take time.

MR. MCCULLOUGH: That's right. That's right.

MR. DEFAZIO: If we meet with the Board and they're going to cooperate, okay, then we get some fast action. That's what we want. The Board, if they give us the runaround, then we do what we have to do.

MR. MCCULLOUGH: John, may I respond to that? We've had this Board before us. Okay. We had this Board before us last summer. We had --- I remember Guy Mattola coming over here and I think Jack Brooks was here. And they had some interesting comments to make. And one of the Council members at that time, basically, said --- and it's nobody in this room --- said, this is a state problem. Okay.

So what I'm trying to tell you is you're right. It's going to take time to do a study. The longer we ---. We've run out of time. Wouldn't it have been nice if we would have done this study last summer, when we knew this was hitting us in the face? Because they were talking about service cuts back then. Or if we would have done this study a year before that so we had some forward-looking thinking.

There's no reason why we can't put this in place. We're not talking about naming the commission members or the study group members or anything other than --- like that. We're just putting a structure together. It's like reserving the room. Okay. And then you want to do a separate motion or direct a study group to say, go talk to the Board before you do anything else, fine. They're not mutually exclusive.

MR. DEFAZIO: Yeah. But let me say back to you, Chuck, you said, you know, going back and forth, going to the state, and they say, oh, it's a state problem. Hey, the Governor gave us the money. He thought he was going to correct the problem. They're the ones that said, let's stretch it out. And that's when it caused layoffs and cutting routes. To me, that's wrong.

MR. MCCULLOUGH: I agree with that, John. I agree with you, John. But right now, there's not a doggone thing we can do about because if you call Steve Bland over, he says, I don't have to answer your questions.

MR. DEFAZIO: I'm not going to call Steve in.

MR. MCCULLOUGH: Fine.

MR. DEFAZIO: We're going to go with the Board.

VICE-PRESIDENT MARTONI: Let's get some order here.

MR. MCCULLOUGH: Do that. But let's move forward with this.

VICE-PRESIDENT MARTONI: Yeah, let's move forward. One more. Jim?

MR. ELLENBOGEN: I just have one point. The concept of calling over the Board, I think, is good. The only thing that bothers me is --- when the director came in here and would not answer our questions, the thing that bothered me the most was --- and you know, if it were me, I'm not going to go to a body like County Council and I'm not going to be --- what's the word I'm thinking of? I'm not going to be difficult unless my Board already knew I'm going in there in order to be difficult. He's not going to come in here and be smart with us without the Board already knowing. Well, you know, you answer what you want and you don't answer what you want. That's what bothers me. I can't imagine he would come in here against what his own bosses are telling him. And that's strictly my opinion. I'm not, you know, disparaging anybody. I'm just saying that's how it would appear to me. Thank you.

VICE-PRESIDENT MARTONI: Okay. I think we --- you have a motion; right? We just need a second.

MR. BURN: What exactly are we voting on?

MR. CAMBEST: The motion to waive the second reading.

VICE-PRESIDENT MARTONI: Motion waiving the second reading.

MR. BURN: Good. That's what I thought. Thank you.

MR. CATANESE: So you will need two-thirds of the seated members.

VICE-PRESIDENT MARTONI: The motion on the floor is to waive the second reading. That is correct; right? Okay. Call the roll call, please.

MR. CATANESE: Okay. We will two-thirds of the seated members. Mr. Burn?

MR. BURN: No.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: No.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: No.
MR. CATANESE: Mr. Martoni?
VICE-PRESIDENT MARTONI: No.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
(No response.)
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Six yeses, five noes. It fails.
MR. MCCULLOUGH: Point of privilege?
VICE-PRESIDENT MARTONI: Sure.
MR. MCCULLOUGH: One time I had to leave a meeting early, and it was written that I stomped out in protest. I have to leave this meeting early, but I have another place to be.
VICE-PRESIDENT MARTONI: Early? You're not leaving early.
MR. MCCULLOUGH: I want everybody to understand this is not a protest absence. I have to go.
VICE-PRESIDENT MARTONI: We know that.
MR. MCCULLOUGH: I'll see you.
VICE-PRESIDENT MARTONI: I want to qualify that you're not leaving early. Okay.
MR. MCCULLOUGH: Okay. I'm leaving earlier than the rest of you.
VICE-PRESIDENT MARTONI: Okay. 6217-11.
MR. DEFAZIO: Chuck, one last point. Chuck, I think everybody agrees with this, to try to get the meeting with the Board as quick as possible. You don't like that, Matt? We just sit around here and do nothing?
MR. DROZD: No, I don't think that would be good.
MR. DEFAZIO: What are you saying?
MR. DROZD: Why don't you vote for everything and get everyone?
MR. DEFAZIO: Why did you make a comment?
MR. DROZD: I agree with the ---.
VICE-PRESIDENT MARTONI: Hey, let's shut --- I was going to say be quiet, but rather, shut up. Okay?

