

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

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

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

Tuesday, April 17, 2012 - 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:

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

PRESIDENT MARTONI: The April 17<sup>th</sup> meeting of Allegheny County Council will now come to order. Please rise for the Pledge of Allegiance being led by Angela Heintz and Emily Wahl.

(Pledge of Allegiance.)

PRESIDENT MARTONI: Please remain standing for a moment of silent prayer.

(Moment of silent prayer.)

PRESIDENT MARTONI: Please be seated. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

(No response.)

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here (via telephone).

MR. CATANESE: Mr. Gastgeb?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

(No response.)

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here (via telephone).

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

(No response.)

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Present.

MR. CATANESE: Eleven (11) members present.

PRESIDENT MARTONI: Proclamations/Certificates. 6874-12.

MR. CATANESE: Proclamation naming the month of April 2012, as Fair Housing Month in Allegheny County.

Sponsored by Councilmen Martoni, Futules and Macey.

MR. FINNEERTY: Mr. Catanese, could you add me to that, also? Thank you.

MR. DEFAZIO: Joe (indicates).

MR. MACEY: Good afternoon, everybody. And as I wait for my colleague, I would like to bring up Richard Greeneyer (phonetic) and also Kaitlyn Roen (phonetic). This proclamation is about Fair Housing Month in Allegheny County. Fair housing is the right thing to do, and we certainly want to express our appreciation to HUD for this particular program. Okay.

WHEREAS, in 1968 the Fair Housing Act guarantees the right of all Americans, regardless of race, color, national origin, religion, sex, familiar status or disability, to components of our national civil rights policy; and

WHEREAS, although this non-discrimination policy is the law of the land, we must recognize that proper enforcement requires the continued cooperation of all levels of government, the real estate and the home building industries and private citizens; and

WHEREAS, throughout Allegheny County, the spirit of corroboration is evident through the offices of our federal, state and local governments and with the support of countless community and non-profit organizations; and

WHEREAS, this county dedicates itself to promoting equal housing opportunity as an essential part of the largest mission of endorsing justice in all areas of life for all citizens. Allegheny County assures its communities are open to all people, and citizens may exercise freedom to choose where they live; and

WHEREAS, the month of April is set aside to acknowledge the 44th anniversary of the Fair Housing Act and the work of the U.S. Department of Housing and Urban Development, the Pittsburgh Commission on Human Relations and the Fair Housing Partnership of Greater Pittsburgh, which ensure the protection of fair, housing rights.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby proclaim April 2012 as Fair Housing Month in Allegheny County. This Council recognizes everyone shares in the future of this great county and nation and thanks the Fair Housing Act for reminding citizens to not take this freedom for granted. Sponsored by Allegheny County Council.

(Applause.)

MR. GREENEYER: Thank you, Councilman Macey. I think the proclamation says everything, so if you just reflect on that, we'll all do the right thing. Thanks, again.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6875-12.

MR. CATANESE: Let the record show, Councilman Drozd is present. Proclamation congratulating the Hadassah organization upon its 100th anniversary. Sponsored by Councilman Finnerty.

MR. FINNERTY: Thank you. Thank you, Mr. President. Would Fran and --- I know I'm going mess it up --- Zandra --- Zandra (changes pronunciation) and the rest of your members and company. It's really my pleasure to present this proclamation. I learned a lot about the organization, and it's quite amazing that I never even knew it existed before, to be very honest with you, all the work you people do. It's a great organization. So I'm going to let them explain it to you. I'm going to read the proclamation.

WHEREAS, on February 24th, 1912, Henrietta Szold, Jewish scholar and activist and a small group of women founded Hadassah Temple Emanu-El in New York City; and

WHEREAS, with a nationwide network of 400,000 members, Hadassah is the largest volunteer organization and the largest women's organization in America; and

WHEREAS, in Israel, Hadassah initiated and supports pace-setting healthcare, education, youth instruction and land development, to meet the country's changing needs; and

WHEREAS, in the United States, Hadassah enhances the quality of American and Jewish life through its education and Zionist youth programs, promotes health awareness and provides personal enrichment and growth for its members; and

WHEREAS, the Greater Pittsburgh Chapter of Hadassah has 3,000 members which, in addition to their community service work, raised \$160,000 for the new Sarah Wetsman Davidson Tower, a state-of-the-art hospital opening this October in Jerusalem.

NOW, THEREFORE, BE IT RESOLVED, that the Allegheny County Council, does hereby, congratulate Hadassah for its 100 years of volunteerism and community service. On the occasion of its centennial celebration, we commend the members of Hadassah and we offer our sincere congratulations and best wishes for the future. This is

sponsored by myself, Council member Mike Finnerty, and presented the 17th day of April, 2012.

(Applause.)

MS. GOLDBERG: As President of Hadassah Greater Pittsburgh, I want to thank Councilman Finnerty and the members of Council for recognizing Hadassah's birthday with this proclamation. We are very proud of our family house monthly dinner projects. Each of our groups raises the funds to purchase, cook and serve dinner at one of the family houses. In Jerusalem just two weeks ago, Hadassah opened the Sarah Wetsman Davidson Hospital Tower. This state-of-the-art facility will enable Hadassah to continue to provide healthcare to the people of Israel and the Middle East. And this is Francine Zerlock, our director, Dotty Weisberg, Nancy Shuman and Janice Greenwald. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6876-12.

MR. CATANESE: Let the record show, that Council members Rea and Gastgeb are present. Proclamation congratulating the Duquesne University Tamburitzans upon its 75th anniversary. Sponsored by Councilmen Macey and Finnerty.

MR. FINNERTY: Thank you, Mr. President. And it's quite an honor for me to be presenting this since I'm a Duquesne alumnus. And the Tamburitzans have really gone all over the world spreading the word of Duquesne University, and they do such a super job. It's just unbelievable to watch them in their dance and different recitals that you do. It's amazing. So without further ado, I'm going to let Councilman Macey say a few words, and then I'm going to read the proclamation.

MR. MACEY: Well, coming from the cultural district in the Mon Valley --- and we certainly appreciate the Tammies because we have our own little group down there. At some point, they'll be in your school and they'll be big Tammies.

MR. STAFURA: Wonderful.

MR. MACEY: But I just would like to say that the Croatian Club in Duquesne provides a hall for young people to learn how to dance and learn how to carry on their families' culture. And by the way, tonight's Wing Night.

MR. FINNERTY: So he wants to make sure you get finished with this meeting in a hurry. The proclamation reads as follows: WHEREAS, Allegheny County is fortunate to have

organizations that seek to celebrate and preserve cultural heritage; and

WHEREAS, the Duquesne University Tamburitzans is an ensemble dedicated to the performance and preservation of the music, songs and dances of Eastern and Southeastern Europe and neighboring folk cultures; and

WHEREAS, the Tamburitzans began in 1937 as a group of 12 young men who played the tamburitza. Dr. Lester A. Pierce brought his Slavic Tamburitza Orchestra from St. Edward's University in Austin, Texas, to Pittsburgh, Pennsylvania, where he garnered support for the ensemble from the multitude of ethnic communities residing in a culturally diverse city. Dr. Pierce negotiated a working scholarship arrangement with Duquesne University, and the Tamburitzans became a spirited tradition herald as unique in all the world; and

WHEREAS, the Tamburitzans are the largest --- are the longest running multi-cultural song and dance company in the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Allegheny County Council does, hereby, congratulate, the Duquesne University Tamburitzans on the occasion of their 75th anniversary. We look forward to the continuation of the Tamburitzan legacy that greatly enriches the lives of the residents of Allegheny County. And it's sponsored by myself, Mike Finnerty, and Bob Macey. Paul?

(Applause.)

MR. STAFURA: Councilman Macey, you would be interested to know that 50 years ago in that club, was my first Tamburitzan experience. So I'm a graduate of the Junior Tamburitzans of Duquesne. And if it wasn't for them, I would not be here today.

MR. MACEY: There you go. And wing night.

MR. STAFURA: It's those wings that did it. I would just like to thank, the City of Pittsburgh, Allegheny County, Duquesne University and all over Pennsylvania for promoting the Tamburitzans, for helping us to continue over these 75 years. We are the longest running performing ensemble in the United States, and we thank the Allegheny County Parks and Recreation for bringing the Tamburitzans to Hartwood Acres and to South Park. We'll be at South Park this year. We usually perform for about 3,000 people each citing. So we look forward to being around, and we hope that we'll continue to be a treasure

to Allegheny County for another 75 years; and thank you very much, gentlemen.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6877-12.

MR. CATANESE: Proclamation congratulating Habitat for Humanity of Greater Pittsburgh, upon its 25th anniversary. Sponsored by Council members Macey, Danko, Ellenbogen, Finnerty, Futules, Gastgeb, Green Hawkins, Martoni, Palmiere and DeFazio.

MR. MACEY: Hello again. I just want to say a few words about Habitat for Humanity. Down in my neck of the woods, through my employer, I was able to work with Habitat for Humanity on two different projects. One project we provided lunch; another project we provided a lawn mower to the family. So I just wanted to let you know that you could work on these projects, you could donate to these projects. You could help feed the people that work on these projects. So it's --- you don't have to really know how to hammer a nail or wire a three-way switch. You can get involved in other ways. I'd like to introduce Maggie Withrow, who's the Executive Director of Habitat for Humanity of Greater Pittsburgh, but I'm going to read the proclamation first. Thank you.

WHEREAS, Habitat for Humanity of Greater Pittsburgh is one of 2,300 affiliates of Habitat for Humanity internationally, a non-profit Christian housing ministry in over 100 countries, working to eliminate poverty housing worldwide; and

WHEREAS, Habitat for Humanity of Greater Pittsburgh's mission is the elimination of sub-standard housing in Allegheny County and to make decent shelter a matter of consciousness' and action; and

WHEREAS, since 1986, Habitat for Humanity of Greater Pittsburgh has worked in partnership with volunteers and low-income families in need, to build homes which are then purchased by these families through non-profit, no-interest mortgages; and

WHEREAS, this year Habitat for Humanity of Greater Pittsburgh is expanding their missions with implementations of four key component services; new construction, rehabilitation, weatherization and a brush with kindness. These four construction-based activities will enable Habitat for Humanity to ability --- excuse me, enable Habitat for Humanity the ability to serve more

families, impact a broader range of communities, engage additional volunteers and have a positive overall impact on the Greater Pittsburgh area.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, on behalf of the citizens of Allegheny County, does hereby congratulate Habitat for Humanity of Greater Pittsburgh upon its 25th anniversary. We thank the volunteers, organizations and funders that donate their time, talent and funding to help further Habitat for Humanity of Greater Pittsburgh's mission. Sponsored by Allegheny County Council. And maybe you can add a little bit to this. You've got some new stuff, right?