MR. DROZD: You can say that.

VICE-PRESIDENT MARTONI: That particular number is going to committee. Okay.

MR. CAMBEST: The Government Reform Committee.

VICE-PRESIDENT MARTONI: 6217-11, Joe.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, stating Allegheny County's opposition to the proposed privatization of the Pennsylvania Liquor Control Board wine and spirits stores. Sponsored by Council Members DeFazio and Futules.

VICE-PRESIDENT MARTONI: Mr. DeFazio?

MR. DEFAZIO: On the motion for the privatization, we were against it because right now they're making a lot of money for the state. And all this is going to do is hurt a lot of jobs for people. It's going to put the liquor out there more for younger people and everything else. So we're really against the privatization.

VICE-PRESIDENT MARTONI: Okay. Mr. Futules, do you have any ---? You're on. Do you want to say anything?

MR. FUTULES: Yeah, sure. Sure, I agree. It's a known fact in other states where they privatized the stores that the actual cost of alcohol has gone up. And without the state controlling the serving of minors, I think a private owner might think a little differently than the state does as far as serving minors. There's a lot of issues. It's a one-time input of cash, but what happens in the long-term effects of loss of income? And not to mention state jobs. That's all.

VICE-PRESIDENT MARTONI: Thank you. Okay. I would assume this would be going to committee?

MR. FUTULES: We'll make a motion.

VICE-PRESIDENT MARTONI: Government Reform Committee. Okay.

VICE-PRESIDENT MARTONI: 6218-11, Joe.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2011, Submission 3-11. Sponsored by the Chief Executive.

VICE-PRESIDENT MARTONI: Budget and Finance Committee. Okay. New motions. 6219-11, Joe.

MR. CATANESE: Motion of the Council of Allegheny County pulling Bill Number 5889-10, an ordinance amending Section 5-1013.09 of the Administrative Code, to

prohibit persons covered by the terms of the County Ethics Code accepting gifts, loans, rewards, promises of future employment, benefits or other consideration from certain parties, from committee for an immediate final vote.

Sponsored by Councilman Drozd.

VICE-PRESIDENT MARTONI: Mr. Drozd?

MR. DROZD: To quote one of the speakers tonight, campaign contributions unknown to me. Do you realize, in Allegheny County, viewers, that you cannot solicit a vendor that does business with Allegheny County for a contribution to your campaign ---?

MR. FINNERTY: Point of order, please.

VICE-PRESIDENT MARTONI: Yes.

MR. FINNERTY: We're talking about pulling a bill.

VICE-PRESIDENT MARTONI: Yes, we are.

MR. FINNERTY: Which means the bill isn't even on the floor. So what we should be talking about, is it an emergency to pull it? Is there some timeliness to pulling this? Not talking about what the bill's about. And I think that's what we're here ---. So we're talking about pulling a bill. It's not on the floor. So to discuss contents or about ethics or whatever, which this bill is about, should not be done. Is there a timely reason this has to be pulled? Is there an emergency? That's what we're talking about. So I appeal to parliamentarian.

MR. BURN: I would second the argument. I think the issue is whether or not the bill should be pulled. I think our colleague, Mr. Drozd, who's the sponsor, wants to get into the substantive issues or the substantive merits of the bill. With all due respect, I think he's putting the cart before the horse. The issue is whether or not the bill is coming out of committee to be discussed in the first place. Hypothetically, the bill is still sitting down on the first floor. The issue is whether it gets on the elevator and comes up a floor. That's what's on the --- that's what's being discussed right now. Thank you.

VICE-PRESIDENT MARTONI: Okay. Mr. Drozd.

MR. DROZD: Strange as it may seem, it seems that when I want to do something like this and I want to discuss it, oh, it's not parliamentary procedure. Yet when one of the other people on Council that are in the

majority want to discuss it, it's okay. It's okay. Do you see something wrong here with this picture?

MR. FINNERTY: What I see is --- point of order.

MR. DROZD: Check the minutes. You'll see, Mr. Finnerty.

VICE-PRESIDENT MARTONI: Come on.

MR. CAMBEST: We discussed this at the last meeting.

VICE-PRESIDENT MARTONI: He called a point of order, and that's perfectly legitimate.

MR. CAMBEST: We discussed this at the last meeting. And what we discussed was if you're going to pull a bill, not to vote on the bill, we're going to limit discussion to the reason for pulling the bill. Now, as Mr. Finnerty said, if there was a time limitation issue like we were talking about before, or an emergency situation, or you felt it was in there too long and you want to make that statement, that's fine. But we don't get into the substantive argument on the bill until it comes on the floor.

VICE-PRESIDENT MARTONI: Go ahead.

MR. DROZD: Mr. President, I'll rewrite the bill so I can introduce it in the proper manner at the next meeting or whenever.

VICE-PRESIDENT MARTONI: Okay.

MR. DROZD: I'm just going to have the bill rewritten and introduce a new version. Thank you. I'll keep this from coming up.

VICE-PRESIDENT MARTONI: Okay. 6220-11.

MR. CATANESE: Motion of the Council of Allegheny County, authorizing the Council of Allegheny County to conduct a public hearing pursuant to Article II.G of the Rules of Allegheny County Council, on March 10, 2011, beginning at 5:00 p.m. in the Gold Room of the Allegheny County Courthouse. Council President Fitzgerald shall be the presiding officer for such public hearing. Sponsored by Councilman Fitzgerald.

VICE-PRESIDENT MARTONI: Do we want to add sponsors to that?

MR. FUTULES: I'll co-sponsor that bill.

MR. DROZD: I'll also --- you can put me down.

VICE-PRESIDENT MARTONI: Any other co-sponsors?

MR. DEFAZIO: Yeah.

VICE-PRESIDENT MARTONI: Anybody else? Ellenbogen. Got them all?

MR. FUTULES: See, there could be a mistake here.

MR. DEFAZIO: Did anyone make a motion yet?

MR. FUTULES: No.

MR. DEFAZIO: I want to make a motion to go along with having this meeting scheduled.

VICE-PRESIDENT MARTONI: Okay. We have a motion. Do we have a second?

(Chorus of seconds.)

VICE-PRESIDENT MARTONI: Okay.

MR. FUTULES: Could I have a point of order? It states that on March 10th --- it says, Council President Fitzgerald shall be the presiding officer for such public hearing. He won't be here.

MR. FINNERTY: Yeah, but he might.

MR. FUTULES: He has to resign by the 8th, I believe.

VICE-PRESIDENT MARTONI: That's the way it's written.

MR. FINNERTY: I guess we don't know that.

MR. FUTULES: Whoever the Council President would be.

MR. FUTULES: I'm just assuming. I'll rescind that.

VICE-PRESIDENT MARTONI: Go ahead, Matt.

MR. DROZD: I think it should be amended in writing and take Mr. Fitzgerald's name out of it.

VICE-PRESIDENT MARTONI: Well, I don't have concrete information that I know he's not going to be here March 10th. And I'm only simply reading the agenda. Okay.

MR. DROZD: Can I ---?

VICE-PRESIDENT MARTONI: Yes, please do.

MR. DROZD: Okay. Is it not the Rules of Council that he or she that runs for Chief Executive must resign their seat upon the filing of the petition? When's the date of filing the petition?

MR. DEFAZIO: Point of order.

MR. DROZD: Wait, wait. I have the floor, Mr. DeFazio.

VICE-PRESIDENT MARTONI: Okay.

MR. DEFAZIO: I have a point of order. They have to recognize me. Point of order.

VICE-PRESIDENT MARTONI: Point of order.