MS. WITHROW: I brought brochures; if anyone wants a brochure, I will give those to you. Bob's right when he says that we are starting some new programs where typically Habitat for Humanity would come into a neighborhood and build new homes or rehab homes. What we're doing now is, in addition to still new construction and rehabbing homes, we're adding the new programs of weatherization ---; but most importantly, what we're calling a brush with kindness.

And the brush with kindness program is exactly what it sounds like. It's a brush with kindness. We can use donated things, volunteer labor and fix the facades of people's homes. We can do exterior landscaping. We can do minor repairs. We can do interior and exterior repairs with the thought being that if we serve somebody now, three years from now; if we can fix what's wrong with their house now, they won't be coming back to us as a client in several years. To give you just a little bit of example, in the recent past, our average budget would be to try to work on a rehab, seven to eight homes a year. Our numbers for next year are projected to be between 60 and 80 homes per year, because the cost of doing these rehabs is smaller than the home construction. So we will be able to reach a lot more families.

So I, as Bob said, encourage you to donate, to volunteer and to shop at our new ReStore in Edgewood Towne Centre. Thank you.

(Applause.)

MR. DROZD: Add my name to that, Mr. President, too.

(Pictures taken.)

PRESIDENT MARTONI: 6878-12.

MR. CATANESE: Certificate of Achievement recognizing Ms. Taylor Lynn Martinkovich for being named 2011 National

American Miss Pre-Teen Miss Pennsylvania Queen and 2011 Pennsylvania Cover Girl. Sponsored by Councilman Drozd.

MR. DROZD: I've got to tell you, how I met Taylor --- you know, I met two other queens in my life, and one was --- you fellows missed it because the Second African-American lady ever to make Miss America --- I went to this dinner. I heard she was going to be there. And she's almost like Taylor, very unpretentious. So I'm sitting here talking to this young lady for about a half hour and I said to somebody over there; I said, where's Miss America? And she goes like this (indicating). She's sitting there all the time. I'm talking to her for a half hour and she's very unpretentious, and that's the way I met Taylor. You know, we marched together in the St. Patrick's Day parade, did we not? And by the way, she had four other lovely young ladies with her. They were just terrific ladies. This young lady has a lot of heart and a lot of stature and a lot of caring. As it says in this, and you'll see, she's not only beautiful on the outside but she's beautiful on the inside. She's the type of lady that any parent would be proud to include as their daughter. And I just really enjoyed marching with her. You know, I think you guys are great to march with, but I got to tell you, this tops it all. It was the most enjoyable time I ever spent in any parade, was to march with this young lady --- I got to tell you that --- without a doubt.

And if you would have been with us, you would have had the chance --- might not have cared about, you know, the governor or the mayor, but this young lady got a picture not only with the governor and mayor, but guess who just walked off the stands, stood next to her, was Vice President Biden, to take a photo with her. It was really terrific. So I want to read this to you, Taylor. And I'm so glad that you joined us tonight and that you --- you really made my day on St. Patrick's Day. Your mom over there is so proud; I know your parents.

Allegheny County Council is proud to present this Certificate of Achievement to Miss Taylor Lynn Martinkovich, 12 years old, of Coraopolis, Pennsylvania, proudly one of our own residents of Allegheny County in the State of Pennsylvania. In recognition of her being crowned the 2011 National American Miss Pre-Teen Miss Pennsylvania Queen and the 2011 Pennsylvania Cover Girl. As the state pageant winner, Ms. Martinkovich will

represent the Commonwealth of Pennsylvania, us, the people of Pennsylvania, throughout 2012.

With her new state title, she is dedicating one year of community service to Caring Heights Rehabilitation Center. And Taylor was also named the National American Miss 2011 National Cover Model. The pageant program considers contestants' inner beauty, as I said, as well as poise and presentation. Emphasis is placed on the importance of developing self-confidence, which this young lady really very much so has, good sportsmanship, which Taylor exhibits all the time, and setting and achieving personal goals.

On behalf of the citizens of Allegheny County, and that's 1.2 million, including us as the County Council, we join you, Taylor, in the celebration of your memorable accomplishments. And we wish you all the best in your future endeavors. So make sure you invite us to the Miss America pageant when you get there. Okay. Would you like to say something? Can we lower this somehow that she can ---?

MS. MARTINKOVICH: I just wanted to thank all the Council members for letting me be here today.

(Applause.)

(Pictures taken.)

MR. DROZD: I got pictures from the parade, by the way. It's really sweet. And the other four young ladies were very nice, too; beautiful young ladies. I was like a thorn among all the roses, believe me. I know we're going to hear Wing Night. That's fine. In fact, I can hear it up there now.

PRESIDENT MARTONI: 6879-12.

MR. CATANESE: Certificate of Achievement awarded to Seton LaSalle High School girls' basketball team, for winning the PIAA and WPIAL Class AA Championships. Sponsored by Council members Ellenbogen and Gastgeb.

MR. ELLENBOGEN: Thank you, Mr. President, and members of Council. I just love these Seton teams. Whether it's basketball, football, wrestling, you name it, Seton always comes to play. And this is a remarkable team; AA champs, WPIAL, PIAA champs, undefeated. That's something you ladies are going to remember the rest of your lives, and I think that's wonderful. I'm very proud of you. As a matter of fact, I'm a big Seton guy. When I did my three-mile run today, I had my Seton Rebels football sweat suit on, so I'm a Seton guy. Before I read this proclamation,

I'm going to let my esteemed colleague, Vince Gastgeb, say a few words.

MR. GASTGEB: Thank you, again, for allowing me to share this. And I feel, because my daughter is actually --- one of my daughters is your age and actually started out playing basketball with the Heintz family, if you will. And she moved on to lacrosse, but I knew back then the talent level that I saw, I knew there was going to be something special. And I enjoyed in the Almanac every week reading about Seton LaSalle. And Jim's right about the dedication and the sense of pride you're able to give, really, all of the South Hills. To win the championships you did, WPIAL and State, speaks for itself. But I know firsthand the tremendous amount of practice, dedication. It's missing dinners with your family. It's practicing, it's get your schoolwork done, things like that. So you really made us proud. So my hat is off to you and I'm looking forward to have you come up here and telling your story, as well. Thank you.

MR. ELLENBOGEN: Thanks, Vince. With that, I'd like to invite the athletic director, John Ashaolu, and the head coach, Dennis Squeglia, if they would, before I read the proclamation and you ladies. I'm going to read the proclamation and then let you say a few words. Ladies and gentlemen, this Certificate of Achievement is awarded to the 2011-2012 Seton LaSalle High School girls' basketball team, in recognition of their outstanding accomplishments throughout the team's undefeated season when the team captured the 2012 Class AA WPIAL and PIAA Championships. The team's indelible contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join with the team in celebration of their outstanding and memorable season. Sponsored by myself, Jim Ellenbogen, and Councilman Vince Gastgeb, and presented on behalf of Allegheny County Council and the citizens of Allegheny County, the 17th day of April, 2012. President, Dr. Charles Martoni. John, would you like to say a few words? I mean Den, I beg your pardon. I don't have my glasses.

MR. SQUEGLIA: How about my two captains, Ang and Emily talk first and then I'll say a few words. Thank you.

MS. HEINTZ: On behalf of the Seton LaSalle girls' Rebels --- the Lady Rebels --- we would like to thank the State of Pennsylvania and Allegheny County and all the Council members for recognizing the accomplishments of this

basketball team. It's been a fun year, and this is definitely the perfect ending to a perfect season. So thank you very much.

MS. WALSH: Thank you.

(Applause.)

MR. SQUEGLIA: Very good, ladies. Also, as the head coach, I'd like to thank the Council for recognizing us. It's been a great year for us. It's been a great ride for us. These young ladies experienced a lot of things and, you know, high-school athletics is not all about what's on the court, it's off the court, too. And the experiences they have had a chance to witness and live through and coming down here and being recognized in front of the Council --- Allegheny County Council, is just another tribute to a great year. And it's all going to come to an end some time soon here for us, and a new year will start some time. But we're enjoying the accolades that we're getting and the recognition that we're getting. They worked very hard for it. They deserved it, and they're a wonderful group of young ladies. From the Seton LaSalle community, we thank you for everything you do for us.

(Applause.)

MR. ELLENBOGEN: Come on up A.D. Do you want to say a few words?

MR. SARRIS: I'm not A.D.

MR. ELLENBOGEN: You're not A.D. You guys have got to get this straight with me. Coach, I'd like to present the certificate on behalf of Council. That's what happens when you get old, you can't see. Just so that you ladies will be memorialized in the Allegheny County records for the next few hundred years, I'm going to ask the coach to individually hand out your certificates and say your names, so that they will be in the record for all eternity. You'll be able to show your grandkids these achievements and now they're memorialized. Here you go.

MR. SQUEGLIA: Thank you. Jay and Tiff, can you help me with this, please?

MR. ELLENBOGEN: You can't see either?

MR. SQUEGLIA: I'm just going to give it to them to hand out. Okay. One of my assistant coaches, Tiffany Joyce. Tiffany? Jay Sarris, my other assistant coach.

(Applause.)

MR. SQUEGLIA: Now on to the team members. Just come around this way, and we'll give you your award as you go. Dana Dadig, Julia Rodiatis. Just walk up here and we'll

get to you. Emily Wahl, Nina Baker, Cassidy Walsh, Gia Facchiano, Katherine Hart, Julie DeKlaven, Naje Gibson, Alexia Facchiano, Angela Heintz, Natalie Piaggese, Bridget Sigg, Maura Bevan, Nicolete Newman. And last but not least, Kelly McConville. And again, thanks for recognizing us, and thanks for everything you do for us. (Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6880-12.

MR. CATANESE: Let the record show, that Councilwoman Green Hawkins is present. Certificate of Achievement awarded to Gateway Senior High School boys' basketball team, for winning the WPIAL Quad-A Championship.

Sponsored by Councilman Martoni.

PRESIDENT MARTONI: Would the team come up, please? This is a Certificate of Achievement for a great team in our county from a great school, Gateway Senior High School. I'm going to read one certificate. We have one for each member.

This Certificate of Achievement is awarded to the 2011-2012 Gateway Senior High School boys' basketball team, in recognition of their outstanding accomplishments throughout the team's season and in the team's capture of the 2012 Class Quadruple-A WPIAL Championship. The team's indelible contributions to Allegheny County long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join with the team in celebration of their outstanding and memorable season. We're going to have the coach say a few words and the team will introduce themselves. Okay?

MR. ADAMS: I'm going to have D.J. speak first, if you don't mind.

PRESIDENT MARTONI: Okay.