MR. DEFAZIO: Okay. The point of order is Mr. Fitzgerald technically can or cannot be a candidate until he officially files, and there's nothing wrong with that. What if he decides not to file? He has that option.

VICE-PRESIDENT MARTONI: Okay. Let's leave it alone.

MR. FUTULES: Do we have a motion and a second?

VICE-PRESIDENT MARTONI: It was moved and seconded, yeah, I believe.

MR. DROZD: What are the number of votes to get this ---?

MS. LIPTAK: Voice vote.

MR. BURN: You can do a voice vote.

VICE-PRESIDENT MARTONI: Okay. All in favor? (Chorus of ayes.)

VICE-PRESIDENT MARTONI: Opposed? Okay. It passes.

(Applause.)

VICE-PRESIDENT MARTONI: Okay. Notification of contracts. Joe? 6221-11.

MR. CATANESE: Communication from County Manager Jim Flynn submitting executive actions relating to contracts for the month of January 2011. Sponsored by the County Manager.

VICE-PRESIDENT MARTONI: Motion to receive in file?

MR. MACEY: Motion.

(Chorus of seconds.)

VICE-PRESIDENT MARTONI: All in favor? Okay.

MR. DROZD: Aye. You said all in favor. I said aye.

MR. FUTULES: I don't think we need that, but ---.

VICE-PRESIDENT MARTONI: We probably didn't. The ways things are going, I want to make sure. Okay. Public comment on general items.

MR. CATANESE: We have three.

VICE-PRESIDENT MARTONI: We have three. Hilary, are you here? Hilary? Hilary Holste is not here? I'm looking at the list here. Okay. Harry, you're next. Harry Liller.

MR. LILLER: My name's Harry Liller, 438 Ruxton Street, Pittsburgh, PA, 15211. First of all, I would like to recommend that this Council make Chuck Martoni your next president if Mr. Fitzgerald gets on the ballot. I

respect Mr. Martoni, and I would actually respect him a little bit better and change my tone here at this Council. What I wanted to bring up was I am going to get on the ballot for County Executive. So for the next three weeks, I'm going to be begging people for their signatures and then fighting each of the hurdles that you have to get to get on the ballot. Pennsylvania's one of the hardest states to get on the ballot. First of all, they make you get signatures in the middle of winter. And then you're allowed to have different kinds of mechanisms to get you off the ballot. So I have to jump through all those hurdles, but I will.

Mr. Burn, you're the Democratic chairman. I will respect you and I will keep my tone positive. So Mr. Fitzgerald and Mr. Flaherty, all three of us would be positive and talk about the good things we can do to build this county forward. I respect that. And first of all, I'm going to bring on a non-profit community bank plan. I brought this up here back in 1995 where Tom Foerster treated me badly. And that set of commissioners, Bob Cranmer treated me badly.

I do have issue with the first Council president here stating that he was good and helped everybody. I can state that you have been horrible and terrible to me for the past 11 years. So I'm just going to leave it like that. No, no. I'm just going to leave it like that.

If you make a product people need or perform a service people need, I will help you start your small business. As a non-profit, I do not have to pay property taxes and school taxes. But my bank plan is so important, I will pay the school taxes and the property taxes because the school district and the county government needs it. I will build an oil refinery on the old Duquesne Glass site. We have not built a new oil refinery in 30 years. There's one being developed in Texas now. But if we did it here --- we have the highest gas rates besides New York and California because Philadelphia is the oil refinery for the whole east coast. And we're only 300 miles away. But they jack the prices up on us. And that's another problem. If we don't build this oil refinery, gas is going to go up to \$5 and \$6 a gallon. I will also implement a 24-hour, 7-day-a-week stock market exchange that works in initial public offerings. We'll be around the world, bringing income to here.

So in my closing, my name is Harry Liller. I will do the best I can to make Allegheny County go forward. Thank you very much.

VICE-PRESIDENT MARTONI: Thank you, Harry.

MR. FINNERTY: A point of order, please. I just don't think that our three-minute speeches should be about a campaign. There is a lot of people up here that are up for election, and we have never had, at least that I know of, people come in here and put their campaign up. I'm a candidate for blah, blah, blah, et cetera. I don't think it's right. I think that's out of order. I think we should start calling it. And I would ask our Solicitor if --- what we should do in this case.