MR. BOYCE: I just want to say on behalf of the Gateway School District and the basketball team; I want to thank the Council and the members for having us. Thank you.

(Applause.)

PRESIDENT MARTONI: We're going to get a picture guys, okay. We have certificates for everybody, but before we do that I'd like each player to introduce themselves, if you wouldn't mind. Starting here (indicating). You can scream, you can do whatever you want.

MR. HARTNETT: Steven Hartnett.

PRESIDENT MARTONI: Go ahead.

MR. PAOLINO: Nick Paolino.

PRESIDENT MARTONI: Come on. Scream it happy.  
MR. BOYCE: D.J. Boyce.  
MR. MOORE: Jimmy Moore.  
MR. HARRIS: Barnett Harris.  
MR. SHORR: Matt Shorr.  
MR. HICKS: Curtis Hicks.  
MR. SCOTT: Tyler Scott.  
MR. WRIGHT: Tyler Wright.  
MR. THOMAS: William Thomas.  
MR. BROOKS: Jasano Brooks.  
MR. YORK: Henry York.  
MR. REYNOLDS: Matt Reynolds.  
MR. KROMKA: Tom Kromka.  
MR. TRARY (phonetic): John Trary.  
MR. MANECCHIA (phonetic): Coach Manecchia.  
MR. WRIGHT: Marvin Wright.  
PRESIDENT MARTONI: We're going to have to do some fancy lining up, to get everybody in the picture.  
(Pictures taken.)  
(Applause.)  
PRESIDENT MARTONI: 6881-12.  
MR. CATANESE: That one will be held.  
PRESIDENT MARTONI: Okay. Not here. 6885-12.  
MR. CATANESE: Certificate of Achievement awarded to Vincentian Academy girls' basketball team, for winning the WPIAL Class-A Championship. Sponsored by Councilman Drozd.  
MR. DROZD: Always, you wonder, sometimes when you give out basketball awards to teams, you always kind of, like --- kind of gloss over it; not always, but some of us gloss over the coaches. And the coaches always take the heat; am I wrong? I've been there, done that. And also, not only do they take the heat, but when things go wrong, they're the ones. When things go right, the parents think they did it --- right; am I wrong --- instead of the players. So I give them credit. Here they are again tonight to stand on behalf of their team, and I really think that's fabulous that you're here. This team, by the way --- you know, I always think --- when I think of a lady basketball team, I got to go back to the team that won the Olympics. And I always remember that, and this was, what, five, ten years ago, and there was that little point guard. Do you remember that? And she --- that team really stole the hearts, for that year, the Olympics. People follow --- started to follow the ladies' team

versus the men's team. And they went all the way to win, right, the Gold Medal that year. And it was just unbelievable and heartwarming to see that.

And this team, I consider no less, you know, in the essence of how hard they worked and what you did and what you accomplished, because if you know anything about Vincentian, even though they're in that league in that Class A, they're much smaller than even Class A; am I wrong? A lot of those schools are much bigger. They have much more broader talent to pull from. And that is not only an indication of the focus of those players, but it's an indication of how fantastic these two coaches, their coaches, that brought them through this. And this is a Certificate of Achievement for the Vincentian Academy, 2011-2012 girls' basketball team.

This Certificate of Achievement is awarded to the 2011 and 2012 Vincentian Academy girls' basketball team, in recognition of their outstanding accomplishments, including the coaches, throughout the team's season when the team captured the 2012 Class-A WPIAL girls' basketball championship. The team's indelible contributions to Allegheny County's long legacy of sports champions are to be commended. And on behalf of the people of Allegheny County and not only this Council but the 1.2 million population of Allegheny County, we join with the team, with you, the coaches, in celebration of your outstanding --- just outstanding and memorable season. What a fantastic thing to do. I know how that feels. How about saying some words on this?

(Applause.)

MR. MONCRIEF: On behalf of Vincentian Academy girls' basketball program, I would like to thank Councilman Drozd and also the other councilmen for recognition and invitation to be here. We greatly appreciate it.

MR. DROZD: I don't want to exclude the ladies, ladies should be up first.

MS. ADAMSKI: Again, I just want to say thank you. It was certainly a pleasure coaching for the Vincentian Lady Royals basketball team; and thank you, again.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: The following Certificates and Proclamations will be read into the record.

MR. CATANESE: 6882-12. Proclamation congratulating Auberle upon its 60th anniversary. Sponsored by Councilman Macey.

6883-12. Proclamation declaring May 25th and May 26th as Kumite Classic Fitness and Sports Day in Allegheny County. Sponsored by Councilman Martoni.

6884-12. Certificate of Achievement awarded to Mt. Lebanon High School girls' basketball team, for winning the WPIAL Quad-A Championship. Sponsored by Councilman Gastgeb.

6886-12. Certificate of Achievement awarded to Jillian Gallatin, Caleb Coradi and Michael Mitchell and Cornell High School, for winning individual and team awards at the third annual Allegheny County Health Department Teen Safe Driving competition. Sponsored by Council members Drozd, Green Hawkins and Palmiere.

6887-12. Certificate of Achievement honoring Mr. Sean O'Conner --- O'Connell of Boy Scout Troop 365, for earning the rank of Eagle Scout. Sponsored by Councilman Finnerty.

6888-12. Certificate of Achievement honoring Ms. Carly Jones of Girl Scout Troop 726, for earning the Girl Scout Gold Award. Sponsored by Councilman Macey.

6889-12. Certificate of Recognition awarded to Mr. and Mrs. John and Mary Evanko, upon their 50th wedding anniversary. Sponsored by Councilman Macey.

6890-12. Certificate of Recognition honoring Mr. Samuel Thomas, Sr., upon the occasion of his 99th birthday. Sponsored by Councilman Macey.

6891-12. Certificate of Recognition honoring Dr. Frank R. Braden, Jr., upon the occasion of his 103rd birthday. Sponsored by Councilman Drozd.

6892-12. Certificate of Achievement honoring Brian P. Halligan of Boy Scout Troop 226, for earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

PRESIDENT MARTONI: Thank you. We have seven speakers on Agenda items. The first speaker, Doug Shields. Is Doug Shields here?

MRS. SHIELDS: What was that? I'm sorry.

PRESIDENT MARTONI: Doug Shields.

MRS. SHIELDS: Can I speak for him? He couldn't make it tonight. Yeah, I wanted to read his letter for him.

PRESIDENT MARTONI: Well, you're going to be there. You're on the list.

MRS. SHIELDS: I know. I have my own statement. I just

--- he asked me if I could read his statement for him.

PRESIDENT MARTONI: What is it?

MR. FINNERTY: Let her read it.

PRESIDENT MARTONI: Yeah, just come up and read it.

MRS. SHIELDS: Okay. Thank you.

PRESIDENT MARTONI: Your name and address, please.

MRS. SHIELDS: Thank you. Bridget Shields, 2329 Tilbury Avenue, Pittsburgh, PA. And this is from Doug Shields, my husband, who at the last minute couldn't be here. Dear Members of Allegheny County Council, in all of my years of government, 20, I have never experienced an issue that would have a profound effect on so many aspects of people's lives. The issue is shale gas extraction. The impacts cover just about everything that has to do with our way of life, from government, health, environment, natural as well as built, insurance, property rights, public safety, mortgage, property value and much more. Unfortunately, the State Assembly enacted Act 13 of 2012 on February 14<sup>th</sup>; largely due to the Republican leadership being in bed with the industry. The State House Democrats universally condemned Act 13. The law contains a provision to allow drilling as a use by right in all zoning districts, except residential, and does allow it there, as well, within Pennsylvania. This pre-emption only applies to the oil and gas industry, all other entities must follow local zoning codes. When a special right is conveyed to one interest group, all other rights are diminished.

Recently, numerous municipalities have filed a lawsuit challenging this --- other provisions. Others have enacted resolutions in support of the municipalities that have brought this legal action. Allegheny County Council member, Michael Finnerty, has introduced a Sense of Council resolution in your Council, supporting the actions of the municipalities who have called the law's constitutionality into question in court. It is no small matter. I do hope that you, too, like other municipal governments, will vote in favor of this measure. I hope that you are mindful of the fact after due diligence and deliberation. No matter your position on shale gas, I would hope that you vote in support, the calling into question of the provisions Act 13 that support local zoning authority. Thank you.

PRESIDENT MARTONI: Thank you. Melissa Troutman? Melissa Troutman? Joni Rabinowitz. Joni, are you here?

MS. RABINOWITZ: Good afternoon, Council members. I'm Joni Rabinowitz, and I live at 7721 Edgerton Avenue, Pittsburgh, 15221, in the 14th Ward. Please co-sponsor and pass unanimously Mike Finnerty's resolution supporting the municipalities which have courageously challenged in court the Act 13 pre-emption of their local zoning powers. Numerous other municipalities have passed similar resolutions. Not surprisingly, these preemptions only relate to the gas and oil industry. Curious, isn't it? It must have something to do with money.

This Act also puts a gag order on medical professionals whose connection with illnesses that results in the gas extraction industry. Across the country and right here in Pennsylvania, we have myriad of medical cases showing proven relationships between the industry and serious health problems. But the final Act actually deleted Act 13, a provision which would have established a state health registry that details symptoms. What are they saying? Must have something to do with money.

Every day we hear of new catastrophes related to this uncontrolled, unregulated industry. The U.S. Geological Service recently concluded that the earthquakes in Ohio were related to injection wells, a subterfuge the companies have invented to keep their waste from public sight. When a compressor station blew up in northeastern Pennsylvania in March, the PUC had no authority because it's in a rural area. Curious? Must have something to do with money.

For those who claim this industry brings jobs as our drill-baby-drill County Executive claims, I have two brief points. One, the number of local jobs expected is vastly over-estimated, and there are studies about this. Two, why threaten already existing jobs and tourism, hospitality, forestry, state game and park lands, fishing and hunting? Former State Secretary John Quigley, of the Department of Natural Resources said that destruction from this industry will surpass that of the timber, coal and oil industries combined. Or consider the many jobs we can create in non-fossil fueled industries. These new jobs need support from the public, be that rebates and tax credits, just as the gas industry has. Finally, I'm disappointed and angry that none of you have co-sponsored this resolution, especially my own representative, Barbara Daly Danko, who has four municipalities in her district who have passed outright bans.

Two other municipalities, Wilkinsburg and Forest Hills, have also passed outright bans. This industry is moving into Allegheny County, and I urge you to familiarize yourselves with the excellent testimony before you at the public hearing last March 10th. I expect you will hold more hearings, as leases come before you for consideration, and I will continue to oppose this industry. For today, think of your grandchildren's future and vote to support community's rights to zone the gas industry, as it would zone any other commercial or industrial operation. It's the least you can do.

PRESIDENT MARTONI: Thank you. Bridget Shields? Bridget, you're up again.

MRS. SHIELDS: Here I am again. Thank you, again. Bridget Shields, 2329 Tilbury Avenue, Pittsburgh, PA. The gas industry has been recently quoted as saying; this is just the tip of the iceberg. I feel like we're on the Titanic, which they said would never sink; here in PA headed straight for the iceberg, Act 13, being devoid of any lifeboats that will save us. It's disturbing to me that none of you have the courage to co-sponsor this resolution, especially Councilwoman Danko, who has so many municipalities that have a ban in place.

I would like to ask all of you what kind of legacy you would like to leave; one that stands up for our Constitution, our rights, our health, our safety, our welfare and our property? Each day Pennsylvania is headed for the iceberg straight into it as another permit is granted. Each day another truck dumps its toxic fracking fluid into our rivers. Each day another family loses their safe water supply and their property values. Each day another farmer has lost another part of his livestock; pets are dying. Or do you want to leave a legacy of those who refuse to stand up with courage against big industry and put the proper amount of lifeboats in place for all of the citizens that pay taxes in this Commonwealth. Thank you.

PRESIDENT MARTONI: Thank you. Steven, I'm going to try to pronounce your name.

MR. HVOZDOVICH: Go for it.

PRESIDENT MARTONI: Hvozdoovich. How close was I?

MR. HVOZDOVICH: Hvozdoovich (changes pronunciation).

PRESIDENT MARTONI: Hvozdoovich (corrects pronunciation).

MR. HVOZDOVICH: A lesson in Slovak, tonight.

PRESIDENT MARTONI: Good.

MR. HVOZDOVICH: My name is Steve Hvozdoovich. I am the Marcellus Shale policy associate with Clean Water Action. I live at 4890 Leona Drive, in Whitehall. I am here tonight on behalf of my organization and its 15,000 members in Allegheny County, to express support for Councilman Finnerty's motion regarding the lawsuit filed by the municipalities which challenges the pre-emption of local zoning under Act 13. Act 13, is the most significant Marcellus Shale natural gas legislation in Pennsylvania history. Unfortunately, its final provisions ended up being only a veiled attempt at protecting our community's health and environment.

One of the most concerning provisions enacted infringes upon municipal rights. Over the last several years, municipalities throughout Allegheny County use their powers vested under Pennsylvania's Municipal Planning Code, to enact measures designed to protect the environment and health, safety and welfare of their communities and its residents from the potential threats of industrial scale gas operations. Such abilities remain paramount at a time when the industry continues to expand across Pennsylvania. However, under Act 13, the state essentially takes over these traditional powers by dictating the terms and conditions a municipality must abide by regarding location of natural gas operations, including allowing drilling to occur in residential areas. Further, it undermines a central purpose of local ordinance to address the particular needs and concerns of municipalities, which vary greatly with regard to natural resources, population location and density, commercial sectors and other aspects. This provision in Act 13 is nothing more than an attack on those municipalities in Allegheny County and around the Commonwealth, who attempted to protect their community by exercising their long-standing rights, because of Harrisburg's inability to properly address the issue. Local governments must be able to ensure protections through ordinances that reflect specific concerns. Clean Water Action asks that you stand with the plaintiffs. The additional municipalities like the City of Pittsburgh and my home community of Whitehall, which have offered their support and with Councilman Finnerty and this cause. And work to preserve the powers vested in municipalities, to determine what is necessary to protect the best interests of their community and residents. Thank you.

PRESIDENT MARTONI: Thank you. Loretta Weir? Loretta?  
MS. WEIR: Hi, I'm Loretta Weir. I live at 4544 Homeridge Drive, Munhall, Pennsylvania. I'm in the 31st Ward of the City of Pittsburgh. This is Act 13 (indicating). I don't know how many people have actually read this Act, but I went through this Act, because I did put an ad on KDKA radio. Okay. I'm just trying to understand that we had all these young people here today and there are many reasons to be here, but the number one reason is to support this lawsuit --- thank you, Mr. Finnerty --- is because if you're a patriot, you love your country and you cherish your freedoms, you would find how egregious this Act is. Now we're going to celebrate these young people today, but who's going to tell them that when their democracy was under attack, no one stood up and objected to it.

We're going to sit here. We're not going to object to this. Who will explain that Act 13 took away their rights, allowed fracking and toxic waste points 500 feet or closer to their homes; schools, hospitals, daycares and water bodies, not just processing plants, could be 750 feet or closer, because if they want a waiver and if they demand it, or if they get permission from a property owner, they'll get whatever they want. Okay. We'll concentrate on sports. We'll concentrate on team spirit. We'll tell these kids they should have all the confidence in the world. How do you proceed in your life with confidence when you have no rights? Okay.

They can get as much education as they can, but if we allow our democracy to be completely unraveled, we are no better than any other Third World country. There will be no freedoms left. They can exercise --- they can't exercise any control over their lives while we sit here. And we're either too lazy or too uninformed ourselves to protect our democratic process, our own Constitution that was a government of the people, by the people and for the people, or so I thought. What happened to our voice? There was the Halliburton loophole, and then there's lobbying with intent to purchase our politicians and start the democratic process. Act 13 is in your face, in your face; you have no rights. Who's going to stand up? Okay. This law --- the most egregious part is the medical part, the gags, the doctors.

These doctors can treat a patient if they ask in writing for the driller to list the trade secret chemicals. Okay?

They can only treat that patient. That information is not allowed to be shared not even with another doctor or anyone else. There will be no epidemiological studies. They cannot track this medical nightmare. And this is something that we have to beg; I would think every man, woman and child in this country would be outraged to see what is being dismantled here. If we don't stand up, we are not going to have the country as we've known it. So I think we better all stand up, support Mr. Finnerty. As far as I'm concerned, we should be out there doing a lot more than just --- just a lawsuit. That doesn't even go far enough for me. We should be marching on Harrisburg, Washington, everywhere else. I suggest you read this Act (indicating). Go through this Act and actually look at the egregious parts and tell me that you want to live here or that you should do this to your children and your grandchildren. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Ken Weir? Is Ken here?

MS. WEIR: No, Ken's not here.

PRESIDENT MARTONI: Okay. Thank you. That's the last speaker on Agenda Items.

MR. PACKER: I called in and registered; Mel Packer. You told me I was number six when I called him. I called in yesterday afternoon.

MR. CATANESE: I don't have anything.

PRESIDENT MARTONI: Go ahead, speak. Come up and introduce yourself. I know we don't have it on the Agenda.

MR. PACKER: I'm very sorry. I don't know what happened. Thanks a lot.

PRESIDENT MARTONI: That's okay. Your name and address?

MR. PACKER: Mel Packer, 623 Kirtland Street, Pittsburgh, 15208. I'm with Marcellus protesters; I'm sure a lot of you know. One of the quotes we grow up with in our lives is the famous quote that Mark Antony in Julius Caesar by Shakespeare; where he says, I come to bury Caesar, not to praise him. I'm hoping at the conclusion of the meeting today I'll be able to say; I come to praise Allegheny Council, not to bury it. For, Act 13, in fact, wants to bury Allegheny Council. I'm simply here in support of Mr. Finnerty's resolution saying yes; we've got to support all the other communities and boroughs and townships that have said no to the usurpation of democracy and the taking away of our rights.

It doesn't really matter how you feel about fracking. What matters is whether you decide to vote to declare this body. Your body, this body as obsolete, outdated, old and useless; Act 13 will allow restrictions on the reigning municipalities to govern ourselves. If that's upheld, then this Council, like every other elected body, may as well pack up; go home, hand the gavel and keys to the state legislator and the governor. Wave the white flag, admit that we're defeated. Admit that democracy has finally been subverted, even at this local level. And the elections have simply become a circus to entertain the masses, while electing officials who no longer have decision-making power. Act 13, while they claim it only applies to the Oil and Gas Act; in fact, is the opening salvo. And the opportunity for the State of Pennsylvania to completely usurp the rights of local citizens and elected officials to self-government, to self-rule, to the concept of democracy itself.

Henry Ford, that famous automaker, once said when asked about what color he could paint his Model-T once said, you could paint my car any color you want, as long as it's black. So now we have our state government saying to us, you can have self-government and self-regulation, as much as you want, as long as we decide exactly how much, how long and whether or not we agree with it. That's what Act 13 does to us. This cannot be tolerated. But I want to speak to you, too, as a medical practitioner. You've heard about the Gag Act. You've heard about this restriction on me. I'm a medical practitioner. I'm a physician's assistant in emergency medicine. If I get a patient in and I suspect that they've been contaminated by chemicals from fracking fluids, I have to sign a Non-Disclosure Agreement. And I have to say that I will not share this information with anyone else, including the patient, the patient's family and other practitioners. That's the rule. What is my medical license worth, if this is what it's going to do to me, make me compromise my medical ethics? I can't go to a family and say, listen; your kid has arsenic in the blood, and it's got to be coming out of your water because you've got a well next to the --- next to a fracking rig, because that's illegal for me to do. This is all Whalen doublespeak, which we have an industry that says, this is transparency. This is not transparency. This is blockevity (phonetic). It's like going to your eye doctor completely blind; people help you

into the room. You don't know if it's dark or light. You failed the vision test. Your eye doctor walks up and says there's nothing wrong with you. You have complete full vision.

This is double speak and this is the kind of transparency the industry is forcing upon us. I want to urge you to join with all the other municipalities and support Councilman Finnerty's resolution and support our democratic rights. That's really what this is about. Again, it has nothing to do with whether or not you --- the way you stand on fracking but whether or not you're going to support our rights to self-government. Do the right thing and support that resolution. Thank you.  
(Applause.)

PRESIDENT MARTONI: Thank you. Approval of minutes. There's no minutes, right?

MR. CATANESE: There's none.

PRESIDENT MARTONI: Presentation of appointments.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Okay. Unfinished business. Committee on Parks, Second Reading. 6869-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the use of County real property by the Gateway Radio Control Society, for the operation and management of the Model Aircraft Field located in the County's Boyce Park. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Okay. Mr. Futules, are you there?

MR. FUTULES: Yes, I'm here.

PRESIDENT MARTONI: Okay.

MR. FUTULES: On April 10th, the Parks Committee met and we discussed the Gateway Radio Control Society with an affirmative recommendation. I make a motion to approve.

PRESIDENT MARTONI: We have a motion. Do I have a second?

MR. MACEY: Second.

PRESIDENT MARTONI: We have a motion and a second. Question? I think that's a roll call, right?

MR. CATANESE: That's correct.