MR. CAMBEST: Yeah. I understand that that has always been our procedure here in our Rules of Council, that we do not engage in political campaigning, not political speech, but political campaigning ---

MR. FINNERTY: Right.

MR. CAMBEST: --- here before Council during our public comment period.

MR. FINNERTY: We could be getting every candidate coming in here. I mean, they could come in and start, you know, campaigning ---.

MR. FUTULES: I agree.

MR. ELLENBOGEN: The only question I have --- and I don't disagree with what Mike or Nick are saying. I'm just saying with all this stuff going on in with this freedom of speech, that's my only question. Are we allowed to stop him?

MR. CAMBEST: I think we've always committed ---. If Harry has the issue about the banking or the gas or --- he's entitled, like everybody else, to express his view on that. I think when he couples that with campaign is where we have an issue.

MR. FINNERTY: Thank you.

VICE-PRESIDENT MARTONI: Okay. Garry English. You're not running; are you?

MR. FINNERTY: You're not running for office; are you?

MR. ENGLISH: Even if I was, I'd still speak.

MR. FINNERTY: We don't have a problem with that.

MR. ELLENBOGEN: Nick's running. Get up here.

MR. ENGLISH: Garry English of 119 Ashley Drive, Verona, PA, home of the Capulets and the Montagues.

Councilman Drozd, the County Charter does not violate your rights with the resign to run for another office. It is a provision designed to limit career politicians, and it was approved by the voters in 1999. County Council has sought to overturn that provision twice, and twice it has been rejected by the voters of Allegheny County. And the last time, County Council spent money to influence the ballot question and failed to report it. I pursued that issue with the County Elections Department, and Councilmen Fenton and Francis were fined the maximum wrist slap of \$250 for violating the law. There are many willing to accept a County Council position of public service. And if you don't like it, there are many that will step forward. So stop your ballot pursuit to change the County Council Charter.

I also take exception to Council's reform efforts on county authorities. In front of you is 50 years of history regarding the Civic Arena that has been continued to be ignored. Please. Not one Council member attended the Sports and Exhibition Authority's historic review meetings on the Pittsburgh icon, the Civic Arena. This bogus review was conducted three years after the demolition contract was agreed to. There are too many examples of SEA's backroom deals, conflicts of interest, bogus reports, censorship, ethics violations, lies and campaign contributions in lieu of demolition and redevelopment contracts to expound on in just three minutes. Yet you want to reform authorities without attending their meetings?

The Civic Arena is under a historic review right now. This is supposed to halt demolition. Even as we speak, the SEA and the Pittsburgh Penguins are profiting by the silent demolition behind closed doors and out of the public view. Historic preservation law is a joke. If you have any ounce of integrity, you will make this a priority and put the fate of the Civic Arena on the ballot, not in the hands of politicians.

Before you are pictures of the Civic Arena. Taking signs off of the Civic Arena, taking plaques off the Civic Arena, trashing the Civic Arena, ripping out fixtures of the Civic Arena, ripping out lockers of the Civic Arena, ripping out seats of the Civic Arena. Yet they talked about not having --- it costs \$2 million or multi-millions of dollars to open this facility. How are

they going to do that without any seats? Yes, there's no place like dome. Thank you very much.

VICE-PRESIDENT MARTONI: Thank you. Motion for adjournment?

MR. DROZD: Wait, wait.

MR. ENGLISH: I would be more than happy to entertain ---.

MR. DROZD: No, no. You said your statement, Mr. English. I now have mine. You had three minutes.

MR. ENGLISH: People talk about me and I didn't get the chance.

MR. DROZD: You have the right ---.

MR. FINNERTY: Point of order. Point of order. Is there a motion on the floor, Mr. Chair?

VICE-PRESIDENT MARTONI: No, but they're still talking.

MR. DROZD: No, no. I have a right to respond publicly.

MR. FINNERTY: The meeting's over.

MR. MACEY: I make a motion to adjourn.

(Chorus of seconds.)

MEETING ADJOURNED AT 8:45 P.M.

CERTIFICATE

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

Handwritten signature of Kayle Gooden in cursive script, positioned above a horizontal line.