PRESIDENT MARTONI: Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?  
MR. DROZD: Aye.  
MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Aye.  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
MR. FUTULES: Yes.  
MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
(No response.)  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
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, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 14, no's, 0. The bill passes.  
PRESIDENT MARTONI: Okay. 6870-12.  
MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of a donation of solar lights for installation on Corrigan Drive in the County's South Park. Sponsored by the Chief Executive.  
MR. FUTULES: Mr. President?  
PRESIDENT MARTONI: Yes, Mr. Futules.  
MR. FUTULES: Okay. The same thing. On the Tuesday, April 10th meeting, we also discussed the South Park and Corrigan Drive, that we will be receiving five new solar street lights at no cost to the County; also, the installation. And they're being donated by private individuals. It was moved with affirmative recommendation, and I would like to move this --- to make a motion to approve.  
MR. DEFAZIO: Second.  
PRESIDENT MARTONI: Motion to second. Discussion?  
MR. PALMIERE: Point of Privilege, Mr. President, please?  
PRESIDENT MARTONI: Yes, sir.

MR. PALMIERE: I just wanted to mention the genesis of this whole thing. This is an extension of the efforts on the part of the Friends of South Park. We've been for a long time contemplating how we were going to be able to get Corrigan Drive lit for evenings. There's so much activity down there over the years and especially in the evening. So this all turned out really well for Allegheny County for people who use South Park. And I want to --- I also want to commend, while I'm thinking of it, Andy Baechle, who's in charge of the parks. Andy played a key role in helping us to get this off the ground. Mr. President, what's going to transpire here. I think as of right now, we have seven lights donated, and they're all solar, so there's no expense at all, as far as installation.

And the only thing the County is going to be responsible for --- I'm pretty sure it's about every ten years, I think, we're going to have to replace a battery --- every five years. Okay. Thank you, Andy. Every five years we'll have to replace a battery in these lights. And right now I think we have seven that have been donated. And there's going to be a little plaque on each one of those for the people that --- you know, donated the lights. And the result is going to be just a wonderful opportunity to utilize the park even more. We're very happy and very proud of the situation and how it turned out. And I thank you, Mr. President.

PRESIDENT MARTONI: Okay. Mr. Gastgeb.

MR. GASTGEB: Yeah. I'd like to echo the comments of my colleague, Mr. Palmiere. He worked really hard on this and went to meeting after meeting in South Park with the Friends group, along with Director Baechle. The genesis of this is that about 12 years ago, we were told that Corrigan Drive was a part of the County and we really don't do that type of safety measures and traffic and what have you. And way back when, during the first government, we listened and we put a traffic light on the intersection of Corrigan and Maple Springs to make it safer. Since that time, whether it's been --- whatever administration has seen the wisdom and Director Baechle has seen the wisdom, too. And with the hard work of Councilman Palmiere, now you're seeing the park in vibrancy, whether it's in the morning or whether it's at night, and that means a lot.

The Corrigan Drive area has been dark, as you can imagine. It's not a well-lit area. So not only is it doing it in the manner that's safety, it's also doing it in a green manner, which I think is very impressive. So my hat's off, and I think this goes to the evolution of Corrigan Drive and South Park and just to the betterment to the residents. And you know, the Friends Council should also be commended for due diligence of this project. Thank you.

MR. FUTULES: Before we vote ---

PRESIDENT MARTONI: Yes.

MR. FUTULES: --- maybe a little bit of clarity. I had a conversation with Andy Baechle, and he said that there were five lights and the members, we think there's seven. Can we clarify as to how many there are?

PRESIDENT MARTONI: Andy, how many lights?

MR. BAECHLE: I believe it's five.

PRESIDENT MARTONI: He believes it's five.

MR. FUTULES: I just want the record to reflect that the first record clarified that there are five and the members think that there are seven.

PRESIDENT MARTONI: Well, Andy just clarified it and said there's five.

MR. FUTULES: Well, actually, I think Vince Gastgeb and John Palmiere donated the other two that we don't know about yet.

PRESIDENT MARTONI: Yeah, that's a good idea.

MR. GASTGEB: Some of the fields still need lit. Don't worry about the other two.

PRESIDENT MARTONI: Right now we're going to say there are five. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
(No response.)  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
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, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 14, no's, 0. The bill passes.  
PRESIDENT MARTONI: Committee on Public Works, Second  
Reading. 6832-12.  
MR. CATANESE: An ordinance authorizing the County of  
Allegheny to acquire by condemnation, a certain 401 square  
foot parcel of land and an additional 878 square foot  
temporary construction easement of property of the John C.  
Porter and Edna Porter heirs, requiring for reconstruction  
of Bull Creek Bridge Number Six, in Fawn Township, and to  
take such further action as may be necessary under  
applicable law, including the Eminent Domain Code.  
Sponsored by the Chief Executive.  
PRESIDENT MARTONI: Mr. Macey?  
MR. MACEY: Thank you, Mr. President, and members of  
Council. The Public Works Committee met on April 10th,  
and this ordinance was sent to the full Council with  
affirmative recommendation, and I'll make that motion to  
approve.  
MR. ROBINSON: Second.  
PRESIDENT MARTONI: We have a motion to approve and a  
second. Question? Roll call.  
MR. CATANESE: Mr. Burn?  
MR. BURN: Yes.  
MR. CATANESE: Ms. Danko?  
MS. DANKO: Aye.  
MR. CATANESE: Mr. DeFazio?  
MR. DEFAZIO: Yes.  
MR. CATANESE: Mr. Drozd?  
MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Aye.  
MR. CATANESE: Mr. Finnerty?  
(No response.)  
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: Ms. Heidelbaugh?  
(No response.)  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
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, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 13, no's, 0. The bill passes.  
PRESIDENT MARTONI: Liaison reports. Let's start  
somewhere. We'll start on this side today. Okay? It's  
hard for me to keep track when everybody's hand is up. Go  
ahead.  
MR. PALMIERE: Thank you, Mr. President, and members of  
Council. I wanted to bring to your attention, if I may,  
the fact that we're going to have a senior's golf player's  
tournament here from June 26th to July 1st. It's going to  
be over at the Fox Chapel Country Club. And it's a major  
--- this is one of the majors on the Senior Tour. This is  
a really big deal for the community and the fact that it's  
going to bring quite a bit of revenues into Allegheny  
County, Mr. President. And I have a copy and a picture of  
the trophy and so on, and so forth, and an explanation  
here in your mailboxes for your perusal at your leisure.  
Thank you very much.  
PRESIDENT MARTONI: Anybody else on this side, for liaison  
reports? Okay. Over here, John?  
MR. DEFAZIO: Yeah. I wanted to make a report from the  
Election Board. As you know, this photo ID situation,  
there's still a lot of talk, a lot of fighting going on.  
But for now, let me tell you what's going on in the State

of Pennsylvania. In the primary election, every voter coming in is going to be handed --- by the way, can you pass out ---. Jared has a pass-out. This pass-out --- everyone that votes in the primary is going to get this for general election. The general election is when this takes effect. And what it says is, all voters will be required to show photo ID before voting at a polling place. All photo IDs must be current and contain an expiration date unless noted otherwise. Acceptable IDs include photo IDs issued by U.S. Federal Government or the Commonwealth of Pennsylvania, Pennsylvania's Driver License or non-Driver's License photo ID. IDs are valid for voting purposes 12 months past the expiration date; valid U.S. Passports not expired, U.S. Military ID. Active Duty and a retired military. A military or veteran's ID must designate an expiration date or designate that the expiration date is indefinite. Military dependents' ID must contain an expiration date. The employee photo ID issued by the Federal, Pennsylvania, County or Municipal government, not expired. Photo ID cards from an accredited public or private Pennsylvania college or university, not expired. Photo ID cards issued by a Pennsylvania care facility, including long-term care facilities, assisted living residences or personal care homes (not expired). If you do not have one of these photo ID cards and require one for voting purposes, you may be entitled to get one free of charge at a PennDOT Driver License Center. To find the Driver License Center nearest you, and learn what identification and residency documentation you will need to get a photo ID or for more information, visit [www.VotersPA.com](http://www.VotersPA.com) or call 1-877-VotersPA (1-877-868-3772). You can also learn how to vote if you have a religious exemption to having your photograph taken. No one legally entitled to vote will be denied the right to do so. If you do not have a photo ID or are indigent and unable to obtain one without payment of a fee, you may cast a provisional ballot and you will have six days to provide your photo ID and/or an affirmation to your County Elections Office to have your ballot considered counted. That's going to be given to everyone. I want everybody to know what's going to be going on with voting.

There's a Democratic nomination petition for Shawn Moody (phonetic), April 24, 2012, general primary legislative district. It says here that on April 13th the

division was advised that the Pennsylvania Supreme Court ordered that Shawn Moody be removed from the ballot as a candidate. There is insufficient time to make the necessary adjustments to remove his name. Therefore, his name will appear on the ballot on the April 24th, 2012 general primary. While Mr. Moody's name will appear on the ballot, given the court's order, any votes cast for Mr. Moody by selecting his name as a candidate shall not be counted. I have enclosed a copy of the notice to this effect that will be sent to all affected polling places for review and posting by the local Boards of Election. That's my report unless somebody has a question.

MR. ELLENBOGEN: Mr. Chairman, can I ask a question?

PRESIDENT MARTONI: Yeah, go ahead.

MR. ELLENBOGEN: John, that legislative race is part of my district. I'm just curious, people can come in still vote for this other guy or ---. I mean, from what I gather from you, they can still vote for the guy that thrown off the ballot. Is there going to be a sign there that he's not --- you know what I mean?

MR. DEFAZIO: At the end of that, that's what it says at the end of that.

MR. ELLENBOGEN: I'm just wondering.

MR. DEFAZIO: But they're not going to count it.

MR. ELLENBOGEN: I know, but still ---.

MR. DEFAZIO: But it says right here. I even enclosed a copy of this notice to this effect that it will be sent to all affected polling places for review and postings by local Boards of Elections. So that's getting sent everywhere where you can possibly vote for him and then notify them.

MR. ELLENBOGEN: Thank you.

PRESIDENT MARTONI: Anyone else? Matt, did you have your hand up? Okay, thank you. That's liaison reports. New Business, Ordinances and Resolutions. 6893-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the use of the County's South Park BMX Track facilities. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer that to the Committee on Parks. 6894-12.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget

for 2012, Submission 12-5. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer that to the Committee on Budget and Finance. New Business, Motions. 6895-12.

MR. CATANESE: A motion of the Council of Allegheny County expressing the Council's support of the lawsuit filed in opposing of Act 13 of 2012 before the Commonwealth Court of Pennsylvania, Docket No. 284-MD-2012. Sponsored by Council members Finnerty, Danko, DeFazio, Martoni, Macey and Palmiere.

PRESIDENT MARTONI: Mr. Finnerty, you may speak?

MR. FINNERTY: Thank you. If you have your packet there, if you go to the motions, the first one there, it says exactly what we're talking about here. On February 14th of 2012, Pennsylvania Governor Thomas Corbett signed HB 1950 into law as Act 13 of 2012. It amended the Pennsylvania Oil and Gas Act to establish in part a uniform zoning standard for oil and gas developers within every zoning district and every political subdivision in the Commonwealth. By doing this, he has taken away the zoning rights of municipalities which were granted under the Pennsylvania Constitution. And it's in conflict with the Municipal Planning Code. And as such is detrimental to local government and to those who reside in Pennsylvania's 2,661 municipalities.

By mandating this, the industrial use will be allowed in a residential, agricultural, resource, protection and commercial zones. Act 13 runs contrary to the Constitutional rationale for creating separate zones in municipalities which they have now. Therefore, I think it's important that we as Allegheny County Council support the lawsuit that is going on at this moment in regard to zoning. And if you haven't seen it, it's been in the paper a tremendous amount of times. And this is something and a lot of people have spoke about it, but we're just supporting the municipalities in their suit. We're not saying that we're against fracking. We're saying that we're against a violation of the Pennsylvania Constitution by this Act.

This has been done before in the coal industry and today. If you go out to Chartiers Creek, you can see as the water runs orange because there was no regulation at the time. They went out and stripped. They mined. They did anything they wanted. And we as the County of Allegheny have gone back and reclaimed this land and it

cost our taxpayers. Because it was their money that allowed the reclamation to happen. Out in Imperial, around the airport, these are areas I'm familiar with when I was young because my cousins had farms out there. This is something that we can't let happen again in this stage. We have to say something in regard to this. And the municipalities, South Fayette for example, and Robinson, and Washington County and I can't remember the rest of them have filed a countersuit or, I don't know what you would call it, in court. And they already said, the justices, that that section, they've taken it out and gave it 120 days. Because they want to go through it. Obviously, there's something wrong with this. And I think it's important that we support our municipalities. A lot of them haven't joined that suit but they have said --- said here, banned fracking in their neighborhoods. And I think it's important that the municipalities have the power locally to defend the welfare of their people. Thank you.

PRESIDENT MARTONI: What is your wish?

MR. FINNERTY: I would like this to be voted on tonight.

PRESIDENT MARTONI: Are you going to make a motion?

MR. FINNERTY: I'll make a motion.

MR. DEFAZIO: Second.

PRESIDENT MARTONI: We have a motion and a second. Questions?

MR. FUTULES: Mr. President?

PRESIDENT MARTONI: Yes.

MR. FUTULES: Nick Futules, I have a question --- not a question, more like a comment. I'd like to add myself as a cosponsor.

PRESIDENT MARTONI: We got that.

MR. FUTULES: I'd like to also comment on the fact that I agree with everything Mr. Finnerty said and I by no means am I against Marcellus Shale drilling but I would not want to take that right away from any local municipality, the right to choose what they want to do.

PRESIDENT MARTONI: Thank you. Who was next? Amanda was next, please.

MS. GREEN HAWKINS: Thank you. I'd just like to be added as a cosponsor, please.

MR. BURN: Mr. President, please add me as a cosponsor.

PRESIDENT MARTONI: Mr. Burn, a cosponsor. Who had their hand up wanted to speak? Jan?

MS. REA: I just wanted clarification from Mr. Finnerty. He said that the justices did what; the Pennsylvania Supreme Court justices did what ---.

MR. FINNERTY: They suspended that section, Act 13, for 120 days.

MS. REA: Thank you.

MR. DEFAZIO: I believe that was in the newspaper.

MR. FINNERTY: Yeah, it was.

PRESIDENT MARTONI: I don't have track of who has their hand up and when so go ahead, Jim.

MR. ELLENBOGEN: I'm not sure how I want to phrase this. This is just to discuss the motion; right? But I mean, the Supreme Court has its right. My thoughts on this is there's a lot of stuff here that, if I didn't read the entire Act 13, I'm sure most of the public didn't read it either. And it just seems to me that other than just doing a motion, if you did a public hearing about this section and you talked about the kind of things that the justices are looking at, it would bring awareness to what really is going on. Just passing a sense of motion and although I commend Councilman Finnerty because I know he's very diligent and works very hard on this. After we pass the motion, what does it really do?

You know, I'd prefer to hear all the arguments. You know what, I mean, particularly, I mean even from a jobs perspective, I hear these stories of these Texans coming in here and hiring --- bringing more in and not hiring our union people. I'm not real particularly fond of that either. I'd like to see the whole thing here. You know, I'd like to see some slides of some of the stuff that's in Councilman Finnerty's district, some of this orange water. And I'd like to hear some of the comments from some of the justices, other than just say, okay we're going to pass this motion and there it goes. So, what is it my kids always say; just saying? Thank you.

PRESIDENT MARTONI: Matt?

MR. DROZD: Thank you, Mr. President. I mean, I agree with my esteemed colleague, Councilman Ellenbogen, and also a really compassionate plea by Councilman Finnerty. And I heard some very good presentations tonight. But, I agree, this has to be really aired out. If we just pass this, it goes real quick and that's it, it's forgotten. What we need to do is have a committee hearing on this. It's important and imperative to bring this out, to do more than we're just passing a motion.

And to have the inputs from a municipality it will lend strength to it. They may want to come on and do some things within their different council and commission --- the commissioner supervisors and council people. So I really wouldn't vote on this tonight just for the mere fact this deserves more of our attention. And I'm very much more about what we have to look at, and I believe it needs to go into committee. We really need to bring some people in to talk about this; experts. And really send a stronger message, if this is what's happening and to encompass all those municipalities. Let them voice their opinions, too. I think that's important.

PRESIDENT MARTONI: Mr. Gastgeb?

UNIDENTIFIED SPEAKER: We vote. We don't have time.

PRESIDENT MARTONI: Please.

MR. DROZD: I did check ---

PRESIDENT MARTONI: I thought you were finished?

MR. DROZD: No. --- with our Counsel earlier and it's 120 days and this will no way come up before our next meeting into the courts. So we have enough time --- unless it comes up faster. But in all cases, I'd like to consult both our Counselors here tonight. I haven't discussed this with them. I want to read this Act a little better myself. What I understand and I asked from our Counselor here tonight, that this more than likely would not come up before our next meeting. We have enough time to put this into committee and really bring out and send a stronger message. That's what I'd want to do.

PRESIDENT MARTONI: Mr. Gastgeb?

MR. GASTGEB: Thank you, President Martoni. When you support a motion, you're supporting something. So this specifically says we're supporting a lawsuit that was filed by these municipalities, of which none of us, I'm sure, have read that lawsuit. It's not up here. Now in theory, we know, I've watched the news and read the paper. You know, customary to what we do here, we take things to committee, and we do due diligence in committee. We talk to our attorneys, our solicitors; people come in and give us more facts. If we're going to be voting on something here --- but no one has seen the lawsuit and can speak to the points of fact. One of the speakers brought up Act 13. I don't think anybody has read Act 13. I mean I'll speak for myself; I haven't read Act 13 enough to make a vote tonight.

UNIDENTIFIED SPEAKERS: We have.

MR. GASTGEB: I have the floor. Well, good, good for you guys. I think, you know, if we're asked to support a motion, we should have all the facts. That's why we have a committee. We don't have all the facts. Act 13 is one portion of it; the other is the lawsuits by these municipalities. Nothing's here that shows --- I don't feel comfortable supporting a lawsuit I haven't seen. There are no points of fact here that anybody would know. Also, just so you know, unless something passes unanimously, there's no message. I mean, what point do you show if some of us vote yes, and two-thirds vote no. What message does that show? So I'd rather do something right with everybody on board and you're speaking as One County, than to get some fragmented vote that you're not going to have the message anyhow. Thank you.

MR. PALMIERE: Mr. President, thank you. You know, with all due respect to my colleagues here, I commend Mr. Finnerty for having the courage to put this thing together. And I spoke to him earlier today and told him that I would support this. And you know, it's not a matter of putting all the facts together, it's a matter that we have this --- we know pretty much what's going on here. And these people have taken the time to file all these suits. And I think we should support our local communities, as best we can. And I think an affirmative vote tonight on this particular ordinance, Mr. President, is really necessary just as a first step. That's all we're doing is taking the first step and showing support for our local communities and the injustices so far that are being served here. Thank you.

PRESIDENT MARTONI: Anybody else? Jan?

MS. REA: I guess I'd respond to that and say I agree more with what Mr. Gastgeb is saying that, you know, some communities are upset and have filed a lawsuit. But there are a lot of communities in Allegheny County and there are a lot of counties in the State of Pennsylvania. So, I would like to just have more information from my communities and learn more information about this before I would say I absolutely support a lawsuit. The Marcellus Shale Industry is such a new industry in this state. I actually need to know more information about that. And I know it's very volatile on both sides of that issue. But there's new technology, it's a new industry. I would just like more information before I would say, I as a councilmember, would join representing Allegheny County

right now saying I want to regulate that industry. I don't if that's the right place I should be at this time. Thank you.

PRESIDENT MARTONI: Anyone else?

MR. ELLENBOGEN: I just wanted to say that from an emotional standpoint, you know, this bothers me tremendously. I don't like any of this that I'm seeing. But Councilman Gastgeb and Councilwoman Rea raised a very important question here. You know, our job is to not be emotional. Our job is to vote. We make the laws of this County. How am I supposed to vote on something I haven't seen? I don't know the specifics of this Act that's been removed. And I'm not saying that I'm against it. I'm not saying I'm against it at all. I'm just saying I would like to see it. I'd like to read it, you know. I'd like to hear what some of these communities --- I'd like to have some of these presidents of council from these communities here to tell me what they think. So I just want everybody to be clear that, you know, like the gentleman said in the medical profession about what he can do and what he can't do, that raises some serious eyebrows to me, you know. Those kinds of things are very serious to me. But before I put my handprint on it, I need to see this.

I want the public to see this. I want it on the screen so everybody can see what's going on here. Because right now, I'm going to be honest with you, I didn't read it. I know bits and pieces of it. But I would just be voting on everybody telling me. And that's not my job. My job is to be totally factual and know exactly; particularly when you're talking about a lawsuit. So you know, I'm going to abstain on this, not because I'm against it, but because I think it should be aired out. It's a very serious issue that could affect the next generations to come. And I think that any information that anybody can bring forth like these folks brought tonight is serious enough that it should be heard out in a public forum. So that's all I'm saying. And we should have the opportunity whether it be in committee, to actually review the wording of the law. We have enough attorneys up here. So thank you for listening.

PRESIDENT MARTONI: Okay. Mr. Gastgeb?

MR. GASTGEB: I agree. I think the testimony was compelling and I commend you for it. And I think it's important that we know it. Our job is to be able to

decipher this in committee with professional staff. What it says here is that the Council hereby expresses its support of a lawsuit. So I mean, again, what Councilmember Ellenbogen says, we're supporting a lawsuit by other municipalities. I'm going to guess nobody out there or at least most of us haven't even read it. In theory, what we're hearing from these towns; of which none of them I represent, I believe, filed the lawsuit. So I would rather, I'm not sure this will happen. I'd rather have more yeses than five or six abstentions. I don't know what message that sends when elected representatives are abstaining. But if you think that sends a message, that's fine.

PRESIDENT MARTONI: We're ready to vote. One more, go ahead.

MS. DANKO: Yes. As most Council members have received probably 30 emails in the last few days about this topic. I was particularly impressed by the comments that we received from various elected officials in South Fayette whose borough or township is one of the plaintiffs in the lawsuit. They had gone to great lengths to develop a zoning ordinance that they felt allowed Marcellus Shale but also kept it in areas where they felt it was appropriate and was necessary so that the public health, safety and welfare would be adequately supported.

It was after I reviewed those emails from a community that does have drilling that I decided to hop onto this motion. And I think, you know, whether or not we send it to committee, that's a different issue. But, I think that what we're saying in this motion is that we are specifically interested in the portion of the Act; which I believe is about 15 pages on the locally tailored zoning restrictions. That we're supporting as opposed to the blanket interruption of those rights that Act 13 has in it. Thank you.

PRESIDENT MARTONI: Thank you. I think we've exhausted --- anymore comments? I think we should do a roll call vote.

MR. DEFAZIO: That's fine with me.

PRESIDENT MARTONI: One more question.

MR. DROZD: Just, repeat; clarify what we're voting on, Mr. President, if you could.

PRESIDENT MARTONI: Would you clarify what we're voting on?

MR. DROZD: It's just to bring it out.

PRESIDENT MARTONI: Keep in mind it is a motion.

MR. CATANESE: It's a motion of the Council of Allegheny County expressing the Council's support of the lawsuit filed in opposition to Act 13 of 2012 before the Commonwealth Court of Pennsylvania, Docket No. 284-MD-2012.

PRESIDENT MARTONI: Is that okay? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Abstention.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Abstention.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Abstention.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

(No response).

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Abstain.

MR. CATANESE: Mr. Robinson?

(No response).

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes, 9, no's, 0, with 4 abstentions. It passes.

(Applause).

PRESIDENT MARTONI: 6896-12.

MR. CATANESE: Motion of the Council of Allegheny County, expressing the Sense of Council supporting House Bill 2052 which seeks to empower the Pennsylvania Insurance Department with a means of assisting in the

resolution of disputes between healthcare providers and insurers. Sponsored by Councilman Drozd.

PRESIDENT MARTONI: Mr. Drozd?

MR. DROZD: This is a freight train wreck waiting to happen. This pertains more so specifically to UPMC and Allegheny, Highmark's Allegheny and West Penn. And it goes back a long ways before this even. There's no communication going on here. And this is going to come on the people of Allegheny County, the Commonwealth, Pennsylvania and even other parts of our land if this isn't resolved soon. There's been a change of leadership at least let's say on the whole leadership of one of those two which further puts it on a very serious hole. People and our constituents are sitting out there and they're concerned. It's been a lull, so to speak, in the action but the problem still exists. People will be faced with the fact that until the people of our country are told, hey, go out and get health insurance. And so they go out and pay for health insurance the right way and do the right things to help themselves, help their families. And then they're going to be told when they have a crisis or an issue they want to go get healthcare, oh, by the way, you can't come to our facility.

Yet they supported these facilities through UPMC over the years, over the decades. They helped them in our communities. They supported their efforts in our communities. And yet they're going to deny the --- the possibility to deny access if they don't have a certain insurance, that they have insurance that's been recognized for years. This is not right and we can't let this be forgotten. I want this to go into committee. I want it to scrub and do it the right way. To make certain that it's heard and continuously heard until it's resolved. This has received bipartisan support at the state level. There's both sides of the aisle are pushing for this. But I don't think it's even strong enough. Because I think it has to bring these two major, major healthcare providers to the table. There should be no question whatsoever when a loved one needs healthcare, whether it be in a crisis situation or not. That they should stop and hesitate and think, will their insurance pay for that healthcare; especially if it's trauma, if it's someone that needs it within a golden hour. Other than that, they may die as a result of this. If they have to stop even for minutes or seconds to decide whether or not that facility is going to

accept their insurance. They should never ever be put in that situation.

So we got to continually bring this to light in every way possible. I commend this House and those two sides of the aisle that have this up. I would like to see them make it stronger where we can mandate somehow that they come to bring resolution to this. And we can't let us forget. Because I want to remind everybody, remember the Alamo, and look what happened there. This can come on us very fast and we can't let it happen. So I urge we go into committee. We need to really air this again. We need to scrub it, maybe even hold some hearings on this, and not just put it into committee. We got to get the experts in here to see where we are and we want to hear more from the State House. I thank my fellow Councilmember's for putting this high on the priority to bring it forth in that committee. Thank you.

PRESIDENT MARTONI: Mr. DeFazio, you had your hand up?

MR. DEFAZIO: Yes. The one thing, Matt, you're saying; they're going to deny. I agree, basically, with what you're saying. They won't necessarily deny you, but they'll make you pay out-of-network prices. Which is awfully high for the average person; how they could ever afford that. So that's what they'll try to do, you'll have to pay out-of-network prices; which is terrible.

PRESIDENT MARTONI: Okay, we're just going to send it to committee. That's where it should be discussed, okay. But let me say, that should be Health and Human Services. Let me say this, when the committee meets, we should invite both entities in; again. We should make sure they sit down and talk cordially to each other. Okay, or else kick them out.

MR. ELLENBOGEN: They won't come.

PRESIDENT MARTONI: They may not but we should invite them. Okay, 6897-12.

MR. CATANESE: Motion of the Council of Allegheny County pulling Bill No. 6834-12, an ordinance adopting the 2012 Allegheny County Subdivision and Land Development Ordinance from committee for an immediate final vote. Sponsored by Councilwoman Green Hawkins.

PRESIDENT MARTONI: Ms. Hawkins?

MS. GREEN HAWKINS: Thank you. I put this motion on to have Bill No. 6834-12 pulled from committee and put on for final vote tonight because the bill has been discussed

in committee already. But because of the procedural requirements for how the bill is to be passed, it was anticipated that we would vote on the bill tonight. So if it were to remain in committee, it would show up on the next agenda for the regular meeting. Then we would have to make another notice about that meeting and it's just about administrative costs and just this routine that we'd be going through, for a bill that's already been hashed out in committee already.

PRESIDENT MARTONI: That's a motion?

MS. GREEN HAWKINS: Yes.

PRESIDENT MARTONI: Do we have a second to the motion?

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and second. Question?

MR. FINNERTY: Just one, it's a timing matter; right?

MS. GREEN HAWKINS: Yes.

PRESIDENT MARTONI: We need to vote on it. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

(No response).

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

(No response).

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes, 13, no's, 0. It passes.

PRESIDENT MARTONI: Thank you. 68 ---.

MR. CATANESE: We have to pull the bill itself.

PRESIDENT MARTONI: Excuse me, I'm sorry. I'm looking at the clock, guys.

MS. GREEN HAWKINS: Thank you, Mr. President. The Pennsylvania Municipalities Planning Code authorizes municipalities to develop their own subdivision and land development ordinances. In the event the municipalities do not do this, then the County's Subdivision and Land Development ordinance would control. And there are 27 municipalities in the County, that haven't adopted this. And we discussed this in committee back on March 13. And the County's ordinance has not been amended since 1998. And so it was amended --- the amendments were proposed by the County's Economic Development department along with some consultants, so that our Subdivision and Land Development ordinance is in compliance with current laws and regulations and standards for subdivision and land development. So with that, I make the motion to pass the bill.

PRESIDENT MARTONI: I need a second.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Any questions? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?  
(No response).

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

(No response).

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes, 13, no's, 0. The bill passes.

PRESIDENT MARTONI: 6898-12.

MR. CATANESE: A motion of the Council of Allegheny County amending Article II of the Rules of Council for Allegheny County Council through the creation of a new Section F.11 in order to provide for proxy voting at meetings of committee of Council. Sponsored by Councilman Gastgeb.

PRESIDENT MARTONI: That will go to Executive Committee. Mr. Gastgeb?

MR. GASTGEB: Thank you, President Martoni. This is a proposed rule change only in the committee process. Right now, members are allowed to call in by telephone regarding a committee process. This will add a proxy feature that would be documented and actually run by the chairman of that committee; to allow for voting in case a member can't make it, since we're a citizen's legislature. Thank you.

PRESIDENT MARTONI: 6899-12.

MR. CATANESE: A motion of the Council of Allegheny County expressing the Council's support of Transportation, Enhancements, Recreational Trails and Safe Routes to Schools, and urging the United State Congress in any new legislation to continue Transportation Enhancements, Recreational Trails and Safe Routes to Schools in their current form with dedicated funding at least commensurate with their current share of the transportation budget. Sponsored by Councilman Macey.

PRESIDENT MARTONI: That goes to Special Committee on Transportation. Councilman Macey?

MR. MACEY: Thank you, Mr. President, and members of Council. This particular motion, is for the

most part here to help support any of the activities, any of the funding, anything that was part of the Transportation Bills in the past. We can all agree that the trails that we have here, the Great Allegheny Passage, certainly adds to the quality of life to our communities. It creates recreation for all ages. It has increased certain businesses along the trail. So this motion, as I said, is to help encourage any Transportation Bill to continue to provide state funding as it has in the past. Thank you.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes?

MR. PALMIERE: I'd like to also cosponsor this particular bill.

PRESIDENT MARTONI: You get that Joe?

MR. FINNERTY: Mr. President, put me down as cosponsor also, on that bill.

MR. ELLENBOGEN: Mr. President, I would like to cosponsor too.

PRESIDENT MARTONI: Okay. Notification of Contracts; 6900-12.

MR. CATANESE: Communication from County Manager, Jim Flynn, submitting Executive Actions related to contracts for the month of March 2012. Sponsored by the County Manager.

PRESIDENT MARTONI: I need a motion to receive and file right?

MR. FINNERTY: Motion to receive and file.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and second.

Questions? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Public Comment on General Items.

MR. CATANESE: We have seven.

PRESIDENT MARTONI: We have seven. First speaker is Dave Harhai? He's not here. Ron Gaydos? He's not here. Kathleen Goldman? Kathleen, you're here.

MS. GOLDMAN: Good evening. My name is Katie Goldman and I live at 636 Racine Avenue in Mount Lebanon. I'm here today representing the Republican National Lawyers Association; I'm a practicing lawyer here in Pittsburgh. And I'm here to discuss Council's consideration of a sponsorship of a Constitutional Amendment which, in my view, will essentially withdraw the

First Amendment of the United States Constitution. What I'm specifically referring to is the Constitutional Amendment as recommended in way of a motion by the sponsors of Ms. Green Hawkins' and Mr. DeFazio asking for an amendment which will recognize that the Bill of Rights was somehow adopted only to protect the speeches --- the speech of private individuals, single people, rather than organizations. I think it's really clear tonight by what I've sat through and listened to the individuals who came to testify before you about the fracking and their concerns about Marcellus Shale. That were they to get together and form an organization, and there are many political organizations like Common Cause; which is in fact sponsoring the very motion that is before the Council. But were they to form an organization, they would not be allowed under this resolution to engage in political speech before an election. That's preposterous.

What the First Amendment does, is it imposes the protection of speech, period. Not speech by people you like or people you don't like, or organizations you like or organizations you don't like. So, I'm asking the Council to refrain from getting involved in what is really essentially a national political debate. Concentrate on the issues that are affecting your constituents here in Allegheny County and focus on that. There are councils around the country; Portland, Oregon, Los Angeles, Boulder, Colorado, who have taken up this issue. And they've done it because it's given them some press. And they've gotten to advance the message of Common Cause and then the 2012 political debate which essentially is attacking the United States Supreme Court. It's beneath you. Please don't. Please refrain from engaging in this type of debate and please protect the fact that all speech is worthy speech in the United States. Thank you.

PRESIDENT MARTONI: Thank you. Michael Krass? Not here. Harry Liller. Harry is here.

MR. LILLER: My name is Harry Liller, 438 Ruxton Street, the Mt. Washington side of Pittsburgh. I'd like to talk about the Republican Agenda budget of Congress. They want to give more tax breaks to the millionaires and the billionaires. I'd like to refer to these Republicans as Banana Republicans because they want to turn us into a banana republic, 5 percent rich, 90 percent poor. I'd like to debate you Republican lawyers any time on television about what's really going on today. But the

media blames the Democrats for everything. Let's blame Obama for the deficit that the Republicans caused. Let's blame the Democrats for the North Shore Connector that the Republicans caused. It's amazing how they can get away with this. The biggest lie in the American public is the media's liberal. The media is owned by Corporate America and rich people. And none of them are liberals. I am liberal. I'm proud to say I'm liberal. The media hates me, the politicians hate me. The law enforcement hates me. Because I'm an honest, decent man doing what's right. I would also like the Republicans to change their mascot to the hippo because they're a bunch of hypocrites. It's amazing what they can get away with because the Post Gazette let Jim Roddey complain about the assessments. Was there one sentence about Jim Roddey took responsibility for screwing the black community; that caused the assessment problems today? But the Post Gazette let's Jim Roddey blame the Democrats. Blame somebody else.

Just like they hero worshiped Bob Cranmer (phonetic). For four years I came to this Gold Room and complained to everybody how they were ruining this county. The media would leave. Just like they did tonight. That's what they would always do. Because they don't care about us. They only care about the money for commercials. If you notice, the Democrats are being blamed for their deficit again. I'm amazed at what goes on and gets around because the public's not informed. I have a non-profit bank plan that would help people start their own businesses and create jobs. But, this Council, the County Commissioners, the County Executives, have done everything they can to hurt me and ignore me. You see, I'm looking forward to Judgment Day. So when all these Banana Republicans say greed is good; the real Jesus will say, no, it's not. It is easier for a camel to go through an eye of a needle. Which means a hole in the wall and that's what it meant for it to go through; than a rich man to enter heaven. So, I'm going to hold Jesus accountable for his words. And I'm going to hold the Democrats for holding me here too. But the Republicans are evil, greedy people.

PRESIDENT MARTONI: Lester Ludwig?

MR. LILLER: Any time, any time. I'll debate you on T.V. I'll show up, but you won't.

MR. LUDWIG: Lester Ludwig, 6589 Rosewood Street, Squirrel Hill, Pittsburgh, PA. It's a pleasure to be with

you again. Five years ago, I stood here and talked about the need for additional funding, the funding for education. When our new President of Council, Dr. Martoni, took over, I came to him to congratulate him. And I said, Chuck, we lost five years; the proposal that I had made which dealt with three cents was relatively speaking. While it was heard, it was heard in the backroom, in the committee room, and it never really got the attention of this Council.

Now, Dr. Martoni has his problems with the budget of Allegheny County Community College and said, Les, he said, are you going to participate, are you going to come forward, are you going to bring something new. We can keep doing everything the old way and get the same results, deficits --- or reducing the budgets for education. So I wrote, and you just received it, you haven't had a chance to read it, a transaction-based system to do away with government deficits. Not only do away with government deficits, but to take the total of what we know we need financially to properly educate our children and to turn around and make it as sure as we can --- we can't make it absolutely sure, but transactions suddenly become quite important.

And you'll say, what's a transaction? Well, you go to the bank; you make a deposit that's a transaction. And, it happens that there's 300 million of those transactions in a period --- electronic ones --- in a period of six months. Are we using that information? Are we going into the computer? Are we searching for new and better ways to budget? And the answer is no, we're adding it up taking off of what we think income will be and we're saying cut the budget.

So I wrote something here as an introduction to the thinking. To stimulate your interests in making a change. And therefore, what would transactions do? Well, transactions will turn around and say, oh, you need a million dollars, we're going to spread it over so many transactions and then it's already counted so that we will --- hopefully the numbers will work and we will succeed in reaching our goals. The short term goal is leave our change behind and you're not doing it, Doctor. You've got to get the sign out there to leave your change behind. The long term is, transaction budgeting. Let's make a change because we'll literally lead the entire country. Thank you.

The following are Mr. Ludwig's written comments:

A Transaction Based System to do away with Government Deficits, A transaction is defined as any act of a business or private individual that produces change. Example: bank deposits; any type of shopping, etc. Let's do some simple math to illustrate the effect of the number of transactions as seen by this writer. Take a number 30 for example and divide by 5=6. Take the same number and divide by 6=5. Therefore, the larger the number divided by the smaller the unit cost of taxation which government could choose to tax each of us. Therefore, a suggested .03 cents limit could be added to each transaction and would be collected from the current number of transactions which are statistically available in our computer systems. This available information is not being used to reduce our deficits or shortages in funding for Education. Instead, we are cutting budgets and placing a potential foreign boot on our children's national neck as we slide downhill in our international standing, now 14th. Forty (40) percent of our black youth cannot graduate from high school because they cannot pass test in critical areas of math, reading and science.

Currently, we add up our expenses and deduct the total from income, producing a profit or loss (deficit). How would a transaction based system work? A total of expense for a government program would be researched as is done now. Income to pay for the program would be calculated from the number of transactions of a collecting entity's (bank or business) as they already exist in our computer systems. For instance, 300 million electronic transactions occur each day in the banking industry in the U.S. What about nonelectric transfers? A large enough group of entities would be assembled to make it possible for the cost of the program to be added onto each transaction so that the cost to an individual would never exceed a chosen number (herein suggested as .03 cents, a figure so small that very few taxpayers could complain). The collecting entity would profit for collecting the money which would be transferred to government for benefit of the program (current overnight interest rate) each day with much less paperwork and employees.

This thinking results from the assessment mess and the failure to remove human judgment from that kind of decision making. Transaction based taxation removes many of our problems and could do away with our national debt

which if divided by some known numbers of transactions comes down to \$142/person. This number of transactions to arrive at this figure is not all inclusive and therefore, we may be able to get down to a \$1/transaction/person.

The short term answer to our problems in public education is our failure to ask our citizens to "leave your change behind" at every business entrance. We do not give our citizens enough credit to know that our children are being left behind an educational 8 ball. The long term answer is a changeover to "transaction-based taxation" in our attempt to do away with deficits from old methods of thinking. Numbers in this writing are from the computer of Tim Sweet and can be documented. Prepared by Lester F. Ludwig, 412-758-1111.

PRESIDENT MARTONI: Thank you. Brad Tupi?

MR. TUPI: Good evening, members of Council. My name is Brad Tupi. I live at 1470 Redfern Drive, Upper St. Clair. I'm a lawyer downtown. I am a member of an organization called the Federalists Society, which focuses on protecting the Constitution of the United States. I wanted to address as Kate did, the Citizens United motion that Council's considering. The law that Citizens United struck down affected both corporations and labor unions from using their general treasury funds for electionary (phonetic) communications. So if Citizens United were overturned, to be consistent, both corporations and labor unions would lose free speech rights. My second point, it is not true as stated in the motions, that Citizens United overturned longstanding precedent prohibiting corporations from spending corporate funds in elections. For the majority of our country's history, corporations had that right the same as everybody else. What happened was in 1990 the Supreme Court rendered a decision called Austin vs. Michigan, Chamber of Commerce had changed that. That was the case overturned decades of precedent. And in 2010, the Supreme Court in deciding Citizens United corrected an incorrect decision and restored First Amendment rights to corporations and labor unions, too.

Third point, it is not true that the Bill of Rights was intended to protect the rights of individuals only, as Kate indicated. And I can give you a couple easy examples. Mr. DeFazio, you used to be my dad's representative in the union, the FBI couldn't come into the labor union offices without a warrant. Why? Because the Constitution First Amendment protects the labor union.

The government can't take corporate property without going through due process and paying just compensation. Why? Because the Constitution protects corporations, too. So that premise of the motion is incorrect.

Last thing, when corporations spend money on election airing, they're not going to take over the political process. They're spending that money in order to persuade individual voters with information. And that's really what the First Amendment is about. The First Amendment has had no greater champion in our history than William O. Douglas who said this; because our Constitution represents we the people, the people must have access to the views of every group in the community. Some may think that one group or another should not express its views because it is too powerful, because it advocates unpopular ideas. Or because it has a record of lawless action. But these are not justifications for withholding First Amendment rights from any group, labor or corporate. First Amendment rights are part of the heritage of all persons and groups. Out of respect for the First Amendment, I encourage you to vote no on the motion. Thank you very much.

PRESIDENT MARTONI: Motion for adjournment?

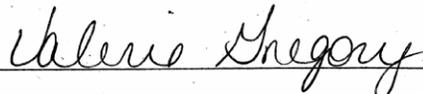
MR. MACEY: So moved.

PRESIDENT MARTONI: Move and second. All in favor?  
(Chorus of ayes)

MEETING ADJOURNED AT 7:09 P.M.

CERTIFICATE

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

  
Court Reporter